



Additional Information

Ordinary Meeting of Council

Wednesday 26 April 2023, 6pm



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Additional Information 1 – Site Photos



Photo 1: Subject site as viewed from Hickory Street



Photo 2: Subject site as viewed from Hickory Street (view northward)



Photo 3: Subject site and carport area of adjoining southern property (No. 10)

5 April 2023

PC2304-1 HICKORY STREET, NO. 8 (LOT 30), SOUTH FREMANTLE - TWO STOREY ADDITIONS AND ALTERATIONS INCLUDING A ROOF TOP TERRACE ADDITION TO EXISTING SINGLE HOUSE (ED DA0263/22

Additional Information 2 – Applicant Responses to City’s Further Information / Revised Plans Request and Public Submissions



Hi Erik,

Please see below (in red) the justification points as per the request from your assessment for Further Information/Revised Plans Request - 8 Hickory Street, South Fremantle (DA0263/22).

1. **Building Height (Schedule 7 (LPA4 South Fremantle), defers to R-Codes Table 3)**

- The external wall height of the proposal is **7.789m** in lieu of the maximum 7.0m permitted by the R-Codes (**789mm** variation).
- The maximum total height of the proposal in **8.7m** in lieu of the maximum 8.0m permitted by the R-Codes (**700mm** variation)

Please note the following heights have been taken from the front elevation 1 & side elevation 2.

The top height of the proposed two storey portion of the front roof additions (top of roof) is 7.60m.

The height of the wall of the proposed two storey portion of the front wall additions (top of wall) is 6.0m which is also the underside of the eaves.

The top height of the proposed three storey roof addition (which is setback 14.82m from the front b'dry line) is 9.13m.

The height of the wall of the proposed three storey portion of the side wall additions (top of wall) is 7.789m.

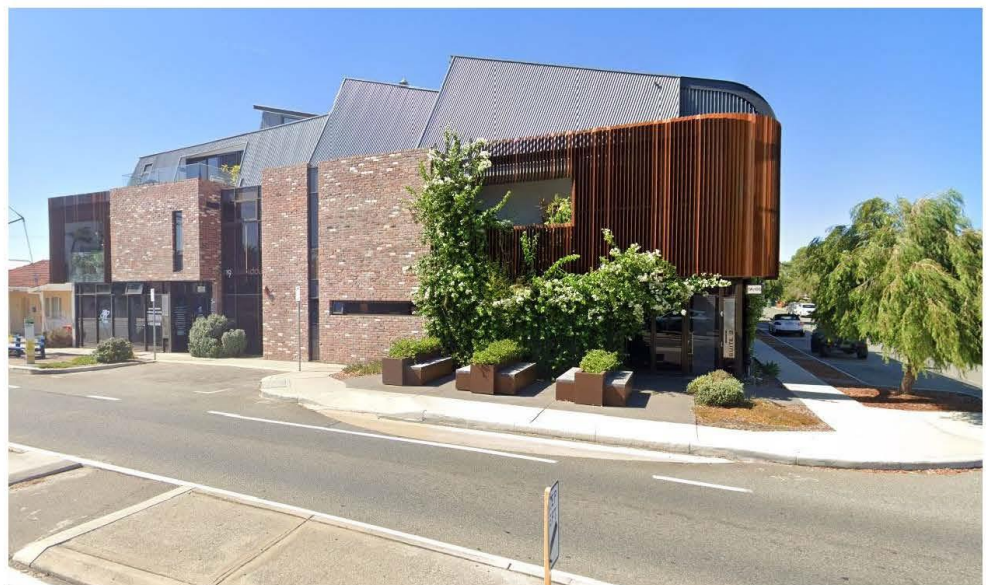
As seen on the side elevation the portion of wall greater than 7m makes up only a small amount of the entire length of the home. We do not believe this to be a major variation. The wall height with no major openings, or overshadowing does not impact upon the northern neighbour.

We also believe by staggering the proposed upper floor and third floor (as seen on the front and side elevations and floor plans) we are minimising the impact upon neighbours and the streetscape. In fact, if you were to stand on the foot path or the street you would be hard pressed to actually see any of the third floor due to the amount it is setback (14.82m).

It should also be noted that in the context of the surrounding development there is actually quite a number of cumbersome existing two storey and three storey dwellings within the near vicinity of Hickory street itself as well as Douro Road and Marine Terrace most of which can be seen upon entering Hickory street.



20 Douro road



19 Douro road



Marine Terrace (end of Douro road)



1 Douro road (view from Hickory street)

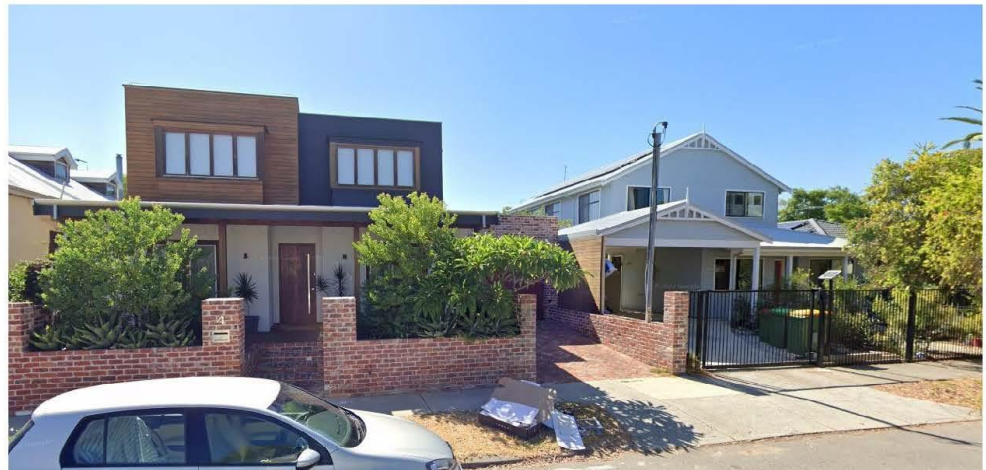


1 Douro road



18 Hickory street (3 storey home with third level pitched roof)

The two storey neighbouring residences (to the north) at 4 & 6 Hickory street can be clearly seen from the street with little use of staggering the elevation. These residences are situated forward of both the existing and proposed additions at 8 Hickory street.



4 & 6 Hickory street (neighbouring two storey properties to the north)

The existing large two storey residence on the corner of Hickory street & Douro road also highly impacts the street due to its proximity and setback to both front and side setbacks.

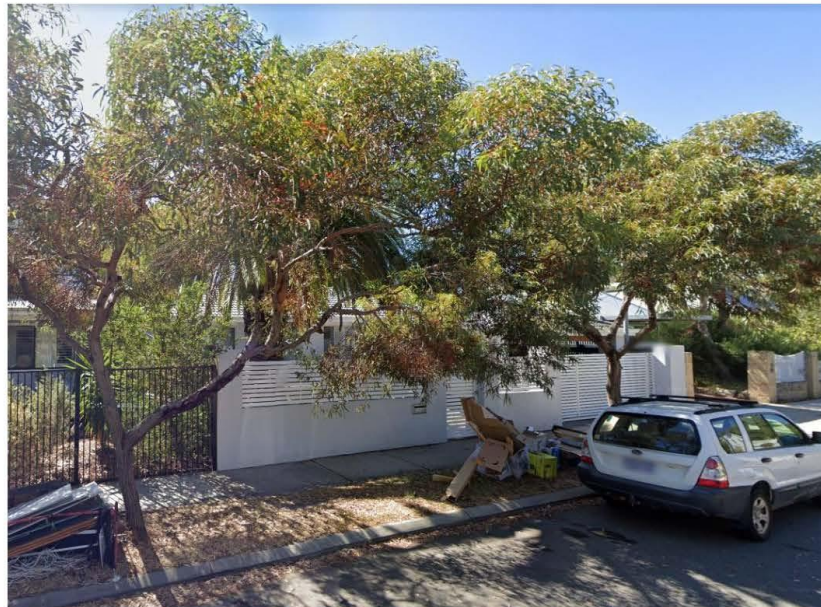


Corner of Hickory street & Douro road

A number of other key points which have a positive impact for 8 Hickory street (which have not been mentioned within the assessment) are as follows:

Both the existing front fence on the boundary line and the existing carport (forward of the existing residence and proposed additions) will help buffer the impact of the upper floor additions.

The existing verge trees and significant large existing tree within the front setback will also buffer and mask the proposed additions.



8 Hickory street



8 Hickory street



Any variation to building heights prescribed by Schedule 7 of the LPS4 need to be justified under Clause 4.8.1.1 of the City's LPS4 though in this circumstance officers cannot see how all these criteria can be met in the context of surrounding development as this development would be greater in scale. As such revised plans are required to ensure the building height demonstrates compliance with Table 3 of the R-Codes.

Collaboration on this project with Fremantle Officers started many months ago to ensure the smooth lodgement process. These plans were approved verbally via planning & heritage.

At the time of initial discussions with the Planning Department the scale of the proposed addition, staggering of the design and setbacks were clearly viewed. It was agreed that the proposed addition was not out of place and indeed fitted in quite well with the surrounding area.

As shown with the attached photos, this has not changed since we have started the planning process.

2. Visual Privacy – Roof Terrace (views north and south) – R-Codes 5.4.1

The proposed roof terrace, where uncovered ("New Open Terrace") provides only 1200mm high walls along the southern and northern edges of the open terrace which are insufficient in screening views and will provide for direct overlooking of adjacent properties. Revised plans are required to address this visual privacy issue from the terrace.

Please see the latest amended plans.

We have increased the heights of these side and rear walls on the new open terrace to provide a better privacy solution.

We believe this now complies.

3. Overshadowing – R-Codes 5.4.2

The proposal will result in **34.94%** (159/455sqm) overshadowing of the adjoining southern property in lieu of the maximum 25% permissible under the R-Codes. While it is understood some overshadowing is inevitable given the orientation of the sites it is also noted that some of the excessive overshadowing is due to the excessive building height (see point 1 above) and that the overshadowing may impact key north facing openings and outdoor living areas of the adjoining property and thus, revised plans should be prepared to address the overshadowing and additional information (such as plotting the adjoining dwelling openings and outdoor living areas and how the shadow will impact these) if the level overshadowing cannot be brought into compliance with the R-Codes.

Please see the latest amended site plan.

We have added the intramap image of the entire neighbouring property (to the south) to help you understand the impact and location of the overshadowing.

As noted on the site plan the overshadowing of the upper floor additions and terrace roof additions fall over the existing shadow cast by the existing single storey residence which is mainly upon the neighbouring existing residence roof and the neighbouring existing carport roof.

It should also be noted that there are a number of large significant trees in the neighbouring property which provide shadow to existing open space areas.

We believe the overshadowing does not severely impact the living areas of the neighbouring property.



10 Hickory street (neighbouring property to the south)



4. Public Consultation Submissions

The application was advertised in accordance with Schedule 2, clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015. The advertising period concluded on 8 September 2022, and three (3) submissions were received from adjoining landowners. The following issues were raised (summarised):

- *Concerns that the height of the external walls and overall building height exceeds the maximum permitted by the R-Codes and the impact of this will be to reduce our access to natural light and unacceptably overshadow adjacent properties. The proposal should be made compliant with relevant R-Code and/or Council policy requirements.*

Please see the latest amended site plan addressing the shadow concerns.

- *Concerns that visual privacy will be significantly compromised from the rear facing openings at first floor level and from the roof terrace that will afford direct overlooking of adjoining properties.*

Please see the latest amended plans addressing the privacy concerns.

The main idea of the roof top terrace is to maximise the view of significance to the west (ocean views).

- *Concerns the use of the rooftop terrace will generate unacceptable noise impacts upon adjoining dwellings.*

Please see the latest amended plans addressing both privacy and increased wall heights which will help reduce noise.

The Owners and occupants (which include a young husband and wife and young growing family) will abide by local noise regulation laws, and with privacy screens and potted plants, this will also reduce the chance of noise leakage.

- *Concerns the new 1800mm dividing fencing will not be sufficient to prevent overlooking from the new decking around the pool; the fencing should be raised 1800mm above the level of the decking.*

Please see the latest amended plans addressing overlooking concerns.

Happy to increase fence height to prevent overlooking.

Landscaping including developed trees along the fence line will also be added to help prevent overlooking.

Please also note that the deck is less than 500mm above the natural ground level.

- *Concerns the large 3 storey dwelling will set a precedence for such a scale of development that will adversely impact the established heritage and general character of the area and impact the amenity of neighbouring properties.*

We disagree with this comment above. As previously provided in this justification, there are already a number of much larger developments within the surrounding area.

It should also be noted that on the western side of Hickory street you will find many properties that have built up to the boundary line, many of which are two storey with little to no staggering of the upper floor.

These have much more impact upon the street than a two storey addition which is staggered back from the street, buffered by existing street trees, screen fencing, landscaping and significant trees within the front setback but above all only a very small amount of roof.

Please see examples of other existing residences which have more of an impact upon the streetscape.



Hickory street 2 storey examples with nil setback



Hickory street 2 storey examples with nil setback



Hickory street 2 storey examples with nil setback



Hickory street 2 storey examples with nil setback

In conclusion, we hope the information provided in this justification and on the amended planning drawings outline the key points of concern with clear demonstration. However, if you require further details, or would like to meet on site then please don't hesitate to contact us.

Kind regards,

Stuart Redwood
Director

Australian Renovation Group
stuart@arg.com.au
9244 4462

Council Policy

Grants and Sponsorship Policy

Policy scope

The Grants and Sponsorship Policy supports initiatives and projects that build the social, environmental, cultural and economic life of the City of Fremantle. This policy outlines the framework to manage one-off grant, sponsorship and in-kind funding requests that will further the actions and the achievement of the City's strategic objectives.

This policy is not applicable to third party funded grants or sponsorships auspiced by the City of Fremantle or direct sponsorship, except where noted.

Policy statement

The City recognises the pivotal role community groups, organisations, business and individuals play in the delivery of vibrant and diverse communities.

This policy outlines how funding support programs will be made available and the guidelines for responsible and strategic distribution of resources through a considered, consistent, equitable and transparent decision-making process; recognising the current and future needs of the City of Fremantle, its community and visitors.

The City of Fremantle reserves the right to refuse proposals or applications at its own discretion and is not obligated to provide any funding should a proposal or application be received.

The availability of financial support remains subject to Council's annual budgetary process and may vary annually dependent upon Council priorities and strategic requirements.

The outcome of all successful funding applications including direct sponsorship will be made publicly accessible through the City's website. Information to be updated on a quarterly basis.

1. Guiding Principles

The following principles are applied in the consideration of financial and value in-kind support outlined in this policy:

- A. Transparency:** implementation of clear and effective processes which reflect good governance principles and demonstrate accountability for the expenditure of public funds.
- B. Strategic alignment:** ensuring contribution towards the achievement of the City's Strategic Community Plan.

- C. Collaboration:** developing mutually beneficial partnerships and relationships to ensure long term benefits for the City.
- D. Equity:** ensuring fairness in the distribution of recourses in a manner which is socially inclusive and accessible.
- E. Sustainability:** promoting self-sufficiency and intergenerational equity through capacity building to meet the City's long-term aspirations and future needs.

2. Acknowledgement of Council

The City of Fremantle requires recognition from all applicants supported under this policy, including:

- Appropriate recognition as a sponsor such as the City of Fremantle logo and/or Fremantle destination brand on any associated marketing or communications material.
- Recognition in any official speeches.
- Free tickets (where applicable) to the event for distribution to members of the Fremantle community or for promotional activities including competitions.
- Signage incorporating the City of Fremantle logo and/or Fremantle destination brand (as appropriate) at events or activations and the logo in a prominent position in printed and digital event material.
- Opportunities for the City of Fremantle and/or the Fremantle destination brand to be incorporated into any marketing.
- The opportunity to utilise events to build relationships between the City and stakeholders.
- Other benefits and conditions as agreed upon and outlined in the applicable funding agreement.

3. General Eligibility

3.1 Applications from the following individuals, groups or organisations are not eligible for funding under this Policy:

1. Political parties or organisations that have a core purpose of political lobbying, including the lobbying of Elected Members
2. Current City of Fremantle staff and Elected Members

3.2 Applications for the following activities are not eligible for funding under this Policy:

1. Events and/or activities that have received funding from other City of Fremantle funding programs in the same financial year as the application
2. Events and/or activities that create an environmental hazard

3. Events and/or activities or events outside the geographical boundaries of the local government authority
4. Events and/or activities that are not lawful or are not able to obtain necessary approvals
5. Events and/or activities that promote behaviours or views that may defame and/or vilify any groups or individuals and will not contribute to a safe and inclusive community
6. Events and/or Activities or organisations that promote views and behaviours which are inconsistent with the adopted values and policy commitments of the City

4. Funding Management Process

Assessment

Applications are assessed against the specific funding program criteria and subject to the relevant administration processes, outlined in internal administration policies and procedures.

Approvals will be made in accordance with the City's Delegated Authority Register and records evidencing assessment against evaluation criteria must be retained.

Council Process

Requests for funding that fall outside of this Policy or where there is insufficient budget allocation are to be submitted to Council for assessment and approval consideration.

Council are notified of all funding decisions pertaining to the programs outlined in this Policy through half yearly reports submitted to the Audis and Risk Management Committee.

Funding Agreements

Applicants are to enter into a funding agreement prior to the release of cash funding, and before the project, activity or event commences. At the completion of the project, activity or event applicants are required to report and acquit as per the funding agreement.

Precluded from entering a funding agreement are programs listed under Individual Assistance, Donations and Rebates.

5. Funding Programs

Sponsorships				
Program	Description	Open for Applications	Levels of Support	Strategic Alignment
1. Economic Development	Supporting initiatives, programs, and activations that deliver and economic and visitation benefit to Fremantle.	Ongoing	• Monetary • Value in-kind • Reduction fees and charges	• City of Fremantle Strategic Community Plan 2015-2025 • Economic Development Strategy • Destination Marketing Strategic Plan • Relevant Policies
2. Community Events	Sponsorship program supports activities, initiatives and events that deliver a community benefit to Fremantle.	Ongoing	• Monetary • Value in-kind • Reduction fees and charges	• City of Fremantle Strategic Community Plan 2015-2025 • Relevant Policies
Grants				
Program	Description	Open for Applications	Levels of Support	Specific Eligibility Criteria
3. Community	Support for programs and activities that address a specific need or provide a benefit to the Fremantle community.	Two rounds per year	• Monetary • Value in-kind	• Organisations with incorporation status • Applicants with an eligible auspice • Not for profit organisations
4. Arts	Strengthen the vibrant Fremantle arts sector through activation and support	Two rounds per year	• Monetary • Value in-kind	• Organisations with incorporation status • Individuals with an ABN • Applicants with an eligible auspice
5. Venue Support	Provide assistance to eligible groups via the discount of Fremantle venue and reserve hire	Ongoing	• Value in-kind	• Not for profit organisations • Community groups • Educational bodies

	fees.			Charitable event organisers
6. Neighbourhood Quick Response	Support for projects to further strengthen Fremantle neighbourhoods and build community resilience.	Ongoing	- Monetary - Value in-kind	- Unincorporated 'grass-roots' community groups, City Precinct Groups - Individuals with evidence of neighbourhood support for the project
7. Sporting Club Assistance	Support for local sporting clubs.	Ongoing	Monetary	- Club located in City boundaries - Incorporated and unincorporated sporting clubs
Individual Assistance				
Program	Description	Open for Applications	Levels of Support	Specific Eligibility Criteria
8. Sporting Assistance	Supporting access for young people to participate in community sport programs and assistance for young people to compete or officiate in their chosen sport at a state, national or international level.	Ongoing	Monetary	- City of Fremantle resident - Aged 21 and under
9. International relationships - Student Exchange Program	Offer local young people assistance toward expenses related to their participation in an official student exchange program.	Ongoing	Monetary	- Full time student - Aged between 16 and 21 - City of Fremantle resident
10. Positive Ageing Assistance Fund	Assistance for older residents to maintain their independence and to remain in their home for	Ongoing	Monetary	- City of Fremantle resident - Aged 60 and over - Pensioner or health care concession card

	longer.			
Donations and Rebates				
Program	Description	Open for Applications	Levels of Support	Specific Eligibility Criteria
11. Donations	Assist local groups and individuals in Fremantle. May also be used to provide disaster relief donations.	Ongoing	Monetary	- Not for profit organisations - Community groups - Educational bodies - Charitable event organisers - Declared disaster events
12. Waste Minimisation	Rebate for residents to purchase minor infrastructure (i.e. worm farm) and cloth nappies, reducing waste sent to landfill	Ongoing	Monetary	- City of Fremantle resident 1 rebate per household

6. Definitions and abbreviations

Acquittal	An acquittal is a written report submitted after the funded project is complete. It details how the grant recipient administered the funds and met the project outcomes in the funding agreement. An acquittal report includes promotional material, including media reports, evidences of project activities and outcomes, attendance/stakeholder satisfaction metrics and a detailed financial report that includes project income and expenditure.
Auspice	An auspice is an incorporated organisation who receives, administers and acquits the City's funding on behalf of the applicant. The auspice is required to: - enter into a funding agreement with the City of Fremantle - accept grant funds and pay the auspiced grant applicant - monitor and acquit the use of funds at the completion of the project.
Council	Council of the City of Fremantle
Grant	Cash or value-in kind support provided to applicants through a specific funding program. To be utilised for a specified project or purpose as outlined in the funding agreements between the City and the recipient
Incorporated Association	An association that has been incorporated in accordance with the <i>Associations Incorporations Act 1991</i> .
Not-for-profit organisation	A not-for-profit organisation is an organisation that does not directly operate for the profit or gain of its owners, members, or shareholders, either directly or indirectly.
Project	A service, event, activity, program or other operational function for which an organisation or individual may seek assistance.
Rebate	A partial refund for residents of up to 50% of an approved waste minimisation product, capped at the maximum funding amount.
Sponsorship	Defined as cash and/or in-kind support that is provided by the City to an external party with an expectation that the City and/or its community receive a benefit from the sponsorship, directly or indirectly (i.e. a return on investment).
Unincorporated Community Group	A group of people who act together for a shared interest or purpose. Where such a group is successful for funding, an individual representing the group will be required to personally sign the funding agreement or have an auspice willing to enter into the contract on behalf of the group.
Value In-kind	An arrangement whereby the City forgoes revenue (either in full, or a percentage) on any service, facility or activity by Council that would normally charge a fee. This may include environmental health approvals, event permits, waste collection venue hire etc.

Responsibility and review information	
Responsible officer:	Manager Community Development
Document adoption/approval details	26 May 2021 – FPOL2105-7
Document amendment details	Reviewed 24 November 2021 – FPOL2111-10
Next review date	24 November 2025