



Additional documents

Planning Committee

Wednesday, 7 April 2021, 6.00pm

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PC2104-1 HIGH STREET, NO.162 (LOT 464), FREMANTLE – FOUR STOREY EDUCATIONAL ESTABLISHMENT BUILDING – (CS DA0370/20)

Alternative recommendation submitted by Cr Su Groome

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Four Storey Education Establishment at No. 162 High Street (Lot 464), Fremantle, subject to the following conditions:

- 1. This approval relates only to the development as indicated on the approved plans dated 21 December 2020. 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 shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.**
- 3. 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.**
- 4. 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.**
- 5. This development approval does not relate to any works within the road reserve.**
- 6. 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, on the advice of the City's Design Advisory Committee.**
- 7. Prior to the issue of a Building Permit for the development hereby approved, the design treatment of the western side of the High Street elevation, including the pallet of proposed materials is to be further refined to reflect the proportions and design of the rest of the façade, with revised details being submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.**
- 8. Prior to the submission of a Building Permit for the development hereby approved, the planter box immediately adjoining the pedestrian entry is to be removed and the ground floor façade be redesigned to increase the width of the pedestrian entry with revised details being submitted**

and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.

9. Prior to the issue of a building permit a dilapidation survey of 160 High Street, Fremantle (Dalkeith House) shall be prepared and submitted to the satisfaction of the City of Fremantle, on the advice of the Heritage Services Team at Department of Planning, Lands and Heritage.
10. Prior to the commencement of works, the applicant/owner is to submit a report, outlining an approach to monitor any structural movement and vibration impacts at the adjoining property at 160 High Street, Fremantle (Dalkeith House) that may result from excavation of the subject site and construction of the subject development. The report is to also include a process to immediately notify the Heritage Services Team at Department of Planning, Lands and Heritage if any impact occurs and the steps to be taken to rectify any such impacts. The report is to be submitted to the satisfaction of the City of Fremantle, on the advice of the Heritage Services Team at Department of Planning, Lands and Heritage.
11. 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.
12. 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.
13. 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.
14. 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.
15. Prior to the issue of a building permit, the applicant/owner is to submit a copy of documentation from the Green Building Council of Australia or a

suitably qualified professional stating how the development will achieve a Green Star rating of at least 4 Stars or equivalent, to the satisfaction of the City of Fremantle.

16. Prior to occupation, the applicant/owner is to submit a copy of documentation from the Green Building Council of Australia or a suitably qualified professional stating that the development as constructed achieves a Green Star rating of at least 4 Stars or equivalent, to the satisfaction of the City of Fremantle.
17. Prior to the occupation/ or issue of a building permit for the development hereby approved, the owner shall contribute a monetary amount equal in value to one percent of the estimated development cost, as indicated on the Form of Application for Planning Approval, to the City of Fremantle for development of public art works and/or heritage works to enhance the public realm in accordance with LPP 2.19: Contributions for Public Art and/or Heritage Works and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$5,750,000 the contribution to be made is \$57,500.
18. 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.
19. 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.
20. 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.

ADVICE NOTE(S):

- i. 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.
- ii. Prior to commencement of development, an arborological report shall be undertaken of the existing tree within the site, as shown on the approved plans, to determine its health and viability to retain due to construction constraints, and shall then be protected through the implementation of a Tree Protection Zone for protection during construction. Additional information with regard to the tree protection zone requirements can be found here:
<https://www.fremantle.wa.gov.au/residents/trees-and-verges>.
- iii. The proponent must make application 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. Once construction has been completed, make application to Environmental Health Services via Form 2 - *Application for a public building certificate*. For further information and a copy of the application form contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au.
- iv. 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.
- v. In relation to the condition relating to the public art contribution, the applicant is advised that Council may waive the requirement for the

public art/heritage work contribution in accordance with clause 6 of LPP 2.19 where the development incorporates public art in the development to the same value as that specified in Condition 17 that is located in a position clearly visible to the general public on the site of the development. Should artwork be incorporated in the development a public art strategy for the site must be submitted to and approved prior to the issue of a Building Permit, to the satisfaction of the City of Fremantle. Please contact the City's Public Arts Coordinator on 9432 9999 for further information on this process. Prior to occupation of the development, the approved artwork must be installed and thereafter maintained to the satisfaction of the City of Fremantle. In determining the appropriateness and artistic merit of the public art, council shall seek relevant professional advice.

- vi. 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.
- vii. 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.
- viii. The applicant is advised that any signage may be subject to a separate application for planning approval.

Reason for alternative:

The height is comparable to the height of the adjacent property and is generally consistent with heights within the nearby school campus and the two-storey Victorian era dwellings to the rear on Ellen Street. Further, the height represents an appropriate transition from the permitted heights further west on High Street. The design and siting mitigate potential impacts on the heritage building as well as potential overlooking and overshadowing.

**PC2104-2 HAMPTON ROAD, NO. 45 (LOT 1), FREMANTLE – TWO STOREY
GROUPED DWELLING – (NB DA0002/21)**

Alternative recommendation submitted by Cr Su Groome

DEFER the application for the two storey Grouped dwelling at No. 45 (Lot 1) Hampton Road, Fremantle, to the next available Planning Committee Meeting to allow the applicant to consider amending the proposal to increase the primary street setback to be more consistent with the overall streetscape of Stevens Street.

**PC2104-2 HAMPTON ROAD, NO. 45 (LOT 1), FREMANTLE – TWO STOREY
GROUPED DWELLING – (NB DA0002/21)**

Alternative recommendation submitted by Cr Andrew Sullivan

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the two storey Grouped dwelling at No. 45 (Lot 1) Hampton Road, Fremantle, subject to the following conditions:

- 1. This approval relates only to the development as indicated on the approved plans dated 10 March 2021. 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. The approved development shall be wholly located within the cadastral boundaries of the subject site including any footing details of the development.**
- 3. All storm water discharge shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.**
- 4. Prior to occupation/ use of the development hereby approved, the boundary wall located on the east boundary shall be of a clean finish in any of the following materials:**
 - coloured sand render,**
 - face brick, or**
 - painted surface,****and be thereafter maintained to the satisfaction of the City of Fremantle.**
- 5. 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.**
- 6. 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.**
- 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 Jacaranda mimosifolia closest to the corner of Hampton Road and Stevens Street will need to be transplanted by a qualified arborist (or removed and replaced if agreed to by the City) a minimum of 2m from the proposed crossover at the applicant's expense. The remaining tree to be protected by a Tree Protection Zone during development. Please liaise with the City's Infrastructure Services or Parks and Gardens at 9432 9999 for further details.
- ii. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. New crossovers shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.
- iii. Fire separation for the proposed building works must comply with Part 3.7.1 of the Building Code of Australia.
- iv. 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.

Reason for alternative:

Stevens Street is characterised by existing infill development with a reduced setback to the primary street.

**PC2104-3 ETHELWYN STREET, NO.16 (LOT 81), HILTON – TWO STOREY
SINGLE HOUSE – (CS DA0435/20)**

Alternative recommendation submitted by Cr Su Groome

DEFER the application for the two storey Single house at No. 16 (Lot 81) Ethelwyn Street, Hilton, to the next available Planning Committee Meeting to allow the applicant to consider amending the proposal to reduce the impact of the south facing boundary wall on the habitable room windows of the adjoining property.