



Minutes

Planning Committee

Wednesday, 4 April 2018, 6.00 pm

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PLANNING COMMITTEE

Minutes of the Planning Committee
held in the North Fremantle Community Hall
on **4 April 2018** at 6.00 pm.

1. Official opening, welcome and acknowledgement

The Presiding Member declared the meeting open at 6.00 pm.

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

2.1. Attendance

Dr Brad Pettitt	Mayor
Cr Jon Strachan	Presiding Member / South Ward
Cr Bryn Jones	Deputy Presiding Member / North Ward
Cr Ingrid Waltham	Deputy Mayor / East Ward
Cr Adin Lang	City Ward
Cr Jeff McDonald	Hilton Ward
Cr Dave Hume	Beaconsfield Ward
Mr Paul Garbett	Director Strategic Planning and Projects
Ms Julia Kingsbury	Manager Development Approvals
Ms Charlie Clarke	Manager Governance
Mr Justin Lawrence	Coordinator Statutory Planning
Ms Kayla Beall	Senior Administration Assistant

There were approximately 50 members of the public and 20 Planning Students from Curtin University in attendance.

2.2. Apologies

Nil

2.3. Leave of absence

Nil

3. Disclosures of interests

Cr Adin Lang declared a proximity interest in item number PC1804 -3. Cr Adin Lang owns a property adjacent to the proposed development site.

4. Responses to previous questions taken on notice

Nil

5. Public question time

The following members of the public spoke in favour of the Officer's Recommendation for item PC1804 - 1:

Steven Kavalsky
Karin Best
Jennifer Miller
Nuala Thomason
Darren Bracewell
Neil Hamilton

The following members of the public spoke against the Officer's Recommendation for item PC1804 – 1:

George Wright
Graeme Wood
Michael Bennett
Pipper Reid

The following members of the public spoke in favour of the Officer's Recommendation for item PC1804 - 2:

John Dowson
Ken Adams

The following members of the public spoke against the Officer's Recommendation for item PC1804 - 2:

Gerard O'Brien
Lou Cotter
Peter Simpson
Olwyn Williams

The following member of the public spoke against the Officer's Recommendation for item PC1804 – 3:

Bobby Wilson

The following member of the public spoke in favour of the Officer's Recommendation for item PC1804 – 4:

Joe Algeri

The following members of the public spoke against the Officer's Recommendation for item PC1804 - 4:

Kerry Beazley
Martin Forsey
Salvatori Galati
Pia Colreavy

The following member of the public spoke in favour of the Officer's Recommendation for item PC1804 - 5:

Clayton Plug

The following member of the public spoke against the Officer's Recommendation for item PC1804 - 6:

Ian Bunce

The following member of the public spoke in favour of the Officer's Recommendation for item PC1804 - 7:

Claire Holmes

The following member of the public spoke in favour of the Officer's Recommendation for item PC1804 - 9:

Dimitri Kapetas

The following member of the public spoke in favour of the Officer's Recommendation for item PC1804 - 10:

Carlo Malievaz

The following member of the public spoke against the Officer's Recommendation for item PC1804 - 11:

Rowen Chitty

6. Petitions

Nil

7. Deputations

Nil

8. Confirmation of minutes

COMMITTEE DECISION

Moved: Cr Jon Strachan

Seconded: Cr Jeff McDonald

That the minutes of the Planning Committee dated 7 March 2018 as listed in the Council agenda dated 28 March 2018 be confirmed as a true and accurate record.

Carried: 7/0
Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume

9. Announcements by presiding member

Nil

10. Questions or personal explanations by members

Nil

11. Reports and recommendations

PC1804 -1 LEIGHTON BEACH BOULEVARD, NO. 29 (STRATA LOTS 2 AND 3), NORTH FREMANTLE - CHANGE OF USE TO SMALL BAR - (SM DA0570/17)

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments: 1: Development Plans
2: Schedule of Submissions
3: Small Bar Business Plan
4: Site Photos

OFFICER'S RECOMMENDATION

MOVED: Cr Jon Strachan

Seconded: Mayor, Brad Pettitt

The Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the change of use to Small bar at No. 29 (Strata Lots 2 and 3) Leighton Beach Boulevard, North Fremantle, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 21 November 2017. 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. Hours of opening shall be limited to between 6.30am – 11.00pm Monday to Thursday, 6.30am – 12 midnight Friday, 7.00am – 12 midnight Saturday and 7.00am – 10pm Sunday.
3. The premise is to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 to the satisfaction of the Chief Executive Officer, City of Fremantle. Specifically, the premises is to comply with the recommendations of the Environmental Noise Assessment report prepared by Herring Storer Acoustics dated February 2018 which includes the following:
 - Internal music being limited to background music only, to a maximum internal level of 75dB(A);
 - External music being limited to background music only during the day time period to a maximum level of 65dB(A); and
 - No external music being permitted before 7.00 am, Monday to Saturday and before 9.00 am Sunday and on a Public Holiday or after 7.00 pm every day.

Advice Notes:

- i. It is recommended that the applicant engages the City's Environmental Health department to determine their obligations in obtaining an alfresco dining permit. The City's Environmental Health department can be contacted on 9432 9999 or alternatively via email at health@fremantle.wa.gov.au.

- ii. The proponent must make application during the Building License application stage to Environmental Health Services via Form 1 - *Application to construct, alter or extend a public building* as a requirement of the Health (Public Buildings) Regulations 1992. For further information and a copy of the application form contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au

AMENDMENT 1

Moved: Cr Bryn Jones

Seconded: Cr Dave Hume

Additional conditions and amended advice note as follows:

4. ***This approval does not include any alfresco dining outside the lot boundary.***
5. ***Prior to the commencement of the use, an updated Business Management Plan is to be submitted and approved to the satisfaction of the Chief Executive Officer, City of Fremantle. The Business Management Plan is to detail the measures proposed to manage waste disposal from the business including the disposal of glass and how it is proposed to manage hours of operation and noise in order to comply with conditions 2 and 3 of this approval.***

Amended Advice Note (i):

- i. ***The applicant is advised that any proposal for alfresco dining outside the lot boundary is subject to an Application to register an Alfresco Dining Area. It should not be presumed that the City will automatically grant an Alfresco Dining Licence. It is recommended that the applicant engage with the City's Environmental Health department in regard to the requirements for such a licence.***

Amendment carried: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

COMMITTEE DECISION ITEM PC1804 – 1

(Officer's recommendation as amended)

The Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the change of use to Small bar at No. 29 (Strata Lots 2 and 3) Leighton Beach Boulevard, North Fremantle, subject to the following conditions:

1. **This approval relates only to the development as indicated on the approved plans, dated 21 November 2017. 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. **Hours of opening shall be limited to between 6.30am – 11.00pm Monday to Thursday, 6.30am – 12 midnight Friday, 7.00am – 12 midnight Saturday and 7.00am – 10pm Sunday.**

3. The premise is to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 to the satisfaction of the Chief Executive Officer, City of Fremantle. Specifically, the premises is to comply with the recommendations of the Environmental Noise Assessment report prepared by Herring Storer Acoustics dated February 2018 which includes the following:

- Internal music being limited to background music only, to a maximum internal level of 75dB(A);
- External music being limited to background music only during the day time period to a maximum level of 65dB(A); and
- No external music being permitted before 7.00 am, Monday to Saturday and before 9.00 am Sunday and on a Public Holiday or after 7.00 pm every day.

4. *This approval does not include any alfresco dining outside the lot boundary.*

5. *Prior to the commencement of the use, an updated Business Management Plan is to be submitted and approved to the satisfaction of the Chief Executive Officer, City of Fremantle. The Business Management Plan is to detail the measures proposed to manage waste disposal from the business including the disposal of glass and how it is proposed to manage hours of operation and noise in order to comply with conditions 2 and 3 of this approval.*

Advice Notes:

- The applicant is advised that any proposal for alfresco dining outside the lot boundary is subject to an Application to register an Alfresco Dining Area. It should not be presumed that the City will automatically grant an Alfresco Dining Licence. It is recommended that the applicant engage with the City's Environmental Health department in regard to the requirements for such a licence.***
- The proponent must make application during the Building License application stage to Environmental Health Services via Form 1 - *Application to construct, alter or extend a public building* as a requirement of the Health (Public Buildings) Regulations 1992. For further information and a copy of the application form contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au***

Carried: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

PC1804 -2 CANTONMENT STREET NO.28 (LOT 1), FREMANTLE - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A FOUR (4) - TEN (10) STOREY WITH BASEMENT MIXED USE DEVELOPMENT - (JL DAP002/17)

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee Comment to JDAP
Attachments: 1: Development plans
2: Site photos
3: Schedule of submissions

OFFICER'S RECOMMENDATION

Moved: Cr Jon Strachan

Seconded: Cr Ingrid Waltham

The Planning committee acting under delegation 2.1:

SUPPORT the Officers Recommendation contained in the Responsible Authority Report as follows:

That the Metro South-West JDAP resolves to:

Refuse DAP Application reference DAP/17/001202 and accompanying plans dated 7 March 2018 (Site Plan (DA-00), Basement (DA-01), Ground Floor (DA-02), Level 01 (DA-03), Level 02 (DA-04), Level 03 (DA-05), Level 04 (DA-06), Level 05 (DA-07), Level 06 (DA-08), Level 07 (DA-09), Level 08 (DA-10), Level 09 (DA-11), Level 10 (DA-12), Roof Plan (DA13), Section A (DA-20), Section B & C (DA-21), Residential Stores (DA-22), Demolition plan (DA-23), Landscaping Plan (DA-24), East & West Elevation (DA – 30 Rev 0), North & South Elevation (DA-31 Rev 0), Streetscape Elevations (DA-32 Rev 0), Streetscape Elevations (DA-33 Rev 0), Detail Elevations (DA-34 Rev 0), Detail Elevations (DA-35 Rev 0), New East-West Laneway (DA-36 Rev 0), Site Section – Looking South (DA-40), Sections - Street Interface (DA-41), Sections – Street Interface (DA-42), Sections – Pedestrian Interface 3 (DA-43), Sections – Student housing Light Court (Rev 0), Section – Market Hall Link DA-47 Rev 0), Hotel North/ South Elevation Profiled Fin Detail (DA50), Hotel East/ West Elevations Base Detail (DA-51), Hotel East/ West Elevations Head Detail (DA-53), 3D Perspective View –South-East Corner (DA-60), 3D Perspective View – South West Corner (DA-61), 3D Perspective View –North West Corner (DA-62), 3D Perspective View –North East Corner (DA-63), 3D Perspective View – Point Street Laneway (DA-64), Monument Hill Distant View (DA-65), Monument Hill Closer View (DA-67), in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Fremantle Local Planning Scheme No. 4, for the following reasons:

1. The proposal does not satisfy the requirement of being of distinctive architecture befitting its location and exceptional design quality meeting at the highest possible standard the principles of good design in accordance with Clause 1.3.2(e) and (f) of Schedule 8 of the City of Fremantle Local Planning Scheme 4, which is a prerequisite for the exercise of discretion under the Scheme by the decision-making authority to permit a building height of 38.9 metres as proposed in this application.

2. The proposal would be detrimental to the amenity of the area under clause 67 (g), (m) and (n) of the Planning and Development (Local Planning Schemes) Regulations 2015, for the following reasons:
- (g) The development does not comply with the discretionary additional building height provisions (clauses 7.1 – 7.2) of local planning policy 3.1.5 – Precinct 5 policy,
 - (m) The development is not considered to be compatible in its setting including its relationship with existing development on adjoining land by way of the height, bulk, scale and appearance of the development.
 - (n) The development is considered to negatively impact the amenity of the immediate character of the locality, with the transition and design treatments for the tower and the podium.

AMENDMENT 1

Moved: Mayor, Brad Pettitt

Seconded: Cr Dave Hume

Adding Part B to the Officers Recommendation:

- B. The Planning Committee advise the Joint Development Assessment Panel that the proposed development has significant merit, however further design improvements would be required to be made to raise the design quality of the proposal to ‘exceptional’ on the advice of the City’s Design Advisory Committee.**

Amendment Carried: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

COMMITTEE DECISION ITEM PC1804 - 2

Moved: Cr Jon Strachan

Seconded: Cr Ingrid Waltham

The Planning committee acting under delegation 2.1:

- A. SUPPORT the Officers Recommendation contained in the Responsible Authority Report as follows:**

That the Metro South-West JDAP resolves to:

Refuse DAP Application reference DAP/17/001202 and accompanying plans dated 7 March 2018 (Site Plan (DA-00), Basement (DA-01), Ground Floor (DA-02), Level 01 (DA-03), Level 02 (DA-04), Level 03 (DA-05), Level 04 (DA-06), Level 05 (DA-07), Level 06 (DA-08), Level 07 (DA-09), Level 08 (DA-10), Level 09 (DA-11), Level 10 (DA-12), Roof Plan (DA13), Section A (DA-20), Section B & C (DA-21), Residential Stores (DA-22), Demolition plan (DA-23), Landscaping Plan (DA-24), East & West Elevation (DA – 30 Rev 0), North & South Elevation (DA-31 Rev 0), Streetscape Elevations (DA-32 Rev 0),

Streetscape Elevations (DA-33 Rev 0), Detail Elevations (DA-34 Rev 0), Detail Elevations (DA-35 Rev 0), New East-West Laneway (DA-36 Rev 0), Site Section – Looking South (DA-40), Sections - Street Interface (DA-41), Sections – Street Interface (DA-42), Sections – Pedestrian Interface 3 (DA-43), Sections – Student housing Light Court (Rev 0), Section – Market Hall Link DA-47 Rev 0), Hotel North/ South Elevation Profiled Fin Detail (DA50), Hotel East/ West Elevations Base Detail (DA-51), Hotel East/ West Elevations Head Detail (DA-53), 3D Perspective View – South-East Corner (DA-60), 3D Perspective View – South West Corner (DA-61), 3D Perspective View – North West Corner (DA-62), 3D Perspective View – North East Corner (DA-63), 3D Perspective View – Point Street Laneway (DA-64), Monument Hill Distant View (DA-65), Monument Hill Closer View (DA-67), in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Fremantle Local Planning Scheme No. 4, for the following reasons:

1. The proposal does not satisfy the requirement of being of distinctive architecture befitting its location and exceptional design quality meeting at the highest possible standard the principles of good design in accordance with Clause 1.3.2(e) and (f) of Schedule 8 of the City of Fremantle Local Planning Scheme 4, which is a prerequisite for the exercise of discretion under the Scheme by the decision-making authority to permit a building height of 38.9 metres as proposed in this application.

2. The proposal would be detrimental to the amenity of the area under clause 67 (g), (m) and (n) of the Planning and Development (Local Planning Schemes) Regulations 2015, for the following reasons:

(g) The development does not comply with the discretionary additional building height provisions (clauses 7.1 – 7.2) of local planning policy 3.1.5 – Precinct 5 policy,

(m) The development is not considered to be compatible in its setting including its relationship with existing development on adjoining land by way of the height, bulk, scale and appearance of the development.

(n) The development is considered to negatively impact the amenity of the immediate character of the locality, with the transition and design treatments for the tower and the podium.

B. *The Planning Committee advise the Joint Development Assessment Panel that the proposed development has significant merit, however further design improvements would be required to be made to raise the design quality of the proposal to ‘exceptional’ on the advice of the City’s Design Advisory Committee*

Carried: 5/2
For

Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang, Cr Jon Strachan
Against

Cr Dave Hume, Cr Jeff McDonald

As Cr Adin Lang had declared a proximity interest in item number PC1804 – 3 he left the meeting and was absent during discussion and voting of this item.

PC1804 -3 COCKBURN ROAD NO.17 (LOT 1) AND HOLLIS PARK RESERVE (LOTS 8, 9 AND 10), SOUTH FREMANTLE - PARTIAL CHANGE OF USE TO USE NOT LISTED (URBAN SOLAR FARM) (JL DA0040/18)

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments: 1: Planning Report and Development Plans
2: Site Photo's
3: Schedule of Submissions
4: Frequently Asked Questions
5: Department of Water and Environmental Regulations Response

COMMITTEE DECISION ITEM PC1804 - 3

Moved: Cr Jon Strachan

Seconded: Mayor, Brad Pettitt

The Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, partial change of use to use not listed (Urban Solar Farm) at No. 17 (Lot 1) Cockburn Road and Hollis Park Reserve (Lots 8, 9 and 10), South Fremantle, subject to the following condition(s):

- 1) This approval relates only to the development as indicated on the approved plans, dated 31 January 2018. 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) Prior to commencement of development works, a site management plan is to be prepared to outline ongoing management and manage potential risks associated with excavation or disturbance of soils to the satisfaction of the City of Fremantle on advice from the Department of Water and Environmental Regulations and an accredited contaminated sites auditor. The site management plan is to include assessment of soil and ground water contamination to determine if further remediation is required.**
- 3) If required, remediation, including validation, of any contamination identified in the site management plan required in condition 2, shall be completed prior to the completion of development works to the satisfaction of the City of Fremantle on advice from the Department of Water and Environmental Regulations, to ensure that the site is suitable for the proposed use. Investigations and remediation are to be carried out in accordance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulations contaminated sites guidelines.**

- 4) Prior to commencement of development works or issuing of a building permit (if required), a detailed site earthworks plan be submitted and approved by the Chief Executive Officer, City of Fremantle, on advice from Department of Water and Environmental Regulations.
- 5) The site earthworks plan approved as required in condition 4 above be undertaken in accordance with the approved plans and maintained for the life of the development to the satisfaction of the Chief Executive Officer, City of Fremantle.
- 6) Prior to commencement of development works, the applicant submit an amended bushfire management plan in accordance with State Planning Policy 3.7 – Planning in Bushfire Prone areas, addressing any infrastructure, topographical and vegetation changes for the site to the Chief Executive Officer, City of Fremantle.
- 7) All storm water discharge shall be contained and disposed of on site or otherwise approved by the Chief Executive Officer, City of Fremantle.
- 8) Prior to the issue of a Building Permit a Construction Management Plan shall be submitted to the satisfaction of the Chief Executive Officer, City of Fremantle addressing 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) Access to site by construction vehicles;
 - e) Contact details;
 - f) Site offices;
 - g) Noise - Construction work and deliveries;
 - h) Sand drift and dust management;
 - i) Waste management;
 - j) Dewatering management plan;
 - k) Traffic management; and
 - l) Works affecting pedestrian areas.

The approved Construction Management Plan shall be adhered to throughout the construction of the new development to the satisfaction of the Chief Executive Officer, City of Fremantle.

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

Advice Note(s):

- i. All mechanical service systems including inverters 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).**
- ii. In relation to condition 3 and in accordance with regulations 31(1)(b) and 31(1)(c) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with condition 3. A current list of accredited auditors is available from www.der.wa.gov.au.**
- iii. In regards to condition 8, 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>.**

The Infrastructure Engineering department can be contacted via TECHSERVICES@fremantle.wa.gov.au or 9432 9999.

Carried: 6/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

Cr Adin Lang returned to the meeting at 8.07 pm.

Cr Bryn Jones left the meeting at 8.08 pm.

Cr Bryn Jones returned to the meeting at 8.09 pm.

PC1804 -4 SAT SECTION 31 RECONSIDERATION - WRAY AVENUE, NOS. 13 AND 15 (LOTS 3 AND 4), FREMANTLE - UPPER FLOOR ADDITIONS AND ALTERATIONS, AND CHANGE OF USE TO RESTAURANT AND MULTIPLE DWELLINGS TO TWO EXISTING SINGLE HOUSES (NB DA0210/17)

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments:
1: Amended Development Plans
2: Previous PC Reports (6 September 2017 and 1 November 2017)
3: Site Photos
4: City Consultant Advice

OFFICER'S RECOMMENDATION

Moved: Cr Jon Strachan

Seconded: Cr Adin Lang

Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, upper floor additions and alterations, and change of use to Restaurant and Multiple dwellings to two existing Single houses at Nos. 13 and 15 (Lots 3 and 4) Wray Avenue, Fremantle, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 2 February 2018. 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. Prior to the issue of a Building Permit, Nos. 13 and 15 (Lots 3 and 4) Wray Avenue are to be legally amalgamated or alternatively the owner may enter into a legal agreement with the City of Fremantle, drafted by the City's solicitors at the expense of the owner and be executed by all parties concerned prior to the commencement of the works. The legal agreement will ensure that the amalgamation is carried out and an application for a new Certificate of Title to the amalgamated lots is submitted to the Registrar of Titles within twelve (12) months of the issue of the Building Permit for the development, to the satisfaction of the Chief Executive Officer, City of Fremantle.

4. Prior to occupation of the development approved, the balconies located on the rear (south) elevation, shall be screened in accordance with Clause 5.4.1 C1.1 of the Residential Design Codes by either:
 - a) fixed with 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 floor level, or
 - b) an alternative method of screening approved by the Chief Executive Officer, City of Fremantle.The required screening shall be provided and maintained to the satisfaction of the Chief Executive Officer, City of Fremantle.
5. Prior to commencement of development, an outdoor lighting plan must be submitted and approved by the Chief Executive Officer, City of Fremantle. The outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties.
6. The render being applied to the external surface of the heritage buildings is to be of Lime or Hydraulic Lime Mortar to the satisfaction of the Chief Executive Officer, City of Fremantle.
7. The works hereby approved shall be undertaken in a manner which does not irreparably damage any original or significant fabric of the building. Should the works subsequently be removed, any damage shall be rectified to the satisfaction of the Chief Executive Officer, City of Fremantle.
8. Prior to occupation of the development, 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:
 - a) No dedicated off or on-street parking spaces are available to owners and occupants of the development and;
 - i. they, including any occupier, will not be entitled to an on-street residential parking permit(s); and
 - ii. the current street parking arrangement may change as a consequence of further development by further restricting street parking on the locality.
9. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

ADVICE NOTES:

- i. The applicant/owner be advised that any increase to the dining area of the Restaurant may require further planning approval.

- ii. The proponent must make application to establish the food business so that the premises comply with the Food Act, Regulations and the Food Safety Standards incorporating AS4674-2004 *Design, construction and fit-out of food premises*. Submit detailed architectural plans and elevations to the City's Environmental Health Services for approval prior to construction. The food business is required to be registered under the Food Act 2008. For enquiries and a copy of the application form contact the City's Environmental Health Services by email health@fremantle.wa.gov.au or telephone 9432 9856.
- iii. The applicant is advised that the subject site is located in close proximity to commercial and/or industrial development and maybe subject to noise and activity not normally associated with purely a residential use.
- iv. Prior to the issue of a Building Permit or Demolition Permit a Construction Management Plan shall be submitted addressing 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 Demolition and Construction Management Plan shall be adhered to throughout the demolition of the existing building on site and construction of the new development. The applicant should liaise with the City's Infrastructure and Project Delivery department to discuss specific requirements for this site.

- v. 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.

Lost: 2/5
For
Cr Jon Strachan, Cr Dave Hume
Against
Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang, Cr Jeff McDonald

COMMITTEE DECISION ITEM PC1804 - 4
(Alternative Recommendation)

Moved: Cr Ingrid Waltham

Seconded: Cr Jeff McDonald

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, upper floor additions and alterations, and change of use to Restaurant and Multiple dwellings to two existing Single houses at Nos. 13 and 15 (Lots 3 and 4) Wray Avenue, Fremantle, for the following reasons:

- 1. The proposal is inappropriate having regard to the purposes for which the land is zoned and Clause 4.2.5 of the City of Fremantle Local Planning Scheme 4 in that the proposal is considered to be detrimental to the amenity of the area.***
- 2. The proposal is inconsistent with the requirements of the City of Fremantle Local Planning Scheme 4 in respect to on site vehicle parking.***
- 3. The proposal is inconsistent with the requirements of the Residential Design Codes in respect to open space, lot boundary setbacks and plot ratio.***

Carried: 6/1

For

Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald Cr Jon Strachan,

Against

Cr Dave Hume

Reason for change:

The amended plans submitted following the State Administrative Tribunal mediation hearing are not considered to address the Council's original reasons for refusing development approval.

**PC1804 -5 MINILYA AVENUE, NO. 5/16 (LOT 8), WHITE GUM VALLEY -
CHANGE OF USE TO SHOP (HAIR SALON) - (CJ DA0035/18)**

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments: 1: Development plans
2: Site Photos

COMMITTEE DECISION ITEM PC1804 - 5

Moved: Cr Jon Strachan

Seconded: Cr Ingrid Waltham

The Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, change of use to Shop (Hair Salon) at No. 5/16 (Lot 8) Minilya Avenue, White Gum Valley, subject to the following condition(s):

- 1. This approval relates only to the development as indicated on the approved plans, dated 29 January 2018. 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. Prior to occupation, one (1) class 3 bicycle rack shall be provided, to the satisfaction of the Chief Executive Officer, City of Fremantle.**
- 3. 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:

- i. The premises must comply with the Hairdressing Establishment Regulations 1972. For further information contact Environmental Health Services on 9432 9999 or via health@fremantle.wa.gov.au**

Carried: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

**PC1804 -6 AGNES STREET NO.5A (STRATA LOT 2), BEACONSFIELD -
VARIATIONS TO PREVIOUS PLANNING APPROVAL FOR DA0442/15
(TWO STOREY GROUPED DWELLING) (JL VA0001/18)**

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments: 1: Development Plans
2: Site Photo's

COMMITTEE DECISION ITEM PC1804 - 6

Moved: Cr Jon Strachan

Seconded: Cr Dave Hume

The Planning committee acting under delegation 2.1:

APPROVE under the under the Metropolitan Region Scheme and Local Planning Scheme No. 4 for variations to previous planning approval for DA0442/15 (Two Storey Grouped Dwelling) at No.5a (Strata Lot 2) Agnes Street, Beaconsfield, subject to the following conditions same terms and conditions as those included within Planning Approval to commence development letter for DA0442/15, dated 11 November 2015, except whereby modified by the following condition(s):

A. Condition 1 of the Planning Approval for DA0442/15, dated 11 November 2015, is superseded by the following condition:

1. This approval relates only to the development as indicated on the approved plans, dated 18 January 2018.

B. Condition 5 of the Planning Approval for DA0442/15 is deleted.

Carried: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

Cr Ingrid Waltham left the meeting at 8.52 pm.

Cr Ingrid Waltham returned to the meeting at 8.54 pm.

PC1804 -7 RULE STREET, NO. 12 (LOT 1), NORTH FREMANTLE - ADDITIONS AND ALTERATIONS TO EXISTING GROUPED DWELLING - (SP DA0016/18)

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments:
1. Revised development plans
2. Site photos
3. Justification against additional wall height

COMMITTEE DECISION ITEM PC1804 – 7

Moved: Cr Jon Strachan

Seconded: Cr Bryn Jones

Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, additions and alterations to existing Grouped dwelling at No. 12 (Lot 1) Rule Street, North Fremantle, subject to the following condition(s):

- 1. This approval relates only to the development as indicated on the approved plans, dated 2 March 2018. 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. Prior to the issue of a building permit, the secondary 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 to the satisfaction of the Chief Executive Officer, City of Fremantle.**
- 4. Prior to the issue of a building permit, all fencing within the Primary Street setback area shall be visually permeable above 1.2 metres above natural ground level as per Local Planning Policy 2.8 – Fences Policy to the satisfaction of the Chief Executive Officer, City of Fremantle.**

- 5. Prior to use of the development hereby approved, the boundary walls located on the eastern internal boundary and northern lot boundary shall be of a clean finish in any of the following materials:**
- coloured sand render,
 - face brick,
 - painted surface,
 - other approved finish
- and be thereafter maintained to the satisfaction of the Chief Executive Officer, City of Fremantle.**

Advice Note(s):

- i) Fire separation for the proposed building works must comply with Part 3.7.1 of the Building Code of Australia.**

Carried: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

**PC1804 -9 WOOD STREET, NO. 29 (LOT 15) AND NO. 31 (LOT 16),
FREMANTLE - THREE STOREY MIXED USE DEVELOPMENT
(MULTIPLE DWELLINGS, RESTAURANT, HEALTH STUDIO) -
(DA0577/17)**

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments: 1: Development Plans
2: Site Photos

COMMITTEE DECISION ITEM PC1804 - 9

Moved: Cr Jon Strachan

Seconded: Cr Bryn Jones

Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, three storey Mixed use development (Multiple dwellings, Restaurant, Health Studios) at No. 29 (Lot 15) and No. 31 (Lot 16) Wood Street, Fremantle, subject to the following condition(s) :

- 1. This approval relates only to the development as indicated on the approved plans, dated 14 March 2018. 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. Notwithstanding condition 1 above, the ground floor tenancies have been approved as two Health studios and a Restaurant. Any change of use may require a separate application.**
- 3. All storm water discharge shall be contained and disposed of on site or otherwise approved by the Chief Executive Officer, City of Fremantle.**
- 4. This development approval does not relate to any works within the road reserves of Wood Street or Blinco Street. Such works, including any new or modified crossovers, must receive separate approval from the City of Fremantle's Infrastructure and Project Delivery Directorate and be completed prior to the occupation of the development to the satisfaction of the Chief Executive Officer, City of Fremantle.**
- 5. Prior to the issue of a building permit, the following end of trip facilities are to be provided for use by the commercial units to the satisfaction of the Chief Executive Officer, City of Fremantle:**
 - One male and one female (or 2 unisex) showers**
 - Two lockers in a location easily accessible from the showers**
 - Two Class 1 or 2 bicycle racks.**

6. 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, climbing vines, etc), for all floors of the development shall be submitted to and approved by the Chief Executive Officer, City of Fremantle.
7. Prior to the occupation of the development, landscaping shall be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the Chief Executive Officer, City of Fremantle. All landscaped areas are to be maintained on an ongoing basis for the life of the development on the site to the satisfaction of the Chief Executive Officer, City of Fremantle.
8. Prior to the issue of a Building Permit, the lot boundaries of Nos. 29 (Lot 15) and 31 (Lot 16) Wood Street are to be legally amalgamated/modified in accordance with the approved plans or alternatively the owner may enter into a legal agreement with the City of Fremantle, drafted by the City's solicitors at the expense of the owner and be executed by all parties concerned prior to the commencement of the works. The legal agreement will ensure that the boundary modification is carried out and an application for new Certificates of Title to the amalgamated/modified lots is submitted to the Registrar of Titles within twelve (12) months of the issue of the Building Permit for the development, to the satisfaction of the Chief Executive Officer, City of Fremantle.
9. Prior to occupation of the development hereby approved, the boundary walls located on the southern and western elevations shall be of a clean finish in any of the following materials:

 - coloured sand render,
 - face brick,
 - painted surface,
 - other approved finish

and be thereafter maintained to the satisfaction of the Chief Executive Officer, City of Fremantle.
10. Prior to occupation of the development, the car parking and loading area(s), and vehicle access and circulation areas shown on the approved site plan, including the provision of disabled car parking, shall be constructed, drained, and line marked and provided in accordance with Clause 4.7.1(a) of the City of Fremantle Local Planning Scheme No.4, to the satisfaction of the Chief Executive Officer, City of Fremantle.
11. 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:

- i. The Short Stay unit located on the roof is considered part of the community amenity and is not to operate as a distinct land use. Occupancy is to be limited to guests of owners and residents of the development only.**

- ii. 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.**

Carried: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

PC1804 -10 DOUGLAS STREET, NO. 8 (LOT 6), FREMANTLE - DEMOLITION OF EXISTING SINGLE HOUSE - (CJ DA0585/17)

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments: 1: Development plans
2: Heritage comment

COMMITTEE DECISION ITEM PC1804 – 10

Moved: Cr Jon Strachan

Seconded: Cr Dave Hume

The Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, demolition of existing Single house at No. 8 (Lot 6) Douglas Street, Fremantle, subject to the following condition(s):

- 1. This approval relates only to the development as indicated on the approved plans, dated 29 November 2017. 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. Prior to issue of a Demolition Permit, an archival record is to be made of the building to be demolished and submitted to the City of Fremantle for approval, and shall include:**
 - a) A site plan prepared at 1:200 scale, floor plan(s) of the building and four elevations prepared at 1:100 scale.**
 - b) Digital photographs taken of the building (once vacated) to include:**
 - i) a general/overall photo of the building to be demolished;**
 - ii) photos of each of the four elevations;**
 - iii) internal photos of all rooms; and photos of any special architectural features.**

Advice note:

- i. 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>

Carried: 7/0
Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume

PROCEDURAL MOTION

At 9.00pm the following procedural motion was moved:

COMMITTEE DECISION

Moved: Cr Ingrid Waltham

Seconded: Cr Jeff McDonald

The meeting be continued beyond 3 hours.

Carried: 7/0
Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume

PC1804 -11 THOMPSON ROAD, NO. 64A (LOT 9), NORTH FREMANTLE - TWO STOREY SINGLE HOUSE WITH DETACHED HOME OFFICE AND GARAGE AND DEMOLITION OF EXISTING STRUCTURES - (SM DA0597/17)

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments:
1. Development Plans
2. Applicant Justification
3. Site Photos

OFFICER'S RECOMMENDATION

Moved: Cr Jon Strachan

Seconded: Cr Bryn Jones

The Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, two storey single house with detached home office and garage and demolition of existing structures at No. 64A (Lot 9) Thompson Road, North Fremantle, as detailed on plans dated 16 March 2018, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 16 March 2018. 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. This development approval does not relate to any works within the road reserve of Thompson Road.
3. All storm water discharge shall be contained and disposed of on site or otherwise approved by the Chief Executive Officer, City of Fremantle.
4. Prior to the occupation of the development, the limestone wall along the front/western property boundary, as indicated on the approved plans dated 16 March 2018, shall be repaired using traditional building materials and techniques to match the original appearance to the satisfaction of the Chief Executive Officer, City of Fremantle.
5. Prior to the issue of a building permit, a detailed drawing showing how the ground floor and upper floor rooms, as indicated in red on the approved elevation plans, are to be screened in accordance with Clause 5.4.1 C1.1 of the Residential Design Codes by either:
 - a) fixed obscured or fixed translucent glass to a height of 1.60 metres above internal floor level, or
 - b) With fixed vertical 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 as determined from the internal floor level, or
- d) an alternative method of screening approved by the Chief Executive Officer, City of Fremantle.

Prior to occupation, the approved screening method shall be installed and maintained to the satisfaction of the Chief Executive Officer, City of Fremantle.

6. Prior to occupation of the development hereby approved, the boundary walls located on the northern side boundary shall be of a clean finish in any of the following materials:
- coloured sand render,
 - face brick,
 - painted surface,
 - other approved finish

and be thereafter maintained to the satisfaction of the Chief Executive Officer, City of Fremantle.

7. 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. The applicant is advised in relation to condition 5, that this screening requirement may be met by provision of a new boundary fence, as indicated on the approved plans, pursuant to part (d) of the condition.
- ii. In relation to condition 4 above, should there be any further clarification regarding the requirements of this condition please contact the City's Heritage Department on 9432 9999 or alternatively planning@fremantle.wa.gov.au. In addition to this, there are a number of technical advice sheets for conservation of privately-owned heritage buildings on the City's website. Useful information on the conservation of limestone walls is specifically provided on the City of Fremantle technical advice Sheets 3 and 4.
- iii. 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.
- iv. It is recommended that the applicant liaise with the northern and southern side adjoining property owners regarding the possible retention or replacement of the existing dividing fence along the common lot boundary. Please refer to the Dividing Fences Act 1961 for the rights and responsibilities of land owners

regarding dividing fences. Information is available at the following website:
http://buildingcommission.wa.gov.au/bid/Dividing_Fences.aspx.

- v. It is recommended that the applicant obtains Structural Engineers / Dilapidation Report regarding the integrity of the existing structures on adjoining properties, so to ensure that any works alleviate any damage that may occur as part of the proposed development.
- vi. Fire separation for the proposed building works must comply with Part 3.7.1 of the Building Code of Australia.
- vii. No building work is permitted to encroach onto the adjoining properties. All building work must be contained within the lot boundaries.
- viii. An application for building permit for the swimming pool barrier must be submitted and building permit issued prior to filling the swimming pool with water.
- ix. Protection of window openings must comply and are to be restricted from opening in accordance with Part 3.9.2.5 of Building Code of Australia.
- x. Stair construction is to comply with Part 3.9.1 of Building Code of Australia. Treads must have slip resistant finish. Riser and going dimensions slope relationship (2R+G) shall be 700 maximum – 550 minimum.

PROCEDURAL MOTION

At 9.05pm the following procedural motion was moved:

COMMITTEE DECISION ITEM PC1804 - 11

Moved: Cr Dave Hume

Seconded: Mayor, Brad Pettitt

That the item be referred to the Ordinary Meeting of Council on 18 April 2018 to allow for additional information to be supplied by officers in regards impact on an adjoining property.

Carried: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

ITEMS APPROVED “EN BLOC”

The following items were adopted unopposed and without discussion “En Bloc” as recommended.

COMMITTEE DECISION

Moved: Cr Jon Strachan

Seconded: Cr Dave Hume

The following items be adopted en bloc as recommended:
PC1804 – 8, PC1804 – 12 and PC1804 – 13.

Carried: 7/0

Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume

PC1804 -8 MONTREAL STREET, NO. 45 (LOT 1 STPLN 28933), WHITE GUM VALLEY - PARTIAL CHANGE OF USE TO HOME OCCUPATION (PHYSIOTHERAPIST) IN AN EXISTING SINGLE HOUSE (NB DA0033/18)

Meeting Date: 4 April 2018
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Attachments: 1: Development Plans
2: Site Photos

COMMITTEE DECISION ITEM PC1804 – 8

Moved: Cr Jon Strachan

Seconded: Cr Dave Hume

Planning committee acting under delegation 2.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, additional use of Home Occupation (Physiotherapist) to an existing Single house at No. 45 (Lot 1 StPln 28933) Montreal Street, White Gum Valley, subject to the following condition(s):

- 1. This approval relates only to the development as indicated on the approved plans, dated 23 January 2018. 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 Home Occupation (Physiotherapist) hereby permitted shall have hours of operation that do not exceed normal trading hours, ie. 8:00 am to 6:00 pm on Monday, Tuesday, Wednesday, and Friday; 8:00 am to 9:00 pm on Thursday; and 8:00 am to 5:00 pm on Saturday. Sunday trading is not permitted.**
- 3. This approval allows the Home Occupation (Physiotherapist) hereby permitted to be conducted by Emma Sulley. If Emma Sulley ceases to operate the Home Occupation (Physiotherapist) hereby permitted or occupy the subject site, this approval will expire.**

Carried en bloc: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

PC1804 -12 UPDATE ON METRO SOUTH-WEST JDAP DETERMINATIONS AND RELEVANT STATE ADMINISTRATIVE TRIBUNAL APPLICATIONS FOR REVIEW

The following applications have been determined by the Metro South-West JDAP and/or are JDAP/Planning Committee determinations that are subject to an application for review at the State Administrative Tribunal.

COMMITTEE DECISION ITEM PC1804 – 12

Moved: Cr Jon Strachan

Seconded: Cr Dave Hume

That the information is noted.

Carried en bloc: 7/0

**Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume**

PC1804 -13 SCHEDULE OF APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

Acting under authority delegated by the council the manager development approvals determined, in some cases subject to conditions, each of the applications listed in the attachments and relating to the places and proposal listed.

COMMITTEE DECISION ITEM PC1804 – 13

Moved: Cr Jon Strachan

Seconded: Cr Dave Hume

That the information is noted.

Carried en bloc: 7/0
Dr Brad Pettitt, Cr Ingrid Waltham, Cr Bryn Jones, Cr Adin Lang,
Cr Jeff McDonald, Cr Jon Strachan, Cr Dave Hume

12. Motions of which previous notice has been given

Nil

13. Urgent business

Nil

14. Late items

Nil

15. Confidential business

Nil

16. Closure of meeting

The Presiding Member declared the meeting closed at 9.11 pm.



Minutes Attachments

Planning Committee

Wednesday, 4 April 2018, 6.00 pm

