



Meeting attachments

Ordinary Meeting of Council

Wednesday 8 May 2024 6pm

Part 2 of 2

fremantle.wa.gov.au



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**C2405-2 CANTONMENT STREET NO.28 (LOT 10), FREMANTLE -
AMENDMENTS TO DAP005/23 (THREE (3) STOREY MIXED USE
(SHOP, OFFICE, LIQUOR STORE- SMALL AND CHILDCARE
PREMISES) DEVELOPMENT) INVOLVING THE PROPOSED
DELETION OF CONDITION NO. 26 (ED DAPV002/24)**

Attachment 1 – Applicant Covering Letter

Our Ref: J000292
LG Ref: DAP005/22
DAP Ref: DAP/22/02352



15 March 2024

Ms Chloe Johnston
Manager Development Approvals
City of Fremantle
70 Parry Street
FREMANTLE WA 6160

PO Box 538, Inglewood
Western Australia 6932

0411 445 031
peter@ptsplanning.com.au
www.ptsplanning.com.au

ABN - 32 603 168 850

Dear Chloe

28 (LOT 1) CANTONMENT STREET AND 20 (LOT 800) ELDER PLACE, FREMANTLE – APPLICATION TO DELETE CONDITION 26

We are pleased to enclose an amended application under Clause 17(1)(b) of the *Planning and Development (Development Assessment Panels) Regulations 2011* to delete Condition 26.

In accordance with the requirements please find enclosed:

- An executed MRS Form 1.
- An executed DAP Form 2.
- An executed City of Fremantle Application Form.
- Certificates of Title.

Background

The Metro Inner-South DAP at its meeting held on 30 January 2023 approved the construction of a three (3) storey mixed-use (shop, office, liquor store-small and childcare premises) on the subject site.

Condition 26 was imposed on the Approval which requires *'Prior to occupation of the development, 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 consistent with the City's LPP 2.19 and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$14 million the contribution to be made is \$140,000. Alternatively, the City may waive the requirement in relation 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 the condition that is located in a position clearly visible to the general public on the site of the development. In determining the appropriateness and artistic merit of the public art, council shall seek relevant professional advice.'*

Proposed DAP Form 2

This application seeks to delete Condition 26.

Justification

Local Planning Policy 2.19

It is acknowledged that LPP 2.19 applies to the site. As identified in 'Making Good Planning Decisions' it is identified that policy is not to be applied inflexibly. A local planning policy is a tool to assist with decision-making, not a document requiring slavish compliance regardless of other competing planning considerations. The document refers to the decision of Clive Elliott Jennings & Co Pty Ltd v Western Australian Planning Commission [2002] 122 LGERA 433 at [24], Justice Barker held:

“The existence of a policy cannot replace the discretion of the decision-maker in the sense that it is to be inflexibly applied regardless of the merits of the particular case. However, the relevant consideration in many applications will be why the ‘policy’ should not be applied; why the planning principles that find expression in the ‘policy’ are not relevant to the particular application.”

We provide the following justification as to why the Policy should not be applied in this circumstance.

Project Cost Escalation for Heritage Design Outcome

The landowner was forced to adopt a higher level of design to respond to the historic use of the site and area. While the site has no heritage listing and not located within a heritage area or precinct, the design was forced to implement a brick podium outcome. This occurred through the Design Advisory Committee process dating back to May 2015 that required the replication of the Woolstores Buildings through the brick podium. This was required even though the previous building no longer existed on the site and that the site is not heritage listed. While it is acknowledged that the building needed to take into account the character and context of the area, there are many ways of achieving this outcome, however, it was evident through the DAC process that the DAC would only accept a brick podium.

The use of brick has added an additional \$250,000 to the cost of the development.

It should be noted that the proposed development did not require design excellence, however, it is the landowner's view that this is what the DAC required through the creation of the brick podium.

Construction Cost Escalation

Following approval by the JDAP the landowner has gone through detailed documentation and design and has awarded the tender for the proposed development with the development under construction. The response to the tenders has resulted in a significant cost increase. This has put a significant financial impost on the development.

As evident in other areas of Western Australia, including Fremantle, there are many projects that have been delayed or indefinitely suspended given the cost of works.

If it were not for the landowner's obligation to the main tenant, this development would not have proceeded.

Other Project Costs

The subject site has had to deal with contamination from the site on the southern side of Queen Street. The contamination was not the result on the landowner of the site on which this development is proposed, it has resulted from the lack of action in dealing with the contamination on the southern side of Queen Street by the

current and previous landowners. This has added significant costs associated with both time and money resolving the situation.

As part of this application, the landowner is required to pay for the improvements to the Queen Street verge. This has further cost implications.

We also note that the proposed development forms Stage 1 of the 4-stage redevelopment of the site. Each stage will be required to contribute to public art which could in aggregate be in the order of \$1 million of public art for the site. This obviously has implications for the future stages.

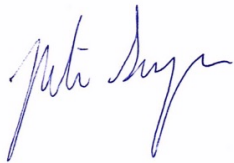
While we acknowledge that public art forms an important part of the public domain, in these extraordinary times of significant cost escalation and projects being shelved, we need to take a pragmatic view of what costs are appropriate to apply to developers. Particularity in this instance given the forced higher design costs, contamination and other public works costs.

We look forward to your favourable consideration of this application.

Should you have any questions or require any additional information, please do not hesitate to contact the undersigned on 0411 445 031 or peter@ptsplanning.com.au.

Yours sincerely

PTS Town Planning Pty Ltd

A handwritten signature in blue ink, appearing to read 'Peter Simpson', with a stylized flourish at the end.

Peter Simpson
Director



**C2405-2 CANTONMENT STREET NO.28 (LOT 10), FREMANTLE -
AMENDMENTS TO DAP005/23 (THREE (3) STOREY MIXED USE
(SHOP, OFFICE, LIQUOR STORE- SMALL AND CHILDCARE
PREMISES) DEVELOPMENT) INVOLVING THE PROPOSED
DELETION OF CONDITION NO. 26 (ED DAPV002/24)**

Attachment 2 – Original Decision Notice and Approved Plans



LG Ref: DAP005/22
DAP Ref: DAP/22/02352
Enquiries: (08) 6551 9919

Mr Peter Simpson
PTS Town Planning
PO Box 538
Inglewood WA 6932

Dear Mr Simpson

**METRO INNER-SOUTH JDAP - CITY OF FREMANTLE - DAP APPLICATION -
DAP005/22 - DETERMINATION**

Property Location:	Lot 1 (28) Cantonment Street & No. 1-6/20 Elder Place, Fremantle
Application Details:	Construction of a three (3) storey mixed use (shop, office, liquor store-small and child care premises) development

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Fremantle on 25 October 2022 for the above-mentioned development.

This application was considered by the Metro Inner-South JDAP at its meeting held on 30 January 2023, where in accordance with the provisions of the City of Fremantle LPS No.4, it was resolved to **approve** the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, an application may be made to amend or cancel this planning approval in accordance with regulation 17 and 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval, please contact Mr Justin Lawrence on behalf of the City of Fremantle on 08 9432 0000.

Yours sincerely,

DAP Secretariat

31 January 2023

Encl. DAP Determination Notice
Approved Plans

Cc: Mr Justin Lawrence
City of Fremantle



Planning and Development Act 2005

City of Fremantle LPS No.4

Metro Inner-South Joint Development Assessment Panel

**Determination on Development Assessment Panel
Application for Planning Approval**

Property Location: Lot 1 (28) Cantonment Street & No. 1-6/20 Elder Place,
Fremantle

Application Details: Construction of a three (3) storey mixed use (shop, office, liquor store-small and child care premises) development

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 30 January 2023, subject to the following:

1. **Accept** that the DAP Application reference DAP/22/02352 is appropriate for consideration as a Shop, Office, Child Care Premises and Liquor Store -Small land uses are compatible with the objectives of the zoning table in City of Fremantle Local Planning Scheme No.4;
2. **Approve** DAP Application reference DAP/22/02352 and accompanying plans dated 22 November 2022 (Drawing DA-00 , DA-01, DA-02, DA-03, DA-04, DA-05, DA-06, DA-07, DA-08, DA-09, DA-10, DA-11, DA-12, DA-13 and DA-14 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City of Fremantle Local Planning Scheme No.4 subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. All storm water discharge shall be contained and disposed of on site or otherwise approved by the City of Fremantle.
4. The works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.
5. This approval does not relate to any works within the road reserves, with the exception of the proposed awnings. Any such works will be the subject of a separate agreement between the applicant/owner and the City of Fremantle.



6. All car parking and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.
7. Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out at Lot 1 and 800 to determine if remediation is required on the advice of the Department of Water and Environment Regulation, to the satisfaction of the City of Fremantle.

If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works at Lot 1 and Lot 800 to the satisfaction of the City of Fremantle, on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use. Investigations and remediation are to be carried out in compliance with the *Contaminated Sites Act 2003* and current Department of Water and Environmental Regulation contaminated sites guidelines.

8. Prior to lodging an application for a building permit, 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.
9. Prior to the issue of a building permit, the applicant/owner is to prepare detailed plans for the improvements to the Queen Street verge, which is to include street trees, paving, street furniture etc. The plans are to be approved by the City of Fremantle with the works undertaken by the applicant/owner, at the applicant/owner's expense, prior to occupation of the development.
10. Prior to issue of a Building Permit for the development hereby approved, No. 28 Cantonment Street (Lot 1) and 1-6/20 Elder Place are to be legally amalgamated into one lot on the Certificate of Title. 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. The legal agreement will specify measures to allow the development approval to operate having regard to the subject site consisting of two separate lots, to the satisfaction of the City of Fremantle.
11. Prior to the issue of a building permit, an external signage strategy shall be submitted to the satisfaction of the City of Fremantle.
12. Prior to the issue of a building permit for the development hereby approved, an outdoor lighting plan must be submitted and approved by the City of Fremantle. The outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties.
13. 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.



14. Prior to the issue of the building permit, a detailed landscaping scheme shall be provided and be approved by the City of Fremantle. Prior to the occupation of the development, the approved landscaping plans shall be completed in accordance with the approved plans to the satisfaction of the City of Fremantle. All landscaped areas are to be maintained on an ongoing basis for the life of the development, to the satisfaction of the City of Fremantle.
15. 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.
16. 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.
17. Prior to the issue of a building permit 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;
 - m) Works affecting pedestrian areas; and
 - n) existing tree(s) within the road reserve(s), protected through the implementation of a Tree Protection Zone for protection during construction

Dewatering application must include:-

- Written approval from department of Water and Department of Park and Wildlife
- Dewatering impact report
- Demonstrated compliance with Swan Trust Policy SRT/DE6
- Before discharge in to the City's storm water system, they need to have a sediment control and weekly monitoring plan.

The approved Construction Management Plan shall be adhered to throughout the demolition of the existing building on site and construction of the new development.



18. 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 including collection time
- 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.

19. 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.

20. Prior to the issue of a building permit, the plans hereby approved being modified to include 8 class 3 bicycle parking bays and associated end-of-trip facilities consisting of 13 lockers in accordance with clause 4.15.1 and 4.15.2 of Local Planning Scheme No.4. The bays and end-of-trip facilities shall be provided and thereafter maintained to the satisfaction of the City of Fremantle.

21. Prior to the issue of a building permit, the noise sensitive development (childcare centre) adjacent to the Fremantle Railway must implement measures to ameliorate the impact of transport noise. The development must comply with WAPC State Planning Policy - 5.4 Road and Rail Noise (SPP 5.4) on advice from the Public Transport Authority, to the satisfaction of the City of Fremantle.

22. Prior to the occupation of the childcare centre a notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate of title of the lot to the satisfaction of the City of Fremantle. The notification is to state as follows:

"The lot is situated in the vicinity of a transport corridor and is currently affected or may in future be affected by transport noise."

23. Prior to occupation of the development, a Delivery Management Plan is to be submitted and approved to the satisfaction of the City of Fremantle. The management plan is to include specific details as to how deliveries for the development will be managed, including timing, access and frequency of deliveries. The approved management plan is to be implemented, thereafter to the satisfaction of the City of Fremantle.



24. 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 in accordance with the Australian Standard for parking facilities and off-street car parking the satisfaction of the City of Fremantle.
25. Prior to the occupation of the development, any redundant crossovers and kerbs shall be removed, and the verge reinstated at the expense of the applicant and to the satisfaction of the City of Fremantle.
26. Prior to occupation of the development, 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 consistent with the City's LPP 2.19 and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$14 million the contribution to be made is \$140,000. Alternatively, the City may way the requirement in relation 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 the condition that is located in a position clearly visible to the general public on the site of the development. In determining the appropriateness and artistic merit of the public art, council shall seek relevant professional advice.
27. 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.
28. Prior to the issue of a building permit, revised drawings shall be provided to ensure access to sunlight and natural ventilation for the carpark on Level 1 to the satisfaction of the City of Fremantle.
29. Prior to the issue of a building permit, a safe access plan for bicycles shall be submitted to the satisfaction of the City of Fremantle. This may include a proposal to relocate the bicycle racks shown on the second floor to a suitable location at ground level.

Advice Notes

1. 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.
2. Street Tree species shall be consistent with the rest of Queen Street / streetscape or as in consultation with the City of Fremantle.
3. The overall number and spacing of the proposed street trees shall provide a consistent shade and comfort over the footpath.
4. Street furniture type, location and number shall be approved by City.



5. New crossover(s) shall comply with the City's standard for standard crossovers, which are available on the City of Fremantle's web site. Prior to commencing construction of the crossover(s), the developer is to contact the Engineering Project Officer on 9432 9999 to arrange an inspection or alternatively via info@fremantle.wa.gov.au.
6. 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 info@fremantle.wa.gov.au or 9432 9999.
7. 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.
8. The premises must comply with the *Food Act 2008*, regulations and the Food Safety Standards incorporating AS 4674-2004 *Design, construction and fit-out of food premises*. Detailed architectural plans and elevations must be submitted to Environmental Health Services for approval prior to construction. The food business is required to be registered under the Food Act 2008. For further information contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au.
9. Work on construction sites shall be limited to between 7am and 7pm on any day which is not a Sunday or Public Holiday. If work is to be done outside these hours a noise management plan must be submitted and approved by the City of Fremantle prior to work commencing.
10. Design and install all mechanical service systems, including air-conditioners, pool filter motors, gym weight equipment, amplified music, kitchen exhaust ducts and refrigeration motors, etc. to prevent noise levels from exceeding the relevant assigned levels as set out in the *Environmental Protection (Noise) Regulations 1997* (as amended). It is advised to seek the services of a competent acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.
11. In relation to Condition above and in accordance with regulation 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 the above Condition. A current list of accredited auditors is available from www.dwer.wa.gov.au.



12. The PTA is currently undertaking investigations to determine future access arrangements, infrastructure upgrades and future expansions to Fremantle Train Station and Bus Interchange. This includes relocating and expanding the Fremantle Bus Interchange further north which will create alterations to points of ingress and egress from the bus interchange for bus movements. The Transport Impact Assessment prepared by Shawmac (Version B, dated 4th October 2022), should consider traffic modelling along Elder Place and the existing and future impact on the proposed service and delivery vehicle ingress/egress onto Elder Place to ensure the proposal does not cause disruptions to bus services arriving/departing from the Fremantle Bus Interchange in its current and future arrangement.
13. Safe, efficient and reliable access for buses into and out of the bus interchange are critical requirements for PTA's operations. If Elder Place is a key access point for the proposed development, the PTA requests further discussions with the owner/applicant to identify opportunities to install bus priority measures, such as bus lanes, as part of the development to ensure bus services are not delayed by general traffic and service vehicles.
14. Prior to commencement of the development the applicant/owner must obtain approval from the PTA for works in and around the operating Fremantle Railway Corridor in accordance with the PTA's 8103-400-004 - Procedure - Working In and around the PTA Rail Corridor, Assets and Infrastructure, to the satisfaction of the City of Fremantle and advice from Public transport Authority.
15. An application for third party access is required prior to the commencement of any development/construction works within the PTA Protection Zone. The developer must therefore seek PTA's approval for working in and around the operating railway in accordance with PTA's 8103-400-004 - Procedure - Working in and around the PTA Rail Corridor, Assets and Infrastructure. The request is to be submitted a minimum of 6 months (emailed to PTAThirdPartyAccess@pta.wa.gov.au) prior to the development/construction works commencement date. The submission must include the following documents:
16. A complete checklist of the PTA's requirements within Appendix 2 and 3 of the PTA procedure 8103-400-004 - Working in and around the PTA Rail Corridor, Assets and Infrastructure. Where checklist items are ticked "Yes", the project generally affects the PTA railway reserve, infrastructure and assets, therefore the applicant must comply with the requirements to the satisfaction of the PTA.
17. Scope of works, design drawings, plans, schedules, proposed construction methodology and engineering reports addressing potential impacts to nearby PTA assets and infrastructure. Plant and equipment to be used including cranes and their locations within the worksite.
18. Any proposed future loading constraints, access to exclusion zones that may affect the future operation or maintenance of the PTA's infrastructure and assets. All PTA Specifications and Procedures can be obtained on the PTA Vendor Portal <https://www.pta.wa.gov.au/vendor/>



19. The City of Fremantle notes the indicative plans provided for future stages are shown for context only and do not form part of this application. These future stages appear to seek significant discretion against the local planning scheme and have not been assessed or supported as part of this approval. The City of Fremantle will seek the full 3.65m setback for all future development along the Queen Street frontage.

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) or local government approval under regulation 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

DEVELOPMENT APPLICATION SUBMISSION

FREMANTLE WOOLSTORES STAGE 1 A
28 CANTONMENT STREET, FREMANTLE



DRAWING LIST

Sheet Number	Sheet Name
DA-00	COVER SHEET
DA-01	SITE PLAN
DA-02	BASEMENT PLAN
DA-03	GROUND
DA-04	LEVEL 01
DA-05	LEVEL 02
DA-06	ROOF PLAN
DA-07	SECTIONS A+B
DA-08	RAMP SECTION
DA-09	ELEVATIONS
DA-10	ELEVATIONS
DA-11	OVERSHADOWING DIAGRAMS
DA-12	PERSPECTIVES
DA-13	PERSPECTIVES
DA-14	FEATURE SURVEY PLAN

CITY OF FREMANTLE
These Revised Plans Form Part of
DAP005/22
22 November 2022

ELDER PLACE

STAGE 1B - ADINA SITE
HOTEL SITE

PROPOSED DEVELOPMENT
2 STOREYS ABOVE GROUND
SUPERMARKET / OFFICE / CHILDCARE

STAGE 2 - BTR SITE
RESIDENTIAL

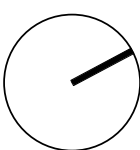
STAGE 3 - AGED CARE SITE
HATCHED AREA DENOTES EXISTING
CARPARK TO BE RETAINED UNTIL
CONSTRUCTION OF STAGE 3

CANTONMENT STREET

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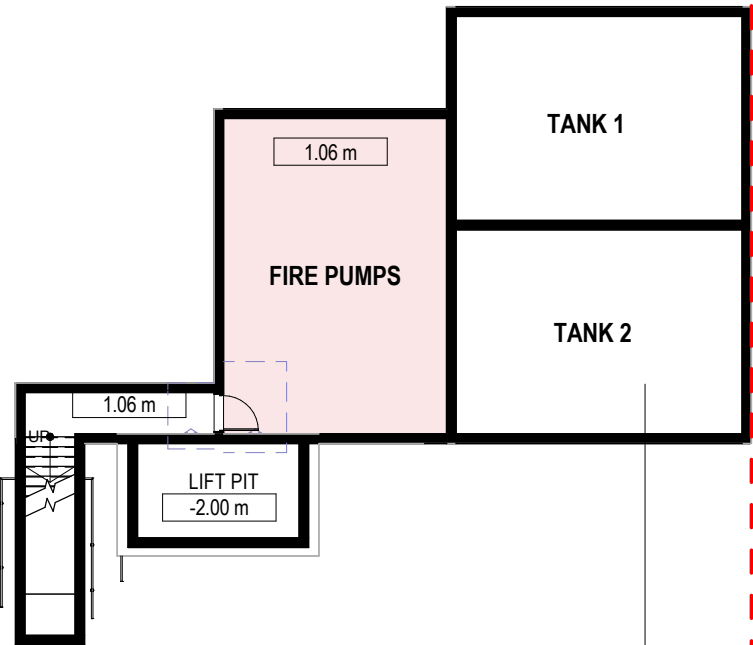
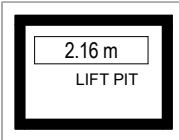
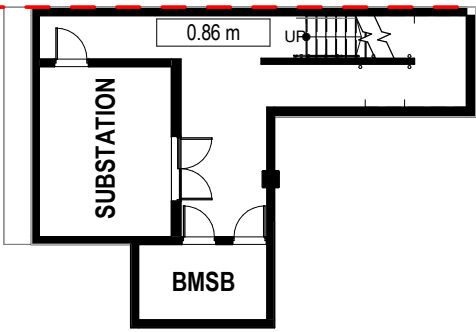
QUEEN STREET

GOLDSBROUGH STREET

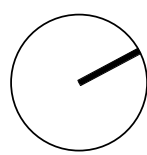


FUTURE STAGE 1B - ADINA

FUTURE STAGE 2 -
BTR



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22 November 2022



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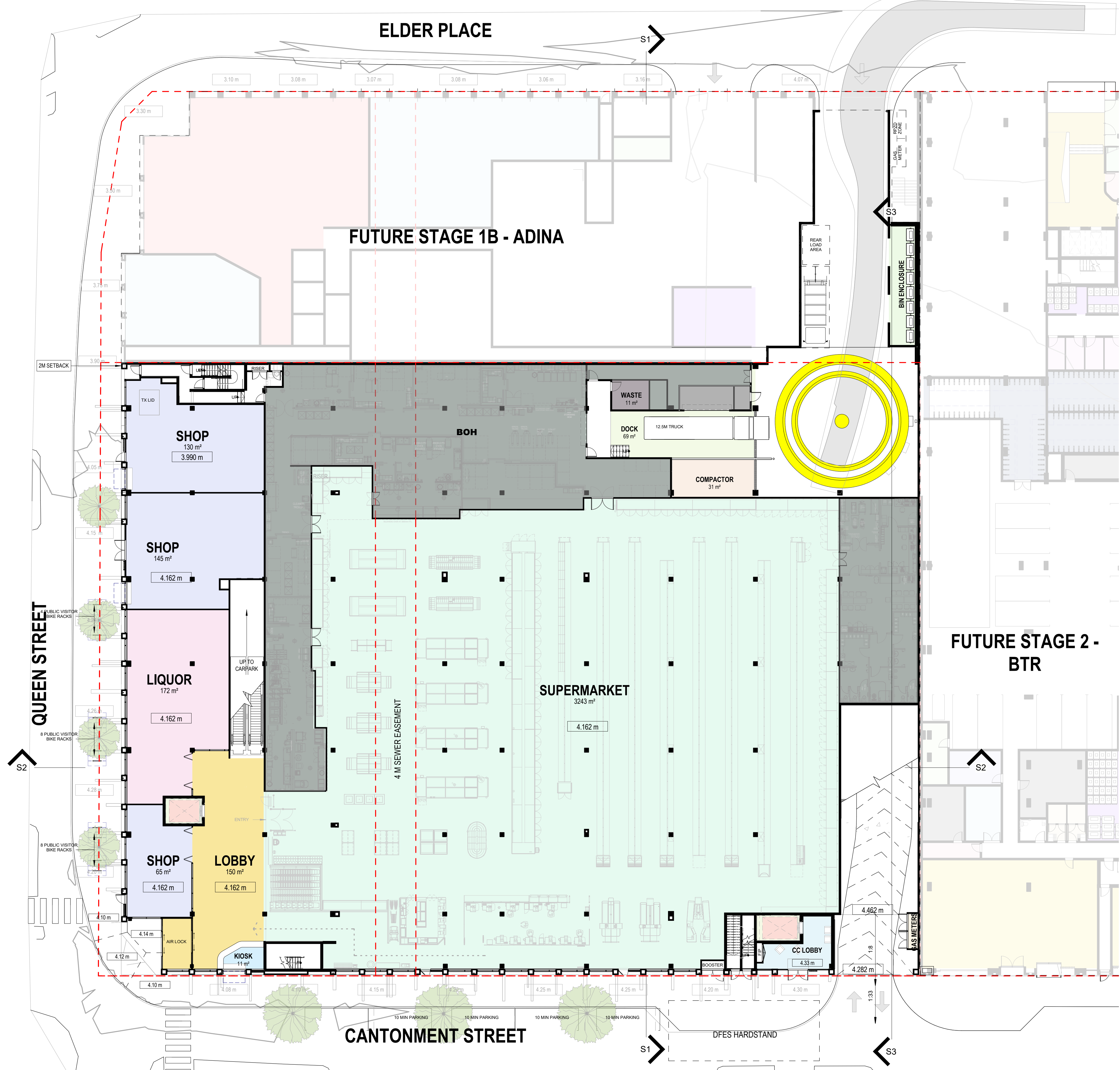
DRAWING #
DA-02
SHEET NAME
BASEMENT PLAN

ISSUE DATE
22.11.22
PHASE
DA

DEVELOPMENT
ASSESSMENT PANEL
APPROVED
30-Jan-2023

APPROVED

30-Jan-2023



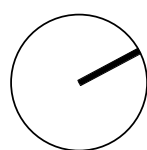
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PROJECT
P22008
FREMANTLE WOOLSTORES STAGE 1A
28 Cantonment Street, Fremantle



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DRAWING #
DA-03

SHEET NAME
GROUND

ISSUE DATE
22.11.22

PHASE
DA

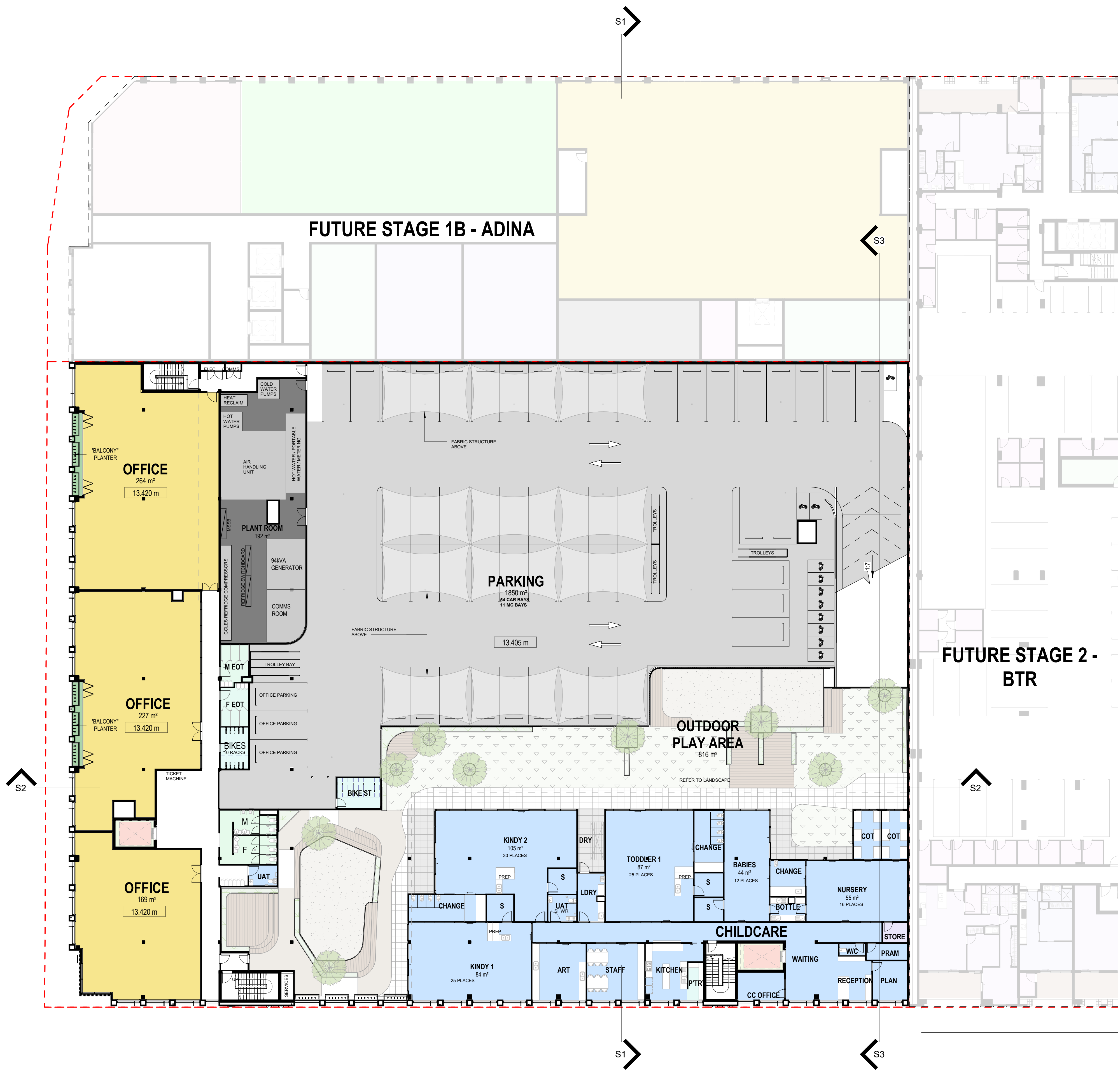


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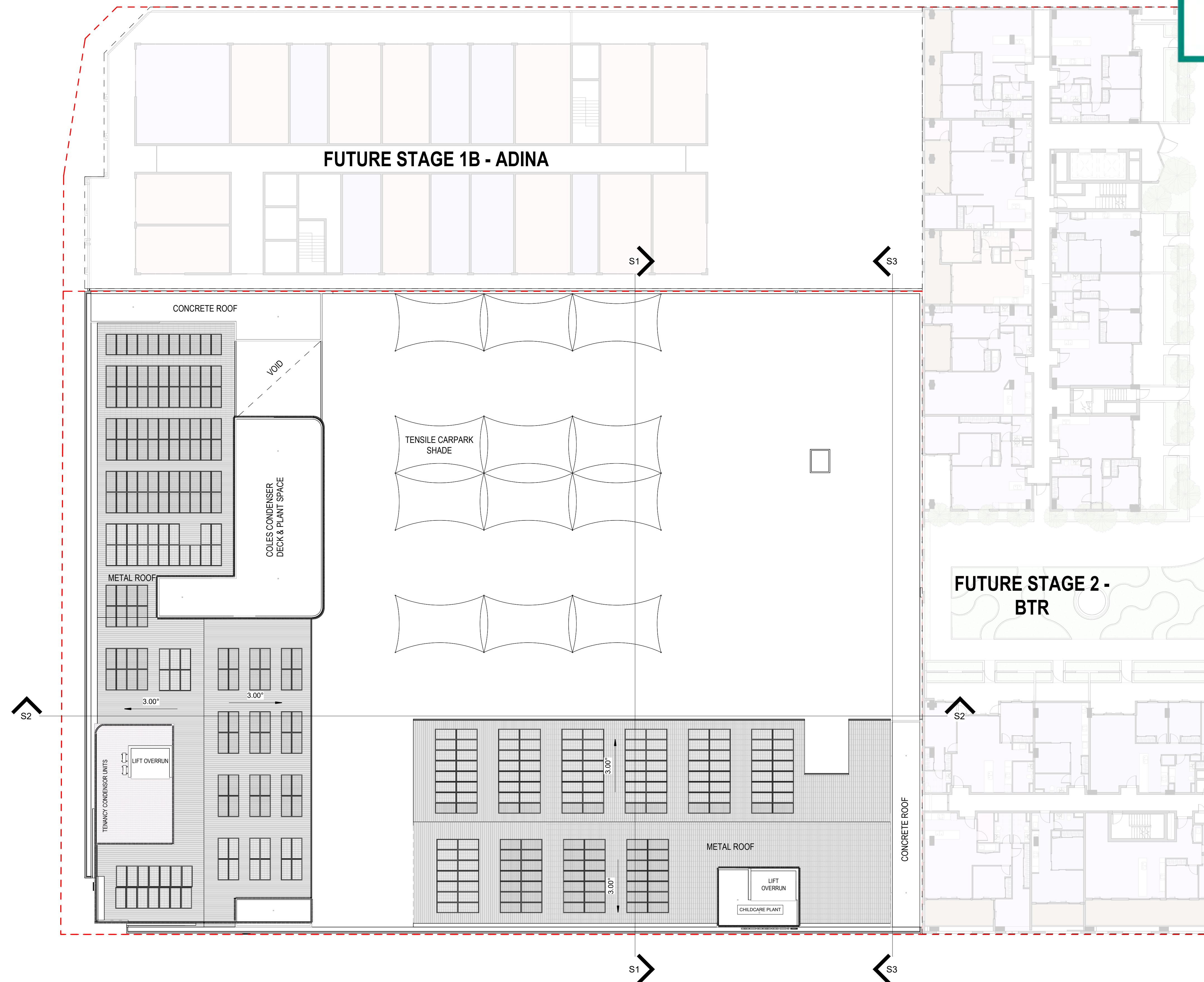
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ASSESSMENT PANEL

APPROVED

30-Jan-2023

APPROVED

30-Jan-2023

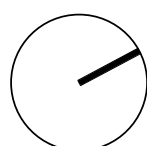


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PROJECT
P22008
FREMANTLE WOOLSTORES STAGE 1A
28 Cantonment Street, Fremantle



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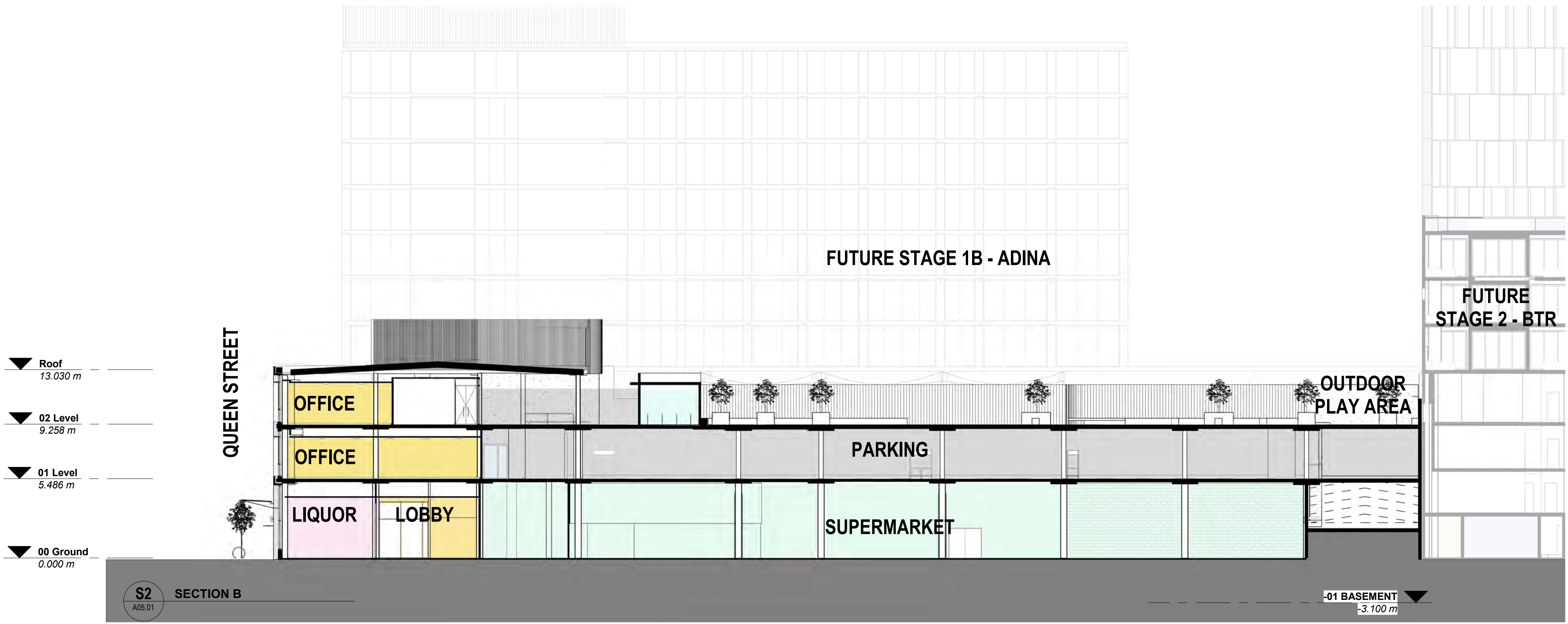
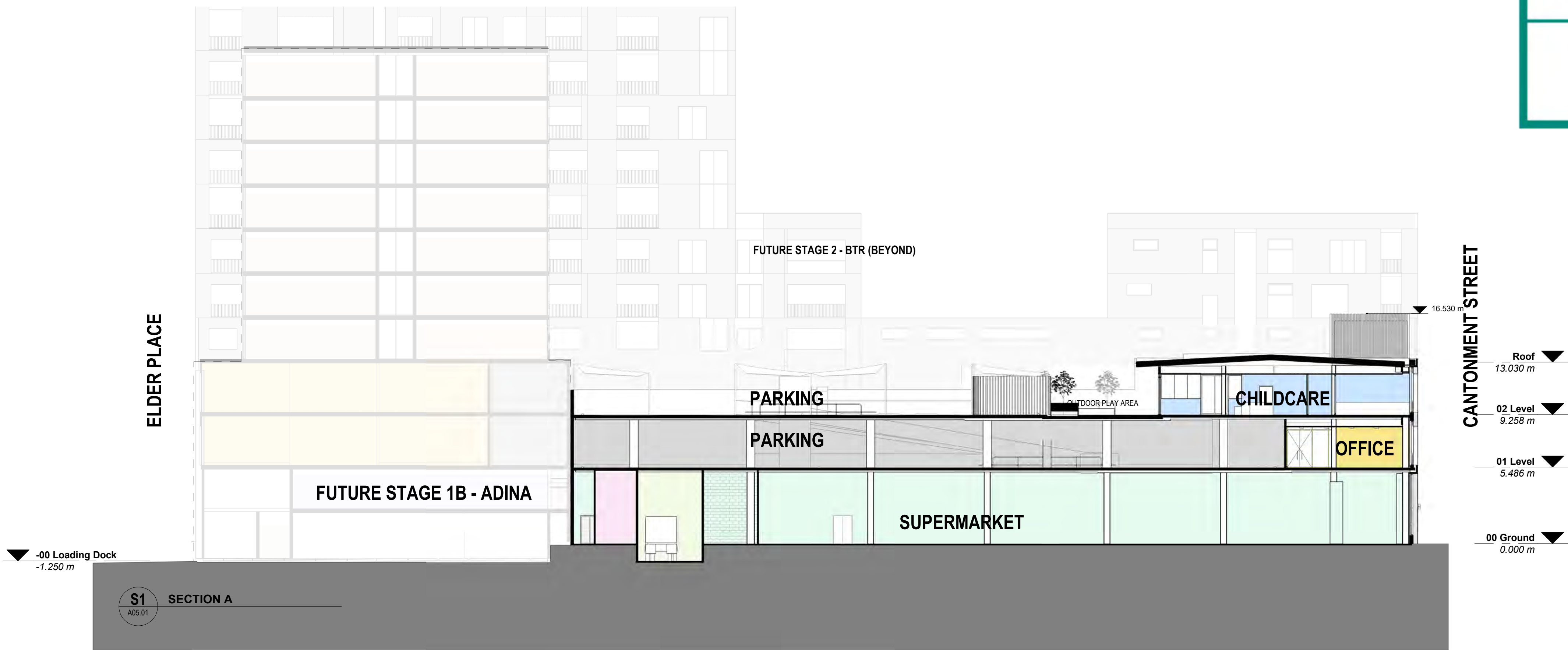


DRAWING #
DA-06

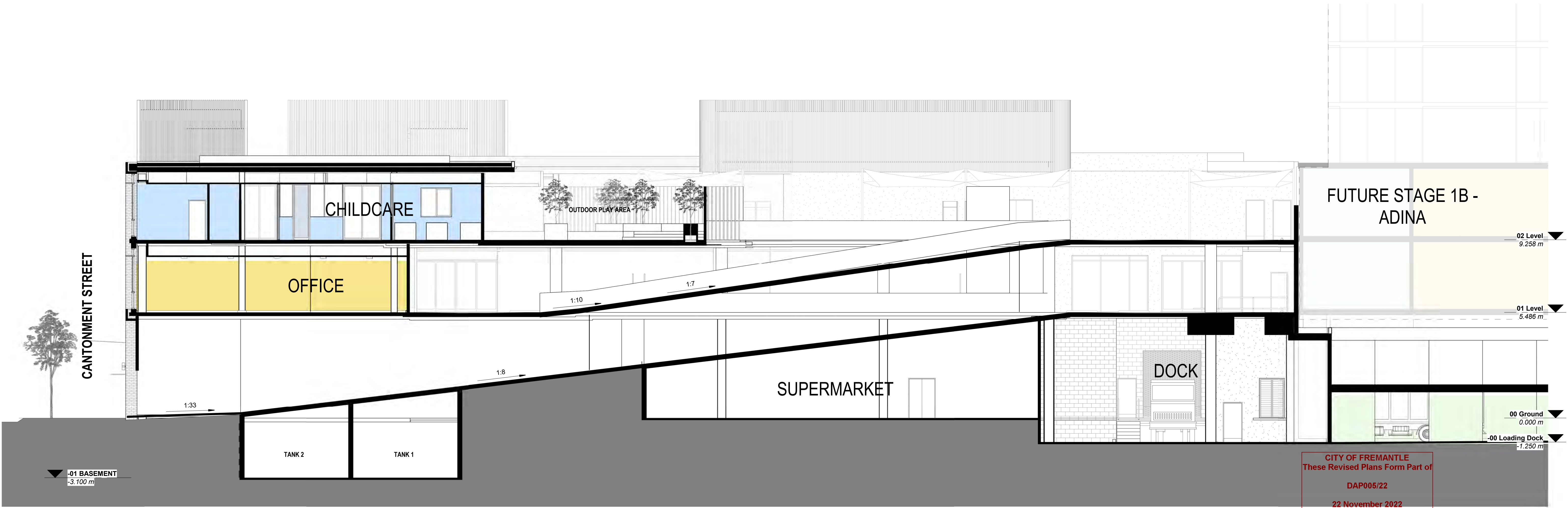
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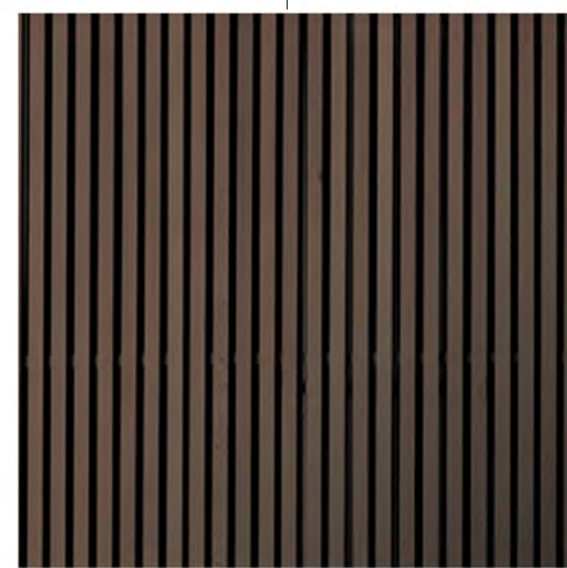
ISSUE DATE
22.11.22

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22 November 2022

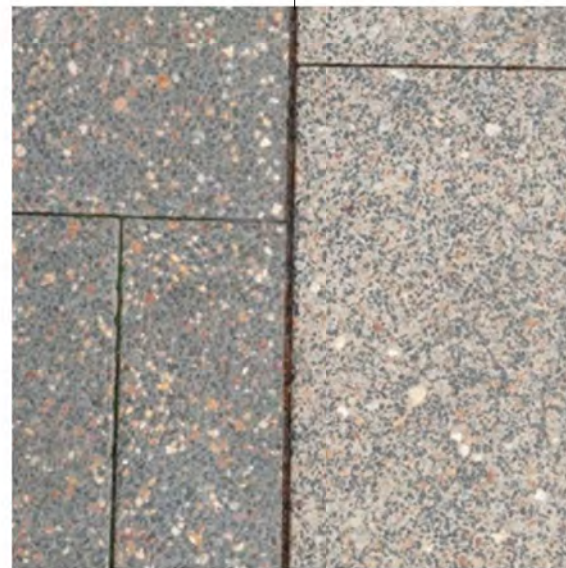




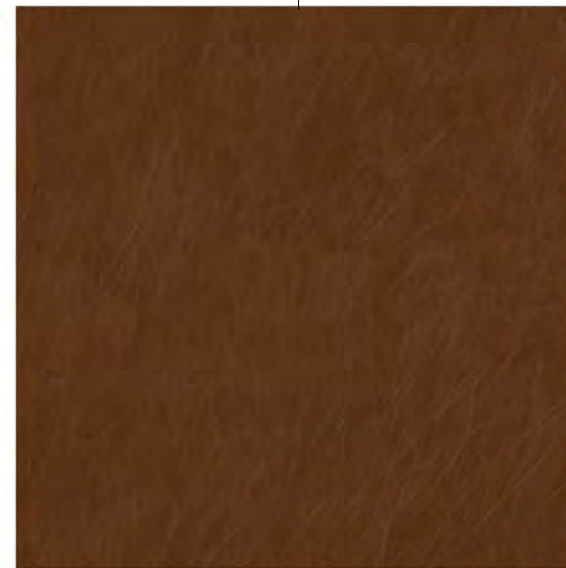
DARK BRONZE
ALUMINIMUM BATTENS



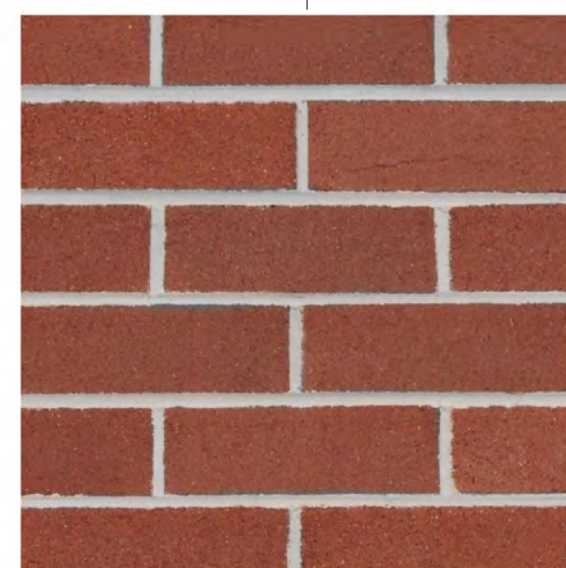
CERAMIC TILES



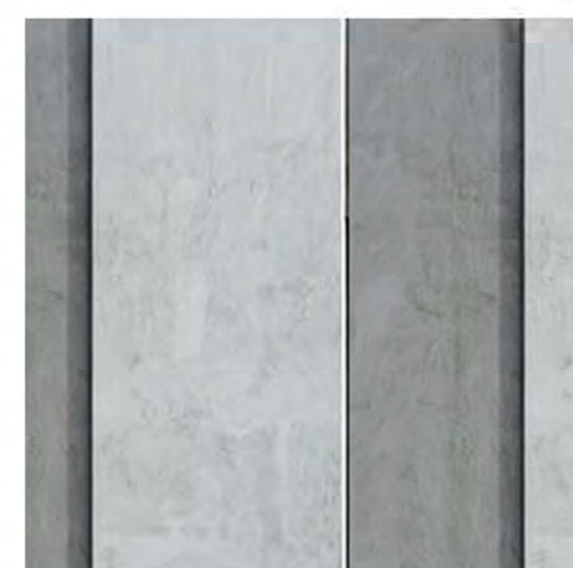
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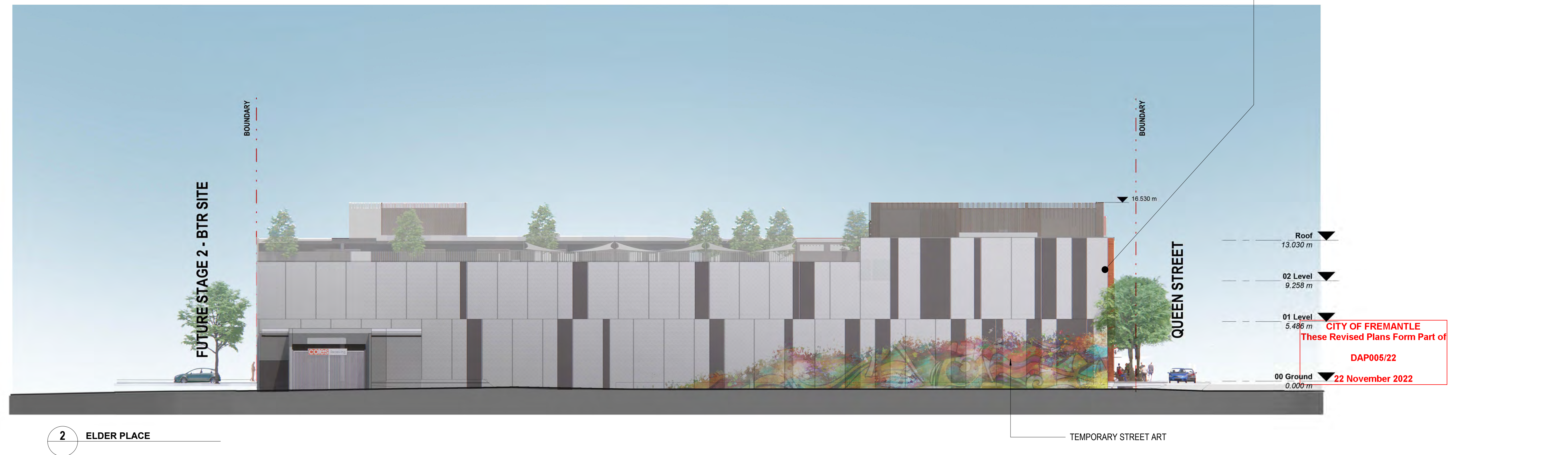
DARK BRONZE



BRICK



OFF-FORM PRECAST



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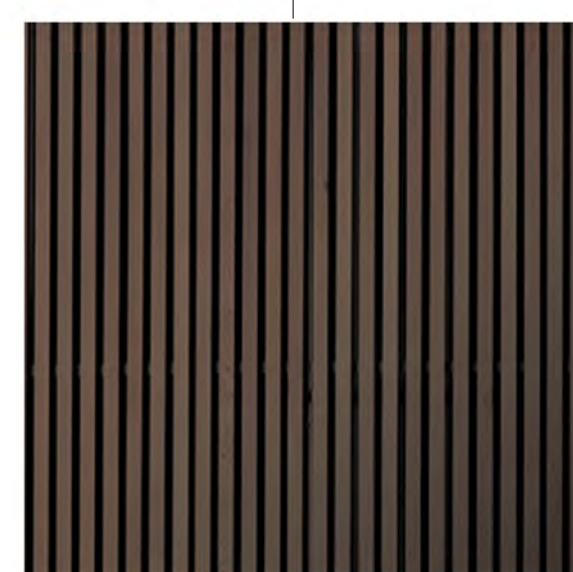
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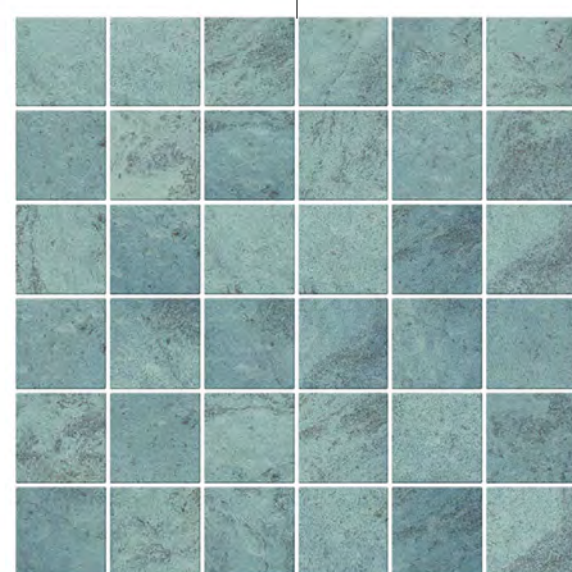
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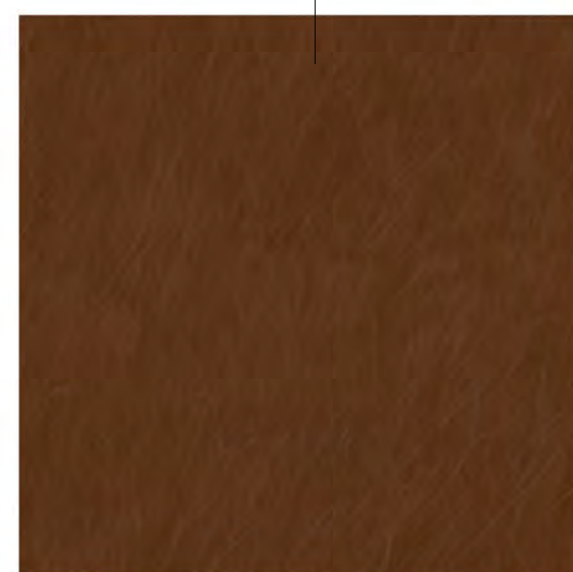
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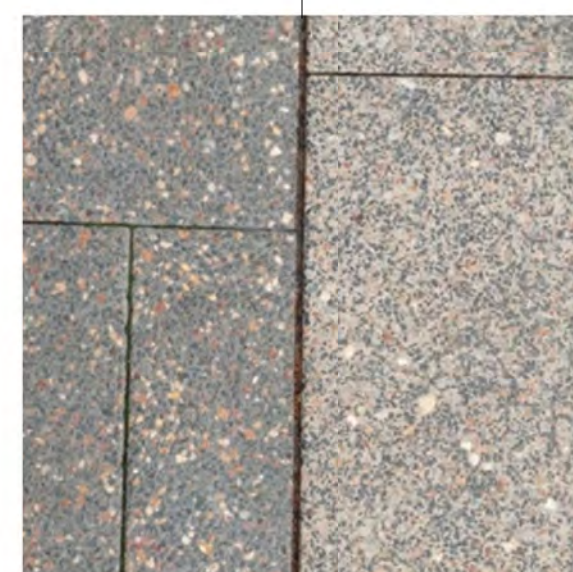
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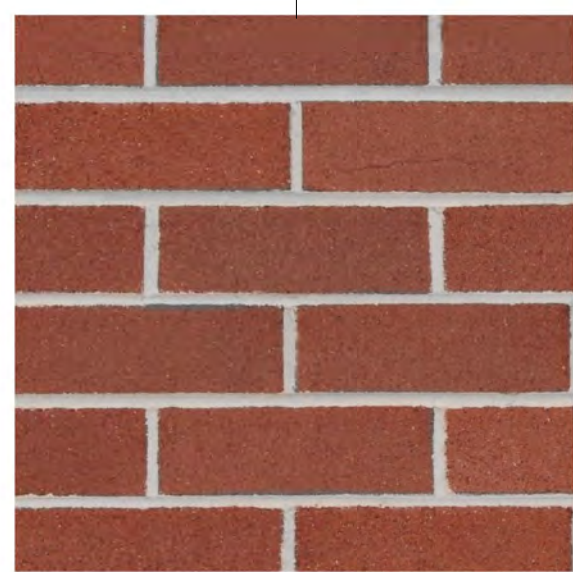
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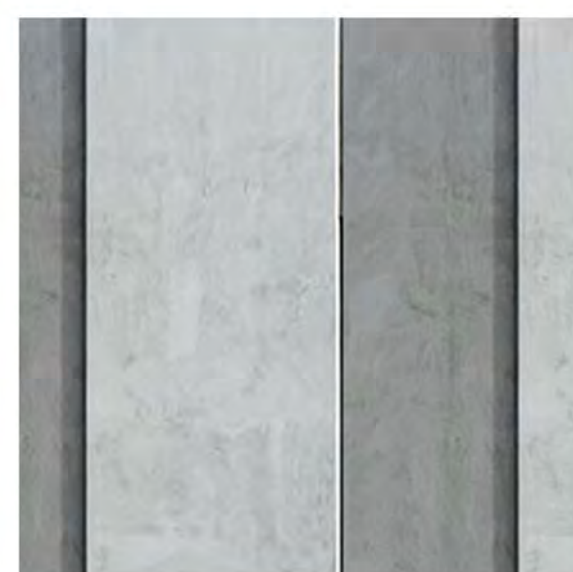
DARK BRONZE



PAVING



BRICK



OFF-FORM PRECAST

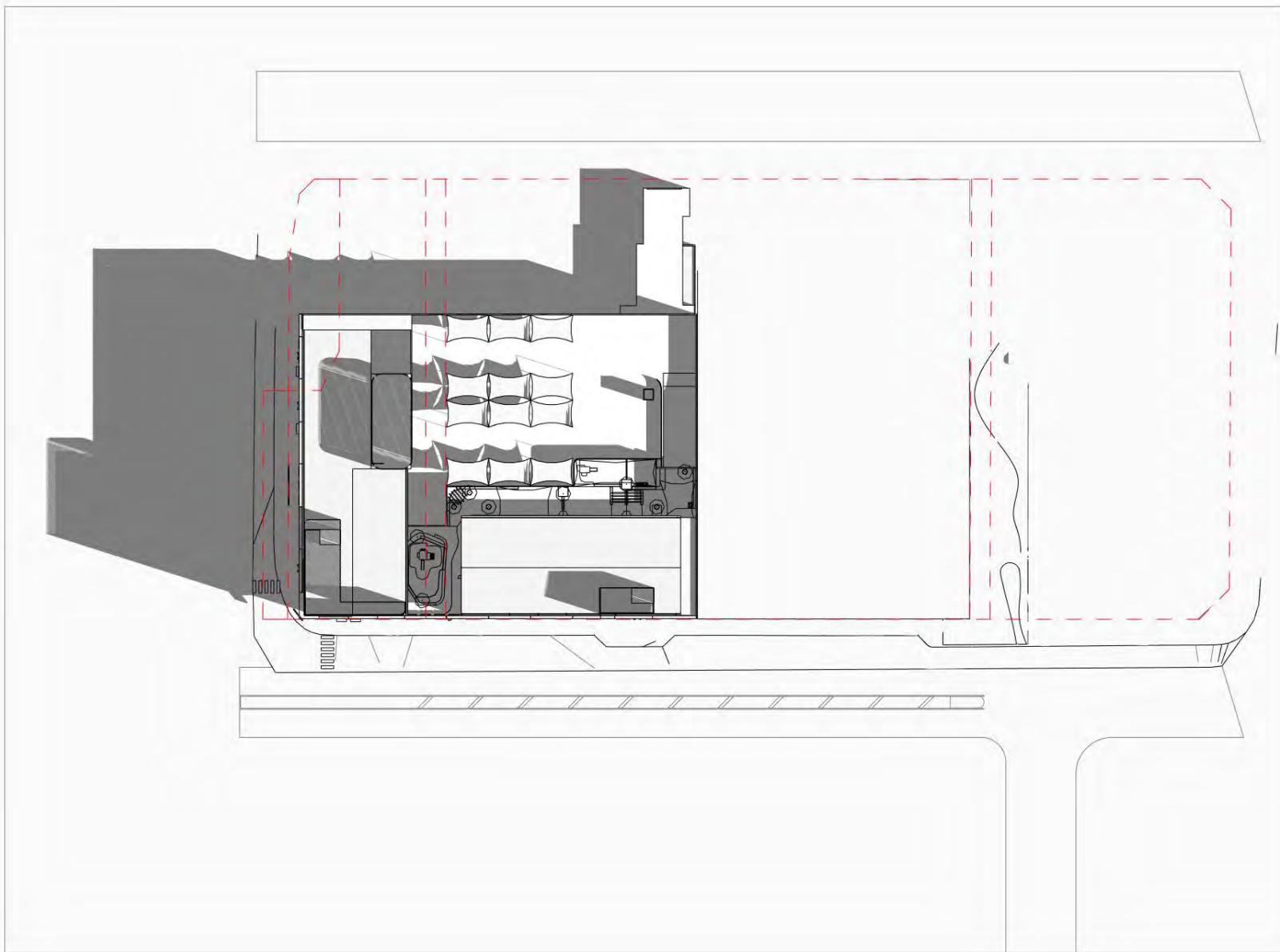


2 BTR BOUNDARY
DA-02

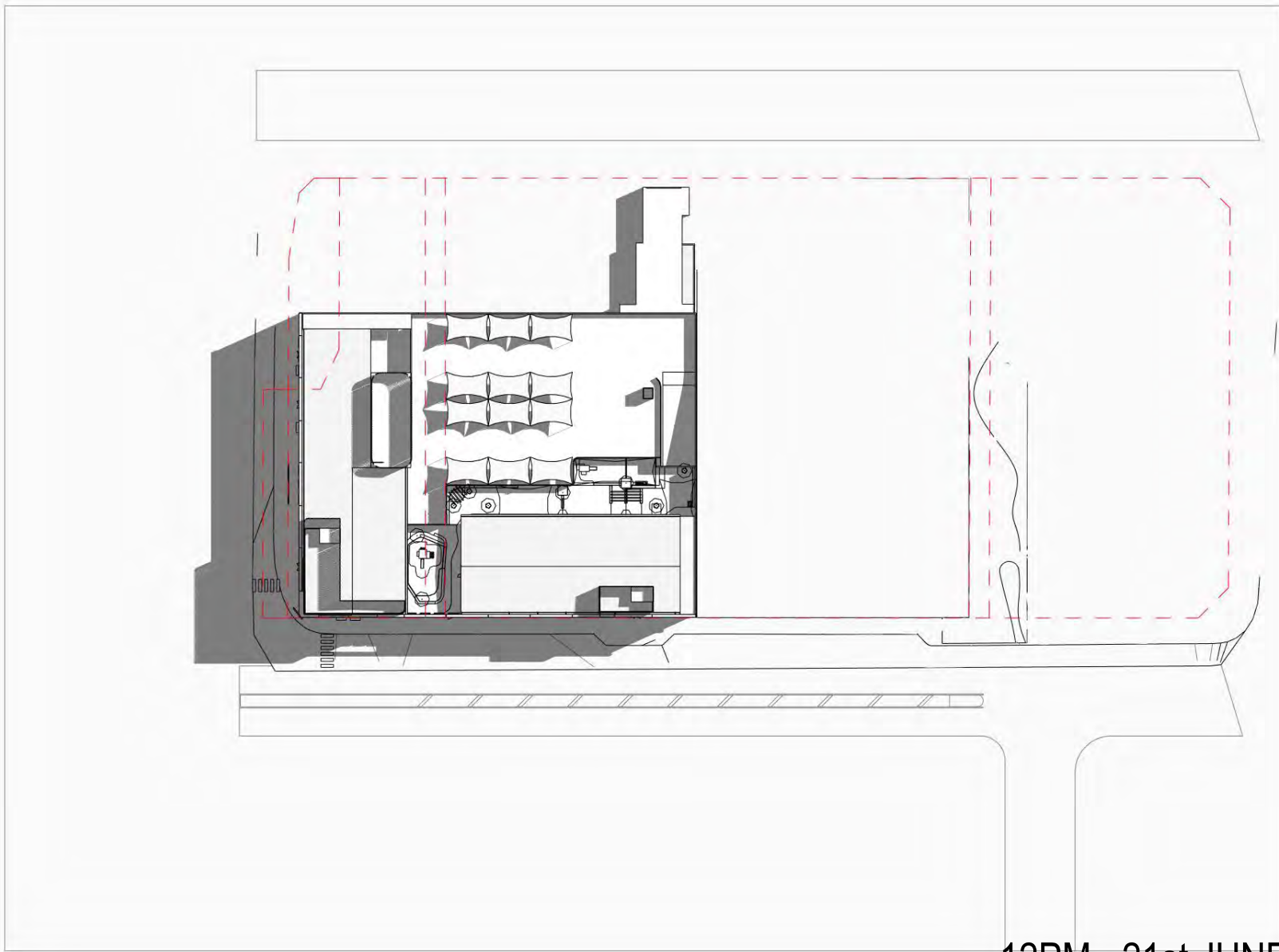
TEMPORARY STREET ART

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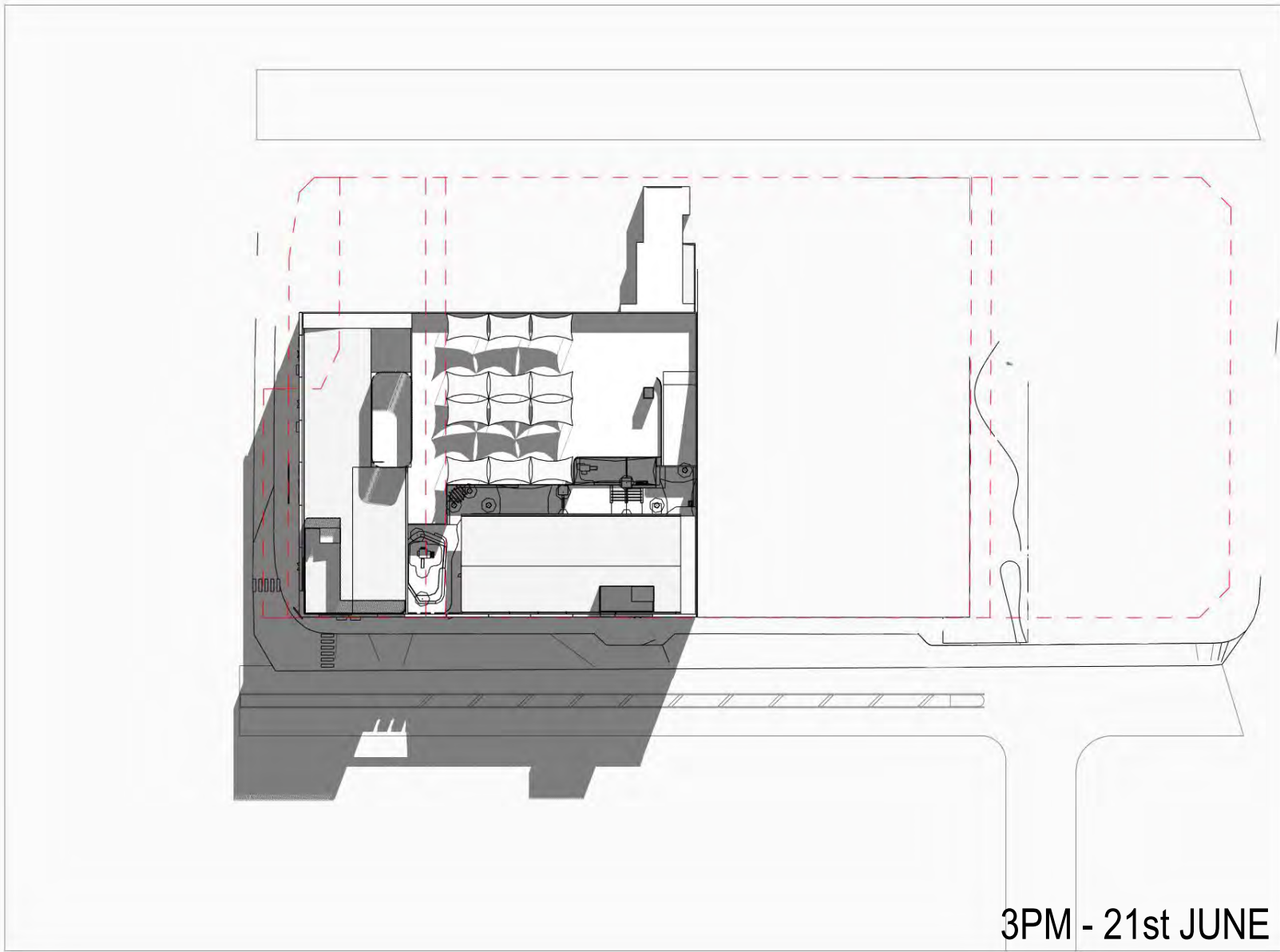
WINTER SOLSTICE



9AM - 21st JUNE

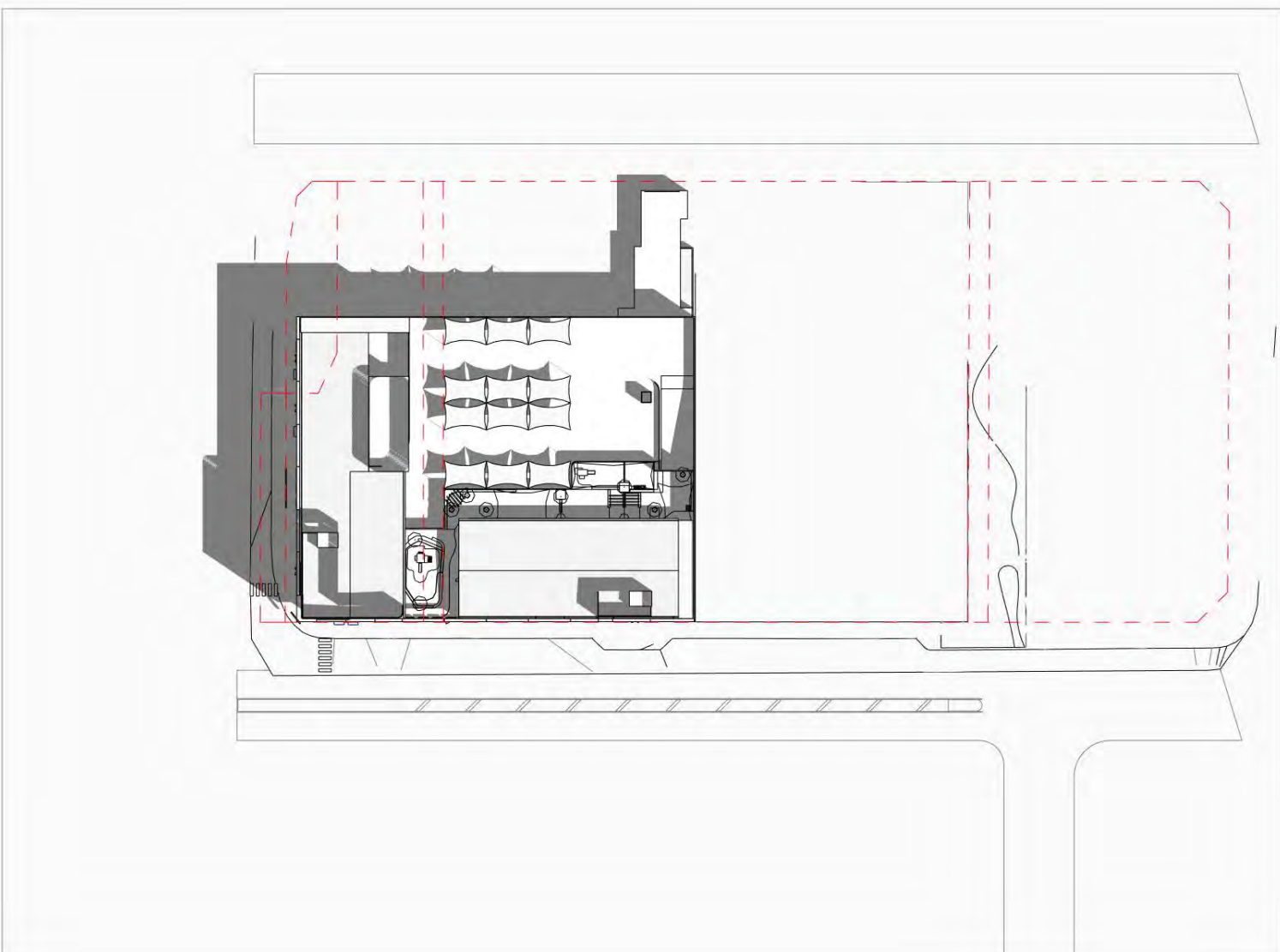


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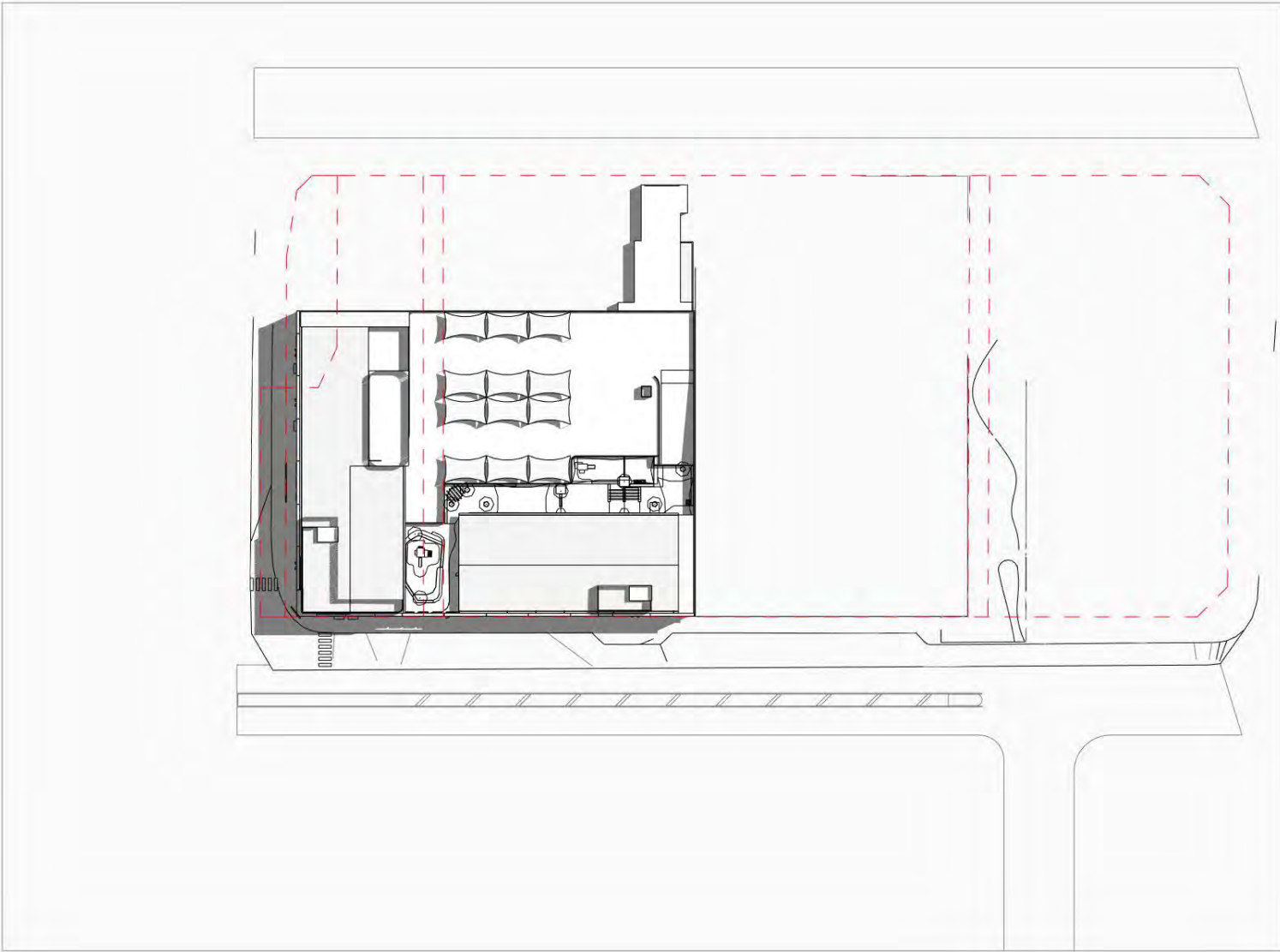


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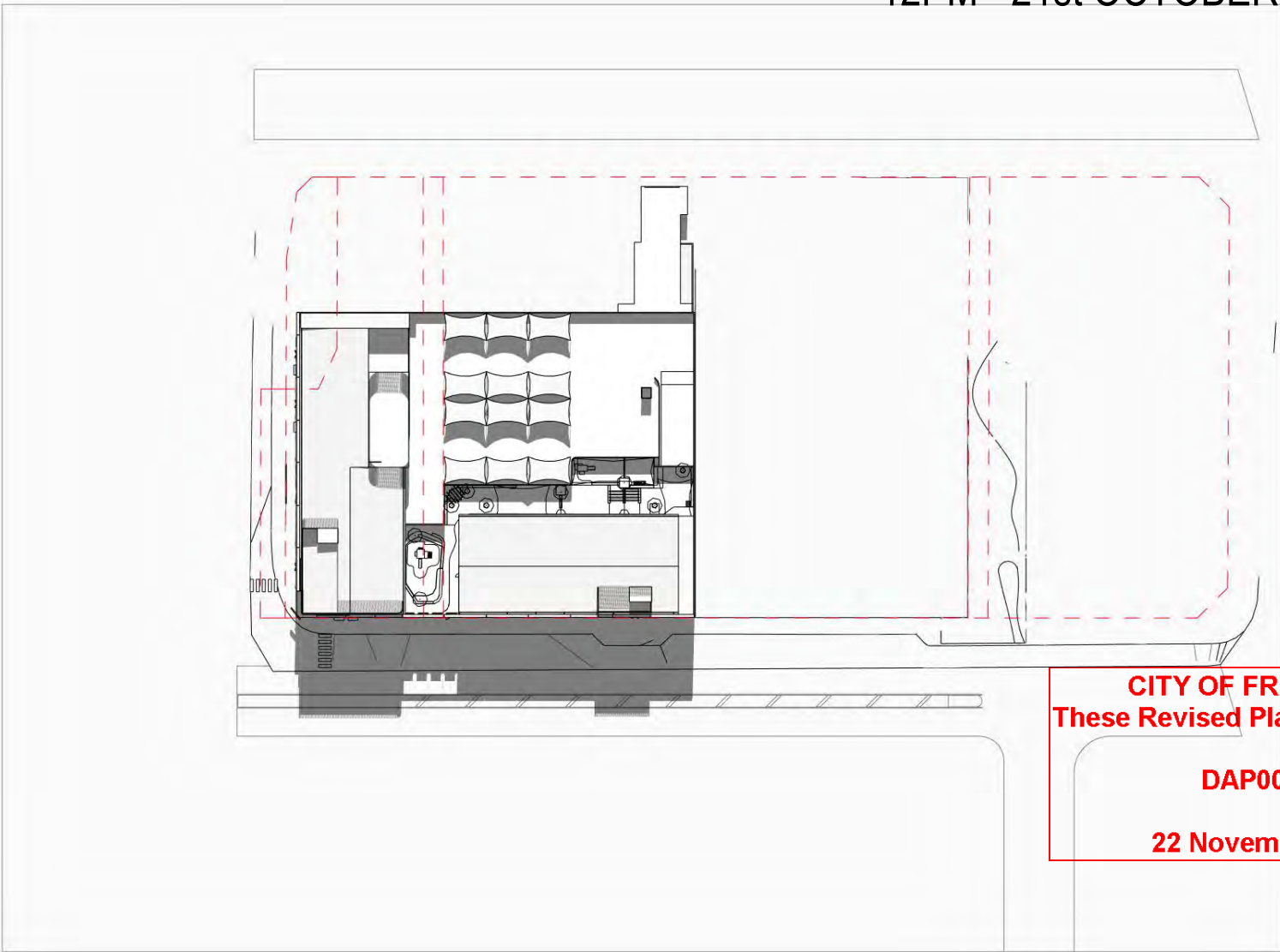
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9AM - 21st OCTOBER



12PM - 21st OCTOBER



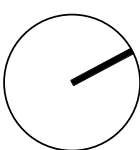
3PM - 21st OCTOBER

DEVELOPMENT
ASSESSMENT PANEL

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CORNER CANTONMENT / QUEEN STREET PERSPECTIVE



QUEEN STREET PERSPECTIVE

DEVELOPMENT
ASSESSMENT PANEL

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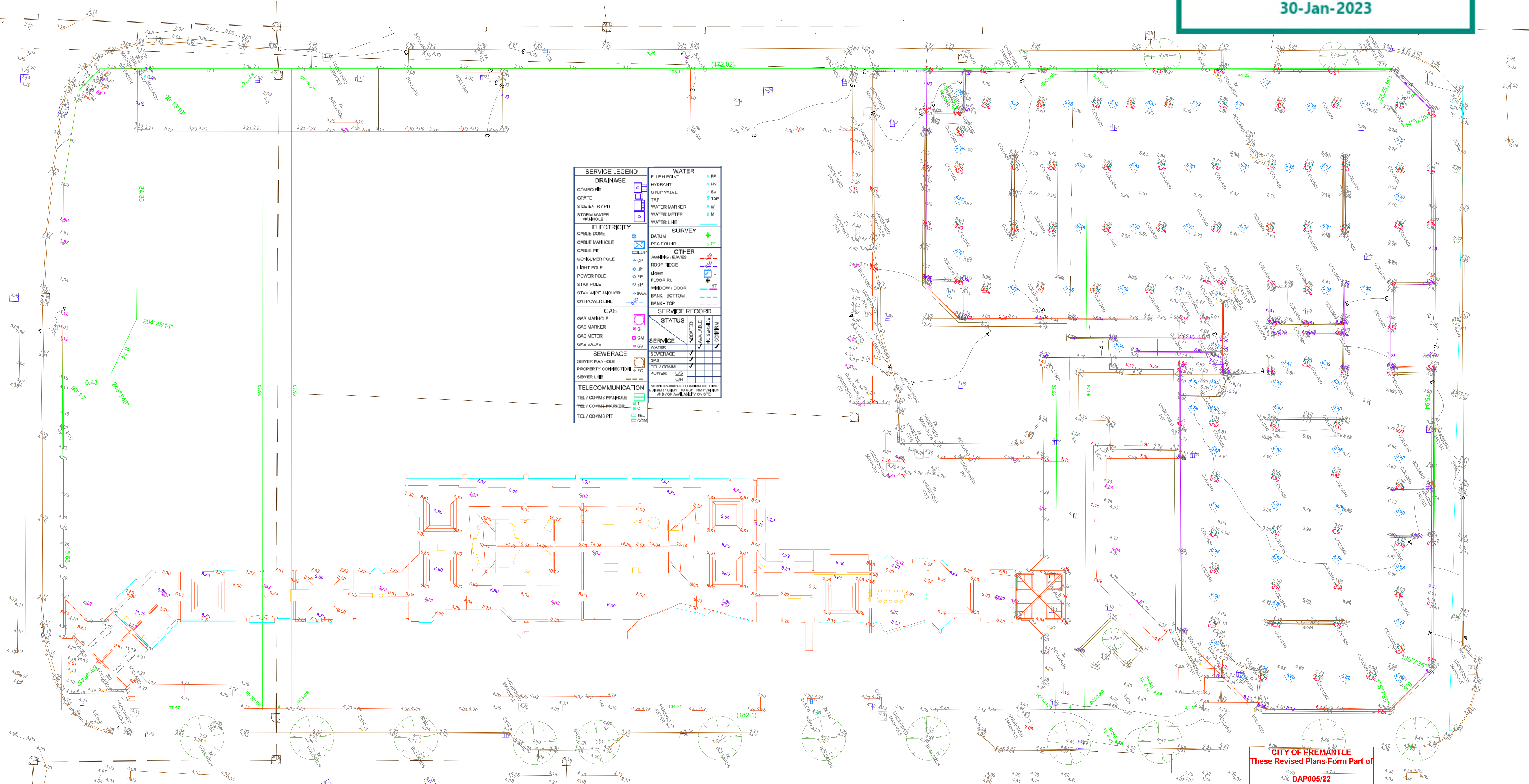
CANTONMENT STREET PERSPECTIVE



CORNER CANTONMENT / QUEEN STREET PERSPECTIVE

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22 November 2022

30-Jan-2023



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CLIENT	GERARD BOJEN		
SURVEYED ON :	06/03/2018		
SURVEYOR :	AD	DRAFTER :	NP

Land Surveys

JOB No :	PLAN :	DRG :	REV.	SHEET
1800250	- FS -	001 -	C	1 of 2



PROJECT
P22008
FREMANTLE WOOLSTORES STAGE 1A
28 Cantonment Street, Fremantle



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DA-14

SHEET NAME
FEATURE SURVEY PLAN

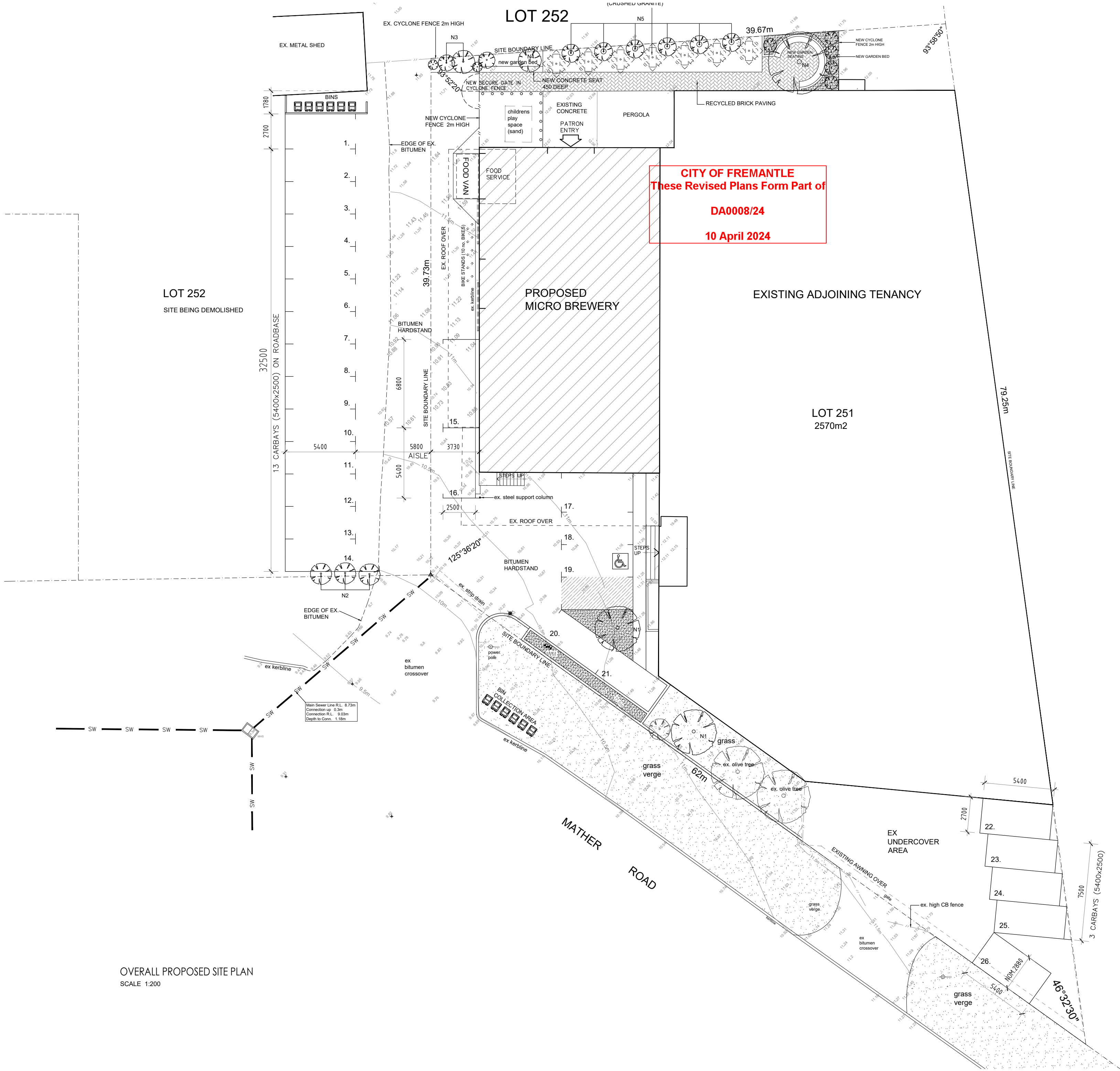
ISSUE DATE
22.11.22

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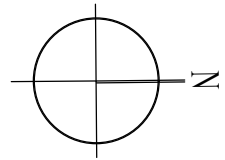
**C2405-3 MATHER ROAD, NO. 3 – 5 (LOT 251) AND PART NO. 7 (LOT 252)
BEACONSFIELD – PARTIAL TEMPORARY CHANGE OF USE TO
BREWERY AND ALTERATIONS AND ADDITIONS TO EXISTING
BUILDINGS (ED DA0008/24)**

Attachment 1 – Amended Development Plans

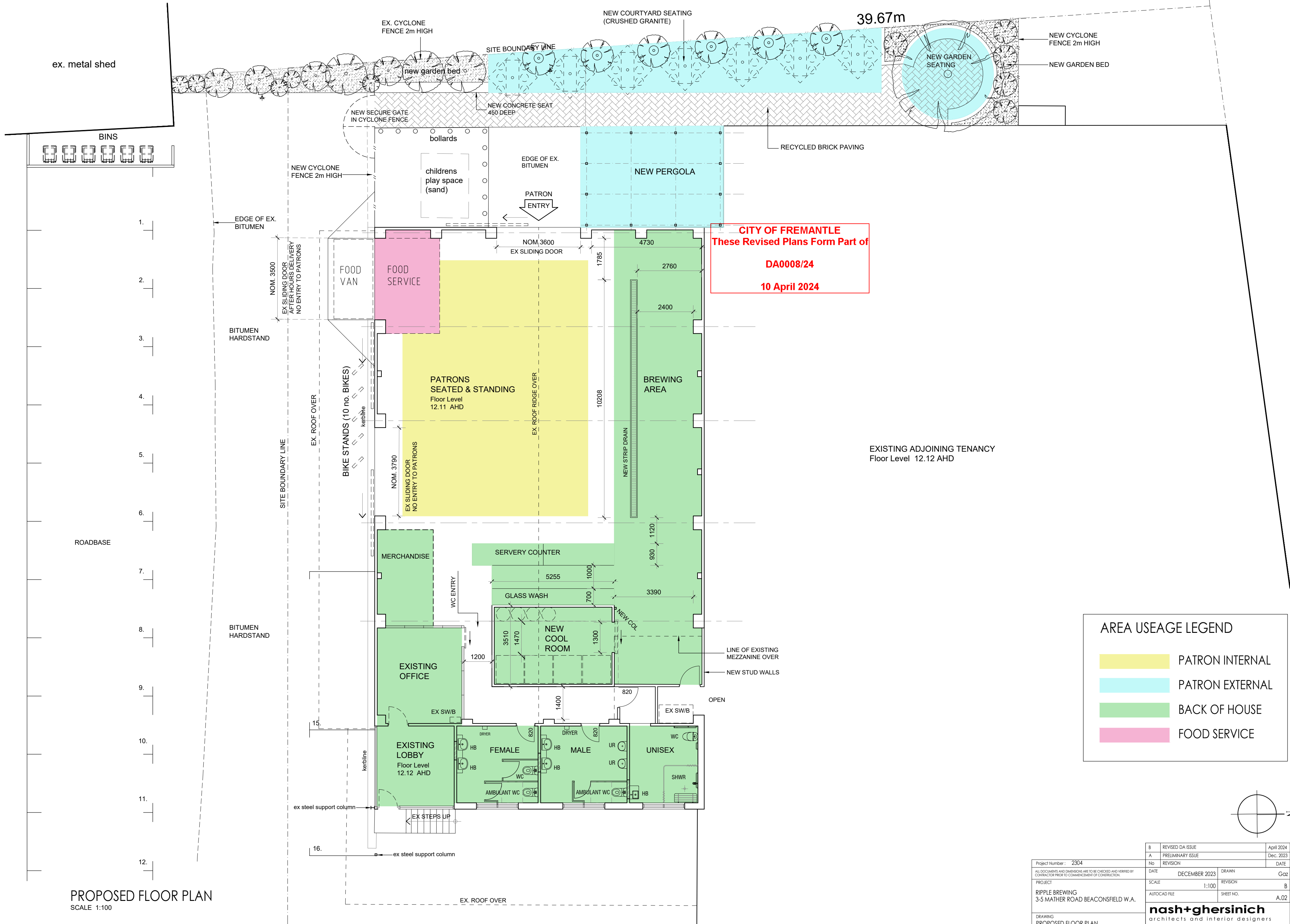


OVERALL PROPOSED SITE PLAN
SCALE 1:200

LANDSCAPE LEGEND	
EX. TREES TO BE RETAINED (OLIVE)	
N.	PROPOSED NEW TREES
1.	OLIVE TREES
2.	GREVILLEAS
3.	FRANGIPANIS
4.	JACARANDA
5.	PALMS IN POTS



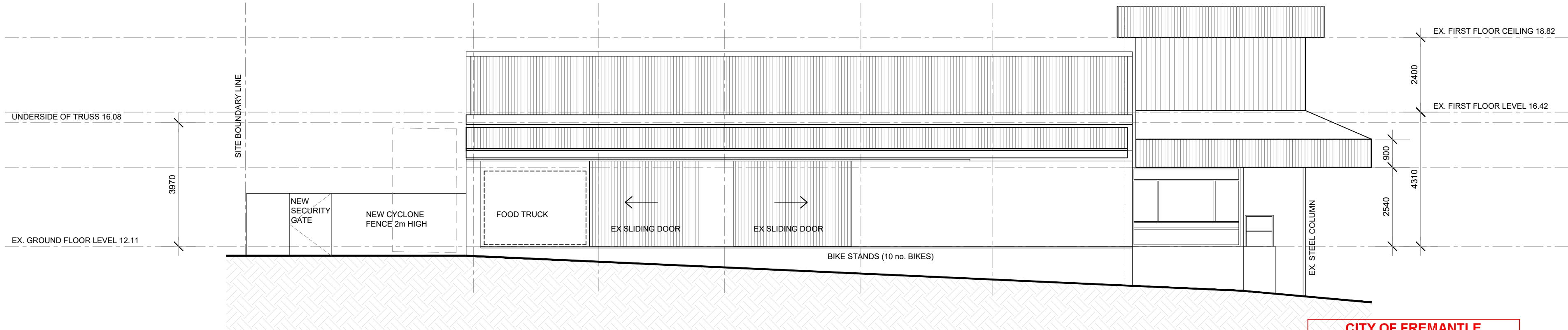
Project Number : 2304 ALL DOCUMENTS AND DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION. PROJECT RIPPLE BREWING 3-5 MATHER ROAD BEACONSFIELD W.A. DRAWING PROPOSED SITE PLAN	C	REVISED DA ISSUE	April 2024
	B	REVISED DA ISSUE	Feb. 2024
	A	PRELIMINARY ISSUE	Dec. 2023
	No	REVISION	DATE
SCALE 1:200	DATE	DECEMBER 2023	DRAWN Goz
	REVISION		C
AUTOCAD FILE	SHEET NO.		A.01
nash+ghersinich architects and interior designers			
suite 2 74 hay street subiaco w.a. 6008 tel 08 9381 2094 mob 0469 152 735 email karoline@nashandghersinich.com.au			



PROPOSED FLOOR PLAN
SCALE 1:100

AREA USEAGE LEGEND	
	PATRON INTERNAL
	PATRON EXTERNAL
	BACK OF HOUSE
	FOOD SERVICE

Project Number : 2304	B REVISED DA ISSUE		April 2024
	A PRELIMINARY ISSUE		Dec. 2023
ALL DOCUMENTS AND DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION.	No REVISION		DATE
	DATE DECEMBER 2023		DRAWN Goz
PROJECT RIPPLE BREWING 3-5 MATHER ROAD BEACONSFIELD W.A.	SCALE 1:100		REVISION B
	AUTOCAD FILE		SHEET NO. A.02
DRAWING PROPOSED FLOOR PLAN	nash+ghersinich architects and interior designers		
	suite 2 74 hay street subiaco w.a. 6008 tel 08 9381 2014 mob 0451 152 735 email karoline@nashandghersinich.com.au		

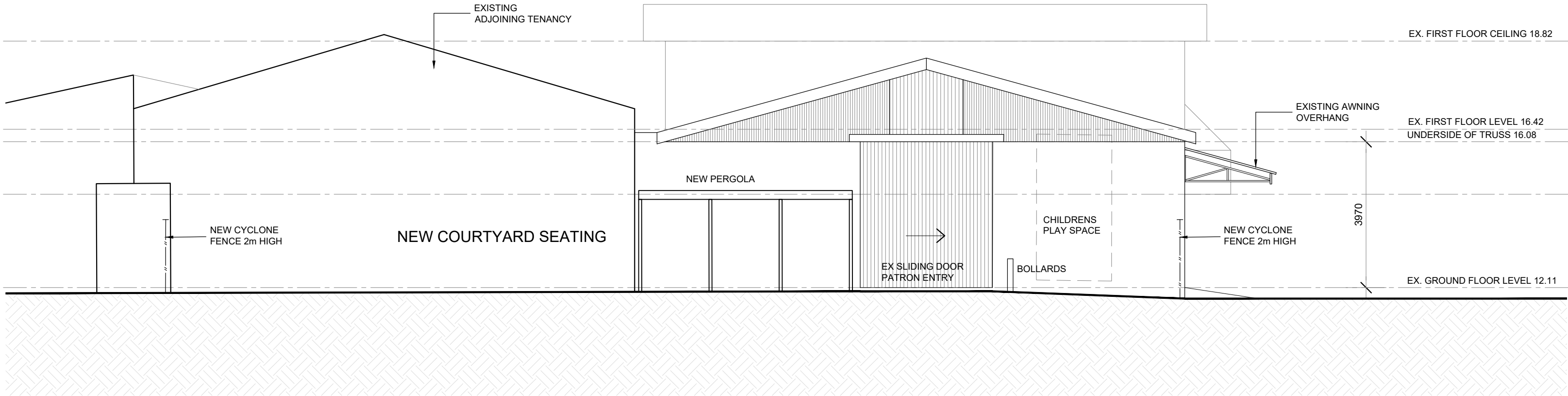


SOUTH ELEVATION
SCALE 1:100

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DA0008/24

10 April 2024



WEST ELEVATION
SCALE 1:100

Project Number : 2304	B	REVISED DA ISSUE	10.04.2024
	A	PRELIMINARY ISSUE	Dec. 2023
ALL DOCUMENTS AND DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION.	No	REVISION	DATE
	DATE	DECEMBER 2023	DRAWN Goz
PROJECT RIPPLE BREWING 3-5 MATHER ROAD BEACONSFIELD W.A.	SCALE	1:100	REVISION B
	AUTOCAD FILE		SHEET NO. A.03
DRAWING PROPOSED EXTERNAL ELEVATIONS	nash+ghersinich architects and interior designers		
	suite 2 tel 08 9381 2014	74 hay street mob 0459 152 735 email karoline@nashandghersinich.com.au	subiaco w.a. 6008



**C2405-3 MATHER ROAD, NO. 3 – 5 (LOT 251) AND PART NO. 7 (LOT 252)
BEACONSFIELD – PARTIAL TEMPORARY CHANGE OF USE TO
BREWERY AND ALTERATIONS AND ADDITIONS TO EXISTING
BUILDINGS (ED DA0008/24)**

Attachment 2 – Site Photos

Attachment 2 – Site Photos



Photo 1: Subject site as viewed from Mather Road



Photo 2: Subject site as viewed from Mather Road



Photo 3: Subject site and adjacent Lot 252 Mather Road



Photo 4: Adjacent Tenancy (Concrete Studio) Parking Area



**C2405-3 MATHER ROAD, NO. 3 – 5 (LOT 251) AND PART NO. 7 (LOT 252)
BEACONSFIELD – PARTIAL TEMPORARY CHANGE OF USE TO
BREWERY AND ALTERATIONS AND ADDITIONS TO EXISTING
BUILDINGS (ED DA0008/24)**

Attachment 3 – Applicant Covering Letter

Mr Joel Nash
Managing Director
Ripple Brewing

joel@ripplebrewing.com.au
0415423028

11th January 2024

Planning Department
City of Fremantle
High Street
Fremantle, WA 6160

Dear Sir / Madam

Addendum: I note this application was rejected due to lack of acoustic report and waste management plan. Regarding waste management, we have referenced this in the below cover letter and in the Harm Minimisation Policy but will add that general waste and recycling will be required from the City. Re acoustic report, I acknowledge that this will need to be provided during the determination of this application. We would appreciate the acceptance of this lodgement as it will aid us in providing the City with accurate and relevant further information as dictated by the planning officer.

Application for Change of Use - Neighbourhood Taproom and Brewery

I am writing in support of the enclosed application for a proposed Neighbourhood Taproom and Brewery at 3 Mather Road, Beaconsfield, 6162.

This proposal has been prepared so as to contribute to the vibrant atmosphere of Fremantle whilst meeting the planning requirements and strategic objectives of the city.

The proposed Neighbourhood Taproom and Brewery aims to foster a sense of community by providing a welcoming space for residents and visitors alike to gather and enjoy locally crafted beverages. Our vision is to create a hub that celebrates the rich brewing tradition of Fremantle and actively engages with the local community through events, partnerships, and a commitment to sustainability.

We will be brewing a small volume (<50,000L/pa) of high-quality beer for consumption both on premise and takeaway and aim to create a family friendly, welcoming environment that celebrates good beer, good food and great people. We will also be selling and delivering our beer direct to consumers via our ecommerce website.

Site & Application Overview

	Proposal	Additional Parking
Address	3-5 Mather Road (Lot 251)	7 Mather Road (Lot 252)
Owner	Umberto Mondello	Main Roads WA

Applicant	Ripple Brewing Pty Ltd	
MRS Zoning	Urban	
LPS4 Zoning	Development <i>"The purpose of the Development Zone is to provide for future residential, industrial, commercial or other uses in accordance with a comprehensive structure plan or local development plan prepared in accordance with the provisions of the Scheme": clause 3.2.1(h)</i>	
Existing Use	Industry – General (Concrete Manufacturer, Assembly & Showroom)	Unused
Proposed Use	Brewery and Taproom – Use Not Listed	
Use Permissibility	Use Not Listed – use permissibility in accordance with Local Structure Plan	
Local Structure Plan	NA	Beaconsfield Structure Plan

Proposal Overview

The enclosed development plans (site plan, floor plan and elevations) comprehensively detail the layout and elements that make up the proposal. In summary, it will involve:

Floor area approx. sq/m	Indoor hospitality area = 130
	Brewing area = 70
	Alfresco hospitality area = 150
Venue Capacity	120 patrons.
Opening hours	Production – Monday > Thursday 9am-3pm
	Hospitality – Wednesday > Sunday 10am-10pm
	The hospitality hours align with the hours prescribed by a Producers Licence (licence application being subject to development approval).

	Notwithstanding, the proposed hospitality hours, initially it is only intended to open Thursday, Friday 3pm – 9pm, Sat 12am – 10pm, Sun 12am – 9pm.
Parking	30 parking bays
	(1 disabled parking bay)

Noise

Production is very low level, once per week, with significantly less noise and pollutants than the existing use and neighbouring steel works. Milling grain creates moderate noise and will be once per week for approx. 15 minutes. The house audio system will be background music, designed to allow for conversation.

Neighbourhood Taproom and Brewery with a Community Focus

We believe our proposal will build on the community spirit of Fremantle and presents as a significant step forward in activating the Beaconsfield locale, in an area that has been designated for development. We plan to collaborate with local businesses, artists, and community organisations to host events that celebrate the diverse cultural fabric of the city. Our commitment to be a responsible and responsive member of the community aligns with the City of Fremantle's vision for sustainable development and community engagement.

LPS 4 – Land Use

The proposal primarily involves a change of use to a "Brewery ", under the City's Local Planning Scheme No. 4 (**LPS4**).

There is limited guidance under the planning framework for the development of this site. There is no structure plan to supplement the Development zoning of Lot 252. However, the proposal fits within zone's objectives for future commercial development. Most pertinently in these circumstances, the proposal will develop the site consistently with the scheme aims (clause 1.6.1), including to:

- "a) accommodate a diverse mix of people, cultures and lifestyles...;*
- d) ensure development promotes a sense of community and encourages participation in community life...;*
- h) develop diverse and attractive neighbourhood centres that provide a community focus for neighbourhood areas...; and*
- j) encourage the development of business and employment generating activities in appropriate locations."*

The accompanying development of additional parking over a small adjoining portion of Lot 252, is to be assessed by reference to the Beaconsfield Structure Plan (**BSLP**), which supplements the Development zoning of Lot 252. This incidental component of the Proposal is consistent with the objectives and the indicative layout for development of the broader area of the BSLP. In particular, the parking and associated landscaping will contribute positively to the active connectivity this area is contemplated to provide under the BSLP, as part of the broader development to the west of Mather Road.

Further, consistently with what is noted above with respect to Lot 251, the development of the additional parking fits within Development Zone's objectives for future commercial development and will develop the site consistently with the scheme aims.

The proposal does not intensify the industrial use of the land and will better complement the strategic planning of the urban mixed use for the area. This proposal will provide the first step in the transformation from the historical use of the site, and ongoing use of the neighbouring sites, as concrete businesses, steel works and as a mill.

LPS4 - Works

The proposal will involve minimal works, limited to:

- the internal fit out of the brewery, hospitality area and associated services, including the toilets; and
- the external works for sealing the parking areas and establishing the outdoor hospitality areas, including associated landscaping as indicated on the site plan.

These works will result in a development that will present as part of the built form more consistently with the relevant aims and objectives, as noted above with respect to the land use. Refer to the enclosed plans.

Staff

Running the day-to-day operations will be owner Joel Nash (who is also the Head Brewer), with support from casual bar staff. Joel Nash is an award-winning brewer with over 15 years' experience in the brewing and hospitality industries and has held positions at; Colonial Brewing Co, Gage Roads, Indian Ocean, Innate, Little Creatures and more.

Parking

This small local taproom (120-person capacity) has similar traffic to a small bar but with more limited opening hours. In the *"Guide to Traffic Management Part 11: Parking Management Techniques"* it states that for a small bar; 1 bay per 5 persons is required.

The proposal's 30 car bays is consistent with the principles of the scheme and meets the needs of our anticipated patronage. It far exceeds the proportionate parking provision of most other comparable hospitality developments in the City.

Our location is strategically chosen to take advantage of the existing public transportation infrastructure in Fremantle. The proximity to bus stops and surrounding residential areas, along with our provision of 10 bicycle racks, encourages patrons to utilize alternative modes of transportation, aligning with the City's goal of promoting sustainable and environmentally friendly travel options.

Furthermore, many of our customers will arrive in an uber, as driving after any more than 1 std drink is no longer commonplace in our community.

The 17 bays comprising the additional parking, are over the adjoining portion of Lot 252, as delineated on the site plan. The applicant has negotiated a tenure arrangement with MRWA for the development and use of this portion of Lot 252, subject to development approval for the proposal. It is acknowledged the any development approval will be conditional on the proposed parking being provided and the necessary tenure being the responsibility of the approval holder.

Environmental Sustainability

In line with Fremantle's commitment to environmental sustainability, our brewery will implement eco-friendly practices, such as waste reduction, energy efficiency, and water conservation. For example, we will reclaim water throughout the brewing process and all grain, hops and yeast will be captured and collected by a farmer for cattle feed. There are also plans for solar panels. We are dedicated to maintaining the integrity of Fremantle's unique natural environment and contributing to the city's reputation as a leader in sustainable urban development.

Design

The clever architectural design by multi-award-winning architects Nash & Gherginich brings all their experience and expertise to the fore, in terms understanding the informal typography and the Freo vibe of the proposal. A friendly, relaxed venue, passively cooled by the Fremantle doctor and a place to spend time comfortably with family and friends.

In conclusion, I am confident that our Neighbourhood Taproom and Brewery will not only meet but exceed the expectations set forth by the City of Fremantle Planning Department. I am eager to collaborate with your department throughout the application process and address any concerns or queries that may arise.

Thank you for considering our application, and I look forward to the opportunity to contribute positively to the dynamic and culturally rich landscape of Fremantle.

Sincerely,

Joel Nash

Managing Director, Ripple Brewing.



**C2405-3 MATHER ROAD, NO. 3 – 5 (LOT 251) AND PART NO. 7 (LOT 252)
BEACONSFIELD – PARTIAL TEMPORARY CHANGE OF USE TO
BREWERY AND ALTERATIONS AND ADDITIONS TO EXISTING
BUILDINGS (ED DA0008/24)**

Attachment 4 – Acoustic Report

ACOUSTIC REPORT

FOR

RIPPLE BREWING

29 January 2024

AES-890362-R01-0-29012024

DOCUMENT CONTROL

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Acoustic Engineering Solutions

ABN: 64 451 362 914

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EXECUTIVE SUMMARY

Acoustic Engineering Solutions (AES) has been commissioned by Ripple Brewing to prepare an acoustic report for undertaking environmental noise assessment of its proposed operations at 3 Mather Road Beaconsfield. Ripple Brewing will have a maximum capacity of 120 patrons and operates 7 days a week. The aim of this assessment is to determine whether or not the proposed operations of Ripple Brewing would comply with the Environmental Protection (Noise) Regulations 1997 (the Regulations).

An acoustic model is created and four worst-case operational scenarios are modelled:

- Scenario 1: represents the worst-case daily operation.
- Scenario 2: represents the worst-case brewing operation.
- Scenario 3: represents the live music (solo) performance.
- Scenario 4: represents the short events of closing a car door.

Ripple Brewing is located within the industrial improved “development area”. Five closest residences are selected for the detailed assessment of noise impacts. Noise levels are predicted for the worst-case meteorological conditions. The predicted worst-case noise levels are adjusted to account for their dominant characteristics, and then assessed against the criteria set by the Regulations. The compliance assessment concludes that full compliance is achieved for the proposed Ripple Brewing.

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1.0 INTRODUCTION

Ripple Brewing is proposed to operate at 3 Mather Road Beaconsfield. An acoustic report is required for undertaking an environmental noise impact assessment to determine whether or not the proposed Ripple Brewing would comply with the Environmental Protection (Noise) Regulations 1997 (the Regulations).

Acoustic Engineering Solutions (AES) has been requested by Ripple Brewing to prepare the acoustic report.

1.1 RIPPLE BREWING

Figure 1 in APPENDIX A presents an aerial view of the subject site and surrounding area including the selected representative receivers.

Figure 2 to Figure 4 in APPENDIX A present the site layout, floor plan and elevation views. The brewery building is a one-storey building of external double-brick walls and metal roofing and has three sliding doors. No ceiling is present. Two windows are present on the partition brick wall between the building and the concrete furniture manufacturer building. The front double-storey building is used for lobby and toilets on the ground floor but storage on the upper floor. The lobby entry door is a single glazing door.

A pergola in the west (back) of the building is the outdoor bar area. No kitchen is present. A cool room is located inside the brewery building and its condenser is located on the top of cool room. No air-conditioner will be installed but 4 small cooling fans will operate internally.

Ripple Brewing is proposed to have a maximum capacity of 120 patrons (80 indoors and 40 outdoors) and licensed to open between 10am and 10pm on Monday to Sunday. However the intended hospitality hours will be between 12:30pm and 10pm on Wednesday to Friday but from 12pm to 10pm on Saturday and Sunday. All of brewing operations including brewing/milling/cleaning kegs etc will take place outside the service hours during the day of weekdays (between 7:30am and 3pm on Monday and Tuesday and from 7:30am to 12:30pm on Wednesday to Friday) excluding public holidays. During the brewing operations, all external doors will be fully closed.

Low level amplified (background) music will play via 6 indoor (in-wall) and 2 outdoor Sonos speakers during the service hours to provide relaxed low level background music. The music level will be set to low enough volume to easily converse among patrons. Four wall-mounted TV screens operate but muted (TV audios will play via Sonos speakers if required).

Live music (single amp acoustic guitar musician) may play indoors occasionally between 12pm and 8pm on Friday to Sunday.

Regular delivery will be planned once a week between 9am and 3pm on Monday or Tuesday (outside the opening hours) excluding public holidays.

Multiple customer car-park bays are available onsite.

2.0 NOISE CRITERIA

Noise management in Western Australia is implemented through the Environmental Protection (Noise) Regulations 1997 (the Regulations). The Regulations set noise limits which are the highest noise levels that can be received at noise-sensitive (residential), commercial and industrial premises. These noise limits are defined as 'assigned noise levels' at receiver locations. Regulation 7 requires that "noise emitted from any premises or public place when received at other premises must not cause, or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind".

Table 2-1 presents the assigned noise levels at various premises.

Table 2-1: Assigned noise levels in dB(A)

Type of Premises Receiving Noise	Time of Day	Assigned Noise Levels in dB(A) ¹		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday	45 + Influencing factor	55 + Influencing factor	65 + Influencing factor
	0900 to 1900 hours Sunday and public holidays	40 + Influencing factor	50 + Influencing factor	65 + Influencing factor
	1900 to 2200 hours all days	40 + Influencing factor	50 + Influencing factor	55 + Influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	35 + Influencing factor	45 + Influencing factor	55 + Influencing factor
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial premises	All hours	60	75	80
Industrial and utility premises other than those in the Kwinana Industrial Area	All hours	65	80	90

¹ Assigned level L_{A1} is the A-weighted noise level not to be exceeded for 1% of a delegated assessment period.
Assigned level L_{A10} is the A-weighted noise level not to be exceeded for 10% of a delegated assessment period.
Assigned level L_{Amax} is the A-weighted noise level not to be exceeded at any time.

For highly noise sensitive premises, an “influencing factor” is incorporated into the assigned noise levels. The influencing factor depends on road classification and land use zonings within circles of 100 metres and 450 metres radius from the noise receiver locations.

2.1 CORRECTIONS FOR CHARACTERISTICS OF NOISE

Regulation 7 requires that that “noise emitted from any premises or public place when received at other premises must be free of:

- (i) tonality;
- (ii) impulsiveness; and
- (iii) modulation.

when assessed under Regulation 9”.

If the noise exhibits intrusive or dominant characteristics, i.e. if the noise is impulsive, tonal, or modulating, noise levels at noise-sensitive premises must be adjusted. Table 2-2 presents the adjustments incurred for noise exhibiting dominant characteristics. That is, if the noise is assessed as having tonal, modulating or impulsive characteristics, the measured or predicted noise levels have to be adjusted by the amounts given in Table 2-2. Then the adjusted noise levels must comply with the assigned noise levels. Regulation 9 sets out objective tests to assess whether the noise is taken to be free of these characteristics.

Table 2-2: Adjustments for dominant noise characteristics

Adjustment where noise emission is not music. These adjustments are cumulative to a maximum of 15 dB.			Adjustment where noise emission is music	
Where tonality is present	Where Modulation is present	Where Impulsiveness is present	Where Impulsiveness is not present	Where Impulsiveness is present
+5 dB	+5 dB	+10 dB	+10 dB	+15 dB

2.2 VEHICLE NOISE

Regulation 3(a) states that *nothing in these regulations applies to the following noise emissions —*

- (a) *Noise emissions from the propulsion and braking systems of motor vehicles operating on a road.*

If it is open to public, a car park is considered to be a road and therefore vehicle noise (propulsion and braking) is not strictly assessed. However, noise from car door closing still requires assessment, as this does not form part of the propulsion or braking systems.

2.3 INFLUENCING FACTORS

Five (5) closest noise-sensitive (residential) premises are selected for detailed assessment of noise impacts, as shown in Figure 1 in APPENDIX A.

Influencing factor varies from residence to residence depending on the surrounding land use. Hampton Road is classified as the major road and at about 360m from R4, 390m from R5 but more than 450m from the other receivers (R1 to R3). Therefore, R4 and R5 have transport factor of 2dB while the other receivers have zero transport factor.

Figure 5 in APPENDIX A presents the planning scheme zone map of the City of Fremantle. Ripple Brewing is located within the industrial improved "development area" zone while the selected receivers are located within the "residential" zone. Ripple Brewing is classified as "commercial" and the neighbouring Concrete Studio and Portwest Automotive are classified as light industries. Table 2-3 presents the calculation of influencing factors and Table 2-4 presents the assigned noise levels for the selected receivers.

Table 2-3: Calculation of influencing factors.

Receivers	Transport Factor in dB	Commercial Land		Industrial Land		dB	Influencing Factor in d(B)
		Within 100m Radius	Within 450m Radius	Within 100m Radius	Within 450m Radius		
R1	0	4%	0	19%	2%	2	2
R2	0	4%	0	20%	2%	2	2
R3	0	0	0	0	2%	0	0
R4	2	0	0	0	2%	0	2
R5	2	0	0	6%	2%	1	3

Table 2-4: Assigned noise levels in dB(A)

Receivers	Assigned Noise Levels in dB(A)		
	L _{A10}	L _{A1}	L _{Amax}
Day² of Monday to Saturday			
R1, R2 & R4	47	57	67
R3	45	55	65
R5	48	58	68
Day³ of Sunday and Public Holidays			
R1, R2 & R4	42	52	67
R3	40	50	65
R5	43	53	68
Evening⁴			
R1, R2 & R4	42	52	57
R3	40	50	55
R5	43	53	58
Night⁵			
R1, R2 & R4	37	47	57
R3	35	45	55
R5	38	48	58

²0700 to 1900 hours for Monday to Saturday.

³0900 to 1900 hours for Sunday and Public Holidays.

⁴1900 to 2200 hours for all days.

⁵2200 to 0700 hours for Monday to Saturday, and 2200 to 0900 hours for Sunday and Public Holidays.

3.0 NOISE MODELLING

3.1 METHODOLOGY

An acoustic model is developed using SoundPlan v8.0 program, and the ISO 9613 prediction algorithms are selected for this study. The acoustic model is used to predict noise levels at the selected receiver locations and generate noise contours for the area surrounding the subject site.

The acoustic model does not include noise emissions from any sources other than from the proposed Ripple Brewing. Therefore, noise emissions from road traffic, aircraft, neighbouring industrial premises and birds, etc are excluded from the modelling.

3.2 INPUT DATA

3.2.1 Topography

The ground elevation contours for the subject site and surrounding area are obtained from the Landgate. The parkland is absorptive while the other area is assumed to have averaged absorption of 0.6.

The subject building and its surrounding (existing) buildings are digitised into the acoustic model. The existing (1.8m) solid boundary fences of closest properties are also considered.

3.2.2 Noise Sensitive Premises

Five closest residences are selected for the detailed assessment of noise impacts, as shown in Figure 1 in APPENDIX A. R2 and R3 are the upper floor receivers (4.5m above the ground) while the others (R1, R4 and R5) are the ground receivers (1.5m above the ground).

3.2.3 Source Sound Power Levels

Table 3-1 presents the source sound power levels. The overall sound power levels of brewery equipment are provided by Ripple Brewing but their spectrum shapes are obtained from the AES database for similar equipment. The amplified music level is assumed to be 60 dB(A) at 1m from the centre of a speaker. The live music level of Solo performance (with one standing speaker) and conversation in normal voices were measured for the other AES projects. The sound power level of a patron conversation with raised voices was calculated from the published data⁶. The sound power level of car-door closing is presented in L_{Amax} level.

⁶ Lazarus, H 1986, „Prediction of verbal communication in noise – a review: Part 1“, *Applied Acoustics*, vol. 19, pp. 439-464.

Table 3-1: Source sound power levels.

Equipment	Number	Overall Sound Power Levels in dB(A)
Cool Room Condenser	1	78
Toilet Vent	3	62
Cooling Fan	4	81
Music Speaker	6	68
Live Music (Solo Performance)		95
Grain Mill	1	81
Glycol Chilling Unit	1	86
Pump	2	74
Patron Conversation in Normal Voice		66
Patron Conversation with Raised Voice		74
Car Door Closing L_{Amax}		88

3.3 METEOROLOGY

SoundPlan calculates noise levels for defined meteorological conditions. In particular, temperature, relative humidity, wind speed and direction data are required as input to the model. For this study the default “worst-case” meteorological conditions⁷ are assumed, as shown in Table 3-2.

Table 3-2: Worst-case meteorological conditions.

Time of day	Temperature Celsius	Relative Humidity	Wind speed	Wind Direction
Day (0700 --- 1900)	20° Celsius	50%	≤5 m/s	All
Evening (1900 --- 2200)	15° Celsius	50%	≤5 m/s	All

⁷ Guideline: Assessment of Environmental Noise Emissions, Draft for Consultation, May 2021.

3.4 OPERATIONAL SCENARIOS

Ripple Brewing advised:

- Ripple Brewing has a full capacity of 120 patrons is proposed: 80 indoors and 40 outdoors (pergola area).
- Ripple Brewing opens to public between 10am and 10pm on Wednesday to Sunday.
- Ripple Brewing is licensed to open between 10am and 10pm on Monday to Sunday. However the intended hospitality hours will be between:
 - 12:30pm and 10pm on Wednesday to Friday; but
 - 12pm and 10pm on Saturday and Sunday.
- All items of brewery equipment are located inside the building. All of brewing operations including brewing/milling/cleaning kegs etc will take place outside the opening hours during the day of weekdays (between 7:30am and 3pm on Monday and Tuesday and from 7:30am to 12:30pm on Wednesday to Friday) excluding public holidays. The grain mill operates only for less than one hour per brewing day and 2 to 4 days per week. The two small pumps operate only for a couple of hours per brewing day.
- The two sliding doors facing south (driveway and car park) are generally closed except for delivery if required.
- During the service hours, the back sliding door (facing west) is open but the lobby door is closed.
- During the brewing operations, all doors are fully closed.
- Three toilet vents are located on the front wall of the two-storey building.
- No kitchen is proposed.
- No air-conditioning units will be installed but 4 small cooling fans will operate internally.
- The cool room is located inside the brewery building and its condenser is located on the top of cool room.
- A simple Sonos sound system is proposed to operate 4 indoor speakers and 2 outdoor speakers to provide relaxed low level background music during the hours of service. The music level will be of low enough volumes to easily converse among patrons.
- Four wall-mounted TV screens operate but muted (TV audios will play via Sonos speakers if required) during the service hours.
- Live music (single amp acoustic guitar musician) may play indoors occasionally between 12pm and 8pm on Friday to Sunday.
- Regular deliveries will be planned once a week between 9am and 3pm on Monday or Tuesday (outside the opening hours) excluding public holidays. Delivery trucks are the normal trucks without refrigeration unit. During the deliveries, the truck engines are switched off.
- Multiple customer car-park bays are available onsite.

Based on the proposed activities, four worst-case operational scenarios are modelled:

Scenario 1: Low level amplified music plays (indoors and outdoors) simultaneously with:

- A cool-room condenser;

- Four cooling fans;
- Three toilet vents; and
- 120 patron conversations (40% patrons converse simultaneously):
 - ✓ 32 indoor patron conversations; and
 - ✓ 16 outdoor patron conversations.

50% of the above conversations are assumed to be at raised voices.

Scenario 2: The mechanical plant (a coolroom condenser and two cooling fans) operates simultaneously with the brewery equipment:

- A grain mill;
- A glycol chilling unit; and
- Two small pumps.

Scenario 3: Solo performs inside the building.

Scenario 4: A car door is closed at the worst-case car-park bay to R1 and R2.

Scenario 1 represents the worst-case operation of Ripple Brewing. The sliding door facing west is assumed to be open but the two southern sliding doors and the single lobby door are closed. 40% of the maximum number (120) of patrons is assumed to converse simultaneously and 50% of the conversations are assumed to be in raised voices. This is an extreme worst-case assumption and happens rarely in practice. For most times patrons talk in normal voices (8dB below raise voices) and the patron number is less than the maximum capacity of 120. This scenario will predict the highest noise emission from the daily operation of Ripple Brewing.

Scenario 2 represents the worst-case operation of brewing equipment including the mechanical plant, occurring outside the service hours during the day of weekdays (between 7:30am and 3pm on Monday and Tuesday and from 7:30am to 12:30pm on Wednesday to Friday) excluding public holidays. All of the doors are assumed to be closed. All items of brewery equipment operate simultaneously inside the building with the coolroom condenser and two cooling fans. This scenario is a day-time scenario.

Scenario 3 represents the operation of live (solo) music playing inside the building. The west sliding door (to the pergola area) is assumed to be open but the other doors are closed.

Scenario 4 represents short events of closing a car door in the car park. A car-door is assumed to be closed at the worst-case location to R1 and R2. The car-door closing is modelled as a point source. The barrier effect of car bodies is not considered in the model and the predicted noise levels will be higher than the actual levels in the car body shadow areas.

Scenario 2 occurs only during the day of weekdays excluding public holidays while the other scenarios happen during the day and the evening.

No delivery activities are modelled because delivery trucks are normal trucks without refrigeration unit and the truck engines are switched off during the deliveries.

4.0 MODELLING RESULTS

4.1 POINT MODELLING RESULTS

Table 4-1 presents the predicted worst-case A-weighted overall noise levels. Scenario 2 occurs during the day only. For scenario 4, the predicted noise levels are in $L_{A_{Max}}$ level. The highest noise level is predicted at:

- R5 for scenarios 1 and 3; but
- R1 for scenarios 2 and 4.

Table 4-1: Predicted worst-case noise levels in dB(A).

Receivers	Scenario 1		Scenario 2	Scenario 3		Scenario 4	
	Day	Evening	Day	Day	Evening	Day	Evening
R1	25.0	25.1	15.2	22.9	23.0	42.3	42.2
R2	26.5	26.4	13.9	22.1	22.1	36.5	36.4
R3	26.1	26.1	10.6	26.6	26.6	24.3	24.3
R4	21.7	21.7	5.7	20.4	20.4	22.1	22.1
R5	27.7	27.8	12.1	28.4	28.5	25.6	25.6

The noise in scenario 1 consists of three components: mechanical noise, amplified music and patron conversations. Table 4-2 presents the predicted noise contributions for scenario 1. It is shown that the patron conversations are the dominant sources at all of the receivers. Mechanical noise is at similar levels as patron conversation at R1 and R2. Amplified music is much below the conversations and mechanical noise at all of the receivers.

Table 4-2: Predicted noise contributions in dB(A).

Receivers	Mechanical	Music	Conversations
R1	21.9	6.3	22.0
R2	24.5	6.3	22.1
R3	18.8	12.9	24.9

Receivers	Mechanical	Music	Conversations
R4	12.7	7.8	20.9
R5	21.3	16.7	26.1

4.2 NOISE CONTOURS

Figure 6 to Figure 9 in APPENDIX B present the worst-case noise contours at 1.5m above the ground. These noise contours represent the worst-case noise propagation envelopes, i.e., worst-case propagation (from sources to a receiver) in all directions simultaneously. Since the predicted day and evening-time worst-case noise levels are at similar levels (within 0.1 dB), the noise contours represent the worst-case day and evening-time noise emission envelopes from the proposed Ripple Brewing.

Figure 9 shows the worst-case noise $L_{A_{Max}}$ contours.

5.0 COMPLIANCE ASSESSMENT

5.1 ADJUSTED NOISE LEVELS

According to Table 2-2, the predicted noise levels shown in Table 4-1 should be adjusted by:

- 5 dB if the noise received exhibits tonality;
- 10 dB if the noise received is music; or
- 10 dB if the noise received is impulsive.

Mechanical plant may radiate tonal components while patron conversations are broadband noise. Therefore, a 5dB tonality adjustment applies to the predicted noise levels for scenario 2.

Table 4-2 shows that for scenario 1 amplified music is much below the conversations and mechanical noise, and will be masked and inaudible at all of the receivers. The mechanical noise is much below the patron conversations and masked at R3 to R5 but at similar levels at R1 and R2. Therefore, 5dB tonality adjustment applies to the predicted noise levels at R1 and R2 for scenario 1.

Scenario 3 considers live music only. Therefore, a 10dB music adjustment applies to the predicted noise levels for scenario 3.

Scenario 4 considers the car-door closing noise only. The car-door closing noise may exhibit impulsiveness. Therefore, a 10dB adjustment applies to the predicted noise levels for scenario 4.

Table 5-1 presents the adjusted A-weighted noise levels. The adjusted noise levels are expressed in ***Bold Italic***.

Table 5-1: Adjusted noise levels in dB(A).

Receivers	Scenario 1		Scenario 2	Scenario 3		Scenario 4	
	Day	Evening	Day	Day	Evening	Day	Evening
R1	<i>30.0</i>	<i>30.1</i>	<i>20.2</i>	<i>32.9</i>	<i>33.0</i>	<i>52.3</i>	<i>52.2</i>
R2	<i>31.5</i>	<i>31.4</i>	<i>18.9</i>	<i>32.1</i>	<i>32.1</i>	<i>46.5</i>	<i>46.4</i>
R3	26.1	26.1	<i>15.6</i>	<i>36.6</i>	<i>36.6</i>	<i>34.3</i>	<i>34.3</i>
R4	21.7	21.7	<i>10.7</i>	<i>30.4</i>	<i>30.4</i>	<i>32.1</i>	<i>32.1</i>
R5	27.7	27.8	<i>17.1</i>	<i>38.4</i>	<i>38.5</i>	<i>35.6</i>	<i>35.6</i>

5.2 COMPLIANCE ASSESSMENT

Scenarios 1 to 3 generate continuous noise emission and are assessed against the assigned noise levels L_{A10} . Car door closing is a very short event. The noise from a car door closing is predicted in L_{Amax} level and the assigned noise levels L_{Amax} apply to scenario 4.

Scenario 2 happens only during the day of weekdays excluding public holidays. Therefore, no evening-time assessment is required for the evening and for the day of Sunday and public holidays.

5.2.1 Monday to Saturday

Table 5-2 presents the day-time compliance assessment for Monday to Saturday. It is shown that the adjusted noise levels are much below the assigned noise levels at all of the receivers for all of the scenarios. This demonstrates that the day-time compliance is achieved for Monday to Saturday.

Table 5-2: Day-time compliance assessment for Monday to Saturday.

Receivers	Assigned L_{A10} in dB(A)	Adjusted Noise Levels in dB(A)			Assigned L_{Amax} in dB(A)	L_{Amax} in dB(A)
		S1	S2	S3		S4
R1	47	30.0	20.2	32.9	67	52.3
R2	47	31.5	18.9	32.1	67	46.5
R3	45	26.1	15.6	36.6	65	34.3
R4	47	21.7	10.7	30.4	67	32.1
R5	48	27.7	17.1	38.4	68	35.6

5.2.2 Sunday

Table 5-3 presents the day-time compliance assessment for Sunday and public holidays. It is shown that the adjusted noise levels are much below the assigned noise levels at all of the receivers for all of the scenarios. This demonstrates that the day-time compliance is achieved for Sunday and public holidays.

Table 5-3: Day-time compliance assessment for Sunday.

Receivers	Assigned L _{A10} in dB(A)	Adjusted Levels in dB(A)		Assigned L _{AMax} in dB(A)	L _{AMax} in dB(A) S4
		S1	S3		
R1	42	30.0	32.9	67	52.3
R2	42	31.5	32.1	67	46.5
R3	40	26.1	36.6	65	34.3
R4	42	21.7	30.4	67	32.1
R5	43	27.7	38.4	68	35.6

5.2.3 Evening

Table 5-4 presents the evening-time compliance assessment. It is shown that the adjusted noise levels are below the assigned noise levels at all of the receivers for all of the scenarios. This demonstrates that the evening-time compliance is achieved for the proposed Ripple Brewing.

Table 5-4: Evening-time compliance assessment.

Receivers	Assigned L _{A10} in dB(A)	Adjusted Levels in dB(A)		Assigned L _{AMax} in dB(A)	L _{AMax} in dB(A) S4
		S1	S3		
R1	42	30.1	32.9	57	52.3
R2	42	31.4	32.1	57	46.5
R3	40	26.1	36.6	55	34.3
R4	42	21.7	30.4	57	32.1
R5	43	27.8	38.4	58	35.6

The above assessments conclude that full compliance is achieved for the proposed operations of Ripple Brewing.

APPENDIX A AERIAL VIEW



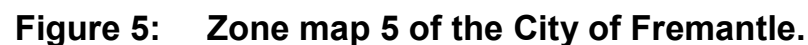






Project Number: 2024		A		B	
DATE: DECEMBER 2023		DATE: DECEMBER 2023		DATE: DECEMBER 2023	
PROJECT: 3-5 MATHER ROAD BEACONFIELD N.S.		PROJECT: 3-5 MATHER ROAD BEACONFIELD N.S.		PROJECT: 3-5 MATHER ROAD BEACONFIELD N.S.	
PROPOSED EXTERNAL ELEVATIONS		PROPOSED EXTERNAL ELEVATIONS		PROPOSED EXTERNAL ELEVATIONS	

AES-890362-R01-0-29012024



APPENDIX B NOISE CONTOURS

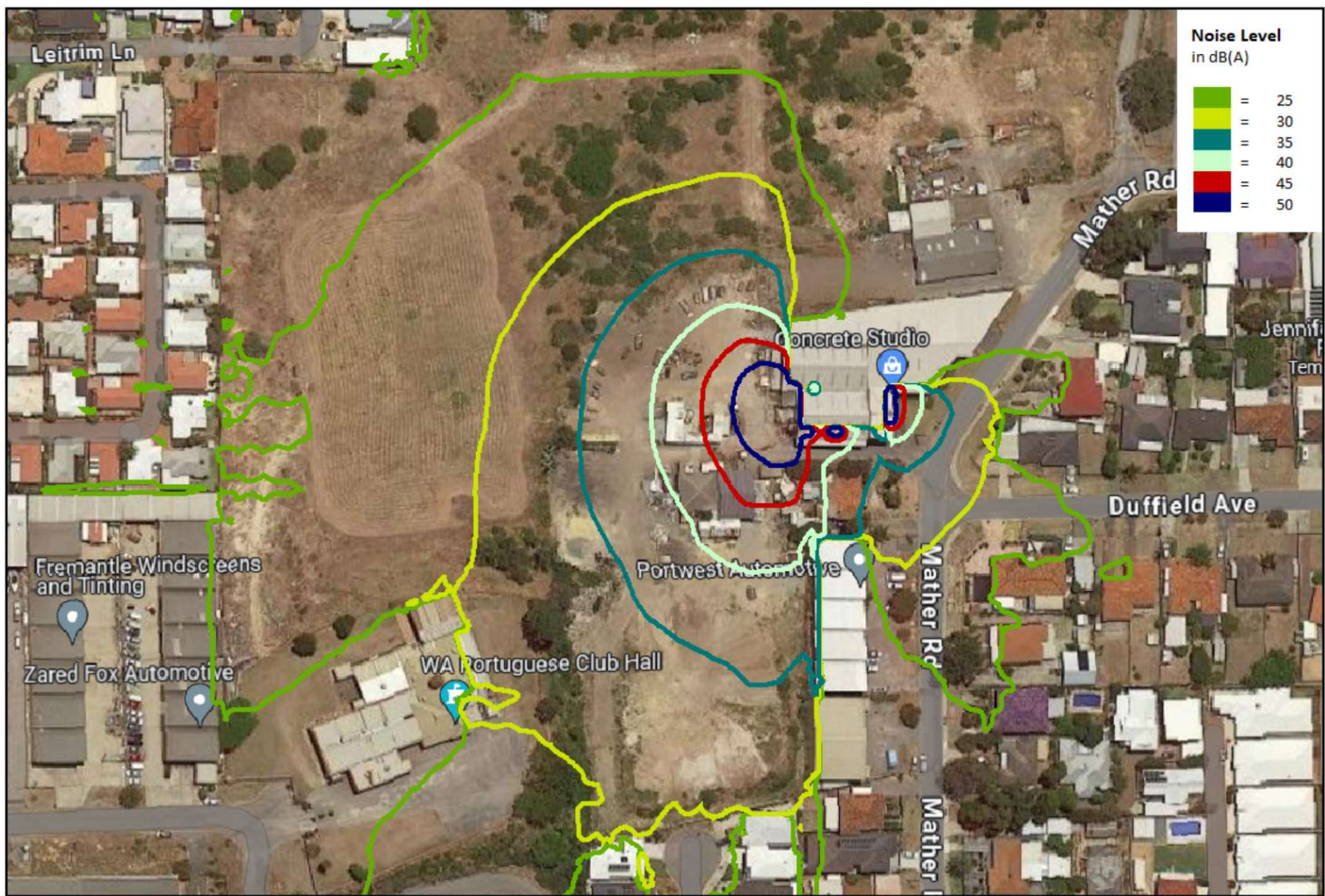


Figure 6: Worst-case noise contours for scenario 1.



Figure 7: Worst-case noise contours for scenario 2.

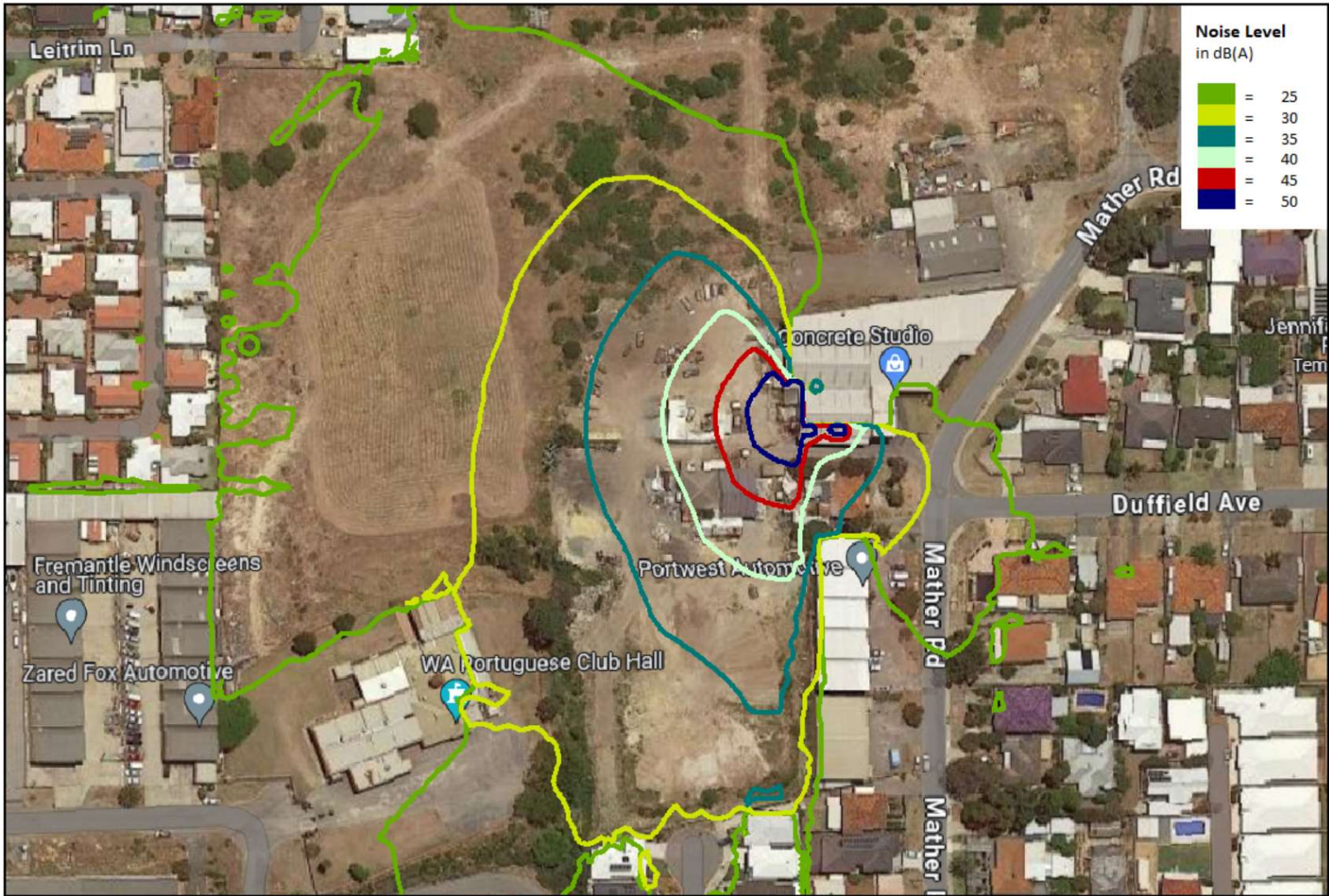


Figure 8: Worst-case noise contours for scenario 3.

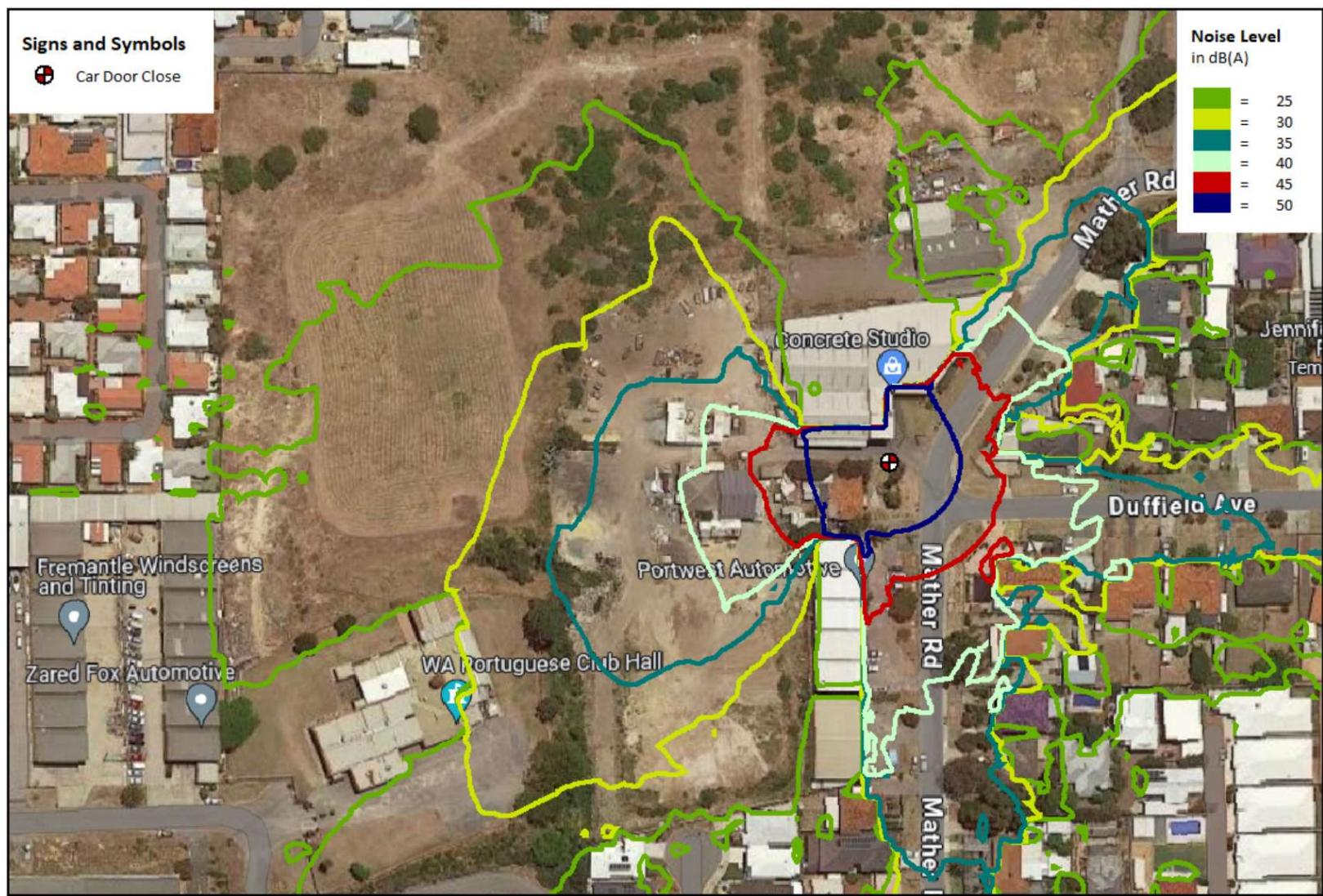


Figure 9: Worst-case noise contours for scenario 4.



**C2405-3 MATHER ROAD, NO. 3 – 5 (LOT 251) AND PART NO. 7 (LOT 252)
BEACONSFIELD – PARTIAL TEMPORARY CHANGE OF USE TO
BREWERY AND ALTERATIONS AND ADDITIONS TO EXISTING
BUILDINGS (ED DA0008/24)**

Attachment 5 – Waste Management Plan



Neighbourhood Brewery & Taproom

at

3-5 Mather Rd, Beaconsfield

Date: 23.01.24

1. Objective

Achieve a waste management program that is functionally designed and effectively managed in terms of waste and recycling management and collection as well as actively promoting waste minimisation.

2. Nature of business

Ripple Brewing intends to operate as a taproom showcasing quality draught beer and will not serve bottles and cans for on-premise consumption. A local food truck will provide a simple food offering which will not generate the levels of waste that a regular on-site kitchen would produce.

Production/Office:

3 days per week
Mon-Thursday 7am-3pm

Hospitality:

4 days per week
Thursday/Friday 3pm-9pm
Sat/Sun 12pm-9pm

3. Sustainability, Recycling and Waste Minimisation

- All grain, hops, malt and yeast will be collected into an appropriate vessel and collected by a local farmer for use of cattle feed. This collection will happen either on the day the waste is collected, or the day after.
- Separate bins shall be maintained for general waste and recyclable materials in accordance with the City of Fremantle commercial waste collection service.
- Where practical, any food scraps generated from patrons eating from the food truck will be separated from general waste and placed into a food waste bin prior to emptying into the FOGO bin at the end of service.
- Ripple Brewing intends to partner with 'Containers for Change' for all eligible recyclable vessels.
- Where possible suppliers shall be encouraged to use reusable delivery containers. Single use plastic such as straws and other items will not be used or limited in their use to a minimum.
- Beer made on site is stored in bulk cooled tanks or recycled kegs and served direct to patrons without any secondary packaging.
- Ripple Brewing intends to re-purpose the highly nutritious spent grain, hops and yeast from the brewing process which is diverted to local farms as animal feed instead of land fill.

- Kegs are intended to be used for bulk beverage storage and off-site deliveries. Empty kegs are returned to site and cleaned in house for re-use, reducing the need for individual packaging.

4. Bin Storage

As per attached plan

There is more than sufficient space to contain the bins.

5. Number and Types of Bins

The production side of the business generates very little waste that is relevant to the COF waste collection calculations, as the majority of the waste from this will be collected by a local farmer as detailed above under the 'Sustainability' section.

As such, we deem 'office use' to be applicable to 3 days per week, with the other 4 days to be classed as licenced club.

The total floor area is 400 sq/m with the licenced public area comprising 250m² (includes internal and external).

Based on the above and with reference to table 3 of the WALGA Guidelines, please see our estimated waste generation below:

Licensed Club - 4 days x 50L/100 sq/m per day = 800L

Office Use – 3 days x 10L/100 sq/m per day = 120L

Total per week = 920L

Bins needed:

1 x 660L general waste (weekly or fortnightly depending on volume)

1 x 360L recycling (fortnightly)

1 x 240L FOGO (weekly)

Total volume available per week = 1080L

6. Bin Collection

To be collected as per the outlined schedule in [Local Planning Policy 2.24 \(fremantle.wa.gov.au\)](http://fremantle.wa.gov.au)

General Waste – Weekly

Recyclables – Fortnightly

FOGO – Weekly

Collection can occur safely from the designated waste storage area, outside of hospitality business hours > Monday – Friday 7am – 3pm



**C2405-3 MATHER ROAD, NO. 3 – 5 (LOT 251) AND PART NO. 7 (LOT 252)
BEACONSFIELD – PARTIAL TEMPORARY CHANGE OF USE TO
BREWERY AND ALTERATIONS AND ADDITIONS TO EXISTING
BUILDINGS (ED DA0008/24)**

Attachment 6 – Harm Minimisation Policy

Ripple Brewing

3 Mather Rd, Beaconsfield. 6162

Harm Minimisation Policy

1. Introduction

Our Taproom & Brewery is committed to providing a safe and enjoyable environment for all patrons. As part of this commitment, we have developed a Harm Minimisation Policy to address and reduce potential risks associated with the consumption of alcohol on our premises. Ripple is a premium craft beer centric venue, where patrons are encouraged to explore our beers responsibly. This is not a pub or brewpub, it is a "cellar door" style venue that celebrates craft beer.

2. Responsible Service of Alcohol (RSA)/Approved Manager

All staff members will undergo comprehensive RSA training to ensure they understand the legal responsibilities and obligations related to serving alcohol.

There will always be an Approved Manager on duty during opening hours.

Strict adherence to checking identification to prevent underage patrons from purchasing or consuming alcohol.

Monitoring patrons for signs of intoxication, and refusing service to anyone displaying such signs.

Promoting the availability of non-alcoholic beverages and providing food options – via onsite food trucks – to encourage responsible drinking.

3. Promotion of Responsible Drinking

Displaying prominent signage encouraging responsible drinking and the use of public transportation or designated drivers.

Offering a range of portion sizes for alcoholic beverages to allow patrons to manage their alcohol intake effectively.

Providing information on local transportation options and promoting the use of ride-sharing services.

4. Incident Management and Reporting

Establishing a clear protocol for handling incidents related to alcohol consumption, including disruptive behaviour, intoxication, or any other issues.

Encouraging staff to report incidents promptly to management, who will take appropriate action, including involving relevant authorities if necessary.

5. Responsible Marketing Practices

Avoiding the use of promotions that encourage excessive alcohol consumption or rapid drinking.

Ensuring all marketing materials carry responsible drinking messages and information on the potential harms associated with excessive alcohol consumption.

6. Compliance Monitoring and Review

Regularly reviewing and updating this Harm Minimisation Policy to ensure it remains current and effective.

Conducting internal audits to assess compliance with the policy and making necessary adjustments to improve performance.

House Management Plan

1. Staff Training and Responsibilities

All staff members will receive comprehensive training on the House Management Plan, including emergency procedures and customer service expectations.

Designating specific staff members as responsible for monitoring and managing the premises during operating hours.

2. Emergency Procedures

Developing and regularly reviewing emergency procedures, including evacuation plans, first aid response, and communication protocols.

Conducting regular emergency drills to ensure staff members are familiar with their roles and responsibilities during emergencies.

3. Crowd Management

Monitoring and controlling crowd density to prevent overcrowding and maintain a safe environment.

Clearly defining entrance and exit points and ensuring they are easily accessible and well-lit.

5. Noise Management

Complying with local noise regulations and implementing measures to minimize noise impact on the surrounding community. Our Producers licence will have closing time of 10pm and our house background music will be switched off before this time.

6. Responsible Waste Management

Implementing effective waste management practices to ensure the cleanliness of the premises and surrounding areas.

Encouraging patrons to use designated waste disposal areas and recycling bins.

All food grade (grain, hops, yeast) brewery waste will be collected and taken offsite for cattle feed.

7. Ongoing Monitoring and Improvement

Conducting regular reviews of the House Management Plan to identify areas for improvement.

Encouraging feedback from staff, patrons, and the local community to continually enhance the safety and operation of the Taproom & Brewery.

By implementing and consistently adhering to these policies, our Taproom & Brewery aims to create a welcoming and safe space for patrons while prioritizing harm minimization and responsible business practices.



**C2405-3 MATHER ROAD, NO. 3 – 5 (LOT 251) AND PART NO. 7 (LOT 252)
BEACONSFIELD – PARTIAL TEMPORARY CHANGE OF USE TO
BREWERY AND ALTERATIONS AND ADDITIONS TO EXISTING
BUILDINGS (ED DA0008/24)**

Attachment 7 – Responses to Submitters



Responses to relevant planning concerns.

Nature of business

There were some concerns raised about drunkenness, undesirables, late nights, fights etc. Whilst we recognise our concept is perhaps foreign to some people, we wish to reiterate that we are not a pub, nor a late-night venue. We will be producing some of the highest quality craft beer in the country and the intent of a venue like this is to create a culture of enjoying and savouring great drinks in an environment that celebrates quality over quantity and embraces family, community, and safety. The types of clientele that will be attracted to our proposed venue are families, locals, "hipsters" and craft beer lovers.

There is a lot of vacant land and derelict buildings in the surrounding area, our proposal will improve the amenity of the area and if anything will reduce crime and "undesirables". This is not only my personal experience but has been shown worldwide that craft breweries and other hipster pursuits are a key indicator of gentrification. Submitter 8 commented *"...I would welcome the development of such an operation at the proscribed location, especially given the current site is somewhat rundown and derelict; it would only serve to facelift the area, value add and most likely go some way towards turning the immediate vicinity into a far more attractive proposition..."*

Our vision is to create a hub that celebrates the rich brewing tradition of Fremantle and actively engages with the local community through events, partnerships, and a commitment to sustainability.

We will be brewing a small volume (<50,000L/pa) of high-quality beer for consumption both on premise and takeaway and aim to create a family friendly, welcoming environment that celebrates good beer, good food and great people.

Finally, both of Ripples directors have children ranging from 2 months old to 13 years old, and this venue has been created to fill a need that we personally experience > a lack of relaxed, family friendly venues that have parking available in the area. Going into South Fremantle with a child is not a viable option due to lack of parking, traffic and lack of containment within the venues.

Verge parking /traffic.

The increased traffic to and from the brewery will be minimal at 3pm when school finishes and the risk of collision from cars coming and going from our venue will be insignificant. The verge parking we are proposing aims to maximise our available parking so as not to intrude on residential streets and verges. The proposed parking we are providing significantly exceeds any similar venue in the area and by formalising the verge parking, we are ensuring that it is done safely and deliberately as opposed to spontaneously. If anything, the verge parking proposed will reduce the apparent issues with parking in this area as referenced by submitter 6 below. Our parking will not be anywhere near capacity at 3pm weekdays and as such, the verge parking will provide overflow for neighbours to utilise, only making it safer for the children walking home via this route.

"...I also object as the proposed new car parking areas as they will create increased traffic and increased risk of collision at the "T" intersection of Mather Road and Duffield Avenue which is on a bend..."

Submitter 6 "...My main concerns lie with the traffic congestion of an afternoon when school gets out! It's a nightmare as it is with speeding cars, residents parking cars half on / half off the road at no. 20, for example..."

Privacy

Submitters 4 & 2 reference their concerns over privacy, with 4 commenting *"...as there will be a loss of privacy to my property due to windows from the office, lobby and toilets being able to look unobscured directly into my courtyard, kitchen and laundry"*

The upstairs area I believe they are referencing does not form part of our proposal or business; the toilet windows will have frosted (or similar) windows and will not provide an imposition with regard to privacy to the neighbouring houses.

Noise

Our peak periods for the hospitality side of our business will likely be Sat & Sun between 3pm-7pm. We have completed an acoustic report that details our compliance in this area. Having said that there will be an awareness from our staff and management that noise should be kept to a minimum and respect of the neighbours will be a high priority.

School kids

We acknowledge that there are school kids that walk home via Mather Rd, however we do not see a risk with regard to traffic, underaged drinking or anti-social behaviour given the nature and hours of operation of our proposed business. Our venue will be a friendly, mature, community focused venue.

Submitter 6 comments "...Winterfold Primary gets out at 2.45pm to allow for parent pick up before Christ The King school & Fremantle College finish at 3pm - there are A LOT of Parents who will be using Mather Road at this time of the day. If the Brewery car park (for 30 cars at the rear) is full then they are going to park on our verge & block school traffic. The other risk is that I personally know (my son being one of them) a lot of school children who use the foot path on Mather to walk, scoot or

ride home - with added customers, say on a Friday afternoon - this is going to become a safety issue for these kids."

Our peak periods will be on the weekends. At 3pm on weekdays we will most likely not be open (granted, a producer's licence allows 10am-10pm). Weekday opening ours will be for after work knock off drinks and potentially fun events like trivia nights or similar. The parking bays will not be full at 3pm on weekdays and the traffic to and from our brewery will be minimal at this time.

Tree on lot 252

Submitter 5 comments "*...There's a nice mature Eucalyptus erythrocorys closest to the street, it would be a damn shame to lose that tree"*

This tree will be retained and sits within the garden area shown on the plan.



**C2405-3 MATHER ROAD, NO. 3 – 5 (LOT 251) AND PART NO. 7 (LOT 252)
BEACONSFIELD – PARTIAL TEMPORARY CHANGE OF USE TO
BREWERY AND ALTERATIONS AND ADDITIONS TO EXISTING
BUILDINGS (ED DA0008/24)**

Attachment 8 – Reciprocal parking consent from adjoining tenancy

11th April 2024

Dear Sir/Madam,

This letter is to confirm we are happy to approve the use - by Ripple Brewing - of the covered parking area of 3 Mather Road, such as they require it during their trading hours.

Your sincerely





**C2405-4 AINSLIE ROAD, NO. 2 (LOT 27), NORTH FREMANTLE - TWO
STOREY SINGLE HOUSE WITH UNDERCROFT (ED DA0053/24)**

Attachment 1 – Amended Development Plans



2 AINSLIE ROAD

PROPOSED NEW RESIDENCE

2 AINSLIE ROAD NORTH FREMANTLA WA

for
Mrs. L. TOURIBAKA

SIA Sasha Ivanovich ARCHITECTS

218 PALMER STREET DARLINGHURST NSW
sia_architects@westnet.com.au

0418 916797



DA APPLICATION DRAWINGS FEBRUARY 2024

DA00	COVER PAGE
DA01a	FIRST FLOOR
DA01b	GROUND FLOOR
DA01c	GARAGE LEVEL PLAN
DA01d	ROOF PLAN
DA01e	SITE SURVEY
DA02a	STREET ELEVATION
DA02b	STREET VIEWS
DA03a	EAST & WEST ELEVATIONS
DA03b	NORTH & SOUTH ELEVATIONS
DA04a	SECTION AA
DA07a,b & c	SHADOW DIAGRAMS

CITY OF FREMANTLE
These Plans Form Part of

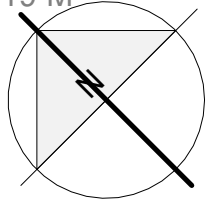
DA0053/24

20 Feb 2024

SITE AREA 400.6 msq.
BASEMENT LEVEL 163.8 msq.
GROUND LEVEL 128.5 msq.
FIRST FLOOR 82.1msq.
TOTAL BUILDING 210.6 msq
garage 163.8 msq

LOT 28

33.19 M



A03b

1

24

23

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33.19M

20

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ENTRY

FFL 24100

FFL 23811

FFL 23272

FFL 23130

UP

12.07 M

LIFT

RAKING RETAINING WALL
0 to 2.1m

6400

CANOPY OVER

GROUND FLOOR
TERRACE OVER

1

A03b

A03c

3000

CROSSOVER

AINSLIE ROAD

RETAINING WALL
2.4m high

23.5

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GARAGE
5.6 x 11.6m

FFL 00
RL 21400

STORAGE

RAKING RETAINING WALL
0 to 2.1m

22.5

22

SETBACK MATCHING
ADJOINING HOUSE
BOUNDARY WALL

12.07M

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20

LOT 27

LOT 25

2

A03b

LOWER GROUND FLOOR

1m

3

5

7

10m

NEW RESIDENCE

2 AINSLIE ROAD North Fremantle WA

P. TURIBAKA

LOWER GROUND FLOOR

Date 29/01/2024

Drawn by CH

Checked by SI

SCALE 1 : 100 on A3

SHEET

A01c



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DA0053/24

20 Feb 2024

23-05

SITE AREA 400.6 msq.
BASEMENT LEVEL 163.8 msq.
GROUND LEVEL 128.5 msq.
FIRST FLOOR 82.1 msq.
TOTAL BUILDING 210.6 msq
garage 163.8 msq

CITY OF FREMANTLE
These Revised Plans Form Part of

DA0053/24

3 April 2024

LOT 28

SETBACK
7520

NEIGHBOUR RESIDENCE lot 28
including Current Addition in Construction

A03a

UP

6000
SETBACK

23.19 M

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Boundary Fence 1800 high

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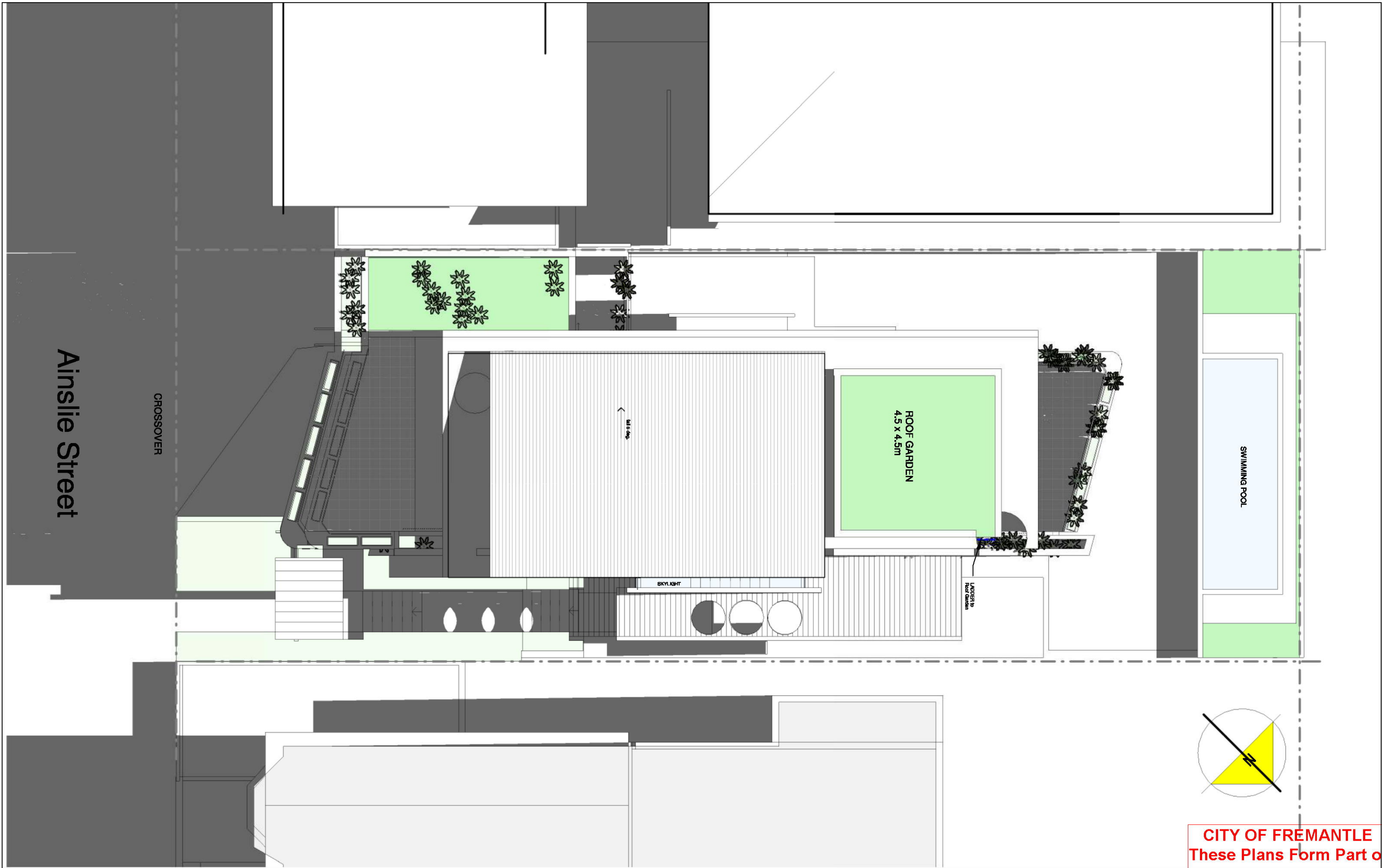
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NEW RESIDENCE
2 AINSLIE ROAD North Fremantle WA

P. TURIBAKA

ROOF PLAN		
Date	5/2/2024	
Drawn by	CH	
Checked by	SI	SCALE 1 : 100 on A3

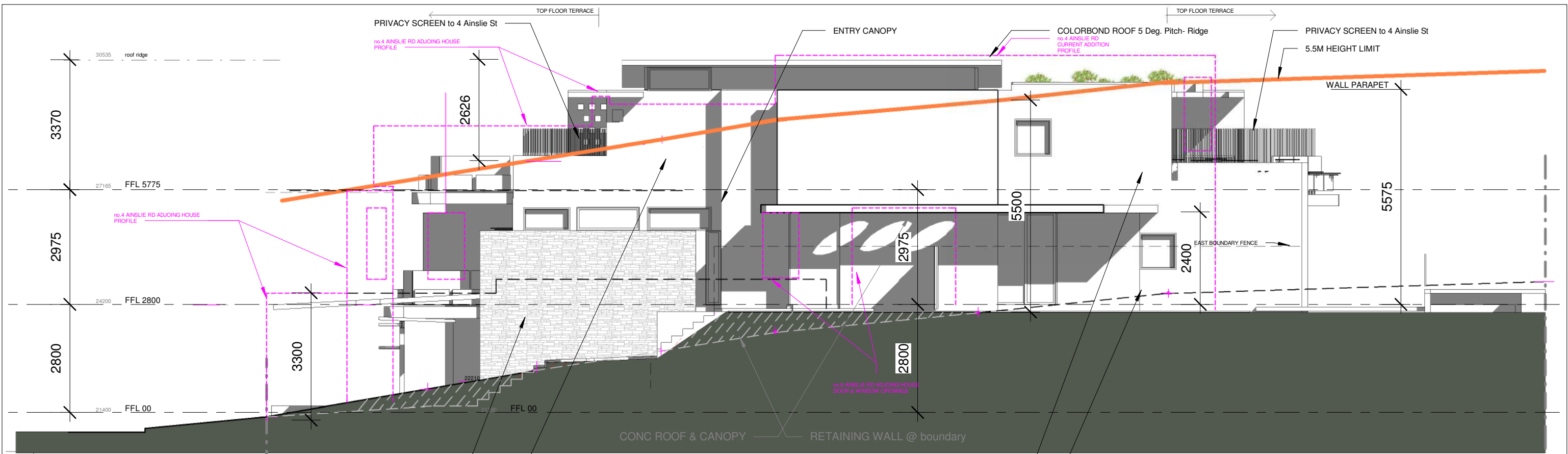
SHEET
A01d



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20 Feb 2024
23-05



EAST ELEVATION



WEST ELEVATION

NEW RESIDENCE

2 AINSLIE ROAD North Fremantle WA

P. TURIBAKA

EAST & WEST ELEVATIONS

Date	16/02/2024	
Drawn by	CH	
Checked by	SI	

SCALE	1 : 100	on A3
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SHEET

A03a



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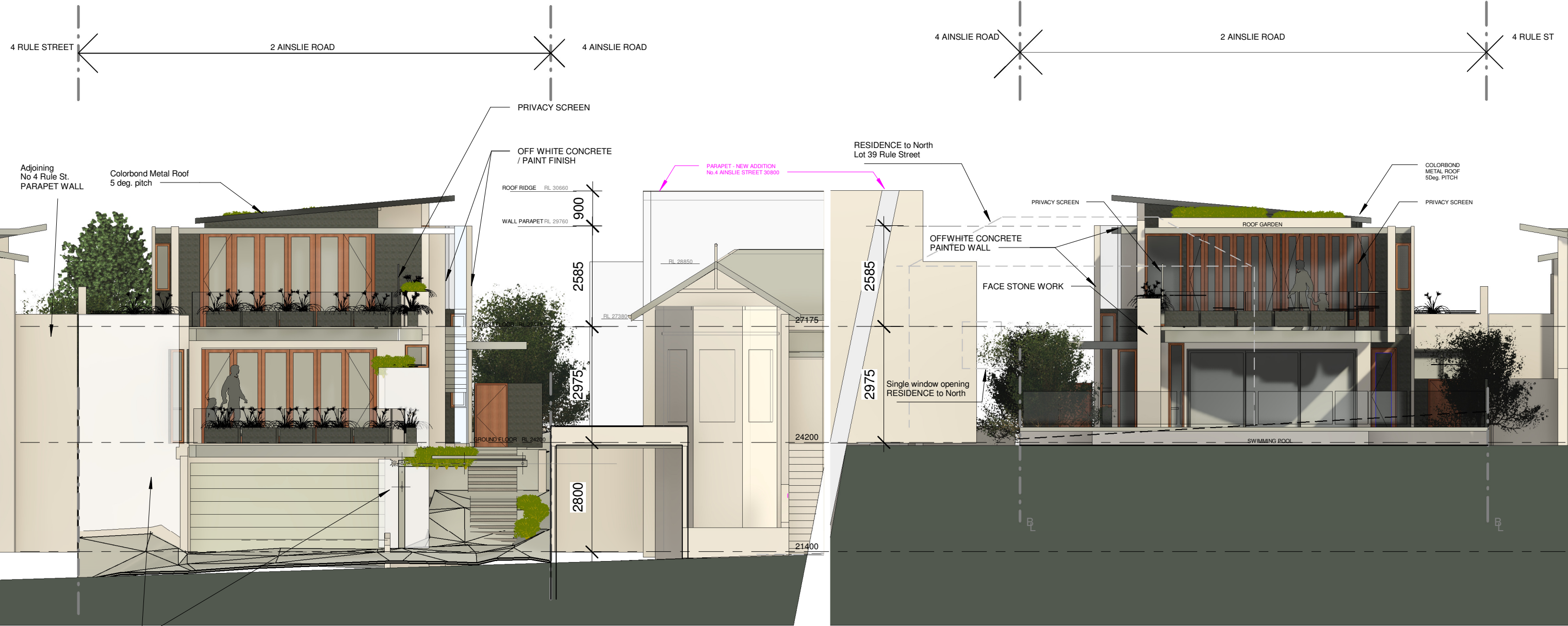
DA0053/24

20 Feb 2024
23-05

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3 April 2024



SOUTH ELEVATION - Ainslie Road

NORTH ELEVATION

NEW RESIDENCE

2 AINSLIE ROAD North Fremantle WA

P. TURIBAKA

NORTH & SOUTH ELEVATIONS	
Date	3/04/2024
Drawn by	CH
Checked by	SI

SCALE

1 : 100 on A3

SHEET

A03b

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23-05



SECTION AA

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NEW RESIDENCE
2 AINSLIE ROAD North Fremantle WA

P. TURIBAKA

SECTION AA		
Date	16/01/2024	
Drawn by	CH	
Checked by	SI	
SCALE		1 : 100 on A3

SHEET
A04a



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DA0053/24
20 Feb 2024
23-05



View 1



View 2



View 3



View 4



View 5



LOWER GROUND FLOOR

NEW RESIDENCE

2 AINSLIE ROAD North Fremantle WA

P. TURIBAKA

STREET VIEWS

Date	5/02/2024	
Drawn by	CH	
Checked by	SI	

SCALE 1 : 500 on A3

SHEET

A02b



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CITY OF FREMANTLE
These Plans Form Part of

DA0053/24

20 Feb 2024

23-05



**C2405-4 AINSLIE ROAD, NO. 2 (LOT 27), NORTH FREMANTLE - TWO
STOREY SINGLE HOUSE WITH UNDERCROFT (ED DA0053/24)**

Attachment 2 – Site Photos

Attachment 2 – Site Photos

Photos 1 & 2: Subject site as viewed from Ainslie Road







Photo 3: Subject site as viewed from Ainslie Road (west of subject site)



Photo 4: Subject site as viewed from Ainslie Road (east of subject site)



Photo 5: View of dwellings opposite the subject site



**C2405-5 MAXWELL STREET, NO. 19 (LOT 176), BEACONSFIELD -
DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF
A TWO STOREY SINGLE HOUSE – (JD DA0017/24)**

Attachment 1 – Development Plans

hole in the wall design.

Steffen Linke & Emily Handwerk

Proposed Residence

#19 Maxwell Street
BEACONSFIELD WA 6162



SHEET	NAME	DATE	COMMENT	REV
1	FEATURE SURVEY	18/01/2024 6:56 PM	ISSUED FOR DEVELOPMENT APPROVAL	J
2	SITE PLAN	18/01/2024 6:56 PM	ISSUED FOR DEVELOPMENT APPROVAL	J
3	GROUND FLOOR PLAN	18/01/2024 6:56 PM	ISSUED FOR DEVELOPMENT APPROVAL	J
4	UPPER FLOOR PLAN	18/01/2024 6:56 PM	ISSUED FOR DEVELOPMENT APPROVAL	J
5	ELEVATIONS	18/01/2024 6:56 PM	ISSUED FOR DEVELOPMENT APPROVAL	J
6	ELEVATIONS	18/01/2024 6:56 PM	ISSUED FOR DEVELOPMENT APPROVAL	J
7	FENCE ELEVATIONS	18/01/2024 6:56 PM	ISSUED FOR DEVELOPMENT APPROVAL	J
8	FENCE ELEVATIONS	18/01/2024 6:56 PM	ISSUED FOR DEVELOPMENT APPROVAL	J
9	PERSPECTIVES	18/01/2024 6:56 PM	ISSUED FOR DEVELOPMENT APPROVAL	J

FEATURE SURVEY

CLIENTS DETAILS :

Kelvin Reynolds

DWG REF:
Maxwell 19 F - v1.0

LEVEL DATUM:
AHD (Approx.)

STREET NAME :
Maxwell Street

LOT # :
176

HOUSE # :
19

SUBURB :
Beaconsfield

LOCAL AUTHORITY :
City of Fremantle

R CODE :
R25

SURVEY DATE :
17/01/2020

SCALE AT A3 SIZE :
1:200

LEGEND

WATER METER

SEWER CONN.

SEWER AC

SIGN POST

TELSTRA PIT

ELECTRICAL BOX

POWER POLE

TEMP. BENCHMARK

TREE (TO SCALE)

GD GARAGE DOOR

SEWER CONN.

SEWER AC

SIGN POST

TELSTRA PIT

ELECTRICAL BOX

POWER POLE

TEMP. BENCHMARK

TREE (TO SCALE)

GD GARAGE DOOR

SEWER CONN.

SEWER AC

SIGN POST

TELSTRA PIT

ELECTRICAL BOX

POWER POLE

TEMP. BENCHMARK

TREE (TO SCALE)

GD GARAGE DOOR

SEWER CONN.

SEWER AC

SIGN POST

TELSTRA PIT

ELECTRICAL BOX

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SEWER AC

SIGN POST

TELSTRA PIT

ELECTRICAL BOX

POWER POLE

TEMP. BENCHMARK

TREE (TO SCALE)

GD GARAGE DOOR

FEATURE SURVEY

1:200

T: (08) 6144 0000 F: (08) 6144 0099
59 SCARBOROUGH BEACH RD,
SCARBOROUGH WA 6019
Email: info@visionsc.com.au
www.visionsurveys.com.au

SCALE 1:200 @ A3



PLAN / DIAG / SP

P 4112(2)

TELSTRA

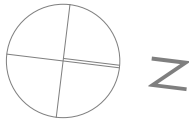
YES

IMPORTANT NOTES:

THE BOUNDARY CANNOT BE VERIFIED DUE TO LACK OF SURVEY MARKS/ PEGS. ALL BUILDING DIMENSIONS & FEATURES ARE APPROXIMATE ONLY. BOUNDARY POSITIONS HAVE BEEN TAKEN FROM BUILDINGS, FENCING, RETAINING WALLS AND OTHER TYPICAL FEATURES LOCATED ON THE BOUNDARY WHICH MAY OR MAY NOT BE ON THE CORRECT ALIGNMENT AND ARE TO BE VERIFIED WHEN REPEGGED.

BEFORE ANY WORK IS STARTED ON SITE OR PLANS ARE PRODUCED BY DESIGNERS/ ARCHITECTS, THE BOUNDARIES MUST BE REPEGGED AND EXACT OFFSETS MEASURED TO EXISTING STRUCTURES AND FENCING. VISION SURVEYS ACCEPTS NO RESPONSIBILITY FOR ANY CHANGES TO THE PARCEL OR PORTION OF THE PARCEL OF LAND SHOWN ON THIS SURVEY INCLUDING BUT NOT LIMITED TO:

CITY OF FREMANTLE
These Plans Form Part of
DA0017/24
15 Mar 2024



STAGE: DEVELOPMENT APPROVAL		FEATURE SURVEY	
CLIENT: Steffen Linke & Emily Handwerk		REV	DATE
PROJECT: Proposed Residence #19 Maxwell Street BEACONSFIELD WA 6162		D	CONCEPT SKETCH 29/10/2023 9:10 AM
hole in the wall design. Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com		E	CONCEPT SKETCH ELEVATIONS 13/11/2023 6:55 PM
		F	CONCEPT SKETCH ELEVATIONS 19/11/2023 2:10 PM
		G	CONCEPT SKETCH 21/11/2023 5:36 PM
		H	CONCEPT SKETCH (TIMBER ALFRESCO) 28/11/2023 5:43 PM
		I	CONCEPT SKETCH 13/01/2024 11:55 AM
		J	ISSUED FOR DEVELOPMENT APPROVAL 18/01/2024 6:56 PM
		K	AWARDED TO COUNCIL REQUIREMENTS 14/03/2024 5:31 PM
		SHEET NO: 1 OF 9	
		JOB NO: #Pln	
		DRAWING NO: W 1.1	
		DATE PRINTED: Thursday, 14 March 2024	
		TIME PRINTED: 5:32 PM	

FEATURES MARKED
IN RED TO BE REMOVED

SCOTT STREET

potential servicing issues.
Further investigation required for
(IN EXCESS OF 2m BELOW SURFACE)
NOTE: DEEP SEWER.

MAXWELL STREET

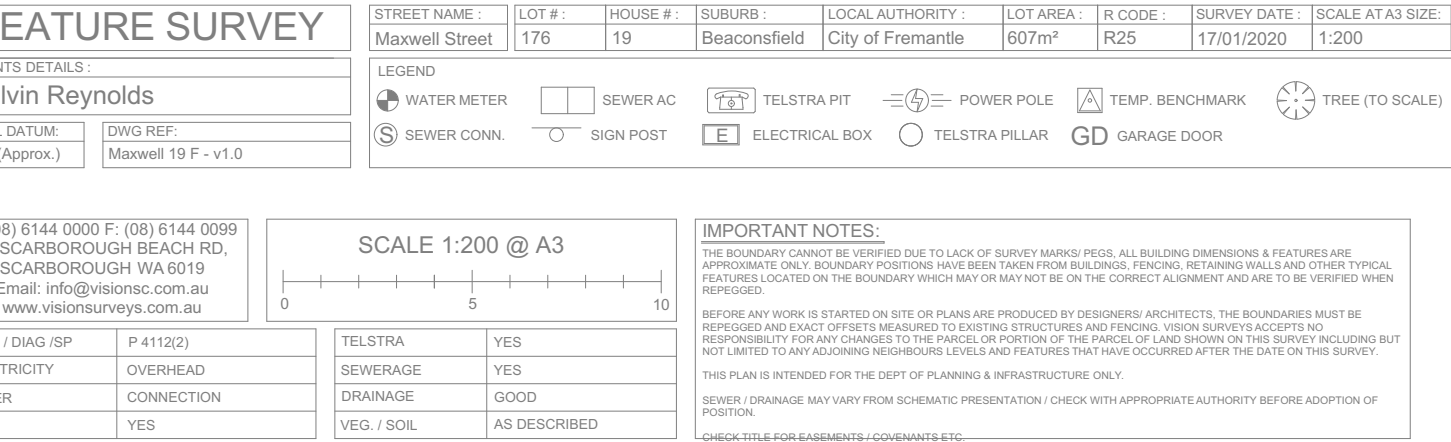
E

STREET NAME :	LOT # :	HOUSE # :	SUBURB :	LOCAL AUTHORITY :	LOT AREA :	R CODE :	SURVEY DATE :	SCALE AT A3 SIZE :
Maxwell Street	176	19	Beaconsfield	City of Fremantle	607m ²	R25	17/01/2020	1:200

LEGEND

	WATER METER		SEWER AC		TELSTRA PIT		POWER POLE		TEMP. BENCHMARK		TREE (TO SCALE)
	SEWER CONN.		SIGN POST		ELECTRICAL BOX		TELSTRA PILLAR		GARAGE DOOR		

FEATURE SURVEY	
CLIENT'S DETAILS :	
Kelvin Reynolds	
LEVEL DATUM:	DWG REF:
AHD (Approx.)	Maxwell 19 F - v1.0



SITE LEGEND

	300w CONC. CAVITY FILLED BWK RETAINING WALL TO S.E DETAILS
	RETAINING WALL DIMENSIONS
	PAVING
	GARDEN BED
	GRASS
	1.320 m ² OVERSHADOWING
	1200h POOL FENCE & GATE TO NCC & AUS STD 1926.1

hole in the wall design. Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com	STAGE: DEVELOPMENT APPROVAL		SHEET: SITE PLAN		SHEET NO: 2 OF 9
	CLIENT:	Steffen Linke & Emily Handwerk	REV	COMMENT	DATE
	PROJECT:	Proposed Residence # 19 Maxwell Street BEACONSFIELD WA 6162	D	CONCEPT SKETCH	28/10/2023 9:10 AM
			E	CONCEPT SKETCH ELEVATIONS	13/11/2023 6:55 PM
			F	CONCEPT SKETCH ELEVATIONS	19/11/2023 2:10 PM
			G	CONCEPT SKETCH	21/11/2023 5:36 PM
			H	CONCEPT SKETCH (TIMBER ALFRESCO)	28/11/2023 5:43 PM
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			J	ISSUED FOR DEVELOPMENT APPROVAL	18/01/2024 6:56 PM
			K	AMENDED TO COUNCIL REQUIREMENTS	14/03/2024 5:31 PM
				JOB NO: # Pln	
				DRAWING NO: W2.I	

UPPER FLOOR PLAN

1:100

AREAS	
	Area
ALFRESCO	62.4
GARAGE	70.7
GROUND FLOOR	127.2
PORCH	3.5
ROOF TOP GARDEN	105.5
UPPER FLOOR	287.4
	656.7 m ²

CITY OF FREMANTLE
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DA0017/24

15 Mar 2024

h o l e i n t h e
w a l l d e s i g n .

Mitchell Slaughter
Ph: 041 991 8674
holeinthewalldesign@hotmail.com

STAGE: DEVELOPMENT APPROVAL

CLIENT: Steffen Linke & Emily Handwerk

PROJECT: Proposed Residence
#19 Maxwell Street
BEACONSFIELD WA 6162

SHEET No: 4 OF 9

DATE: 29/10/2023 9:10 AM

REV: D

COMMENT: CONCEPT SKETCH

DATE: 13/11/2023 6:55 PM

REV: E

COMMENT: CONCEPT SKETCH ELEVATIONS

DATE: 19/11/2023 2:10 PM

REV: F

COMMENT: CONCEPT SKETCH

DATE: 21/11/2023 5:36 PM

REV: G

COMMENT: CONCEPT SKETCH (TIMBER ALFRESCO)

DATE: 28/11/2023 5:43 PM

REV: H

COMMENT: CONCEPT SKETCH

DATE: 13/01/2024 11:55 AM

REV: I

COMMENT: ISSUED FOR DEVELOPMENT APPROVAL

DATE: 18/01/2024 6:56 PM

REV: J

COMMENT: AMENDED TO COUNCIL REQUIREMENTS

DATE: 14/03/2024 5:31 PM

REV: K

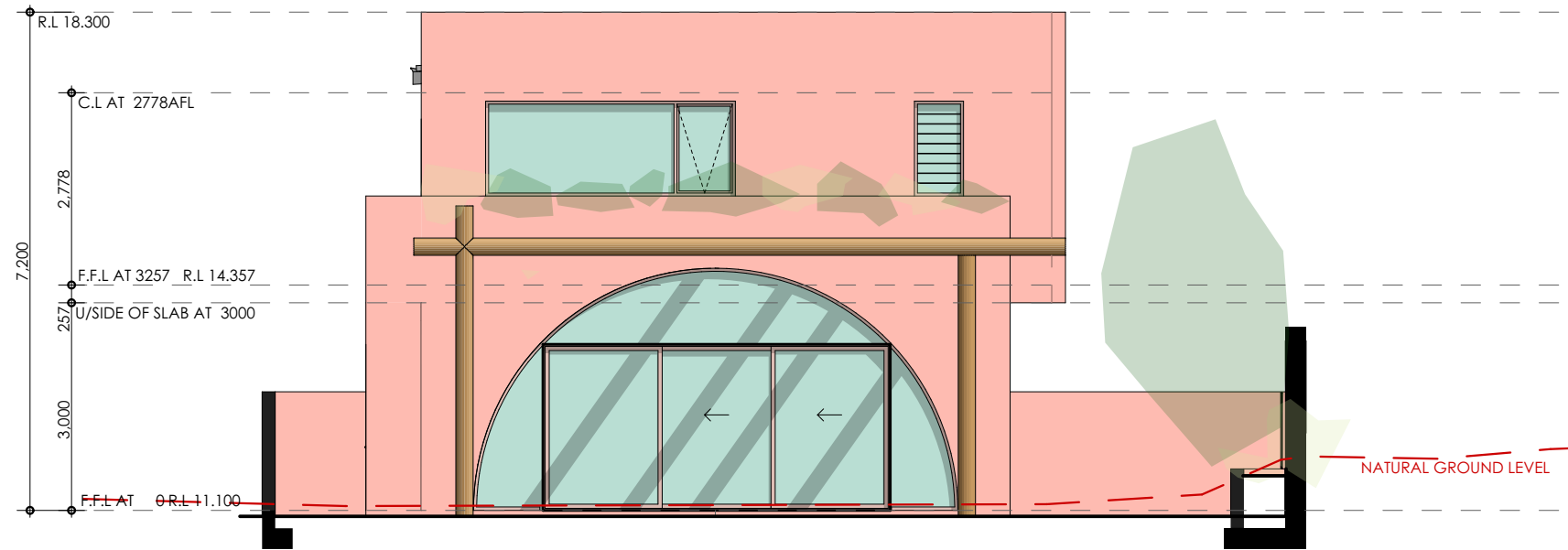
COMMENT: AMENDED TO COUNCIL REQUIREMENTS

DATE: 14/03/2024 5:31 PM

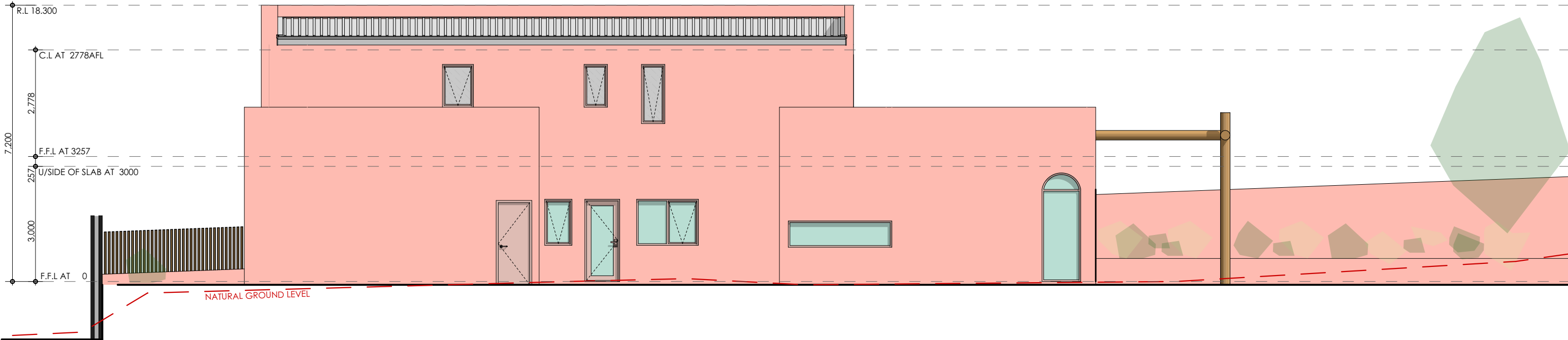
DATE PRINTED: Thursday, 14 March 2024

TIME PRINTED: 5:33 PM



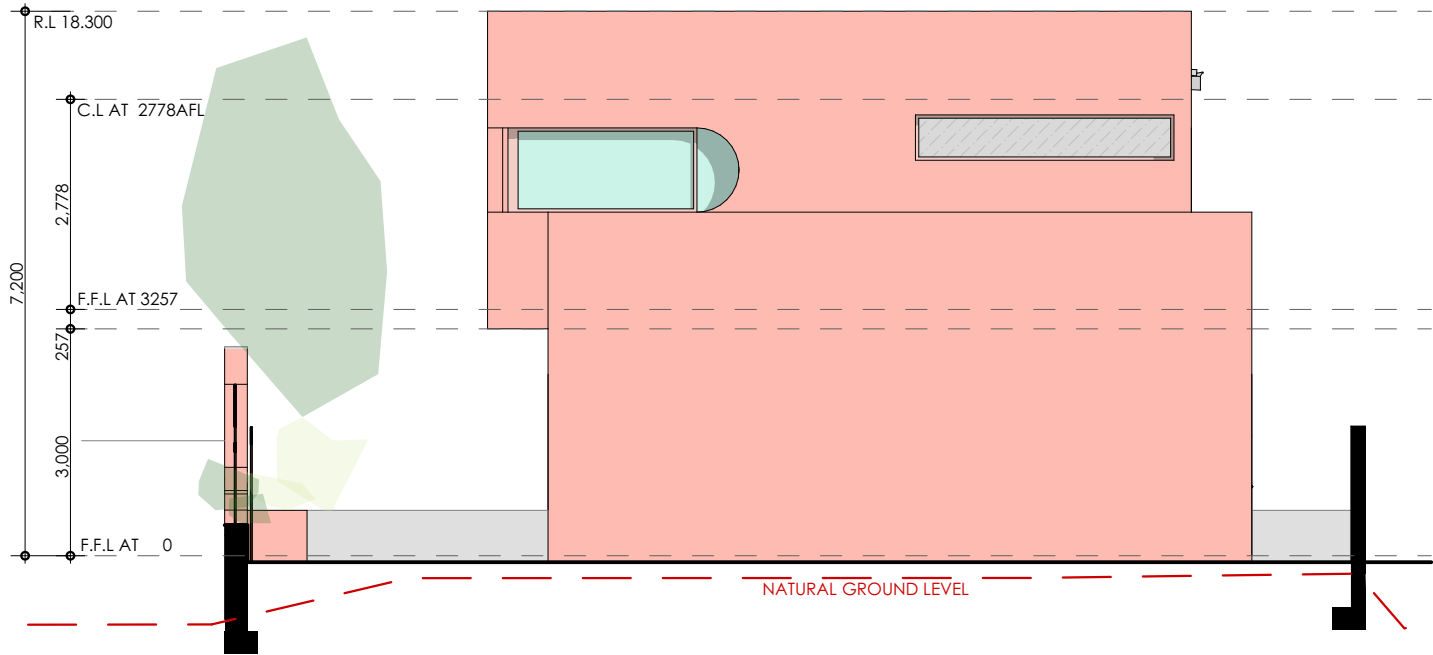


E1 EASTERN ELEVATION
1:100

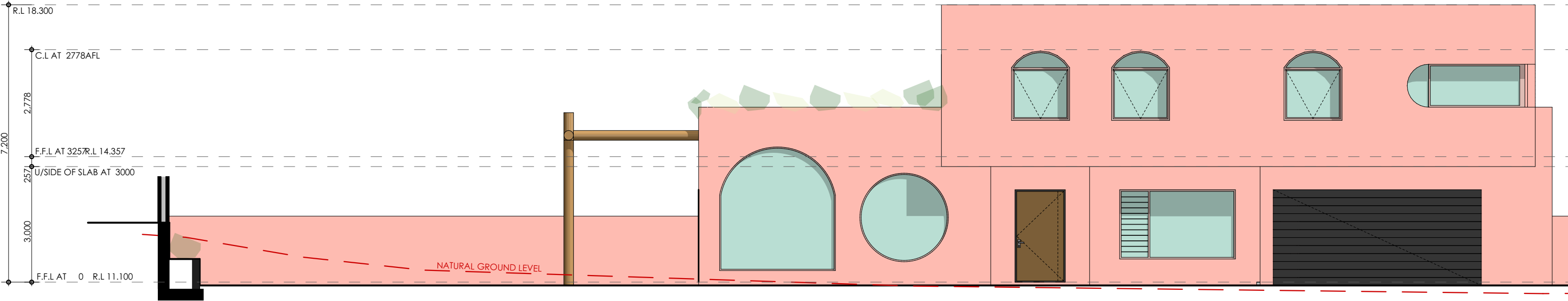


E2 SOUTHERN ELEVATION
1:100

hole in the wall design. Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com	STAGE:	DEVELOPMENT APPROVAL	SHEET: ELEVATIONS			SHEET N°: 5 OF 9	
	CLIENT:	Steffen Linke & Emily Handwerk	REV	COMMENT	DATE		JOB N°: #Pin
	PROJECT: Proposed Residence #19 Maxwell Street BEACONSFIELD WA 6162	D	CONCEPT SKETCH	29/10/2023 9:10 AM	DRAWING N°: W5.I		
		E	CONCEPT SKETCH ELEVATIONS	13/11/2023 6:55 PM			
		F	CONCEPT SKETCH ELEVATIONS	19/11/2023 2:10 PM			
		G	CONCEPT SKETCH	21/11/2023 5:36 PM			
		H	CONCEPT SKETCH (TIMBER ALFRESCO)	28/11/2023 5:43 PM			
		I	CONCEPT SKETCH	13/01/2024 11:55 AM			
		J	ISSUED FOR DEVELOPMENT APPROVAL	18/01/2024 6:56 PM			
		K	AMENDED TO COUNCIL REQUIREMENTS	14/03/2024 5:31 PM			

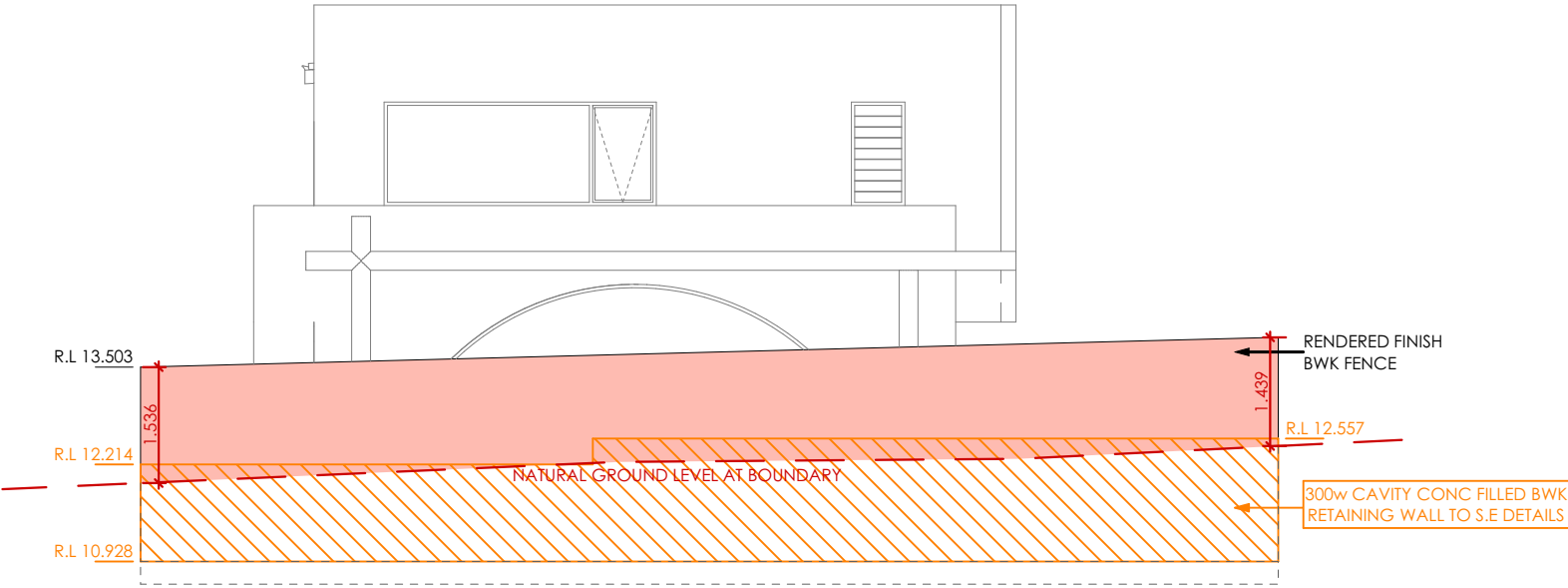


E3 WESTERN ELEVATION
1:100

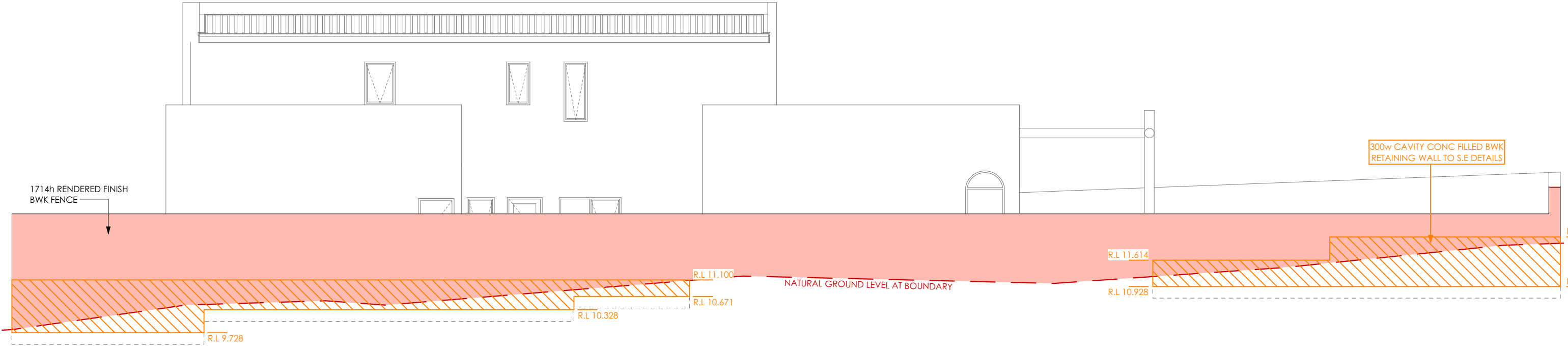


E4 NORTHERN ELEVATION
1:100

hole in the wall design. Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com	STAGE:	DEVELOPMENT APPROVAL		SHEET: ELEVATIONS		SHEET N°: 6 OF 9	
	CLIENT:	Steffen Linke & Emily Handwerk		REV	COMMENT		DATE
	PROJECT:	Proposed Residence # 19 Maxwell Street BEACONSFIELD WA 6162		D	CONCEPT SKETCH	29/10/2023 9:10 AM	JOB N°: # Pin
				E	CONCEPT SKETCH ELEVATIONS	13/11/2023 6:55 PM	
				F	CONCEPT SKETCH ELEVATIONS	19/11/2023 2:10 PM	
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				I	CONCEPT SKETCH	13/01/2024 11:55 AM	
				J	ISSUED FOR DEVELOPMENT APPROVAL	18/01/2024 6:56 PM	
				K	AMENDED TO COUNCIL REQUIREMENTS	14/03/2024 5:31 PM	
				DATE PRINTED: Thursday, 14 March 2024		DRAWING N°: W 6.1	
				TIME PRINTED: 5:33 PM			

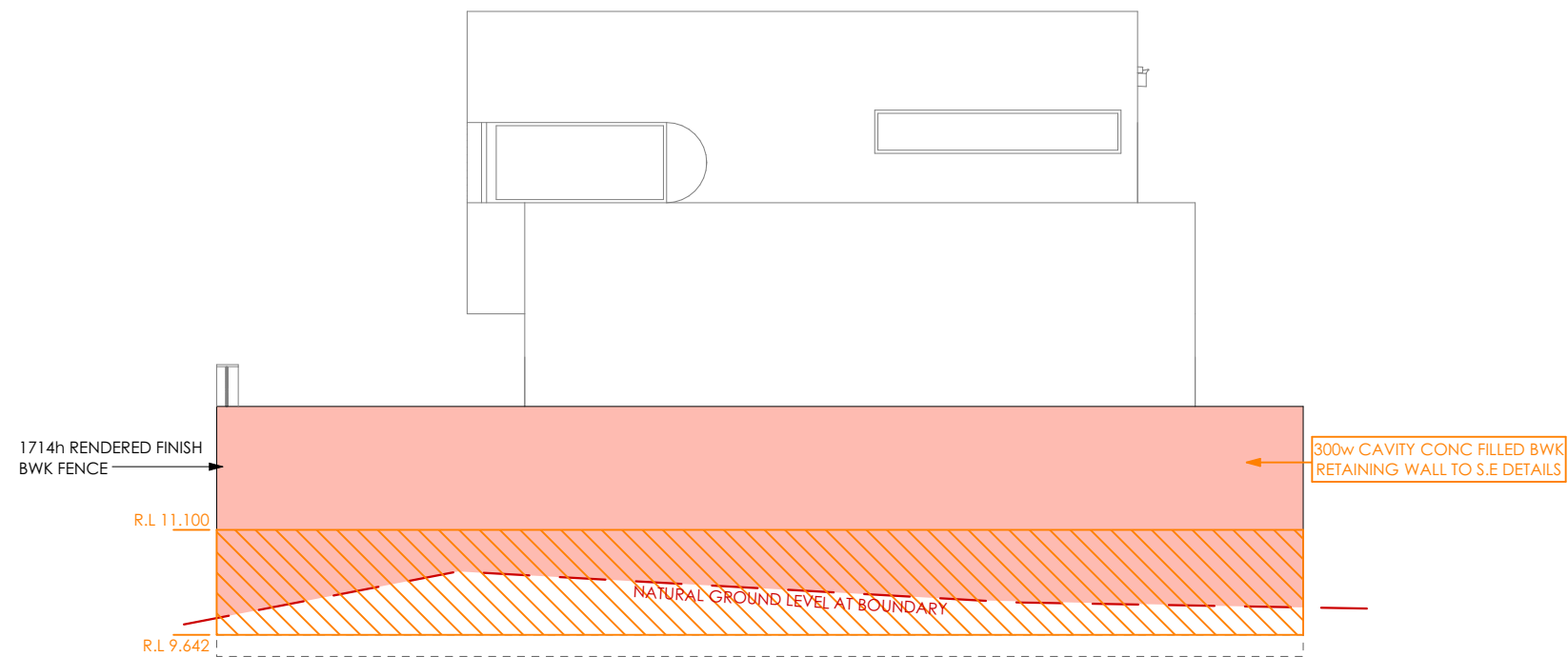


FE1 EASTERN FENCE ELEVATION
1:100



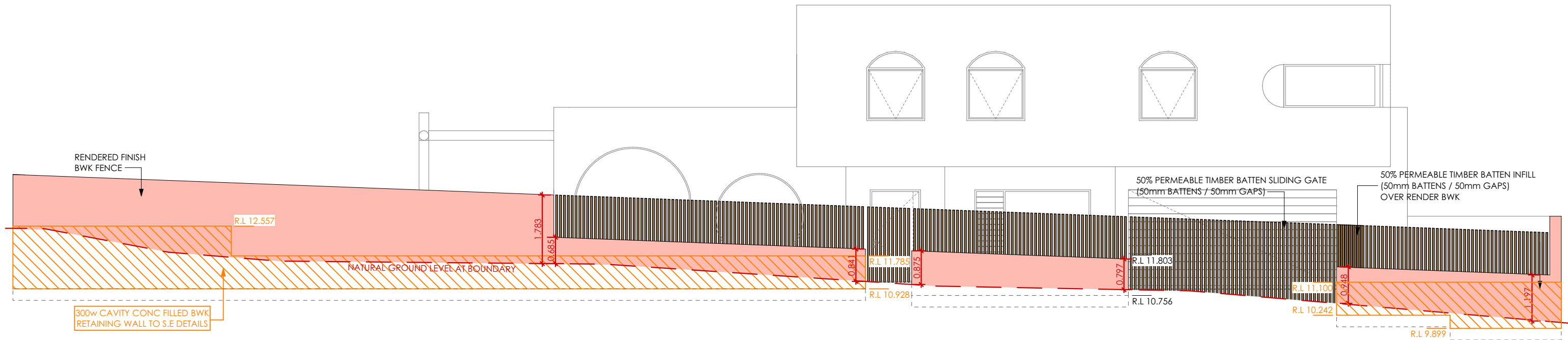
FE2 SOUTHERN FENCE ELEVATION
1:100

hole in the wall design. Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com	STAGE: DEVELOPMENT APPROVAL	SHEET: FENCE ELEVATIONS			SHEET N ^o : 7 OF 9
	CLIENT: Steffen Linke & Emily Handwerk	REV	COMMENT	DATE	
	PROJECT: Proposed Residence #19 Maxwell Street BEACONSFIELD WA 6162	D	CONCEPT SKETCH	29/10/2023 9:10 AM	JOB N ^o : #Pin
		E	CONCEPT SKETCH ELEVATIONS	13/11/2023 6:55 PM	
		F	CONCEPT SKETCH ELEVATIONS	19/11/2023 2:10 PM	DRAWING N ^o : W7.I
		G	CONCEPT SKETCH	21/11/2023 5:36 PM	
		H	CONCEPT SKETCH (TIMBER ALFRESCO)	28/11/2023 5:43 PM	
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		J	ISSUED FOR DEVELOPMENT APPROVAL	18/01/2024 6:56 PM	
		K	AMENDED TO COUNCIL REQUIREMENTS	14/03/2024 5:31 PM	



FE3 WESTERN FENCE ELEVATION

1:100



FE4 NORTHERN SIDE FENCE ELEVATION

1:100

hole in the wall design. Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com	STAGE: DEVELOPMENT APPROVAL	SHEET: FENCE ELEVATIONS		SHEET N ^o : 8 OF 9
	CLIENT: Steffen Linke & Emily Handwerk	REV	COMMENT	DATE
	PROJECT: Proposed Residence #19 Maxwell Street BEACONSFIELD WA 6162	D	CONCEPT SKETCH	29/10/2023 9:10 AM
		E	CONCEPT SKETCH ELEVATIONS	13/11/2023 6:55 PM
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		J	ISSUED FOR DEVELOPMENT APPROVAL	18/01/2024 6:56 PM
		K	AMENDED TO COUNCIL REQUIREMENTS	14/03/2024 5:31 PM



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DA0017/24

15 Mar 2024

hole in the wall design. Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com	STAGE: DEVELOPMENT APPROVAL	SHEET: PERSPECTIVES			SHEET N ^o : 9 OF 9
	CLIENT: Steffen Linke & Emily Handwerk	REV	COMMENT	DATE	JOB N ^o : #Pin
	PROJECT: Proposed Residence #19 Maxwell Street BEACONSFIELD WA 6162	D	CONCEPT SKETCH	29/10/2023 9:10 AM	
		E	CONCEPT SKETCH ELEVATIONS	13/11/2023 6:55 PM	
		F	CONCEPT SKETCH ELEVATIONS	19/11/2023 2:10 PM	
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		K	AMENDED TO COUNCIL REQUIREMENTS	14/03/2024 5:31 PM	
				DRAWING N ^o : W9.1	



**C2405-5 MAXWELL STREET, NO. 19 (LOT 176), BEACONSFIELD -
DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF
A TWO STOREY SINGLE HOUSE – (JD DA0017/24)**

Attachment 2 – Heritage Impact Assessment

Heritage Impact Assessment

Address: 19 Maxwell Street, Beaconsfield
Application number: DA0017/24
Proposal: Demolish house and build new two storey house
Requesting officer: Jonathan Dornan
Date: 29/01/2024



19 Maxwell Street (in blue tone). Landgate aerial photo 2023

The purpose of this heritage comment is to assess the changes to the place that are proposed in DA0017/24 and the affect that they will have upon the heritage values of South Fremantle Heritage Area. The proposed changes include:

- Demolition of existing house
- New two storey house

HERITAGE LISTINGS

Heritage Place Name	-
State Register of Heritage Places	No
City of Fremantle Heritage List	No
City of Fremantle Heritage Area	South Fremantle Precinct Heritage Area
Local Heritage Survey	No
Management Category	N/A
Inherit database place record	-
Further comment	-

RELEVANT PREVIOUS DEALINGS

Recent meetings or discussions:

- N/A

Previous relevant DAs:

- N/A

Previous relevant legal dealings:

- N/A

BACKGROUND

Historical Information – South Fremantle

Prior to European settlement, it was estimated that about 60 Whudjuk Nyoongar Aboriginal people lived in the 'Beeliar' region surrounding Fremantle. 'Bidi' tracks led from one food source and campsite to another, and it is likely that early white settlers used the same bidi tracks as transport routes. Hampton Road and its continuance into Rockingham and Cockburn roads, as well as South Terrace, are probably bidi tracks, as they follow the contours of the landscape, rather than any geometric pattern.

South Street (the northern boundary of South Fremantle) was initially the boundary of the Fremantle settlement. Marine Terrace developed as a beach track. Subdivision of the land beyond South Street began after 1850, with five acre allotments that extended to Douro Road. East of this subdivision, the allotments were at 'farm' proportions.

The main settlement of South Fremantle occurred with the dramatic population increases of the 1890s, due to the influx of immigrants attracted by the discovery of gold. Between 1890 and 1930 South Fremantle was largely developed as a residential area to accommodate the families of workers who laboured in local industries such as Arnott's Mills and Wares Factory, Robbs Jetty Meatworks, Cockburn Wool Scouring Sheds, fishing, shipbuilding, market gardens and on the waterfront. Minimal development occurred between 1930 and 1939 due to the Depression and the Second World War.

Individual property history

Metropolitan Sewerage plans show that Maxwell Street was had been planned before 1917 but the area was not developed until the Post-War era. Historic aerial photographs show that the section of Maxwell Road to the south of Scott Street was developed between 1953 and 1965 and that 19 Maxwell Street was constructed between 1965 and 1975.



Metropolitan Sewerage Fremantle District, PWDWA Plan 2123, c. 1917 – SROWA Website
Maxwell Street planned but not developed.



Landgate aerial photograph 1954 – the southern section of Maxwell Street is undeveloped



Landgate aerial photograph 1965 – construction of the southern section of Maxwell Street has started and housing has been constructed on the west side of the street.



Landgate aerial photograph 1974 – 19 Maxwell has been constructed.



Landgate aerial photograph 1989 – construction on the east side of Maxwell Street commences with the new South Fremantle Primary School north of Scott Street and residential to the south of Scott Street

Physical Description

The South Fremantle Precinct Heritage Area is bounded by South Street (northern boundary), the Indian Ocean shoreline (western boundary), Healy Road (southern boundary) and Mather Street, Annie Street, and York Street (eastern boundary).

Maxwell Street is a short two block long street that runs parallel with Hampton Road from Jenkin Street in the North to Milbourne Street in the South. The street has a very mixed character from the Post-War era and Late Twentieth Century. No buildings in this street are included on the City of Fremantle Heritage List.

The west side of the northern block of Maxwell Street was largely developed from the 1940s and contains mostly single storey Post-War era houses. The eastern side of the northern block contains the Beaconsfield Primary School which was developed in the 1970s to replace the earlier primary school at 118 Hampton Road which was constructed between 1894 and 1914.

The southern block of Maxwell Street was developed later than the northern block. The west side of the street where 19 Maxwell Street is located was developed between 1953 and 1965 with single storey brick and tile Post-War era houses. The eastern side of the street was not developed until the late 1980s to early 1990s and the houses are mostly two storey to take advantage of sea views available due to the elevation of the land.

An industrial area is located at the south end of the street.

19 Maxwell Street is a simple Post-War era face brick house with a hipped tile roof and a garage that faces Scott Street. The site slopes from Maxwell Street down towards Hampton Road and the house is set lower than Maxwell Street so it makes little contribution to the streetscape.



19 Maxwell Street from the corner of Maxwell and Scott Streets Google Streetview, 2024

IMPACT ASSESSMENT

Impact on the heritage significance of the South Fremantle Heritage Area

The proposed development of the place was assessed against the following values identified in the statement of significance for the South Fremantle Heritage Area:

South Fremantle is significant as an area located to the south of the City of Fremantle with a history of settlement dating back to the mid nineteenth century.

The concentration of mainly modest workers accommodation dating from the Victorian and Federation periods	No discernible impact
The cultural diversity resulting from successive periods of migrant settlement in the area	No discernible impact
The industrial focus of industries relating to seafaring including fishing and boat-building along Marine Terrace	No discernible impact
The former industrial character resulting from industries such as the former Mills and Wares Factory and the Robbs Jetty meatworks; and	No discernible impact
The expansion into Beaconsfield and Chesterfield in the 1930s and the subsequent working class residential development of these areas.	No discernible impact

Impact of the heritage values of the place

The impact of the proposed development of the place on the South Fremantle Heritage Area was assessed using the heritage values from the ICOMOS Burra Charter, 2013:

Aesthetic value	No discernible impact	Condition	No discernible impact
Historic value	No discernible impact	Integrity	No discernible impact
Scientific value	No discernible impact	Authenticity	No discernible impact
Social value	No discernible impact	Historical evolution	No discernible impact
Rarity	No discernible impact	Streetscape	No discernible impact
Representativeness	No discernible impact		

Heritage Impact Comments

Demolition of existing house at 19 Maxwell Street

19 Maxwell Street has little cultural heritage significance. It is not individually included on the Heritage List; it is not part of a significant heritage streetscape and it makes no contribution to the heritage character of the South Fremantle Precinct Heritage Area.

Demolition of this house will make little impact on the heritage values of the South Fremantle Precinct Heritage Area.

Proposed new house

The proposed new house for 19 Maxwell Street is a rectilinear rendered brick building with a low pitch roof concealed behind parapets. The house addresses Scott Street and it has a single storey section facing Maxwell Street and a two storey section behind.

New development in the South Fremantle Precinct Heritage Area needs to be assessed against LPP3.6 Heritage Areas. Clause 3.6 Infill development (New Buildings) sets out requirements for new development to respect and compliment the heritage significance and character of the area. New development needs to respond to the siting, scale, architectural style and form, materials and finishes of the surrounding significant heritage streetscape.

Generally, Maxwell Street and the adjacent parts of Scott Street have a very mixed character with little heritage significance so there is not a distinctive pattern of heritage development to respond to and compliment.

- Siting – The new house responds to established setback patterns in Maxwell Street and Scott Streets and fits with traditional development in the area that has a reduced setback on the secondary street.
- Scale – The massing of the house respects the single storey scale of adjacent development in Maxwell Street by having a single storey section adjacent to Maxwell Street and a two-storey section set further back on the block where it will have little visual impact on the primary street. Also, the ground floor of the new house is lower than Maxwell Street and this helps to decrease the prominence of the new house from the corner of Maxwell and Scott Streets. The scale of development in Scott Street and the east side of Maxwell Street is varied with both one and two storey houses so the two storey section of the new house facing Scott Street will not be out of scale with the surrounding development.
- Building form, Materials, Colour – the surrounding development in Maxwell Street and the adjacent sections of Scott Street is very mixed with a range of roof forms, proportions and opening shapes and sizes. Materials and colours are also varied. There is not an established heritage character to respond to and compliment.

RECOMMENDATIONS:

The works proposed in this application are acceptable as they will have no discernible impact on the heritage values of the South Fremantle Precinct Heritage Area.



**C2405-5 MAXWELL STREET, NO. 19 (LOT 176), BEACONSFIELD -
DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF
A TWO STOREY SINGLE HOUSE – (JD DA0017/24)**

Attachment 3 – Site Photos

Attachment 3 – Site Photos



Photo 1: Subject site as viewed from the intersection of Scott and Maxwell Street looking south west.



Photo 2: Subject site as viewed from Scott Street looking south east.



Photo 3: Subject site as viewed from adjoining lot on Scott Street looking east.



Photo 4: Subject site as viewed from Maxwell Street looking west.

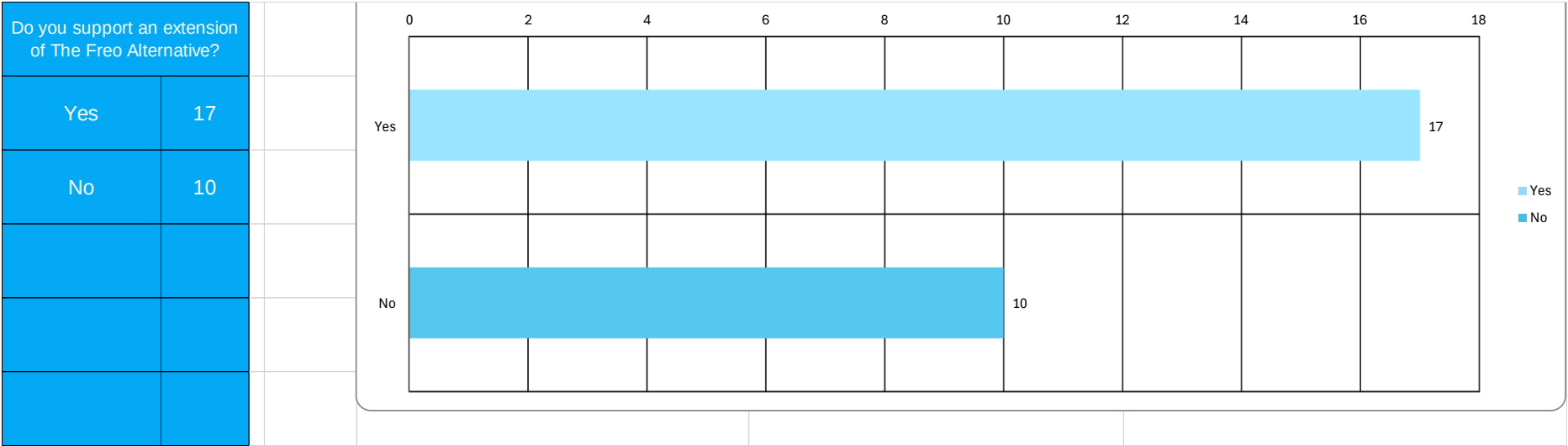


Photo 5: Subject site as viewed from Scott Street looking south, the location of the proposed crossover will be to the right of the existing crossover (separated 1m from the power pole).



**C2405-6 FINAL ADOPTION – SCHEME AMENDMENT NO. 87 TO LOCAL
PLANNING SCHEME NO. 4 – THE FREO ALTERNATIVE REVIEW**

Attachment 1 – Schedule of Submissions



SCHEDULE OF SUBMISSIONS

All comments noted and summarised in the officer’s report along with discussions on key points raised.

1	Agency – Environmental Protection Authority
Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. No Advice Given (Not Appealable).	
Comments noted.	

2	Resident – South Fremantle
Small housing can help the rental crisis!	
Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology.	

3	Resident – Fremantle
I have always admired the vision associated with the Freo Alternative and am keen to see the outcomes of it fully realised. The Scheme Amendment report and the research informing it is comprehensive and impressive, very compelling. I have my doubts that the State Government will permit the Medium Density Codes to be adopted in a timely manner or if so, in a format that will ensure the same improved standard of design outcomes. This continues to leave local government in the position of trying to champion better, locally responsive design despite the pressure to quickly determine housing proposals within the challenging development environment we are in, even with increasingly limited resources. Local initiatives such as these are therefore vital, and I hope will encourage far more liveable, affordable, and environmentally sustainable development in the city.	
Comments noted.	

4	Resident – North Fremantle
<u>First submission:</u> Four applications only.... Does this not answer your question to extend? The answer would be no, enough of the COVID, supply, etc., etc. reasons. Limited uptake means little interest, so take that onboard and conclude the pilot.	
<u>Second submission:</u> To quote: Over the past five years, the Freo Alternative has experienced limited uptake, with only four developments having been approved, one of which remains unbuilt. Several factors have contributed to the subdued response including project costs, a scarcity of suitable lots, and the impact of the COVID-19 pandemic on construction and economic conditions. After five years, and the above, seems a valid and logical set of reasons to shelve the idea. A further seven years with all the factors against is seems like it is pandering to a concept that has all but failed... More property density, albeit in a controlled area, is something I do not support.	
Comments noted.	

5	Owner / occupier – White Gum Valley
I think more housing varieties should be encouraged and if people wish to provide additional tenancies on their block that is of benefit to society.	
Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology.	

6	Owner / occupier – Beaconsfield
It's had a direct negative impact on us and the enjoyment of our home.	
Comments noted. Unfortunately, the submitter has not elaborated on how the special provisions have impacted upon them. Officers have investigated whether any previous submissions or complaints have been made by the submitter regarding development under the special provisions and have been unable to find any record.	
7	Resident – White Gum Valley
The scheme has failed; the uptake is so low that extending it won't make a difference. You cite high costs as a barrier, well that's only going to get worse. COVID impacts are here to stay. Time to rethink and do something different.	
Comments noted.	
8	Resident – Beaconsfield
We should be promoting families to move into and be residents in the Fremantle area, leading to better outcomes socially, and as a community. Smaller housing lots will not deliver this outcome, just more unbalanced resident demographics that will not lead to more community spirit and participation.	
Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology.	
9	Owner / occupier – White Gum Valley
Why provide a map of the area that is so small that it is impossible to read the street names, many of which are missing anyway? Is this deliberate obfuscation in yet another faux consultation like that of the renaming of King's Square?	
Comments noted.	
10	Resident – North Fremantle
We need to increase density without going to high-rise developments. The best way to achieve this is through infilling existing areas but in such a way that there is no degradation of the tree canopies. That can be achieved through the replacement of older stock that is of limited social or cultural value with new fabric. The ideal would be a situation where the footprint of a single house is replaced with two new dwellings. Some of the development conditions though, are prohibitive. For instance, the requirement for a stepped setback for the upper level on Lefroy Road. It's hard to see the logic given the lack of a consistent streetscape. It would seem more logical to bring the buildings forward to a standard setback - as close as reasonable to Lefroy to create more outdoor landscape and recreational space to the north of the buildings. Also, the staggered setback between levels renders the design opportunity incredibly difficult to achieve given the 120m ² / three-bedroom constraints. I have no issue with those area/accommodation constraints – we need to set a standard for smaller, family-capable dwellings – but that can only be achieved with a more holistic understanding of constraints and opportunities required to achieve this.	
Comments noted. Refer to officers comment in the report. Subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7. This submission also appears to be commenting on the City's Local Planning Policy 2.9 Residential Streetscape Policy setbacks. While this policy is not programmed for review the City's policies in general are programmed to be reviewed in late 2024.	
11	Owner / occupier – Fremantle
This submission relates specifically to the Special Control Area 57 which is bounded by High Street, Carrington Street and Marmion Street in Fremantle WA 6160. This area adjoins my property.	
I am very happy for the sunset clause (sub clause 5.5.7 of Local Planning Scheme No. 4) to be extended by a further seven years provided the following conditions are adhered to:	
1) That the current owner of the Special Control Area 57 at 386 High Street, Fremantle WA 6160 and 169 Holland Street, Fremantle WA 6160 ie the Western Australian Land Authority trading as Development WA, immediately undertakes an eradication program to remove the castor oil plants (<i>Ricinus communis</i>) which are growing extensively throughout this Area.	
Castor oil plants contain a toxin called ricin. This is very poisonous to humans, and it is capable of causing serious illness and death. Flowers, leaves and especially the seeds are poisonous. Eating castor oil plant causes a burning sensation in the throat and mouth, vomiting, abdominal pain, diarrhoea and bleeding, bleeding from the eye and mucous membranes, respiratory and cardiac distress and cardiac failure. Temporary blindness may occur if the sap gets into the eyes. Touching leaves and seeds can cause dermatitis in people with sensitive skin.	
In order to spread its seeds as far as possible, the castor oil plant expels them quite explosively. It makes this plant a serious danger to not just the property it is located on, but also to a very wide surrounding area and adjoining properties.	
Given the high toxicity of this plant, the eradication program which is requested should be thorough and on-going until such time as the Western Australian Land Authority trading as Development WA is no longer the owner.	

and

- 2) That any development on the Special Control Area 57 which is bounded by High Street, Carrington Street and Marmion Street in Fremantle WA 6160 is required to keep as a part of that development the large native gum trees which are currently growing in that Area.

The extensive canopy provided by these old trees, along with their aesthetic value, makes their retention extremely important in an area bounded by very busy multi-lane traffic. They are also home to large populations of native birds, whose appearance and songs add enormous value to the amenity of residents in the area. Any loss of these trees would be devastating.

Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology.

12 Resident – Fremantle

I have always thought this was an excellent proposal but found it limited in scope. I am supportive of extending the initiative but would encourage a review of the policy to offer greater accessibility. Currently the locations are very limited and the lot sizes these developments are allowed on are quite substantial. Increasing the areas and reducing the required lot sizes would offer greater uptake of the policy for more people. I am an architect active in the Fremantle community and I have not heard of any developments of note coming out of this policy. I may be ignorant of them, I accept this, but I have a feeling there has been little uptake of the Freo Alternative, and I gather this extension is in part to allow greater uptake. Doing the same thing however and expecting different results is not an ideal course of action. Love the policy but would like to see it broadened.

Comments noted. Refer to officers comment in the report. Subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.

13 Owner / occupier – Fremantle

Using available land to build smaller houses has many benefits for Fremantle:

Increased Housing Density

This proposal allows for the efficient use of space, contributing to increased housing density without expanding Fremantle's footprint. This is helpful because land is limited and expensive in Fremantle.

Affordability

Smaller houses on subdivided blocks can be more affordable for a broader range of homebuyers and renters. This can help address housing affordability and homelessness that we are seeing right now.

Diverse Housing Options/Changing Demographics

This proposal will, hopefully, provide a mix of housing alternatives, providing more options for residents. Smaller houses can cater to individuals, young professionals, or smaller families who prefer more compact living spaces. Smaller houses also cater for changing demographic trends, such as an increase in single-person households, downsizers, and smaller families. Fremantle can adapt to evolving housing needs (such as the lack of housing).

Fremantle Revitalisation

Using available land as the proposal puts forward, means that development can contribute to the much-needed revitalisation of Fremantle. This can lead to improved aesthetics and a more vibrant community.

Environmental Sustainability

Building smaller houses can result in a smaller environmental footprint, as the guidelines for building indicate. The possibility of reduced energy consumption and a lower overall impact on the environment compared to larger homes is now an important factor.

Transport and Pedestrianisation

By placing smaller houses closer together, it becomes more feasible for residents to walk or use public transport, reducing reliance on cars and decreasing traffic congestion.

Preservation of Green Spaces

Hopefully, in the long term, using available land wisely will eventually help preserve existing green spaces and natural areas outside urban boundaries. On visits to Brisbane over the years, it is astonishing how urbanisation continues to grow, encroaching on forests, waterways, etc., and destroying native animals' habitat.

Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology.

14	Owner / occupier – White Gum Valley
There are some in the Fremantle locality who are aging (as I am) and maintaining the larger block has become burdensome for myself and my partner (who has Parkinson's disease). We are still paying the mortgage, as when my husband and I divorced he kept all the super and this has left me in a position of having to continue to work, but not in my profession, which paid far more than the retail sector where I am employed part-time. Being able to subdivide our block will enable us to pay off the mortgage and reduce the financial burden we are under given the increasing cost of living and still owing on the mortgage, and the other bills we need to keep up with such as health insurance, house and car insurances, electricity, gas, water and rates. We love living in White Gum Valley and if able to subdivide a smaller amount of land than the 300m² we can remain in White Gum Valley and maintain our house. Please extend the Freo alternative... thank you.	
Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology. Additionally, subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.	

15	Resident – Beaconsfield
I built a small house for my family in Beaconsfield with the support of Fremantle City Council. It's a brilliant scheme and creates more diverse living options that perfectly suit Fremantle's vibrancy.	
Comments noted.	

16	Owner / occupier – Beaconsfield
I live at 9 Smith Street, next to the disaster inaugural so-called green Freo Alternative at 11 Smith Street. Every tree apart from an olive was cut down. A 70-year-old red gum was cut down as were native frangipanis, silver princesses and wonderful orange and lime trees. No birds or bees for two years. The houses built, which are dependent on gas and air conditioning, are let out short-term to FIFOs. They can change monthly. The street is clogged with cars and 4WDs that stay there for two weeks whilst the FIFOs are on site. They save money on parking at the airport. These are not affordable environmentally sensitive houses. The area is covered in concrete, metal fences and gates, and the community garden is non-existent. The co-owner has planted a few trees out the front which are stupidly placed and will never be able to reach growth potential. She continues to run a boarding house and also has FIFOs. It is an environmental and social disaster. There is not a pushbike in sight as proposed by the Council. At times there are 11 cars for one suburban block. Charging \$200 a week for rotating FIFOs and 11 bedrooms to rent out, it is an ugly concrete negative gearing sham. I have nothing against urban infill if done properly. Plant trees and no new gas. Allowing old trees to be cut down and then scrambling around creating urban canopies is a joke. I was humiliated by Councillors when I pleaded to save existing urban canopies. Please do environmental impact studies and stop houses being built by greedy investors for short term rentals.	
Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology.	

17	Resident – White Gum Valley
We purchased our home in December 2019 and were told about the Freo Alternative and how it applied to our property. We are very keen to build a dwelling on our property but, because of the building crisis due to COVID-19, we have not been able to do so. We would like to have more time to be able to build and offer alternative accommodation in light of the rental crisis.	
Comments noted. Refer to officers comment in the report. Subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.	

18	Resident – Fremantle
An excellent idea, which would complement the larger multi-storey developments in the city.	
Comments noted.	

19	Owner / occupier – White Gum Valley
It's a great initiative giving more diverse housing options to the community.	
Comments noted.	

20	Owner / occupier – Fremantle
I live in Holland Street in the area covered by the amendment. I accept that I live in an area of allowable high-density housing and that won't change. My concern is that, on present trends, the creation of an unhealthy heat sink caused by lack of tree cover will only get worse. Since I bought my unit 16 years ago, I have witnessed the felling of about 14 huge mature eucalypts on private land very close to my house. They have been replaced by three small street trees. I want to see a requirement, both in public spaces and on private land, that density does not mean lack of trees. On the corner of Holland and Wilkinson there is an old house with a block containing a mature Baobab, a giant Lillypilly, and what looks like a giant fig similar to a Moreton Bay Fig. I have no doubt that developers will fell or remove them. The amenity of the neighbourhood will then decrease due to loss of birdlife, poorer aesthetic appeal, and increased heat – unless the Council creates regulations to ensure they are replaced by as many suitable trees as possible. Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology.	

21	Resident – Hilton
I think, especially in Hilton, more flexible design options (especially height) must be allowed. Hilton is especially impacted by infill subdivision which makes sense for sustainability. But inflexibility regarding height forces people to spread over the block and cut down significant trees rather than build a sufficient home for their whole family and retain existing fruit trees and canopy cover. The height of buildings on a rear strata should not be prohibitive as they do not immediately affect the streetscape. This also makes the pricing of development difficult to navigate as the options available for loft developments, in an already burdened construction market, are extremely limited. This is also a social equity issue as people who are not excessively wealthy have few options other than to clear the lot and build a Lego house. I welcome the extension of this policy and wish it would also consider creative alternative family homes as well. Sustainability requires innovation and flexibility in planning and construction. Comments noted. Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology. Additionally, subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.	

22	Owner / occupier – Fremantle
Special Control Areas 5.7 and surrounding areas are already unable to cope with the current population, in addition to regular influx of traffic and people who flood the area, in particular for local football and netball, so encouraging more subdivision and development will only add to the congestion in the suburb. I do not believe there is any trend towards "smaller household size" as outlined in 'The Freo Alternative', in fact a significant change during and post the COVID pandemic has been observed with more people looking for increased house and block size. Comments noted.	

23	Owner / occupier – Beaconsfield
We write to oppose the extension of the sunset clause (sub-clause 5.57 of Local Planning Scheme No 4) for a further seven years "to allow more time to test the provisions and undertake a thorough review of their effectiveness". This opposition is based on our personal experience of living in a street where small infill development, otherwise known as the Freo Alternative, has been carried out – namely, in Montgomery Street, Beaconsfield. A four-house development of two-storey dwellings was approved by Council despite opposition from street residents, of whom we were two, and despite the support of two councillors who visited to talk with us and hear our concerns. These were not NIMBY concerns. We do not object to sub-divisions per se; most residents in our street live in dwellings built on sub-divided blocks. It was the intensity of the Freo Alternative that was the concern. Our objection was based on the view that in a very small residential street like Montgomery Street the building of four three-bedroom houses, with the potential of providing accommodation on one block of land for a total of more than 20 people, and the concomitant increase in vehicles, would put too much stress on a street which is no more than 50 metres long. The increase in population density would be out of kilter with the existing population, we argued. Parking on the streets would be necessary and would inconvenience not only residents but waste collection vehicles. This inconvenience has yet to fully manifest itself is, we believe, due to the fact these new dwellings are not yet all inhabited. Our objections that the street's character would be irrevocably altered by such an intensive development were over-ruled by a council that presumably believed infill might meet demand for more dwellings with a smaller footprint.	

This may well be the case; our point was that Montgomery Street was an inappropriate location for such an experiment, because of its small size and the disproportionate impact even one intensive block development would have on the neighbours. Those concerns were over-ruled by Council. Now the precedent has been set, we fear that another property on the corner of our street – currently accommodating only one house on its 1012m² block – might undergo similar development in the near future. In our view, potential Freo Alternative developments should be used more carefully than in our street and not be used to impose ideological views on residents. They need to be tailored better to the site/location.
Comments noted.

24	Resident – Fremantle
Too much well-located land is sitting idle. Not only is it an eye-sore, it's also a woeful waste of resources! Freo has great rail and bus connections that should be a major reason why more is done within this area, rather than car-dependent urban sprawl due to a lack of planning foresight to develop what we already have. While you're at it, please consider consolidating surface car parking and activating these brilliantly located sites, creating more soft / green spaces for people to rest and connect with community.	
Comments noted.	

25	Owner / occupier – White Gum Valley
A good initiative that takes time to implement and no harm in extending the timeframe.	
Comments noted.	

26	Owner / occupier – Beaconsfield
We live next door to a block that has been redeveloped under the Freo alternative scheme. We have witnessed, over a drawn-out three-year timeframe, the negative impact of having such developments on the local community. For three years we have put up with continuous building noise, dirt, lack of fencing, and ultimately very poorly designed properties. The lack of provision for parking is also a major negative, resulting in residents now parking on the street. We now have two "units" that overlook our backyard, because, apparently, it is "okay" to have clear windows in bedrooms that overlook a neighbour's property. We feel that the new government provisions that enable easier development of granny flats is a far better solution than this scheme.	
Comments noted.	

27	Resident – White Gum Valley
I like the idea of "providing for diversity in housing and catering for the trend in smaller household size." If extending the period of the trial helps to establish its value, I support the extension. I am also hugely in favour of retaining the canopy that we have and increasing it as much as possible. Thank you for the opportunity to comment.	
Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology. Additionally, subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.	

28	Owner / occupier – White Gum Valley
I think it provides the potential for some interesting infill solutions. I think take up would be better if: 1) There were tours of any actual real-world examples of people using the scheme with planners present to explain what wouldn't have been possible with the Alternative. 2) Example design schemes could be downloaded as suggested in the original report. 3) There was more clarity about the design review process – there seem to be a lot of requirements, PLUS a design review. This brings uncertainty – it would be great to get design suggestions but, if I meet the requirements, I should be able to expect approval. Alternatively, if the City actually has a particular design 'vision' that it is trying to instigate, then a completely discretionary process, supported by example designs, might provide more flexibility.	
Comments noted.	

29	Owner / occupier – Beaconsfield
We own an approximately 680m ² residential block in Beaconsfield and would be interested in subdividing this block and rebuilding the additional dwelling situated at the back of the block to build a townhouse should this scheme be passed. We would be in favour of this scheme amendment.	
Comments noted. Refer to officers comment in the report. Subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.	

30	Resident – White Gum Valley
Support extension but it needs to be expanded geographically – the areas the policy applies to are just too small. Once you account for rental properties, new homes, location of existing houses on the block, how many of the potential lots could actually be developed under the policy. Demographics, family size, and rising property costs also need to be accounted for.	
Comments noted. Refer to officers comment in the report. Subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.	

31	Owner / occupier – White Gum Valley
<u>Concerns over the reasons given for the need to extend the Trial period</u> A. Timing of the consultation I have read your response to this in the provided FAQs which states that To meet statutory planning frame works a scheme amendment must be advertised as soon as reasonably practicable following Council’s resolution to prepare the amendment. Obviously, Council is aware that having the consultation period over December/February would be questioned otherwise there would not be a question/response in the FAQ section. Council surely must be aware that the first consultation on this matter was conducted at a very similar time and that the response from some 8000 notifications was approximately 80, of which eight were from government departments i.e. an eight percent response, meaning that the exercise was a complete waste of time and money. Knowing this, the question must be asked why it do again. The answer given smacks of bureaucratic hyperbole. If there is any truth in that statement, why was the proposition put to Council at such a time that would result in the consultation being held at the same time as the first one, which more than likely will lead to the same result? Surely the item could simply have been put on a later agenda or is there some statutory planning framework that required it to go to Council at a certain time? Even further, having seen that the method used in the first consultation was a complete waste of time and money, why did council not investigate other methods of consultation which might have engendered a result which actually meant something? B. Reasons to extend the pilot project. The question here is what measure did Council use to come to this decision? Or another way is, how many subdivisions had Council set as the target by which the trial would be called a success? If council did not set a target number, then what measure did it decide upon to come to the conclusion that there had been a “slow” up take? If Council can’t provide this information, because no targets were set, then the belief that the up take was slow must be a very subjective one taken by persons or group of people. The Council believes that this “low” uptake was likely due to three reasons: 1.The cost involved in undertaking such a project. Although it can’t be denied that the cost of building and the time frame of completing buildings has well and truly blown out over that past few years is it really believed that costs will come down significantly in the near future? I think this reason for extending the pilot programme is out there on a wing and a prayer. 2. Relative scarcity of lots suitable for development in the applicable areas I’m not sure what this actually means. Isn’t any block over 600m² in the designated area is suitable for development should the owner decide to do so? Does it mean that not many eligible blocks either came on to the market so that developers could purchase them with the aim of using the provisions of the Alternative and neither did current owners decide to develop their existing blocks? What evidence does Council have that the next seven years will see more suitable blocks for development become available? The impact of the COVID -19 pandemic may well have had some effect but it would be impossible to know by how much or its relevance compared to the first two causes above.	

1. Also, it should be noted that other factors than the pandemic are causing a worsening of economic conditions and there is little reason to suggest that the economic conditions are going to improve in such a way that these impediments will soon be gone.

To extend the pilot programme of the Alternative by another seven years to test the provisions and undertake a thorough review of their effectiveness,

Why was the length of the suggested extended trial period set at seven years? The initial trial was set for five years, and I am interested to know why that trial time is no longer considered suitable.

I oppose the suggested seven year trial suggested. To me that is not a trial, especially when you consider that there has already been five years of trial.

To me that length of 12 years in total time appears more like an underhand way of putting in place a policy that the originators of the policy want.

Of course the statement that this time would allow for more time to test the provisions and undertake a thorough review of their effectiveness is groundless as it could be applied to any length of time.

Summary of Comments in the letter.

Why wasn't the timing of putting the scheme amendment to Council timed so that the resultant consultation period did not occur over the

December/February period.

Considering the extremely poor result of the first consultation did Council consider ways to improve the response and if not, why not?

What was the target uptake during the original trial period that enabled the Council to state the "uptake has been low"?

What does the expression "unsuitable for subdivision and development" mean?

How will the scarcity of suitable lots be overcome in the next seven years?

On what evidence does the Council believe that economic conditions will improve over the next seven years?

Why was the length of the suggested trial period set at seven years?

Reasons For Objection to the policy

Put simply, would you like to have three three-bedroom two-storey houses built on the 600m² block next to your house with the possibility that up to 18 people and a commensurate number of cars could then occupy them?

I object to the extension of the trial for the Freo Alternative on the following grounds:

1. Any extension could increase the possibility that more housing under this policy would be taken up and I oppose that happening.

For five years I've lived under the threat that three two-storey, three-bedroom houses will be built on my neighbouring block.

I do not wish to continue to live under this threat for another seven (7) years.

If this was to happen it could be possible for up to 18 people with the same number of cars of which all but three would need to be parked in the street or on the verges. could take up residence next to me

Council was warned of the possibility of Shared housing when the Planning Commission responded to the first consultation period

Neither do I speak without experiencing this situation when for over a year the two houses one at the back and one at the side of my property were both rented out at the same time to a total of 12 people with somewhere between eight to 10 cars, of which all but two were parked in the street.

2. I also object to the purposes of the Freo Alternative which are given in your letter 1 December 2023.

2.1 Allowing small houses to be developed on land that would otherwise be unsuitable for subdivision and development.

I take it to mean that the word unsuitable as used here really means does not comply with current subdivision rules. Land that could be included in the Alternative is not unsuitable (in the common usage meaning of the word) as it would be used under the Alternative.

Allowing a current block of land of 600m² with a single house to be cleared and redeveloped into three houses is not using unsuitable land as the land is obviously suitable for housing. The 600m² block is unsuitable for such a development under current subdivision rules.

The use of the word unsuitable in the context here is not the correct usage of the word and is misleading.

2,2 To provide for diversity in housing and to cater for the trend in smaller households size

This furphy about housing diversity was one expounded by some at previous meetings. Quite frankly, White Gum Valley must contain one of if not the greatest diversity of housing of any suburb in Perth. In WGV you can find the smallest of worker's cottages to the largest of modern family houses and everything in between including group housing projects and multi storey flats.

These buildings occupy blocks of land which must range in size from a few 100m² to the full-sized old quarter acre. But in fact you would be hard pressed to find an old-fashioned quarter acre block because the vast majority of them (and there were many of them) have already been subdivided.

The suggestion that there is need to provide for smaller household sizes also does not reflect what might happen as a result of the Alternative being allowed to continue. In its response to the original survey the Property Council raised the potential issue of shared housing which it states is a common trend in Fremantle. The Property Council notes that even a 120m² house could have three bedrooms and thus could house up to six adults. This of course could result in six cars competing for the one parking space to be provided. (And how many young couple or small families these days have only one car?) leaving the rest parked on verges or in the street. As it is possible for three small houses, which could well be two storey, to now be built on what is currently one block the total occupation could be as high as three couples per house, equating to 18 adults and 18 cars. 15 of which would by necessity be parked in the street. The Council at previous meetings discussed how they saw older people downsizing to these smaller blocks and houses. Being “elderly” myself most of my friends are of a similar age and one do not want two-storey houses and two there is not one couple that I know that does not have two cars. 3.Special provisions apply 3.1....as an alternative to widespread increases in residential density that typically lead to larger houses being built, eroded open space and urban forest canopy. Perhaps these were not listed as a purpose because to me they are “motherhood statements” about the general housing situation in Perth. The Alternative if it goes ahead will have a negligible if any effect on this problem. 3,2 Eroded Open Space In fact, the Alternative will have the very effect that it here claim to assist in preventing. The development of three houses on what is now a one house block will no doubt result in less open space. I only have to look at the few examples that have been built under the Alternative arrangements to see how little open space there is compared to what was there before. I also notice that the verges of the houses built under this policy have been largely altered for car parking. Not what most would call open space. 3.3 Urban Forest Canopy. And I don’t like the chances of any reasonably sized tree or bush for that matter that exists on a block to be subdivided as to fit more houses into the block will most likely result in the block being cleared. Even if fully sized trees are planted, (and present examples show only bushes being planted) it will be many, many years before trees of any reasonable size.
Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology. Additionally, subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.

32	Owner / occupier – Beaconsfield
I object to the extension of the Freo Alternative without the changes required that will enable it to achieve its original aim of enabling smaller, more affordable dwellings, which are desperately needed in the city. To date only 10 dwellings have been approved and constructed using the Freo Alternative provisions, and these dwellings are not small as they are all 120m², three-bed, two-bath homes. Mature trees worthy of retention have also been removed to make way for these dwellings. This is because despite a very expensive preparation process that involved years of public consultation and architectural modelling a hastily added provision at the eleventh hour to limit Freo Alternative developments to lots over 600m² effectively sterilising the effect of the initiative, due to there being only a handful of lots over this size suitable for development within the Freo Alternative designated areas. The 9 March 2016 Strategy and Project Development Committee minutes document that this 600m² limit was added by mistake as it was recommended by officers to guide decision making around Freo Alternative developments OUTSIDE of the designated areas. Instead of continuing the current provisions for another seven years unchanged I would like to see the proposed scheme amendment remove the 600m² lot size limit, reduce the maximum floor area of Freo Alternative dwellings from 120m² to 70m² and for the tree retention provisions to be strengthened. To not change the provisions so the Freo Alternative can achieve its intended objectives is a waste of the hundreds of thousands of ratepayer’s dollars that have been spent on the preparation of the initiative.	
Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology. Additionally, subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.	

33	Owner / occupier – Fremantle
I have had a look at your small infill housing around Gibson Park where I live. Most of the blocks around the park now have two houses on them, so where is it imagined this can be done. The information for residents paper was very unclear and caused some confusion and worry to some of the older residents, including myself. It seemed to be saying that Council was going to do this, and fit small houses wherever you could. The only way small infill houses could be added to this area is on our verges, or the park verge. That would be total insanity for residents around the park. The reason is very clear. We now have netball with loudspeaker blaring Monday night to Thursday night. Parking is all around the park on those nights. We also have schools with huge buses parked around the park on school days. If it keeps going to lower park will be taken over by cars as they are on many nights over the year now. The grassed area on Forrest Street and Wilkinson Street is dying and looks ugly most of the year. With blocks already subdivided, we have a problem with residents trying to park their cars particularly during the season, and now encroaching on all weeknights. When the East Fremantle Derby is on during the season cars for that function also park in the streets, and around the park, making the area very crowded and unsafe for children to play. With the new amenity opening up on East Fremantle Oval, it is going to turn into a nightmare for residents. The people who come here for events don't care, their only thought is getting a parking spot – anywhere will do, even in residents' driveways so long as they can get to their destination quickly. The netball during the season is a mad house and can only get bigger and worse for residents. They don't care either, so long as they can get to their destination as quickly as possible. All in all, it is becoming a nightmare to live around the park, when it should not. It should be quiet and liveable for those who live around the park, and the amenity should be available for residents to use as well. The lower park is opened up for cars on many evenings, and we have the whole lower park covered with cars. The noise is bad, and the area becomes dangerous due to cars all trying to come or go at once. Our bins have been removed across the centre of the park, so now people have to carry the dog bags with them until they come to a bin, or just throw it on the ground as some are now doing. We used to all breathe a sigh of relief when the netball season was over, now it is all year around, and those on the microphones don't seem to understand that you don't have to shout into it. I think to add more infill to the area now, would be madness unless council can come up with something better for parking and residents.	
Comments noted.	

34	Interested party – Perth
Generally, I think the policy should get back to its original principles and intentions as put forward by the community. The provisions are currently too focussed on developer models - maximising yield, footprint and built volume. The intention of the policy is to incentivise 'moderately' sized dwellings without unduly disrupting the suburban feel of lower density areas and actually promoting gardens and canopy. So rather than focus on developers acquiring lots and maximising a development return what seems to have more potential is allowing existing owners to unlock potentials for utilising land. Uniquely the policy allows for subdivision of land. What it allows for is essentially the subdivision of ancillary dwellings (one of the constraints on current provision of 'granny flats'). I suggest limiting the maximum dwelling size further to 90m² (and number of bedrooms in conjunction with a minimum bedroom dimension of 3.0m) in order to disincentivise developer-led solutions and promote the consideration of well-designed secondary and tertiary dwellings on existing sites. After all the greatest need we identified was for small households which only require 2 bedrooms. As stated, the attraction would be for existing owners to utilise their 'excess' land for maybe one or two extra dwellings. There is not the need to maximise yield associated with developer led solutions. I would also recommend enforcing side setbacks in order to better integrate into the typical suburban pattern. Further restrictions on short term accommodation could be enforced to avoid patterns of habitation which are inconsistent with established suburban communities.	
Comments noted. Refer to officers comment in the report and additional modification to the amendment to reduce the maximum floor area for dwellings from 120sqm to 90sqm. This is proposed in response to submissions concerning loss of urban forest canopy, open space, and the need for a small housing typology. Additionally, subject to the SCA 5.7 / Freo Alternative provisions being extended by the Western Australian Planning Commission approval / gazettal of Scheme Amendment No. 87, further work would then be done to review the remaining provisions and potentially the extent of SCA 5.7.	

35	Department of Education
Thank you for your letter dated 1 December 2023 providing the Department of Education (the Department) with the opportunity to comment on the abovementioned proposed scheme amendment. The Department understands the purpose of the amendment is to facilitate the continuation of the City's small infill development program 'The Freo Alternative' for parts of White Gum Valley, Fremantle, O'Connor, Beaconsfield, and Hilton through alternative design mechanisms. It is noted that the small infill development housing provisions under Special Control Area 5.7 of Local Planning Scheme No. 4 fall within the Local Intake Area (LIA) catchments of White Gum Valley Primary School, East Fremantle Primary School, Palmyra Primary School, Hilton Primary School, Winterfold Primary School, John Curtin College of the Arts and	

Fremantle College. These schools have experienced an unprecedented demand for student enrolments within the last few years and as such, are close to operating at their accommodation capacity. Based on preliminary analysis, public schools within the LIA are expected to come under more accommodation pressure into the future. Consequently, there are concerns that the potential cumulative dwelling yield from the City's residential infill vision may impact on the student accommodation capacity and operation of these local schools. While it is acknowledged that the housing typologies proposed under the amendment generally deliver lower student yields, it should be highlighted that there is limited opportunity for these public primary and secondary schools to provide additional student accommodation relief. The majority of the existing public school sites in the locality are restricted in size to enable any future expansion of accommodation capacity. This is critical given the Department has recently received several development applications for higher density residential infill development in the City of Fremantle, which will only continue to create greater demand for schools. Whilst the Department acknowledges the planning merits of infill development, it is imperative to balance the residential growth and resultant student population with public school provision in the locality. If there are an insufficient provision of public schools in the City, this will result in significantly overcrowded school sites, insufficient parking for drop-offs and pick-ups, traffic management issues for the local community, and compromised education outcomes for students. Notwithstanding the above, the Department has no objections to the proposed amendment however request the City to regularly engage with us, particularly at the preparation of any planning strategies or localised planning instruments to ensure adequate public schooling is provided within the municipality per the State's Operational Policy 2.4 – Planning for School Sites. The Department will continue to closely monitor student enrolment demand in the City and its adjacent areas as infill development progresses.
Comments noted.

36	Owner / occupier – South Fremantle
I would like to express my support for the “Sunset Clause” (sub-clause 5.5.7 of local planning scheme No. 4) by a further seven years to allow more time to test the provisions and undertake a thorough review of their effectiveness. I believe it is of critical importance to “seek to extend the special control area 5.7 provisions for small infill development, otherwise known as “The Freo Alternative”, which was due to expire on 12/02/2024. My home is within the special control area and I believe the initiative to cater to smaller housing alternatives has never been more important. I would welcome discussing further with you if that was a possibility and I would like to know what has been the outcome to extend the provision of extended time for people to uptake the opportunity for small infill development on their properties.	
Comments noted.	



**C2405-6 FINAL ADOPTION – SCHEME AMENDMENT NO. 87 TO LOCAL
PLANNING SCHEME NO. 4 – THE FREO ALTERNATIVE REVIEW**

Attachment 2 – Scheme amendment report



Local Planning Scheme No. 4

Amendment No. 87
Scheme Amendment
Report

fremantle.wa.gov.au



PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

CITY OF FREMANTLE LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 87

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- Amending sub-clause 5.7.7: *"Clause 5.7 and associated sub-clauses shall cease to have effect on the date of the twelfth anniversary after publication in the Gazette of the amendment introducing those provisions into the scheme."*

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a) The amendment relates to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve.
- b) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- c) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this 22 day of November 2023

.....
GLEN DOUGALL
CHIEF EXECUTIVE OFFICER



Proposal to Amend a Town Planning Scheme

- | | |
|---|--|
| 1. Local Authority: | City of Fremantle |
| 2. Description of Local Planning Scheme: | Local Planning Scheme No. 4 |
| 3. Type of Scheme: | District Zoning Scheme |
| 4. Serial No. of Amendment: | 87 |
| 5. Proposal: | <p>To amend sub-clause 5.7.7 of the Scheme to allow for the continued consideration of small dwellings up to 120m² on lots 600m² or more in areas specified in the Special Control Area map, regardless of the R-coding, for a further seven years, where certain development criteria are met including –</p> <ul style="list-style-type: none">• 70% open space• 25% deep planting zone• The planting or retention of a tree• Specific car parking requirements• Maximum number of dwellings |

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Fremantle Housing Diversity – Report on a proposed amendment to LPS4 to stimulate housing diversity – July 2014 – AUDRC

Appendix 246

Fremantle Housing Diversity II – Design based research to refine and inform a proposed amendment to LPS4 – June 2015 – AUDRC

Appendix 347

Local Planning Policy 3.20 – Special Control Area Provisions for Small Infill Development

1.0 Introduction

This proposed amendment to Local Planning Scheme No. 4 (LPS4 or the Scheme) has been prepared by the City of Fremantle (the City) and is based on the City's monitoring and evaluation of developments created under Clause 5.7 – Special control area provisions for small infill development (the SCA provisions). These provisions were inserted into the Scheme upon gazettal of Amendment No. 63 ('The Freo Alternative') on 12 February 2019. The purpose of this proposed amendment is to extend the five-year sunset clause on the SCA provisions for a further seven years to allow a longer period of time for projects to be scoped, designed, and implemented, particularly if unfavourable economic conditions persist for some time. The City also intends to undertake a comprehensive review into whether the SCA could be expanded and the development pathway streamlined.

1.1 Amendment No. 63 – The Freo Alternative

The Freo Alternative was a planning initiative for the purpose of allowing an alternative small house typology to provide diversity of housing to cater for the trend in smaller household size. The provisions applied to specific lower density (R30 and below) areas in existing suburbs as an alternative to widespread increases in residential density coding, which typically leads to the construction of larger houses, eroding open space and urban forest canopy.

The SCA provisions and supporting Local Planning Policy 3.20 – Special Control Area Provisions for Small Infill Development (LPP 3.20) (see Appendix 3) were based on the themes derived from community engagement on The Freo Alternative – the idea of smaller housing types in the City of Fremantle (see Figure 1 overleaf).

Freo Alternative Themes	
Location	Promote smaller housing types in areas with access to public transport and local amenities.
Housing choice	Provide diversity of housing size and type in suburban areas to increase housing choice.
Built form	Ensure good quality design outcomes including design that is responsive to local character and context.
Sustainability	Mandate higher than standard sustainability requirements in building design & construction.
Open Space	Maintain the traditional open feel of private lots in suburban areas, whilst also allowing for viable development of smaller housing typologies.
Trees and landscaping	Provide for existing, new trees and garden space on development sites, proportionate to achieving viable development of smaller housing typologies.
Community	Promote private land development outcomes that would help foster social interactions between new smaller dwellings, adjoining development & the street.
Car movement & parking	Appropriate allocation of land required for car parking & movement for small house development.

Figure 1. Community derived themes

1.2 The SCA provisions

Under the SCA provisions, a suspension of the Western Australian Planning Commission's State Planning Policy 3.1 – Residential Design Codes' (R-Codes) minimum and average site area and plot ratio requirements can be considered for an alternative smaller housing type within Special Control Area 5.7 (SCA 5.7) (see Figure 2 overleaf), where the lot is over 600m² in area and specific planning requirements are adhered to.

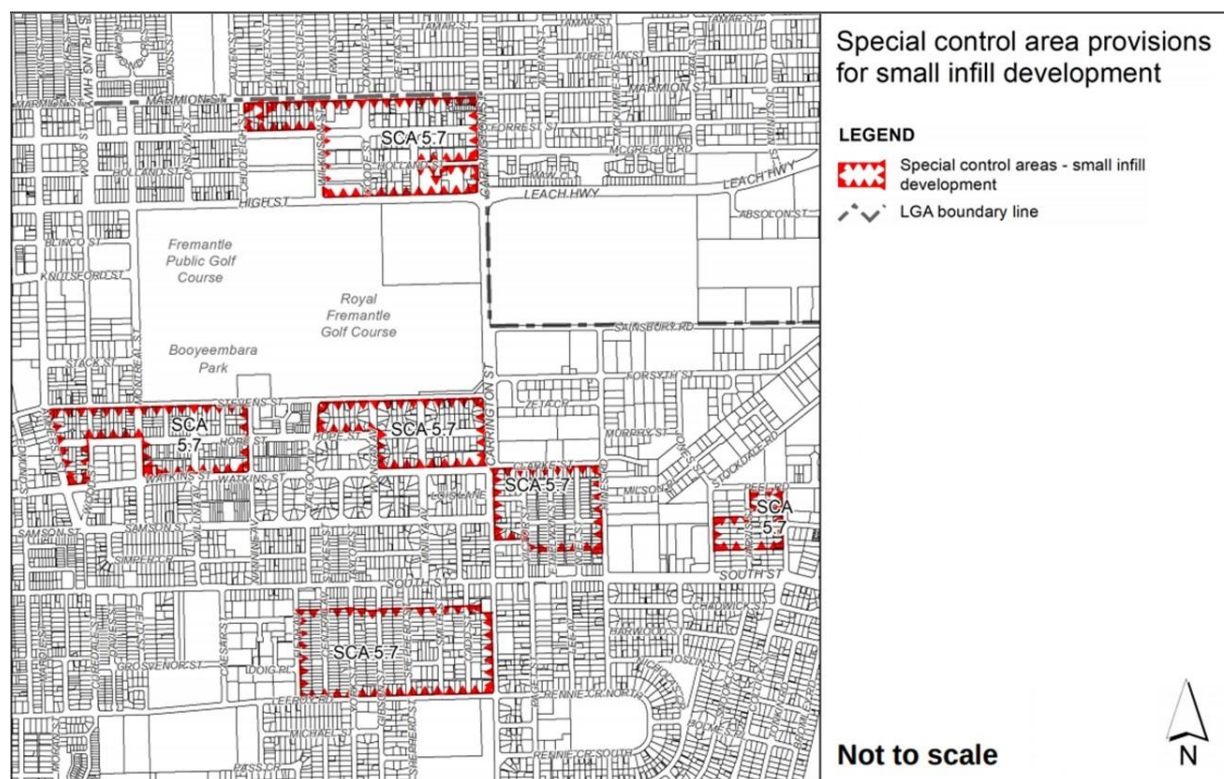


Figure 2. Special Control Area 5.7

These specific planning requirements include:

- Maximum dwelling floor area of 120m²
- Maximum number of dwellings – three dwellings, including any existing dwelling(s), on lots 750m² or less. On lots over 750m² one additional dwelling would be allowed for every 150m² in excess of 750m²
- 70% open space requirement
- a requirement for 25% of the site to be a deep planting zone
- The requirement for planting or retention of a tree
- Specific car parking requirements
- Consideration by the City's Design Advisory Committee.

These requirements are not capable of variation under the City's Scheme and can only be applied to the development of grouped and / or multiple dwellings and do not apply to subdivision applications.

Local Planning Policy 3.20 – Special Control Area Provisions for Small Infill Development (LPP 3.20) supplements the SCA provisions by setting out requirements for reduced open space, outdoor living area, communal space, sustainability, vehicle movement, and

parking etc. Where a requirement is not covered in the Scheme or policy, the R-Codes prevails.

The SCA provisions are subject to a sunset clause in the form of sub-clause 5.7.7, which currently states that:

"Clause 5.7 and associated sub-clauses shall cease to have effect on the date of the fifth anniversary after publication in the Gazette of the amendment introducing those provisions into the scheme."

Consequently, the SCA provisions will expire on 12 February 2024.

This amendment proposes to amend sub-clause 5.7.7 to read as follows:

"Clause 5.7 and associated sub-clauses shall cease to have effect on the date of the twelfth anniversary after publication in the Gazette of the amendment introducing those provisions into the scheme."

2.0 Background

2.1 Location

This proposed amendment applies to Special Control Area 5.7 (SCA 5.7 or the SCA), which is split into six parts across the suburbs of Beaconsfield, Fremantle, O'Connor, and White Gum Valley (see Figure 3 below).

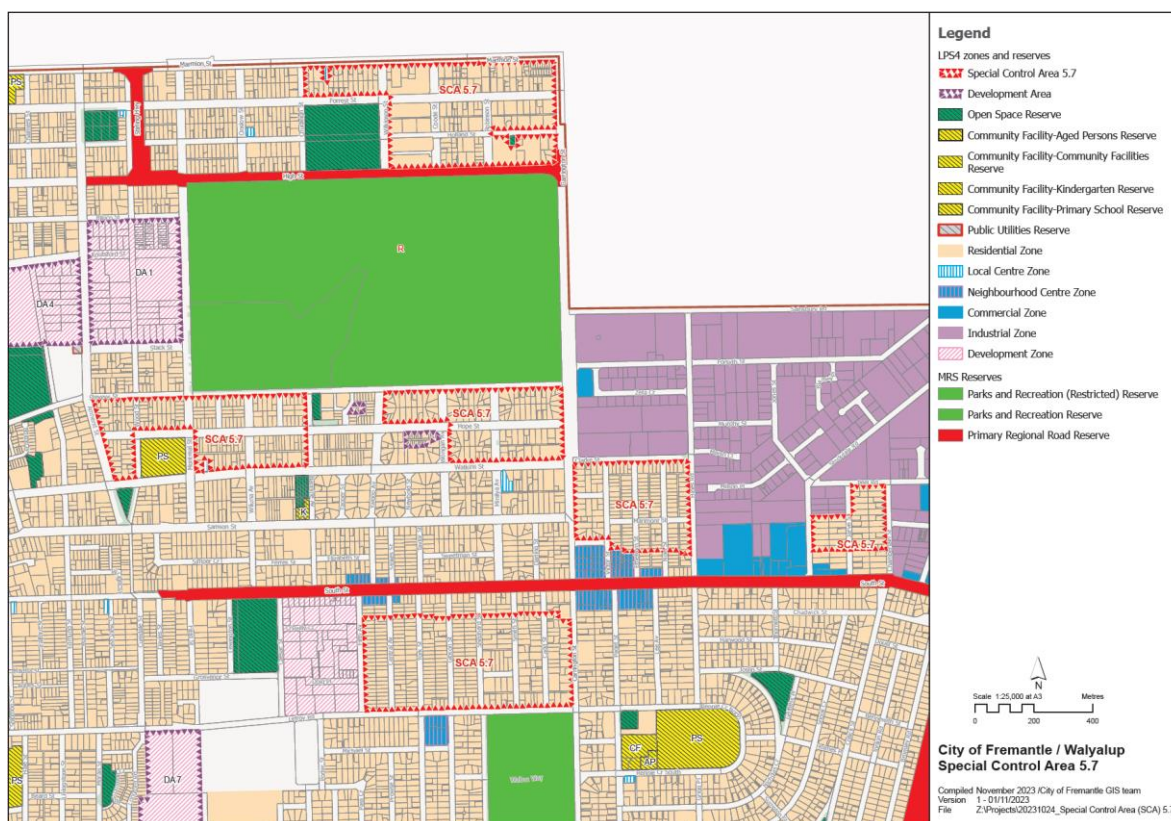


Figure 3. Local Planning Scheme Map identifying Special Control Area 5.7

2.2 Site area

SCA 5.7 covers 1,532 lots totalling 87.3 hectares. Generally, lot sizes range from around 450m² to 1,100m², though the SCA also encompasses strata lots as small as 163m² (excepting those created under the SCA provisions) and grouped and multiple dwelling developments on larger lots, though these are unlikely to be redeveloped.

2.3 Ownership

Due to the number of lots included within SCA 5.7, it is not possible to detail ownership in this report; however, the majority of lots are in private ownership with the remainder owned by the Housing Authority, the Western Australian Land Authority, Defence Housing Australia and various social housing providers.

2.4 Current and surrounding land uses

All lots within SCA 5.7 are zoned 'Residential' with density codes of R20, R20/25, and R30. The majority of lots within SCA 5.7 are developed with single houses or grouped dwellings, though there are also some low-rise multiple dwellings and vacant lots. 2 Hughes Street, Hilton is a former house, currently used as a physiotherapist's consulting rooms.

The northernmost part of SCA 5.7 is located in the suburb of Fremantle and is bounded by Chudleigh, Marmion and Carrington Streets, Leach Highway, and Wilkinson and Forrest Streets. It is surrounded by residential land uses to the north and east, a service station on the south-eastern corner of Marmion and Carrington Streets, residential land uses and public open space to the east, Fremantle Cemetery on the south-eastern corner of Carrington Street and Leach Highway, Royal Fremantle Golf Course to the south, The Frank Gibson Park on the south-western corner of Wilkinson and Forrest Streets, and residential land uses to the west of Chudleigh Street. 121 Marmion Street, Fremantle is zoned 'Local Centre', developed with a café and deli, and excluded from SCA 5.7.

The westernmost part of SCA 5.7 is located in the suburb of White Gum Valley and bounded by Amherst and Stevens Streets, Nannine Avenue, and Montreal, Hope, Wood and Watkins Streets. The Amherst Street Substation stands on the north-west corner of Amherst and Stevens Streets, residential uses occupy the land to the north as far as Montreal Street, where Booyeembara Park begins. The land on the south-east corner of Stevens Street and Nannine Avenue is occupied by public open space and a men's shed. The land to the south is occupied by residential land uses and public open space, while White Gum Valley Primary School stands in the area bounded by Montreal, Hope and Wood Streets and is excluded from the SCA. The land to the west is also occupied by residential uses. 48-48A Watkins Street is zoned 'Local Centre', developed with two live / work units, and is excluded from SCA 5.7.

The two central parts of SCA 5.7 are located in White Gum Valley and Hilton. The first part, to the west, is in White Gum Valley and bounded by Yalgoo Avenue, Stevens, Carrington and Watkins Streets, Wongan Avenue, and Hope Street. Royal Fremantle Golf Course occupies the land to the north, a mixture of commercial and light industrial uses lie to the east and residential land uses surround the remainder of the area to the south and west. Further to the east, the second part is in Hilton and generally bounded by Carrington and Clarke Streets, and Hines Road, where it crosses mid-block to Hughes Street over Noel, Ethelwyn and Victor Streets. There are industrial land uses to the north and east, a mixture of residential and commercial uses to the south and residential uses to the west. The easternmost part of SCA 5.7 is located in the suburb of O'Connor and generally bounded by Stockdale and Peel Roads, and Chamberlain Street, with the southern boundary crossing mid-block over Jarvis Street. There are a mixture of commercial and industrial land uses to the west, north and east, and residential land uses to the south.

The southernmost part of SCA 5.7 is located in Beaconsfield and bounded by Fifth Avenue to the west, with the boundary then running mid-block across Central Avenue, York, Gibson, Shepherd, Smith and Cadd Streets to Carrington Street in the east and back along Lefroy Road to the south. The area is generally surrounded by residential land uses, though Hilton Park lies to the south of Lefroy Road between Carrington and Shepherd Streets, while the land on the south side of Lefroy Road between Gibson and York Streets is occupied by a neighbourhood centre incorporating several uses, including shops, cafés and a medical centre.

2.5 Physical characteristics

SCA 5.7 covers parts of four typical post-war middle-ring suburbs, developed with a mix of single houses, grouped dwellings, and low-rise multiple dwellings that were mostly constructed between the 1950s and 1970s, though some dwellings are more recent, resulting from subdivision or due to the originals having been replaced. Topography is undulating, ranging between approximately 20 metres and 50 metres AHD, while the streets have wide verges lined with mature trees. Due to the generous size of most lots, there are established gardens with mature trees throughout SCA 5.7, though unfortunately, where subdivision has already taken place, it has mostly followed the typical battle-axe format leading to substantial loss of garden ground and mature vegetation. This is particularly noticeable in the northernmost part of SCA 5.7, where there has been significant grouped dwelling development.

2.6 Infrastructure

All lots are fully serviced with power, water and gas. All unsubdivided lots front public roads and, in some cases, have access to rear rights-of-way.

SCA 5.7 is also well served by public transport, with the following bus services in operation nearby:

- 915 high frequency service travelling along Marmion Street between Fremantle Station and Bull Creek Station via Booragoon Bus Station.
- 114 service travelling along Carrington Street on a suburban route between Lake Coogee and Elizabeth Quay Bus Station.
- 502 service travelling along Watkins Street between Fremantle Station and Bull Creek Station.
- 160 service travelling along South Street between Fremantle Station and Elizabeth Quay Bus Station
- 998 and 999 high frequency services travelling along South Street on the circle route from Fremantle Station via Murdoch University, Fiona Stanley Hospital, South Metropolitan TAFE Murdoch Campus and Murdoch Station, Oats Steet Station, Belmont Forum, Ascot Racecourse, Bayswater Station, Morley Bus Station, Dianella Plaza, Stirling Station, Churchlands, Shenton Park Station, QEII Medical Centre and Perth Children's Hospital, University of Western Australia, and Claremont Station.
- 511, 512, 513 services travelling along Lefroy Road on various suburban routes between Fremantle Station and Murdoch Station via Murdoch University, Fiona Stanley Hospital, and South Metropolitan TAFE Murdoch Campus.

3.0 Local planning context

3.1 State and regional planning context

From a state and regional perspective, there are goals for infill and housing diversity set out in the State Planning Strategy 2050, Directions 2031 and Beyond, Perth and Peel@3.5million and the related Central Sub-regional Planning Framework, including:

- Affordable living through housing diversity and compact settlements (State Planning Strategy 2050)
- Infill housing targets – aim for 47% in established areas (Perth and Peel@3.5million)
- 7,030 additional dwellings in the City of Fremantle local government area by 2050 (Perth and [Peel@3.5million](#) Central Sub-regional Planning Framework), which represents over 50% of the existing number of dwellings and would accommodate a population increase of between 10,545 to 15,470 people (from an assumed 2011 baseline).

Additionally, the WA Housing Strategy 2020-2030 highlights the importance of providing a greater diversity of housing as a key factor in addressing housing affordability.

3.2 Local Planning Strategy

A key objective of the Fremantle Planning Strategy 2001 is to *"Provide a greater range of dwelling types and sizes in various locations, including affordable housing opportunities."* This is echoed in the City's Community Strategic Plan 2015-25, which states that a key outcome is that *"Fremantle provides more diverse and affordable living opportunities."*

The City's Draft Local Planning Strategy includes the direction to:

"Continue to support and investigate opportunities or bonuses to incentivise housing diversity, particularly for adaptable, accessible and / or affordable housing on redevelopment sites through policy, structure plan or scheme provisions that respond to identified need for more adaptable, accessible and affordable housing to accommodate community profile, aging in place and create market incentive to provision."

However, the draft Local Planning Strategy is currently under review and this direction may be subject to change.

3.3 Local Planning Policies

There are three Local Planning Policies that apply to land within SCA 5.7, which are as follows:

Local Planning Policy 1.9 – Design Advisory Committee and Principles of Design

The purpose of this local planning policy is to detail the type and scale of development applications and planning proposals that will be referred to the Design Advisory Committee and provide additional provisions relating to the design matters listed under clause Schedule A Clause 78B (6)(c) of LPS4.

In accordance with the Design Advisory Committee terms of reference adopted 23 May 2012, and amended 1 July 2018, the role of the Design Advisory Committee includes the provision of design advice on all planning applications involving a development proposed under clause the SCA 5.7 provisions.

Local Planning Policy 2.9 – Residential Streetscapes

Clause 4.2.2 of the LPS4 states that unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the R-codes is to conform to the provisions of the R-codes.

Part 7 of the R-Codes states that a local planning policy may contain provisions that amend or replace specific deemed-to-comply provisions.

Those deemed-to-comply provisions of the R-Codes that are varied or replaced by LPP 2.9 are clauses 5.1.2 Street Setback – C2.1, 5.1.6 Building Height – C6, 5.2.1 Setback of garages and carports – C1.1, C1.2, C1.5, and 5.3.5 Vehicular access – C5.1, C5.2, C5.3.

The *Planning and Development (Local Planning Schemes) Regulations 2015* empowers the local government to consider a broad range of considerations and impose conditions relating to these in dealing with an application for planning approval.

The provisions of LPP 2.9 apply to all residential development assessed under Part 5 of the R- Codes, except where specific provisions are contained within a Local Area Planning Policy or equivalent. If there is a conflict between this policy, and a provision contained within a Local Area Planning Policy, the most specific policy provision shall prevail.

LPP 2.9 is read in conjunction with Local Planning Policy 3.20 – Special Control Area Provisions for Small Infill Development (see Part 3.3 below).

Local Planning Policy 3.20 – Special Control Area Provisions for Small Infill Development

As noted in Part 1.0, LPP 3.20 was based on the themes derived from community engagement on The Freo Alternative – the idea of smaller housing types in the City of Fremantle and complements the SCA provisions introduced into LPS4 by Amendment No. 63. It provides design guidance on some matters and, in a manner similar to the R-Codes, 'deemed-to-comply' and 'design principles' solutions for meeting the SCA provisions. The 'design principles' allow minor variations to be made to some of the SCA provisions where the solution demonstrates an appropriate outcome or offers some other benefit.

Perhaps of most significance, LPP 3.20 also introduces a sustainability component for developments undertaken in accordance with the SCA provisions. Ordinarily, development undertaken in accordance with the R-Codes is only required to meet the energy efficiency standards set by the National Construction Code and is not obliged to include any other sustainability measures. However, development undertaken in accordance with the SCA provisions must also meet the requirements of LPP 3.20, which provides two alternate pathways to achieve a greater sustainability outcome:

"DEEMED-TO-COMPLY:

1. *The development achieves a star rating of one star in excess of the current energy efficiency requirement of the National Construction Code. The star rating shall be certified by an accredited energy assessor.*
2. *The development includes at least two of the following:*
 - *The provision of a minimum 1.5kw photovoltaic solar panel system per dwelling.*
 - *The provision of holding at least 1000 litres of rainwater per dwelling. The rainwater is to be connected to water use in a dwelling(s), e.g. toilet or washing machine, and/or used for irrigation on private or communal outdoor areas, preferably the deep planting zone(s) on the development site.*
 - *Approved grey water system for all dwellings.*
 - *At least one dwelling is fully accessible suitable for independent living (Platinum standard – Liveable Housing Australia).*

DESIGN PRINCIPLES:

In cases where the deemed-to-comply requirements of Part 2 cannot reasonably be met, Council may consider the achievement of an additional half (0.5) star as an alternative means of complying with this policy.

Alternative options to those provided in Part 2 proposed as an option to meet the Part 2 requirements will be considered by Council on a case-by-case basis and against the objective of the theme.

Alternative building methods that cannot meet the requirements above will be considered on their own merits and deemed acceptable where they demonstrate significantly higher sustainability outcomes through the submitted sustainability report."

4.0 Proposal

4.1 Intent of Amendment No. 87

In monitoring and evaluating the developments that have resulted from the SCA provisions, the City has found that while they have been successful, they are few. This is likely for several reasons, including the impact of the COVID-19 pandemic. Council is confident in the merit of the Freo Alternative initiative and advocate for extension of the project to allow a longer period of time for projects to be scoped, designed, and implemented, particularly if unfavourable economic conditions persist for some time.

Accordingly, the City of Fremantle Council resolved to continue the Freo Alternative initiative by preparing an amendment to LPS4 to amend sub-clause 5.7.7 to extend the application of the SCA provisions for a further seven years by amending the word "fifth" to 'twelfth':

"Clause 5.7 and associated sub-clauses shall cease to have effect on the date of the ~~fifth~~ twelfth anniversary after publication in the Gazette of the amendment introducing those provisions into the scheme."

The proposed amendment has significant potential to deliver a greater number of moderately sized new dwellings within existing residential suburbs of Fremantle, thereby meeting a demand for smaller, more centrally located housing that is more environmentally responsible, whilst still being appropriate to its setting. It is also hoped that more small infill developments will bring additional choice and affordability to the suburbs where SCA 5.7 applies, helping to meet state and local strategic goals for the provision of quality infill development and housing diversity. The City also intends to undertake a comprehensive review of the provisions, LPP 3.20 and whether the SCA could be expanded, and the development pathway streamlined.

4.2 Planning justification

Data from the 2021 Census has indicated that Australian household size continues to decline, while household composition changes, with the number of single-person households increasing. Despite these factors, the development and real estate industries continue to drive the delivery of large single houses and grouped dwellings. This is facilitated by the current R-Codes Volume 1, which provides for large houses relative to the size of lots, leading to loss of gardens and urban forest canopy, and a proliferation of

impermeable surfacing. While the new Medium Density Codes that were due to be implemented in September 2023 would have gone some way to alleviate these problems, current pressures on the housing market have led to a decision to defer their introduction and, if or when they are eventually introduced, will likely see their scope curtailed somewhat.

Fortunately, the SCA provisions for small infill development, introduced into the LPS4 through Amendment No. 63, were thoroughly researched, well-designed, and have delivered a small number of successful projects. However, the timing of their introduction, only one year prior to the onset of the COVID-19 pandemic, and the worsening of economic conditions since then has curtailed their uptake significantly; hence the desire to extend their application indefinitely.

These matters are explored in more detail below as justification for this proposed amendment.

4.2.1 House and household size

In comparison to those in other countries, Australian houses are amongst the largest in the world in terms of their floor area. Whilst there are indications that the average floor area of new houses has peaked and is beginning to decline slightly, Australia is still building large single houses, having increased from an average size of 162.4m² in 1984-85¹ to 232.3m² in 2021-22².

In Western Australia, the average size of a new house has decreased by 7.9m² over the period from 2002-03 to 2021-22, but currently stands at a substantial 223.2m² (see Table 1 overleaf).

¹ <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/8752.0Feature+Article1Jun%202013>

² <https://www.abs.gov.au/articles/average-floor-area-new-residential-dwellings>

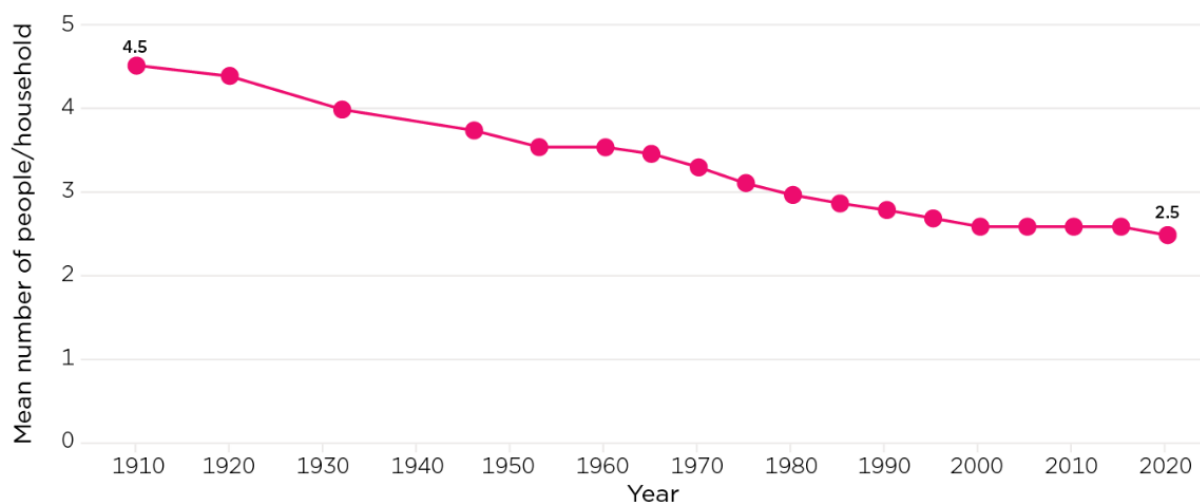
Western Australia	
	m2
2002-2003	231.1
2003-2004	237.9
2004-2005	234.1
2005-2006	238.1
2006-2007	237.7
2007-2008	242.2
2008-2009	243.3
2009-2010	245.6
2010-2011	239.2
2011-2012	236
2012-2013	233.9
2013-2014	229.5
2014-2015	230
2015-2016	225.8
2016-2017	242.9
2017-2018	243.1
2018-2019	227.5
2019-2020	233.8
2020-2021	236.5
2021-2022	223.2

Table 1. Average floor area of new houses in Western Australia 2002-2023 to 2021-2022³

In the City of Fremantle, new houses being built in infill areas are smaller than the national and state averages, but still tend to be large – research undertaken by the Australian Urban Design Research Centre (AUDRC) in 2014 indicated that they are approximately 175m² on average.

Even though the average new house size remains large, the average number of persons per household in Australia has been in steady decline since the mid-1960s (see Figure 4 overleaf).

³ <https://www.abs.gov.au/articles/average-floor-area-new-residential-dwellings>



Source: ABS, 2011, 2016 and 2021 Censuses – Time Series Profile; Hugo, (2002), A century of population change in Australia.

Figure 4. Average Australian household size 1911-2021⁴

At the time of the 2021 Census, the average household size was 2.5 persons⁵, with a projected trend being for this decline to continue to approximately 2.2 to 2.3 persons per household by 2026⁶. However, in Fremantle, the average household size is already 2.2 people per dwelling.⁷

Household composition has also been changing over time:

- **Family households**, comprising families where members are related by blood or marriage (registered or de facto), adoption, step or fostering, and who reside in the same household still made up the majority (71%) of Australian households in 2021, though this figure had declined from 78% in 1981.
- Individuals **living alone** – in 2021 more than one in four households (26%) were occupied by one person, which is a significant increase from 18% in 1981.
- **Groups** of unrelated persons made up only 4% of households in 2021.

A household may also contain more than one family, though multiple-family households are uncommon; less than 2% of households had two or more families.

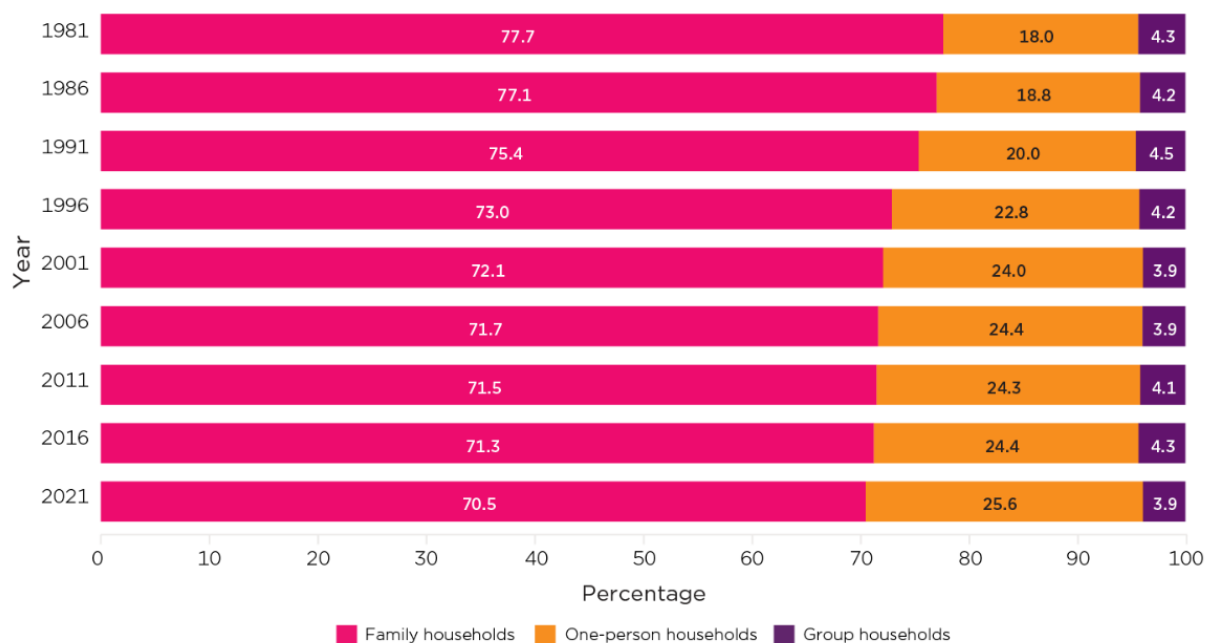
⁴ <https://aifs.gov.au/research/facts-and-figures/population-households-and-families>

⁵ <https://abs.gov.au/census/find-census-data/quickstats/2021/AUS>

⁶ <https://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/3236.0Main+Features12001%20to%202026>

⁷ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/LGA53430>

The trends in household compositions since 1981 are shown in Figure 5 below. The greatest changes happened between 1981 and 1996.



Notes: Data for 1981 were derived from the 1981 Census 1% Household sample file. In 1986, household membership was based on where the person was enumerated on census night. In 1996 and onwards, households were classified according to 'usual residence' for up to three residents of a household who were temporarily absent on census night. Excludes 'visitors only' and 'other non-classifiable' households.

Source: ABS, 1981–2021 Censuses

Figure 5. Australian household composition 1981–2021⁸

This increase in house size and decrease in occupancy levels, coupled with population growth, has resulted in greater demand for developable land within Australia's cities. Predominantly, and particularly in Perth, this demand has been met on metropolitan fringes, contributing to what is commonly referred to as 'urban sprawl'. The housing offered in these areas is generally low density (c. R30 density coding) and tends to comprise of large homogeneous homes (usually four-bedroom, two-bathroom, theatre room and double garage) on modestly sized lots.

Research indicates that large dwelling size has a direct impact on increased greenhouse gas emissions, consumption of natural resources and the production of waste. Larger homes require greater amounts of resources in their construction (including land) and have higher levels of associated embodied emissions (emissions associated with the production of building materials). Larger dwellings also have greater emissions associated with their operation, especially heating and cooling loads, with a five-star BCA house of

⁸ <https://aifs.gov.au/research/facts-and-figures/population-households-and-families>

73m² contributing 69% less in annual emission than a five-star house with a floor area of 233m².

In recent years, state strategic planning documents have recognised that housing on the fringe does not provide well for sustainable growth or diversity of housing typologies, nor does it address the need for additional and more affordable housing within the metropolitan core, close to existing activity centres. In general, development on the fringe presents a whole range of social, economic and environmental concerns, including impacts on general productivity, long travel times and associated pollution, pressure on infrastructure service delivery and higher costs.

The large size of the typical Australian home also appears to differ from people's housing desires. The housing we'd choose: A study for Perth and Peel was commissioned by the Department of Housing and Department of Planning and published in May 2013. It indicated that when location and affordability considerations are taken into account, most people surveyed would be prepared to live in smaller houses than those predominantly offered by the project home market. Also, when constrained by location and affordability factors, many respondents would live in a semi-detached house, rather than detached. The report summarises its findings by stating that whilst the current housing stock of four or more-bedroom housing in the suburbs meets the needs of many, it is problematic for others who need something small and affordable in which to form a new household, or those who may wish to downsize to a smaller dwelling in the location they are used to.

Moreover, housing affordability within Western Australia has become a major social issue in the past decade, with the rapid increase of house prices and rents leaving many people on low and moderate incomes struggling to find housing that is both affordable and appropriate to their needs. A key response to this issue is to promote housing diversity, particularly through the development of smaller dwellings which are cheaper to buy or rent than larger dwellings in the same market. The R-Codes provide the ability for greater housing diversity in medium to high-density coded areas, however there is generally a lack of similar incentive for housing diversity in lower density coded areas (<R35).

4.2.2 Current infill housing approach

The current statewide planning approach to suburban residential development is governed by the R-Codes, which provide a range of residential density codes that are then applied through a local government's Local Planning Scheme and Map. Residential development, particularly the dwelling yield on lower density coded land (<R35), can then be calculated by the density coding applicable to the land. For instance, an R20 density coding broadly means that residential development will be at a density of 20 dwellings per hectare. Overall, the R-Codes density coding approach for these lower-coded areas emphasises the number of dwellings per land area, rather than the built form of development. This control over dwelling numbers is exercised in the R-Codes by requirements to meet minimum and average site areas per dwelling. These must be satisfied in applications for approval of both subdivision and development.

According to research undertaken by AUDRC on behalf of the City, Fremantle has a large proportion (74%) of Residential zoned land with a density coding below R30. Only 25% of the lots in these areas are large enough to consider subdivision. Constraints such as heritage, recent build, existing strata development or lot size substantially reduce subdivision potential, meaning that there is limited capacity for Fremantle's existing suburban areas to accommodate residential infill through typical subdivision formats.

The traditional planning approach to provide for additional infill development in established residential suburbs is to increase the density coding of an area to allow for subdivision of single house lots. This approach is useful in providing a predictable dwelling yield within new developments or where an 'up-coding' of a whole neighbourhood is being contemplated; however, it is commonly criticised for its limited ability or incentive for delivering a diverse range of housing types. Whilst there is no obligation for developers to build to the maximum site cover permitted by the R-Codes, this is generally what occurs as landowners seek to maximise their home size on a moderately sized lot resulting in conventional, larger-type family homes that fail to contribute overall to providing greater housing diversity and affordability.

Additionally, 'blanket' up-coding can result in development that is generally homogeneous, and when applied in an existing urban environment, unresponsive to the prevailing built form or landscape. This development negatively impacts on the established streetscape and amenity of the neighbourhood as additional driveways are needed, trees are cleared and housing covers former open backyard areas. Whilst there need to be trade-offs, as infill automatically reduces the land area available per dwelling, spatial qualities of suburban precincts are being excessively eroded through this form of infill development.

4.2.3 Australian Urban Design Research Centre research

In 2014, the City engaged AUDRC to complete research and modelling of preliminary provisions of a possible scheme amendment for diverse housing. These preliminary provisions included the following requirements:

- Any new dwelling shall have a maximum floor area of 120m²
- A maximum of 1 car bay shall be provided for each new dwelling
- Visitor parking shall not be provided for developments of less than five dwellings
- A minimum of 60% open space, as defined by the R-Codes, shall be provided over the entire development site
- A minimum of 10% of the development site area shall be provided for a deep planting zone (DPZ). This area shall be uncovered and have a minimum dimension of three metres.

AUDRC completed two research projects for the City based on early discussions around Fremantle's housing diversity (see Appendices 1 and 2 for the full reports).

The first of these was Fremantle Housing Diversity – Report on a proposed amendment to LPS4 to stimulate housing diversity – July 2014. It compared spatial outcomes in suburban areas where infill subdivision had occurred after a density increase to areas where infill development had not occurred.

In their research AUDRC tested a range of typical Fremantle sites in areas coded below R30. Narrow, moderate and wide lot widths were considered to represent the majority and a range of actual sites were chosen from this investigation as representative lots. Accordingly, AUDRC's resulting research was based on the modelling of five case study scenarios as detailed in Table 2 below.

Description	Dimensions in metres (w x l)	Area (m ²)	Rear driveway possible	Retain Existing House
Narrow A	12.8 x 41.5	530	N	Y
Narrow B	12.8 x 41.5	530	Y	Y
Moderate A	17 x 45.5	775	Y	Y
Wide	19 x 41.5	790	Y	Y
Moderate B	19 x 41.5	675	Y	N

Table 2. Case study lots chosen for analysis (AUDRC)

AUDRC identified the following spatial factors that contribute to the negative impact of infill housing:

- Reduction in tree cover.
- Doubling in roof cover, crossovers and paved areas.
- Decrease in usable space, including private garden, open space and living areas.
- Increase in areas required for vehicles, including parking and manoeuvring spaces.
- Increase in impermeable hard surface.

The case study lots were then used to assess the preliminary principles of a scheme amendment and their ability to address the negative impacts of infill development as identified above. Two housing types were modelled for each: built form under the current design regulations (R-codes) and built form under preliminary principles. Variations to the principles were then explored in terms of meeting the design principles and feasibility. The key findings of AUDRC's research were:

- any new dwelling shall have a maximum floor area of 120m².
- a minimum of 60% open space, as defined by the R-Codes, shall be provided over the entire development site.

- a minimum of 15% of the development site area shall be provided for a deep planting zone. This area shall be uncovered, contain a retained or planted tree (to Council specification), have a minimum dimension of three metres and at least 50% is to be provided on the rear 50% of the site.
- a maximum of one car bay shall be provided for each dwelling.
- visitor parking shall not be provided for developments of less than five dwellings.

The second report was Fremantle Housing Diversity II – Design based research to refine and inform a proposed amendment to LPS4 – June 2015. Its purpose was to further test the principles established in the first report and demonstrate the types of development applications the City could potentially receive, if these requirements were in the scheme, and what additional policy provisions would be required to address design, built form etc.

As part of this work the City, in conjunction with AUDRC, invited three local architects' teams to model three different 'scenarios' using the principles agreed by Council and the relevant R-code design elements and local planning policies (including Local Planning Policies 2.4 – Boundary Walls and 2.9 – Residential Streetscapes). The three scenarios were:

Scenario A: Infill housing – Officer Woods Architects

The design brief in this scenario was to retain the existing front dwelling and provide additional dwellings to the rear, as is typical of infill subdivision development. Officer Woods Architects provided two concepts for this scenario. One retained the existing dwelling 'as is' and provided four attached dwellings to the rear, in the form of a single two storey building. This gave an overall yield of five dwellings.

The other concept went one step further and divided the existing dwelling into three dwellings (a second storey was required) and provided three additional dwellings in one two-storey building to the rear. Car parking was mostly provided in the front setback and in between the two buildings.

Scenario B: Maisonette development – Bernard Seeber Architects

Maisonette style housing maintains a character which is often sympathetic to the suburban street. Bernard Seeber Architects designed a maisonette or multiple dwelling development where four (three two-bedroom and one three-bedroom) dwellings were wholly contained within one building as multiple dwellings. Car parking was provided to the front and near the deep planting zone to the rear.

Scenario C: Micro-homes – David Barr Architects

Micro homes are an emerging typology for smaller households who wish to reduce their physical and ecological footprints. David Barr Architects designed two two-storey buildings with three attached micro homes in each, six dwellings in total. Car parking was provided between the two buildings to the centre of the site.

AUDRC further modelled scenario C providing six detached micro homes on the development site as an alternative to the David Barr design.

The modelling used a typical single dwelling suburban lot (754m² in area) with a favourable north to south orientation as the basis for design. Existing trees were also included on the site that would have to be worked around.

Although the three scenarios modelled involved different building typologies, the development outcomes displayed several characteristics common to all scenarios:

- The controls promote the establishment of garden areas and to some extent the retention of mature trees.
- Development is still able to exploit the minimal rear setbacks allowed by the R-Codes which leads to large two storey building volumes in the rear of the lot which 'upsets' the suburban pattern.
- Multiple entrances are possible on the street and this can disturb the established rhythm of the streetscape particularly in mid-block locations.
- The controls allow for up to six two-bedroom dwellings when orientation permits, which could be considered a significant change to the patterns of human activity levels and development intensity in highly suburban locations.
- Only single lot solutions have been investigated; if the scheme provisions encourage amalgamation of lots then this could further upset suburban patterns (i.e. lead to larger scale development with much higher numbers of dwelling units).
- Multiple dwellings in highly suburban areas could lead to principal outdoor living areas above ground level which could adversely affect perceptions of privacy for neighbours even if this is ameliorated through screening etc.

Through this modelling AUDRC suggested the following:

- Consider amendment to DPZ minimum dimension (~4.5 metres) to promote feasible retention of mature trees.
- Consider introducing a rear setback to manage rear interface (~5 metres).
- consider increasing DPZ to 20% to further manage bulk and interface.
- The controls should apply to transitional sites in suburban locations and should not be applied to all suburban areas.
- Controls for established suburban areas would require further refinement to gauge an appropriate 'step change' and manage the transition – consider the transitional sites as a more manageable introduction.

4.2.4 Amendment No. 63

Following this research, Amendment No. 63, as outlined in part 1.1 above, was devised as an alternative planning approach to the R-codes that would deliver new, moderately sized housing on lower density coded residential land with a focus on the built form attributes of the housing, rather than the number of dwellings per land area and the character of

the existing neighbourhood. The approach would set aside the minimum and average site area requirements of the R-Codes, and instead, focus on ensuring that new dwellings are limited in floor area and site coverage.

The amendment had the potential to deliver a significant amount of moderately sized new dwellings within existing residential suburbs of Fremantle, thereby meeting a demand for smaller, more centrally located housing that is more environmentally responsible, whilst still being compatible and appropriate to its setting.

The amendment, which was gazetted on 12 February 2019, inserted SCA 5.7 into LPS4 for small infill development and specified the areas to which it would apply. In those areas, a suspension of the R-Codes' minimum and average site area and plot ratio requirements can be considered for an alternative smaller housing type on land where the lot is over 600m² and specific planning requirements are adhered to. These specific planning requirements include:

- Maximum dwelling floor area of 120m².
- Maximum number of dwellings – three dwellings, including any existing dwelling(s), on lots 750m² or less. On lots over 750m² one additional dwelling would be allowed for every 150m² in excess of 750m².
- 70% open space requirement.
- A requirement for 25% of the site to be a deep planting zone.
- The requirement for planting or retention of a tree.
- Specific car parking requirements.
- Consideration required by the City's Design Advisory Committee.

These requirements are not capable of being varied under the City's Scheme and can only be applied to the development of grouped and / or multiple dwellings and do not apply to subdivision applications.

Suspending the R-code minimum site areas and allowing development over and above the existing density in all areas of the city could have had unintended effects or impacted the city's more sensitive areas: for example, in heritage areas and / or some suburban areas with relatively intact patterns of single dwelling development and mature, well-vegetated streetscapes. Therefore, the City of Fremantle Council resolved to apply the amendment only to specified areas where infill development of smaller dwellings would be compatible with the character and pattern of existing development.

The areas were generally selected based on:

- Land coded R35 or lower.
- Within a 400 metre 'ped shed' from high frequency bus routes and 800 metres from train stations.
- Non-heritage areas.

- Areas with few heritage-listed properties.

Several areas were considered, but the amendment ultimately included the areas shown in Figure 6 below:

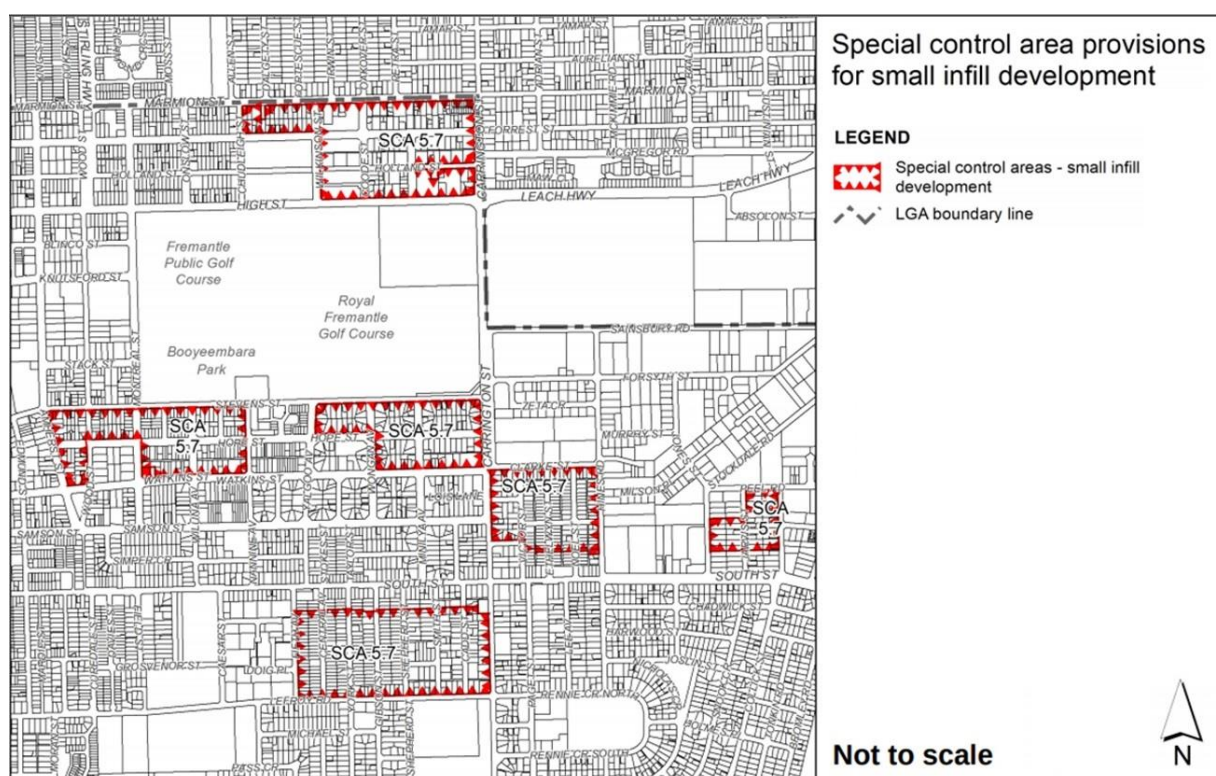


Figure 6. Special Control Area 5.7 – Provisions for small infill development

The various components of the SCA provisions were designed according to the following rationale:

Size of small infill dwellings

Increasing suburban infill housing has been identified in numerous strategic planning documents as key to providing for Perth's housing future. One way to do this would be to increase the diversity of housing in these areas. The R-Codes provides for diversity of housing through the multiple dwelling plot ratio requirements applicable to land coded R40 or greater; however, lower density coded areas do not have similar requirements. Therefore, the purpose of the amendment was to increase moderately sized suburban housing in low density areas. A key principle in achieving this was to ensure that new dwellings constructed under the scheme provisions would be limited to a moderate size.

Based on what the market is currently providing, and research into small housing, the maximum floor area limit of 120m² can provide a generous two-bedroom house or a modest three-bedroom house. This floor area limit was tested by AUDRC and it was confirmed that it was reasonable and could deliver suitable and varied housing. The 120m² maximum floor area requirement does not mean that every dwelling

proposed under the small infill dwelling provisions would be of this size. A range of smaller, more modest housing up to 120m² in floor area can be provided, as no minimum floor area size was set.

Maximum number of dwellings

A key purpose of the amendment was to increase the diversity of housing in existing suburbs by providing for the development of smaller housing typologies. However, the results of the modelling undertaken by AUDRC showed that sites not capable of subdivision under conventional Scheme and R-Codes controls could potentially yield up to six dwellings, depending on dwelling size and design, on a 750m² lot (average lot size in Fremantle's R20-R25 areas). While this was one of the main aims of the amendment, the potential for the development of six dwellings on an otherwise non-subdividable single house residential lot could have been perceived as a negative outcome by the local community, regardless of design quality.

While a sliding scale based on the R-codes average lot sizes was considered, it was determined that to ensure consistency, simplicity and reduced ties to the density aspects of the R-codes, the requirement should be based on a single site area threshold. AUDRC used an indicative lot size of 750m² in their modelling as an average lot size for the Beaconsfield / White Gum Valley suburbs. This is consistent with the predominant size of non-subdivided lots in the areas where the amendment provisions were applied (approximately 700-800m²). Accordingly, 750m² was chosen as the pivot point after which the maximum number of dwellings on a site could be considered:

- Site area <750m² – maximum three dwellings in total
- Site area >750m² – three dwellings and one additional dwelling for every 150m² in excess of 750m²

The main advantages of this approach are:

- An independent measurement: the measurement is not tied to the R-code density
- Consistency and certainty: the requirement can be consistently applied in all areas, regardless of other factors i.e., density coding. This provides the community with an easily understood measure and certainty on the types of development that could be possible in the area.
- Simplicity: the requirement simplifies the provisions making them easier to communicate to the public as a concept and to administer.

Open space percentage

The R-Codes provide a minimum open space requirement for residential development depending on the density coding applicable to the land. Examples of this are shown in Table 3 overleaf:

Density coding	R-codes open space requirement
R15, R20 and R25	50%
R30 – R60	45%
Freo Alternative	70%

Table 3. Comparison of R-code density and proposed amendment open space requirement

The definition of open space is broad and includes such elements as uncovered parking, driveways, and side setbacks. Therefore, whilst the R-codes appear to provide for a generous open space requirement, the reality is that most of the open space on a site is not usable.

The purpose of the greater open space requirement is twofold:

- a) increase the effective amount of open space on a site by increasing the requirement; and
- b) reduce the building envelope and subsequent building bulk of the development.

The open space on a typical non-subdivided lot in an older part of Fremantle is between 70 and 80%. Therefore, a requirement for 70% open space would limit site coverage, maintain the sense of openness and permeability and allow for the retention of mature vegetation, in keeping with these established suburbs. In their research, AUDRC also suggested that the increased open space requirement would encourage creative re-use of an existing dwelling.

LPP 3.20 includes requirements to guide discretionary decisions where it is sought to reduce the minimum open space requirement to 60%. These requirements are based around a greater requirement for outdoor living area to combat the deficiencies in the R-Codes definition of 'open space' and limit the impact of building bulk on adjoining lots, as well as requiring retention of an existing dwelling.

Deep Planting Zone

Established tree and garden areas play an important role in integrating new buildings into their surrounding streetscape and the existing neighbourhood context. There are also many positive environmental benefits of trees and gardens including urban cooling through shade, clean air from ecological processes, habitat for wildlife, aesthetic appeal in the urban landscape and stormwater management benefits.

Redevelopment in urban infill areas generally results in a lot being cleared of all vegetation and development over the majority of the site. This is not in keeping with the established suburb and results in adverse environmental impacts, such as loss of urban tree canopy and biodiversity, and increased non-permeable surfaces and heating. The purpose of a deep planting zone (DPZ) is to counter these problems and ensure that development considers established vegetation on the site. The requirement for a DPZ would also reduce the building envelope and, consequently, building bulk.

Through testing, AUDRC recommended that the DPZ be 25% to ensure that it is a usable and effective space. The DPZ was then defined as follows:

Deep planting zone means an area of the lot for the exclusive use of supporting plant life. The deep planting zone shall:

- *Be landscaped, water permeable, unpaved and uncovered*
- *Be a minimum length and width dimension of 3.0 metres*
- *Not be used for vehicle parking or access*
- *Contain no buildings, patios, pergolas, swimming pools or external fixtures.*

Tree requirement

Trees contribute to the local environment, while creating a varied, interesting, and attractive landscape and contribute to local character and sense of place. Existing trees on private land represent a significant proportion of tree canopy within our urban areas. Significant loss of urban tree canopy, due to private development, is an increasing focus of community concern. Retaining existing trees or planting new trees is critical for urban ecology and maintaining a liveable environment.

Therefore, the amendment required the retention of a mature tree or planting of a new tree. LPP 3.20 includes requirements for the tree being maintained or planted e.g., minimum height, canopy, and girth requirements.

Vehicle parking

Vehicle parking requirements are set out in LPP 3.20:

- A maximum of one vehicle parking bay shall be provided for each new dwelling and a maximum of two car bays for any existing dwelling on the development site.
- The vehicle parking bay requirement above, can be waived where one small dwelling within a development achieves a floor area of 60m² or less.
- Visitor parking shall not be provided for development less than five dwellings.

A common community concern associated with increases in residential density is the impact of additional traffic. However, as household size is on the decline and an aim of the amendment was to facilitate the construction of smaller houses, it was considered that the standard car parking requirements should generally be less for a small house / household. The R-Codes Volume 2 already applies a similar logic, with a lesser parking requirement for small apartments (Design element 3.9 – Car and Bicycle Parking). Therefore, the amendment sought to reduce the impact of additional traffic by limiting the provision of car parking and thereby encouraging the use of alternative means of transport.

As the amendment sought to achieve modestly sized housing in areas that are generally well serviced by public transport and other transport infrastructure and amenities (e.g. the bicycle network), it was considered appropriate that each household only be provided with one car bay. Limiting parking provision to one assigned bay per dwelling for all new dwellings developed:

- recognises the high level of public transport accessibility within the City of Fremantle,
- limits the impact of increased density in the locality, and
- limits the area given over to hard surfaces and structures associated with providing two or more car parking bays on site.

The structures required for covered on-site vehicle parking contribute significantly to the building footprint of contemporary homes, increasing the area covered by impermeable surfaces, while also increasing cost. This also impacts streetscapes by increasing building bulk and reducing the size of landscaped areas.

AUDRC included reduced vehicle parking in their testing and concluded that these car parking requirements would be key to achieving a larger percentage of open space and a deep planting zone.

Visitor parking requirement

The R-Codes require one visitor parking bay per four dwellings provided within a development. The amendment reduced this requirement slightly to one visitor parking bay per five dwellings provided within a development. Although minor, the purpose of this variation was to reduce the number of car bays required on-site, thereby limiting the visual impact of extensive hard surfaced driveways and parking areas. It was also considered that visitor parking could reasonably be met on-street in development of this scale in low-density suburbs without harming local amenity. This approach further assists in limiting the visual impact of extensive hard surfaced driveways and parking areas, which is commonly a source of objection to infill development.

Design quality

The design of a development contributes greatly to the visual interest of the building and the character of a local area. To ensure that the visual appearance of small infill developments is satisfactory, they must be considered by the City of Fremantle's Design Advisory Committee (DAC). The DAC's review is considered during assessment of the planning application and used to secure design improvements or justify refusal of proposed developments with poor design quality.

No ability to vary the above requirements

The proposed amendment did not allow for variation to built form requirements e.g., floor area, number of dwellings per development site, on-site car parking etc. under the variation clauses of the City's Scheme. The non-variable approach to the development standards is important, as it provides certainty to the community as to what form of development can be expected.

No ability to subdivide and create vacant lots

The amendment only allowed development, not subdivision; it does not enable the creation of vacant lots that do not meet the minimum and average site area requirements of the R-Codes.

Once a development is completed, the dwellings can be subdivided and issued separate titles under design principle P1.3 of WAPC's R-Codes design element 5.1.1 Site area. This clause allows local government to approve a survey strata or strata lot subdivision where there is an *existing authorised* grouped dwelling or multiple dwelling of lesser minimum and average site area than that prescribed by the R-Codes. Using this mechanism avoids the provisions being exploited by landowners simply seeking to create vacant lots for sale in circumstances where subdivision would not otherwise be permitted. It also ensures that the development is designed and built as a whole, resulting in better design outcomes.

4.2.5 Local Planning Policy 3.20 – Special Control Area Provisions for Small Infill Development

As outlined in Part 3.3, LPP 3.20 complements the SCA provisions introduced into LPS4 by Amendment No. 63. It is envisaged that if this amendment is approved, LPP 3.20 would be retained and comprehensively reviewed, along with the SCA provisions themselves. Matters that may require review include sustainability measures and canopy cover, as sustainable technologies are constantly improving, there is a move away from the use of natural gas as an energy source, and there are now significant concerns about the ongoing loss of urban forest.

4.2.6 Development following Amendment No. 63

Since the gazettal of Amendment No. 63, there have only been four developments approved under the SCA 5.7 provisions. Notably, all are located within a 250-metre radius of one another, though they vary in typology and layout.

5 Montgomery Street, Beaconsfield (Application no. DA0406/19)

This was the first project approved under the SCA provisions, which, following demolition of a single house, created four dwelling units with shared gardens, parking areas, a store, and a 'common hall' (see Figure 7 overleaf).

lot. The dwelling units are two-storey, detached, and arranged in pairs, with two facing the street (Figure 8 below) and two behind. The shared gardens occupy the primary street setback and the area at the centre of the lot (Figure 9 below) and are accessed by walkways between each pair of dwelling units. The store is located in the central garden, behind Unit 2 and a common bicycle storage area is provided in the covered walkway between Unit 3 and the common hall, which is attached to Unit 4 (Figures 10 and 11 overleaf). This is a flexible space, in common ownership, that can be utilised by residents for entertaining, hobbies etc.



Figure 8. Units 1 and 2 viewed from Montgomery Street (Credit: The Green Swing and Shaina Bostin Photography)



Figure 9. Rear of Units 1 and 2 viewed from the communal garden (Credit: The Green Swing and Shaina Bostin Photography)



Figure 10. Units 3 and 4 viewed from the communal garden (Credit: The Green Swing and Shaina Bostin Photography)



Figure 11. Unit 4 and the common hall viewed from the communal garden (Credit: The Green Swing and Shaina Bostin Photography)

11 Smith Street, Beaconsfield (Application no. DA0464/19)

Although the second to be approved, this was the first project implemented under the SCA provisions, creating two dwelling units with communal open space to the rear of an existing single house, utilising a typical battle-axe driveway layout (see Figure 12 below).

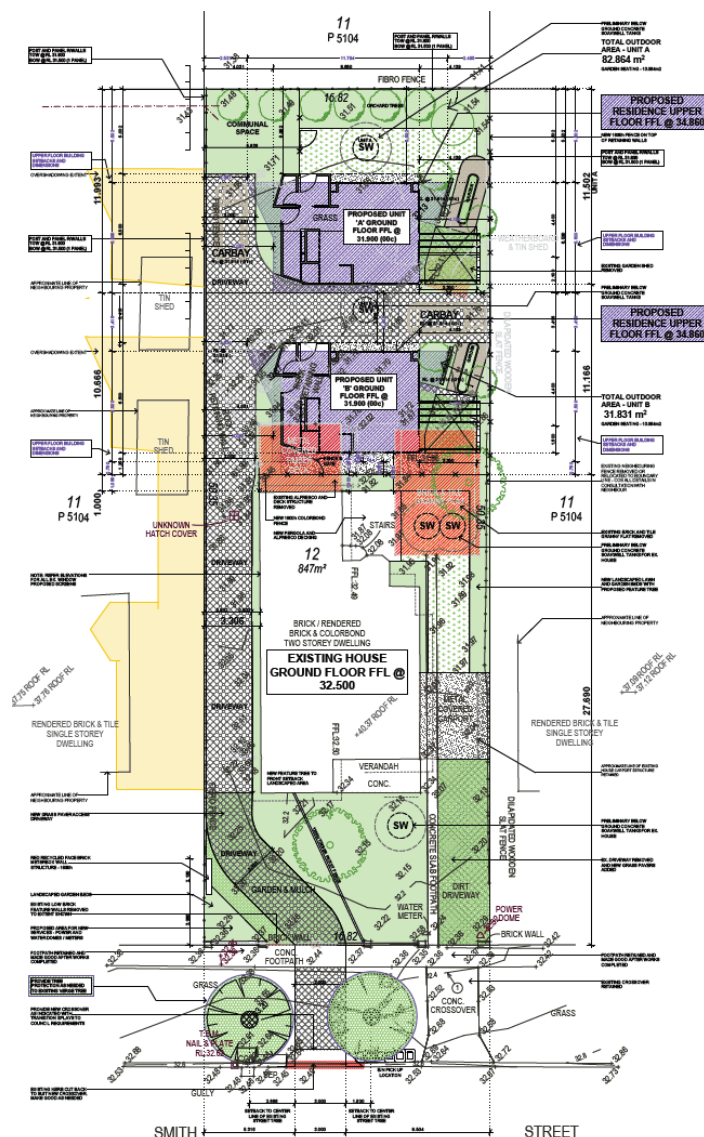


Figure 12. 11 Smith Street, Beaconsfield site plan

The lot is oriented east-west and developed with the retained single house facing the street. The new dwelling units are two-storey, detached, and arranged one behind the other to the rear of the existing house. A new driveway for the existing house was installed on the northern side of the lot, while a shared driveway was installed on the southern side for the rear units. Clever use of cantilevered upper floors on the new dwelling units results in more internal floor space, while maintaining the necessary parking and manoeuvring space. The relatively small size of the dwelling units also affords

them a northern aspect over a private garden for each, while a shared garden area occupies the south-west corner of the lot.

148 Lefroy Road, Beaconsfield (Application no. DA0334/20)

The third project implemented under the SCA provisions is nearing completion and has created three dwelling units with both communal and private open space to the rear of an existing single house, utilising the rear laneway for access. (see Figure 13 below).

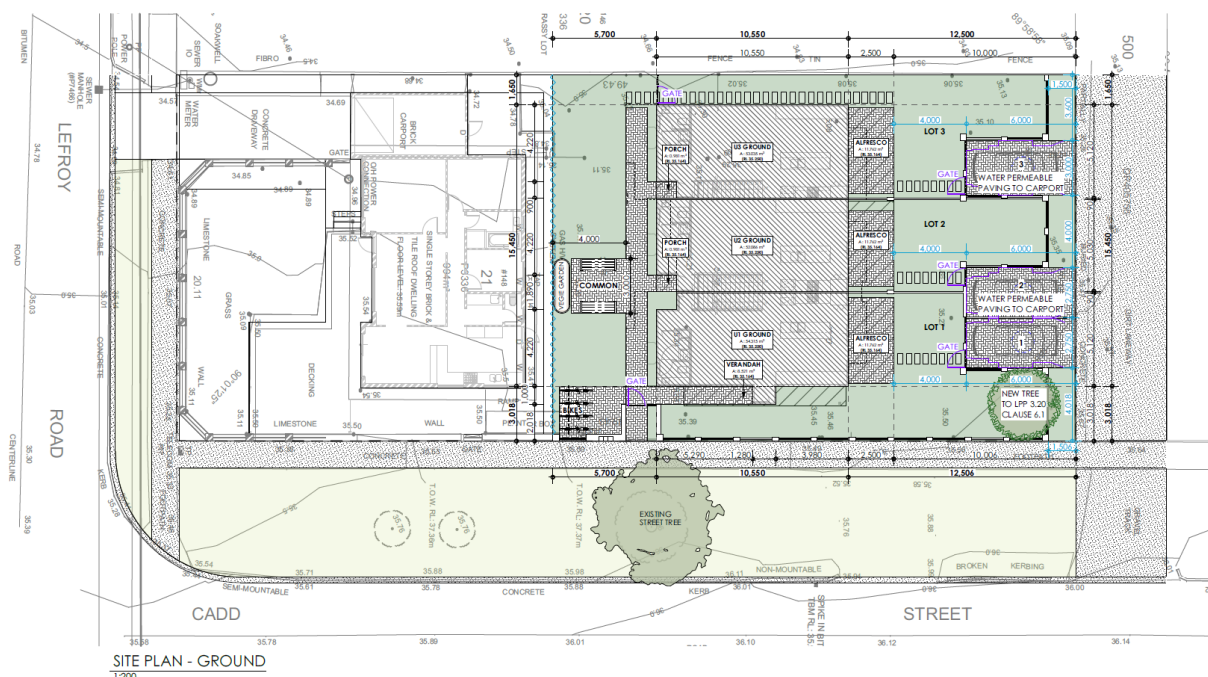


Figure 13. 148 Lefroy Road, Beaconsfield site plan

The lot is oriented north-south and developed with the retained single house facing the street. It also benefits from a right-of-way at the rear, which allows access to parking spaces for the new dwelling units. The units are two-storey and terraced across the width of the lot. The shared gardens occupy the area between the existing house and the new units, with a communal bike store on the eastern side of the lot facing Cadd Street. Each unit also benefits from a small private garden and alfresco area on the northern side, between the house and carport.

32 Smith Street, Beaconsfield (Application no. DA0193/22)

The fourth project approved under the SCA provisions remains unconstructed but intends to create two dwelling units with communal open space on a vacant lot that has been subdivided off from a lot that is developed with a single house. (see Figure 14 below).

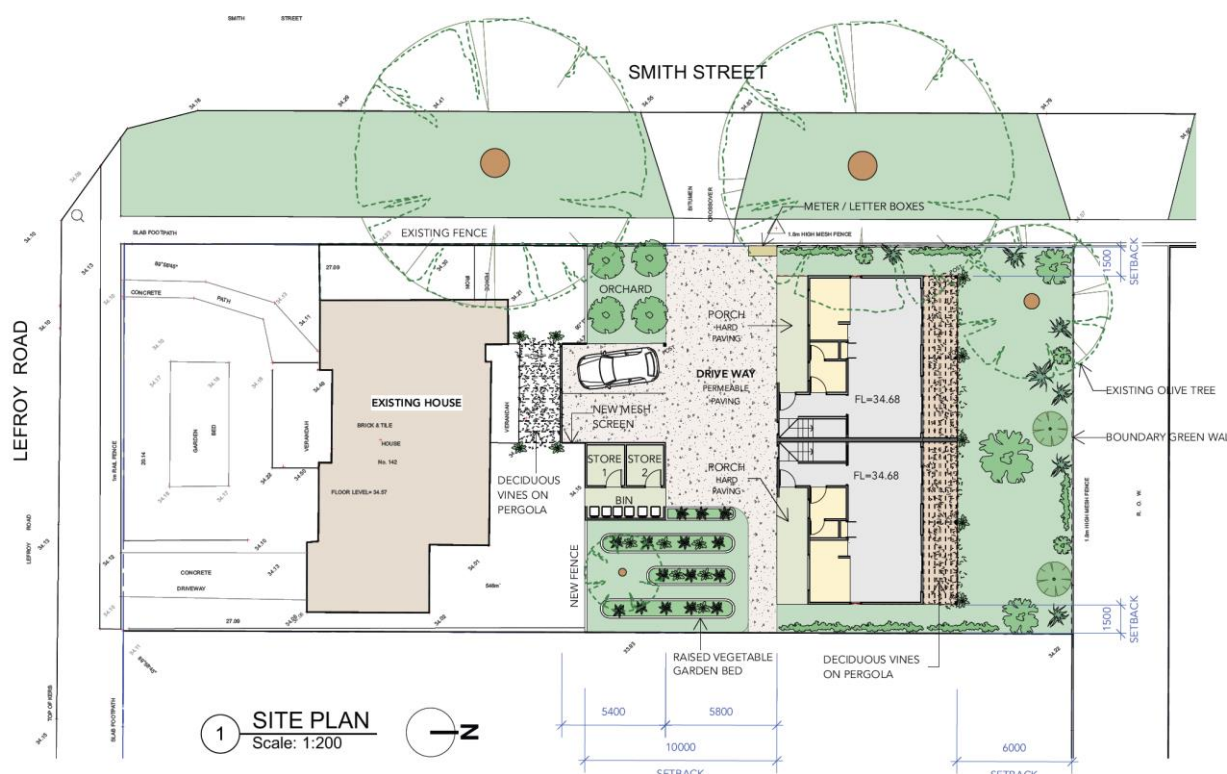


Figure 14. 32 Smith Street, Beaconsfield site plan

The lot is almost square in shape with the two units intended to be oriented north-south. Although there is a right-of-way to the northern side of the lot, it is proposed to create a new crossover to Smith Street, accessing a shared driveway and parking area. The units will be a two-storey duplex pair, while the shared gardens occupy the balance of the lot. A shared double carport and two stores under the same roof, along with an enclosed bin storage area will stand on the southern lot boundary, near the centre of the lot. Each unit will also benefit from a small private alfresco area to its northern side.

4.3 Opportunities, constraints and issues

There are a number of opportunities, constraints and issues associated with the SCA provisions and this amendment proposal. The most significant opportunity is that in extending the sunset clause, there would be potential for additional high-quality small infill projects to be scoped, designed, and implemented. There would then be time and opportunity to comprehensively review the provisions and LPP 3.20.

4.3.1 The developers' perspective

To better understand the effectiveness of the SCA provisions, City officers contacted the developers responsible for the projects detailed above to ask a series of questions about their experience.

In summary, while some developers found the process easy to navigate and were satisfied with the outcome, others faced challenges in the planning process, additional costs, and dissatisfaction with certain requirements. There was varied opinion whether the developers would undertake future Freo Alternative projects and suggestions were made for improvements in the design parameters and process.

4.3.2 Evaluation

Overall, the four projects appear to have been successful and have delivered small housing in varying typologies, including detached units and a triplex, with a duplex to follow soon.

The site layouts also vary, with 11 Smith Street most closely resembling a typical 'battle axe' subdivision layout by retaining an existing single house but has maintained a far greater amount of open space, existing vegetation, and provides communal garden ground for residents' use.

5 Montgomery Street benefits from dual access from the primary street and a rear right-of-way and incorporates a 'common hall' – a flexible space in common ownership, which is central to the co-housing ethos that the project has embodied. It is also unique insofar as the original house on the lot was demolished and all replacement dwellings were designed in accordance with the SCA provisions.

148 Lefroy Road also benefits from a right-of-way access to the rear but has retained the original house on the lot, meaning that each of the new dwellings take their access from the right-of-way.

32 Smith Street remains unbuilt, but it is almost a mirror of 148 Lefroy Road, albeit a duplex rather than triplex. However, the land to the rear of the original house has been subdivided off and the development will take access directly from Smith Street.

Each project incorporates private and communal garden spaces and communal facilities, including drying areas, bin stores, bike stores etc.

Design quality is generally good, with the dwellings retaining a suburban scale and character and largely fitting into the prevailing streetscapes. However, upon review it must be said that the volumes of some developments are more in keeping with their surroundings than others. While 5 Montgomery Street has the appearance of a high-quality development, the two small dwellings that present to the street as a pair, each positioned on a side lot boundary, is unusual, as the area is dominated by detached single houses set back from side lot boundaries. Although the rationale to position the houses on the side boundaries to maximise open space within the site is sound, the attached triplex at the rear of 148 Lefroy Road, which maintains side boundary setbacks, is perhaps

a more contextually appropriate solution. This matter is among those that can be explored in more depth during any subsequent review of the other SCA provisions and LPP 3.20.

The feedback received from developers indicates that there may be other aspects of the SCA, its provisions, LPP 3.20, and potentially Local Planning Policy 2.9 – Residential Streetscapes that should be explored during any review. Ideally, ways could be found to streamline the development approval process, though this would likely require a further scheme amendment. Matters that may require review in LPP 3.20 include sustainability measures and canopy cover, as sustainable technologies are constantly improving, there is a move away from the use of natural gas as an energy source, and there are now significant concerns about the ongoing loss of urban forest.

It is acknowledged that, overall, the uptake of the SCA provisions has been low.

4.3.1 Factors affecting uptake

The first factor affecting the low uptake of the SCA provisions is likely to have been the cost involved in undertaking such a project, as the provisions require the construction of dwellings prior to subdivision. This can take a significant amount of capital and may not have been possible for many would-be developers who would ordinarily subdivide their lot and sell a parcel of vacant land.

The second and perhaps most significant factor in the low uptake of the SCA provisions was the COVID-19 pandemic and a subsequent worsening of economic conditions. Amendment No. 63 was gazetted on 12 February 2019 and by 21 February 2020, Western Australia had recorded its first case of COVID-19. On 24 March 2020, Western Australia's borders were closed and remained so until 3 March 2022. During this time, restricted supply chains combined with materials and labour shortages impacted the construction industry, causing costs to escalate significantly. CoreLogic's Cordell Construction Cost Index (CCCI), which tracks the cost to build a typical new home, recorded an increase of 10.2% between March 2020 and March 2021, a peak of 11.9% in 2022, and an 8.4% increase in the 12 months leading up to July 2023⁹. Inflation has also risen during this period, as illustrated by increases in the Consumer Price Index (CPI) (see Table 4 overleaf):

⁹ www.corelogic.com.au

CPI, Year-ended percentage change

Date	All groups Non-seasonally adjusted	Excluding volatile items Non-seasonally adjusted	Weighted median Seasonally adjusted	Trimmed mean Seasonally adjusted
2019/2020				
Sep	1.7	1.9	1.3	1.5
Dec	1.8	1.7	1.3	1.5
Mar	2.2	2.1	1.6	1.7
Jun	-0.3	0.4	1.3	1.3
2020/2021				
Sep	0.7	0.9	1.2	1.2
Dec	0.9	1.5	1.4	1.2
Mar	1.1	1.4	1.3	1.1
Jun	3.8	3.1	1.5	1.6
2021/2022				
Sep	3.0	2.5	2.2	2.1
Dec	3.5	2.6	2.6	2.6
Mar	5.1	4.0	3.4	3.8
Jun	6.1	5.3	4.4	5.0
2022/2023				
Sep	7.3	6.7	5.0	6.2
Dec	7.8	7.6	5.7	6.9
Mar	7.0	7.3	5.9	6.6
Jun	6.0	6.5	5.5	5.9

Sources: ABS Cat No 6401.0

Table 4. CPI, Year-ended percentage change September 2019 to June 2023¹⁰

¹⁰ <https://www.rba.gov.au/inflation/measures-cpi.html>

Similarly, lenders' interest rates have increased, approximately doubling in the last 12 months (see Figure 15 below).

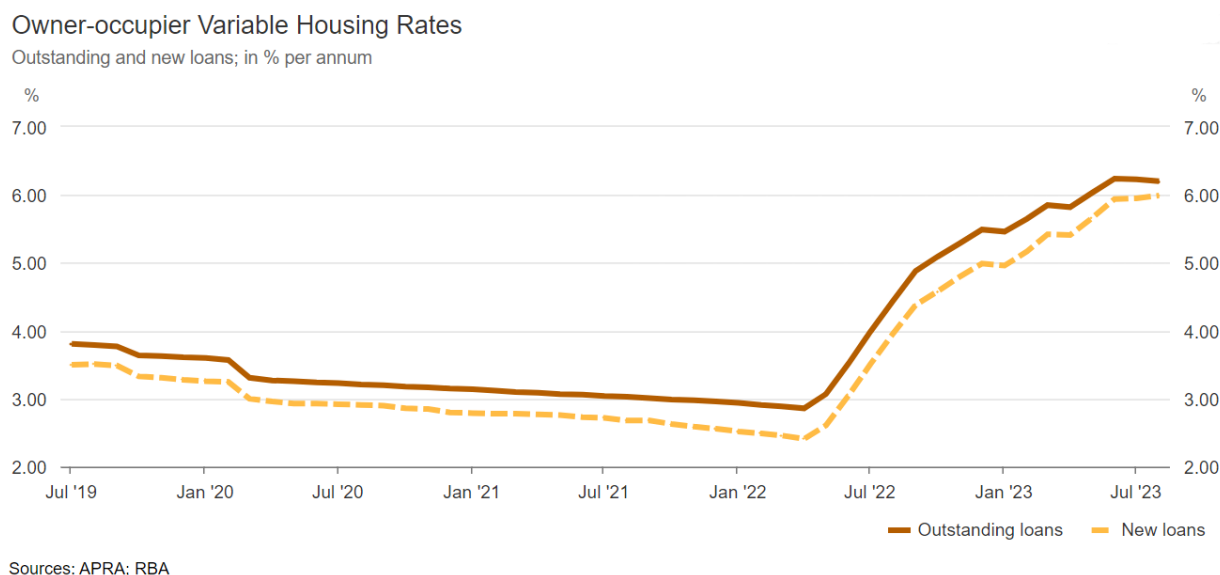


Figure 15. Owner-occupier Variable Housing Rates July 2019 to July 2023¹¹

It is therefore reasonable to assume that the relatively low uptake of the SCA provisions may be the result of increased costs and reduced borrowing power.

5.0 Conclusion

It is considered that the SCA provisions for small infill development were thoroughly researched and well-designed, though unfortunately, while they have delivered a small number of successful projects, they have not met their potential. However, they were only in place for one year prior to the onset of the COVID-19 pandemic and it is likely that the restrictions put in place during the pandemic and subsequent worsening of economic conditions has curtailed their uptake significantly, as evidenced by the general downturn in development activity during this period.

The purpose of this amendment is to extend the SCA provisions for small infill development for a further seven years, in the hope of increasing the diversity and in turn sustainability and vibrancy of Fremantle's suburban areas to meet state and local strategic planning goals, as well as allowing time to comprehensively review the provisions, LPP 3.20, and explore whether the SCA could be expanded and the development pathway streamlined. This amendment would deliver an increased amount of moderately sized new dwellings within

¹¹ <https://www.rba.gov.au/statistics/interest-rates/>



the existing residential suburbs of Fremantle, thereby meeting a demand for smaller, more centrally located housing that is more environmentally responsible, whilst still being appropriate to its setting.



PLANNING AND DEVELOPMENT ACT 2005

CITY OF FREMANTLE

LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 87

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- Amending sub-clause 5.7.7: *"Clause 5.7 and associated sub-clauses shall cease to have effect on the date of the twelfth anniversary after publication in the Gazette of the amendment introducing those provisions into the scheme."*



FORM 6A

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Fremantle at the Ordinary Meeting of the Council held on the 22nd day of November 2023.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Fremantle at the Ordinary Meeting of the Council held on the 22nd day of November 2023.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER



COUNCIL RECOMMENDATION

This Amendment is recommended for support, subject to modifications, by resolution of the City of Fremantle at the Ordinary Meeting of the Council held on the XXth day of XXXX 20XX and the Common Seal of the City of Fremantle was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
**DELEGATED UNDER S.16 OF
THE P&D ACT 2005**

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....



Appendix 1

Fremantle Housing Diversity – Report on a proposed amendment to LPS4 to stimulate housing diversity – July 2014 – AUDRC

Fremantle Housing Diversity

AUDRC collaboration^{II}

Report on a proposed
amendment to LPS 4 to
stimulate housing diversity



Anthony Duckworth-Smith
Dinis Candeais
Ana-Maria Velasco Munoz

Title: Fremantle Housing Diversity

AUDRC collaboration^{II}

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Folio (extra folder with A3 plans landscape, scaled down plans in report)

Appendix

Summary

The City of Fremantle, like all local governments in the Perth Metropolitan area, must strive to meet targets to supply additional housing in the form of urban infill or intensification.

There are a number of different ways in which this could be achieved either through higher density development in existing city centres, the re-purposing of obsolete or under-utilised land or the piecemeal intensification of existing residential areas. Given the predicted population growth it is generally acknowledged that to meet the requirement for a compact city all of these approaches will need to be pursued.

This report is concerned with the role of the existing residential areas, and in particular what may be termed the suburban areas, of the City of Fremantle in supplying additional housing.

The majority of the City's residential areas could be classified as suburban (less than R30 zoning), and most of these lots contain a single dwelling and are not able to be subdivided under current planning controls which would achieve additional infill housing supply.

The traditional mechanism for achieving infill in these locations is to rezone precincts to allow subdivision. There are problems however with

the qualitative outcomes of this mechanism in existing suburban areas. The report presents an analysis of these shortfalls using a framework of design principles for residential development adopted from current state planning and design policy as well as referring to the stated objective of providing greater diversity of housing supply in residential infill.

The key 'gaps' identified include:

- a lack of diversity of housing size
- poor quality of open space
- an erosion of streetscape quality
- clearing of mature vegetation
- reduction in permeable ground

Based on this analysis the report informs a proposed amendment to the local planning scheme to encourage more appropriate forms of infill development in suburban areas compared to that which would be achieved through conventional methods of rezoning.

The study then tests the proposed amendment against typical single lot configurations, varying key controls to optimise the performance against the design principles and achieve a balance of residential amenity, environmental performance and development feasibility.

The key findings make final recommendations with regards to the key controls notably:

- Open Space requirements across the site be increased to 60% to manage building bulk in the suburban context.
- A Deep Planting Zone/s be established which must comprise at least 15% of the site area with a minimum dimension of 3m to encourage the retention and planting of mature vegetation and generally provide better quality amenity and environmental outcomes.
- 50% of the Deep Planting Zone area must be provided on the rear of the development site acknowledging the open nature of these portions of lots in many suburban areas and the prevalence of mature trees.
- Confirmation that a control stipulating a maximum dwelling size of 120m² (plot ratio area) seems appropriate in encouraging diversity.
- A maximum (and minimum) of 1 on-site car parking bay per dwelling including any existing dwelling which strikes a balance between allowing on-site parking provision without compromising the development feasibility or the environmental and amenity benefits afforded by the Deep Planting Zone.

Although the testing has been substantial it is apparent that further work should be undertaken prior to the adoption of the proposed controls. The implications of the proposed amendment on vacant sites needs to be further explored. Given the efficiencies available in site planning on vacant development sites it may be that the regulations promote demolition of existing dwellings and amalgamation of sites in existing suburban areas which could substantially impact the character of these locations.

Alternative provisions may be necessary where an existing dwelling is not retained.

Additional improved performance could also be achieved through increasing the Deep Planting Zone requirement to at least 20%. Although this may be relatively easy to accommodate on the vacant site scenarios it would potentially hinder feasibility of the other case studies and would only be possible if on-site parking was further reduced.

This reduction be achieved if a portion of the on-site parking requirement could be provided within the street verge at the front of the site. In order for this to be acceptable though it is likely that design guidelines would need to be prepared to manage the quality of these spaces to avoid untidy outcomes as well as capitalise on the opportunity this would provide to include community benefits within these overlooked and underutilised public spaces. Such benefits could be related to beautification, shade, communal use, productive gardening, and traffic calming.

Current mechanisms and regulations do not promote wholly appropriate responses for residential infill in suburban contexts. The study has confirmed that controlling Open Space and on-site parking as well as the establishment of a Deep Planting Zone and maximum dwelling size could be an effective way of managing infill in suburban areas to achieve performance against widely accepted and contextually appropriate design principles. With minor modifications determined through the testing presented in this report, and some further investigation of vacant lot scenarios, the proposed amendment promises to go some way toward achieving more diverse infill housing in the suburban areas of the City of Fremantle.

/ Introduction

From the IJPSA⁸
/ Introduction

At the City of Fremantle's Ordinary Meeting of Council on 15 January 2014 council recommended that the city prepare a set of planning provisions to allow for the development of moderately sized housing within existing residential areas in the City. This recommendation was in recognition of Fremantle's need to provide a greater diversity of housing choice as well as increase its infill dwelling numbers to meet strategic planning goals. The form of the new planning provisions is a proposed amendment to Local Planning Scheme No.4 (LPS 4) with accompanying design guidelines.

The objective of this study is to test and refine the spatial outcomes of the proposed amendment, offer advice on their implications and make recommendations related both to the regulations contained in the planning scheme amendment and accompanying design guidelines.

How can existing planning controls be modified to achieve contextually appropriate diverse infill housing in suburban areas of Fremantle?

// Background

Strategic Context

Perth is experiencing rapid and sustained population growth. It is acknowledged, for various reasons, that Perth needs to increase the proportion of new dwellings provided as urban

Fremantle LPS4 10
// Background

infill as opposed to greenfields suburban expansion.

In recent years infill across Perth has provided for approximately 30% of new housing whilst the current state strategic planning policy Directions 2031 seeks to increase this figure to 47%. Accordingly the Western Australian state government has assigned residential infill targets to local government areas. The City of Fremantle has been charged with providing an additional 4120 dwellings over the next 25 years and there is evidence to suggest that this figure may increase beyond this horizon. This figure represents an additional 35% of the existing number of dwellings in the local government area.

The Department of Housing in its Affordable Housing Strategy recognises the need for a

greater diversity of housing across the Metropolitan area. Key planning challenges are instrumental in the delivery of this strategy. There is a direct acknowledgement of the need to give greater emphasis to the diversity of size, nature and choice of dwellings offered in the marketplace:

'By providing more choice, better aligned to the needs of smaller households, the number of affordable entry points (and affordable living opportunities) can be increased for those on lower incomes. The government will therefore work with industry and local government to facilitate demonstration trials and offer more choice in local housing solutions and alternatives.' (Department of Housing (WA), 2010, p30)

The City of Fremantle's Strategic Plan 2010-2015 is consistent with these state directives acknowledging as a key outcome the need to provide *'more affordable and diverse housing for a changing and growing population'* (City of Fremantle, 2010, p8)

There is a requirement for the City of Fremantle to provide substantial numbers of infill dwellings to meet strategic goals, but in addition a

clear directive that a greater diversity of dwelling types is also required. There are a variety of ways in which additional infill housing can be encouraged through planning mechanisms, broadly:

- the stimulation of high density residential projects such as apartment complexes in new or existing city centre or mixed-use locations,
- rezoning of derelict or obsolete land uses for residential development – for example former industrial land (brownfields)
- urban infill of existing suburban fabric – greyfields regeneration

It is generally recognised that to meet the strategic targets of infill dwelling numbers and housing diversity all of these mechanisms will need to be employed. This study is however concerned with the residential infill opportunities presented by the latter case - the existing suburban fabric.

Fremantle Context

The City of Fremantle is a local government authority in Western Australia with a population of around 30,000 people, situated on the coast and part of the metropolitan area of Perth. It comprises the main port of Perth - Fremantle Port, and is the original site of European settlement in Perth.

There was a strong tradition of overseas immigrants residing in Fremantle, particularly in the decades immediately after the second world war although it has a less than average share of more recent migrants when compared to Greater Perth (Australian Bureau of Statistics, 2012). The City has a lower proportion of family households as well as an above average proportion of lone person households – a demographic trait which is generally matched overall

by a weighting toward smaller (fewer bedroom) dwellings. Vehicle ownership is generally lower than other metropolitan areas with only 11% of households owning 3 or more cars compared to 18% for Greater Perth and conversely a much higher than average number of single and zero vehicle households. The age profile of the population is skewed toward adults and the elderly when compared to the rest of Perth and a significantly higher proportion of residents with higher education qualifications. With respect to housing type Fremantle has 37% attached dwellings compared to 22% for Greater Perth and 48% for Inner Perth¹.

The net residential site density for Fremantle is approximately 23 dwellings per hectare (dph) which compares to 35dph for Subiaco and 18dph for Belmont (Department of Planning (WA), 2013).

Following the initial creation of town residences and rural dwellings on land grants much of Fremantle's residential expansion occurred from the early 20th century in the form of single dwelling residential subdivisions. By the early 1970's most of the residential areas within the administrative boundaries were developed in this manner. There have been sporadic periods of residential infill in these suburban areas, as with much of Perth, coinciding with the introduction of the GR-Codes in the 1960's and the introduction of survey strata legislation in the mid 1990's. Apart from those suburban lots which have undergone residential infill much of the suburban areas in Fremantle retain their original form of single dwellings on privately owned land.

¹ Inner Perth comprises the suburbs north of the Swan River in an arc extending from Mosman Park to City Beach across to Inglewood and Mt Lawley and comprises 10% of the total dwelling stock of Greater Perth Statistical Area.

Residential development in the existing suburban fabric of Western Australia can be broadly categorised into two groups – areas with zonings of R30 (30 dwellings per hectare – site density) and greater and zonings below R30. Although, as will be discussed later, this figure marks a threshold between alternative planning provisions, it is also a useful qualitative boundary between conventional and transitional suburban fabric. 74% of the residential lots in the City of Fremantle are zoned below R30 and of these 92% are zoned either R20 or R252. This study generally concentrates on these areas, as they represent the bulk of the suburban lands within the City. When the term suburban areas or suburban infill are used in this report they refer to areas zoned below R30.

Fremantle LPS4 ¹²
// Background

Residential Development Context

Residential development is regulated through State Planning Policy 3.1 - the Residential Design Codes (the R-Codes). Grouped and Single dwellings are permitted in all residential areas whereas Ancillary dwellings are limited to areas zoned beneath R30. The City of Fremantle however also has special local provisions related to the development of Ancillary dwellings which permit this type of development in most residential areas. In areas coded R30 and above additional provisions to encourage Multiple dwellings³ are contained within SPP 3.1 recognising the transitional nature of these

2 Split zonings are taken as their lowest value for all bulk calculations and reporting.

3 Multiple dwellings generally refers to any development where the floor area of one dwelling is located vertically above the floor area of a separate dwelling.

zones⁴.

Strata title legislation also impacts on the attractiveness of certain types of residential development. Changes to the Strata Titles Act in 1996 permitted the creation of survey strata lots that were more akin to green title lots. Survey strata subdivision typically results in the creation of two separately owned lots in battle-axe or split lot configurations. This has proven to be an attractive choice for many landholders and prospective property buyers. It allows existing owners to relatively easily capitalise on the equity in their property, remain in place and avoid the complications of dwelling construction and development. It also allows a prospective owner much greater flexibility and independence from the owner of the 'parent' lot. This is why single dwelling strata subdivisions may be preferable in areas where higher yield housing forms are technically possible.

Grouped & Single Dwellings

Grouped and single dwellings are subject to minimum site area per dwelling requirements which limit the overall number of dwellings that can be provided on a given land area. Their development is encouraged however through a reduction in this area per dwelling as density zonings increase. For example in an R25 zone the average minimum site area per dwelling is 350m² and for R60 it is 150m². A 900m² lot zoned R25 is therefore only technically capable of yielding 2 dwellings in either a standalone or grouped configuration whereas the same size

4 The Department of Planning has proposed to amend the threshold of multiple dwellings provision to R40 in response to concerns from local governments concerning the unsuitability of multiple dwelling housing typologies and the pressure these place on existing infrastructure in what are essentially suburban areas coded R30 and R35.

lot zoned R60 could yield 6 dwellings in these configurations or a combination thereof.

In density zonings below R30 residential development usually comprises single dwellings on freehold or survey strata subdivided lots if subdivision is permitted. Greyfields suburbs (such as Fremantle) are typically of moderate to high land value, and therefore homebuilders generally seek to maximise the allowable building envelope and hence return (floor area). This tends to favour the construction of larger single homes.

Where subdivision is permitted the frontage dimensions of lots within these zoning areas tend to promote a battle-axe configuration of survey strata subdivisions rather than a lot split lengthwise.

In density zonings beyond R30 grouped dwelling configurations can become increasingly attractive, as a form of residential development, over single dwellings, as they offer greater efficiencies in site planning and construction. Similar to the comments above for single dwellings, land values in Fremantle tend to promote maximum yield (floor area). The emphasis is generally therefore again on constructing the largest possible dwelling and maximising the building envelope to achieve this.

For both of these circumstances the push to maximise building envelope combined with the setback, overshadowing and height regulations of the R-Codes; as well as construction efficiency factors of the residential sector, tend to produce large footprint, double storey buildings which are located centrally on the lot. Figure 1 shows with the aid of aerial photography, examples of recent forms of these developments from within the City of Fremantle. These examples illustrate the change in the built form resulting from new single homes and the strata

subdivision of single and grouped dwellings. The pattern of large footprint buildings is clearly evident.

Multiple Dwellings

In residential areas zoned R30 or greater recent amendments to the R-Codes also attempt to encourage residential development through a mechanism of plot-ratio control of Multiple dwellings. This provision was introduced to permit greater flexibility in the size and type of dwelling design and hence encourage the supply of more diverse housing. It essentially allows a permitted plot-ratio floor area to be assigned to dwelling sizes as and how the proponent sees fit. Limitations on the size and mix of dwellings only occur for developments which contain more than 12 dwellings.

Owing to the relative newness of the regulations the form of development resulting from these provisions are yet to be fully understood. It is evident that built envelope maximums similar to grouped housing will be pursued as proponents will be trying to maximise yield. In addition identical height, setback and overshadowing regulations to grouped and single dwellings apply so it is likely that the footprints and general bulk of building will be consistent. The implications of these controls generally on built form aspects will therefore be similar.

This regulation has the ability to introduce different sizes and increased numbers of dwellings than that which would be ordinarily provided under the practice of single and grouped dwellings. Additional impacts would therefore relate to the introduction of a new or potentially several new housing types which cater to multiple dwelling arrangements (such as gallery access apartments), and such aspects as increased requirements for on-site car parking

and vehicle manoeuvring.

Ancillary/Secondary Dwellings

Another more recent mechanism of development which applies specifically to all residential zones within the City of Fremantle is the provision of small secondary dwellings as per Council's planning scheme amendment of 2012. This amendment allows a single small dwelling (generally <70 m² floor area) to be constructed without additional on-site parking although there is no separate title created. It is designed to allow small accessory dwellings for private rent or occupation by family members. A similar mechanism of allowing ancillary dwellings is now a feature of the R-Codes however this only applies to residential zonings under R30, is limited to lots over 450m² and requires on-site parking.

Fremantle LPS4 ¹⁴
// Background

The small secondary dwelling legislation introduced by the City of Fremantle can be applied irrespective of zoning in residential areas within the city. The provisions set maximum floor areas and height limits which essentially limit construction to a single bedroom dwelling. These limits confine the scale of the secondary dwelling. In practice this results in a relatively small single storey footprint building located in a vacant open space, typically a backyard.

Fremantle Infill Context

In Fremantle a large proportion (74%) of the city's suburban residential areas are zoned less than R30. In addition only 25% of these lots are large enough to be able to be subdivided under survey strata legislation. In practice this proportion would be substantially reduced by

the constraints of some of the existing dwellings (such as heritage, recent build, existing strata development or lot dimensions). Therefore there is limited capacity in the existing suburban areas to accommodate residential infill through additional strata subdivision given the current zoning. Subsequently, and in consideration of the limited appeal of small secondary dwelling construction, if the residential intensification of existing suburban areas is to be a significant component of meeting infill dwelling yield in Fremantle there needs to be some action to stimulate this.

Residential infill in suburban areas is typically regulated through zoning control of the Local Planning Scheme in conjunction with the R-Codes. Traditionally infill would be achieved in these areas by rezoning precincts to higher residential densities, such as R30, which would encourage more widespread survey strata subdivision (eg battle-axe lot creation) and the also the possibility of grouped housing. In addition, with the recent amendments to the R-Codes, this up-zoning would introduce the possibility of multiple dwelling designs under plot-ratio control. Small secondary dwellings are also still permitted on a large number of lots within suburban areas however their attractiveness is curtailed by the inability to create a separate title.

The popularity of the multiple dwelling provisions as a form of infill in these suburban areas with developers remains relatively untested. In addition anecdotal evidence from local authority planning officers (Department of Planning WA October 2013) would suggest that there is strong resistance from the community and local authorities to these types of housing at zonings of R30 on the grounds of traffic and character impacts. As a result it is likely that

this threshold will be increased to R40 in the near future (Director General DGP, 2014).

Therefore, given the current regulatory controls, the effect of applying conventional methods of rezoning to existing suburban areas to promote infill will more than likely encourage survey strata subdivision by existing owners and/or the development of grouped housing models. As discussed this leads to large homes of two storeys placed centrally on lots. Examples of these outcomes from within the City are presented below (1).

This could be termed the conventional approach to infill in suburban areas. Whilst this mechanism broadly achieves an increase in the numbers of dwellings it is not without criticism related to the impacts of such form on key design principles.



1
Typical suburban infill patterns in Fremantle resulting from conventional zoning control

/// Methodology

The need for substantial numbers of infill dwellings in Fremantle has been established through review of current State planning policy, and the role of existing suburban areas in helping to achieve this target has been identified.

Fremantle LPS4 16
/// Methodology

The lack of opportunities for infill development in these suburban areas, under existing planning provisions, has been qualified and hence the need for additional action established. The conventional method of stimulating urban infill – rezoning, has been discussed and the likely form of infill development that would result from implementing this mechanism has been determined.

It is acknowledged that this form of infill is generally unsupported by the local authority as the results are not considered contextually appropriate. This means that some other action is required if infill development of suburban areas is to take place.

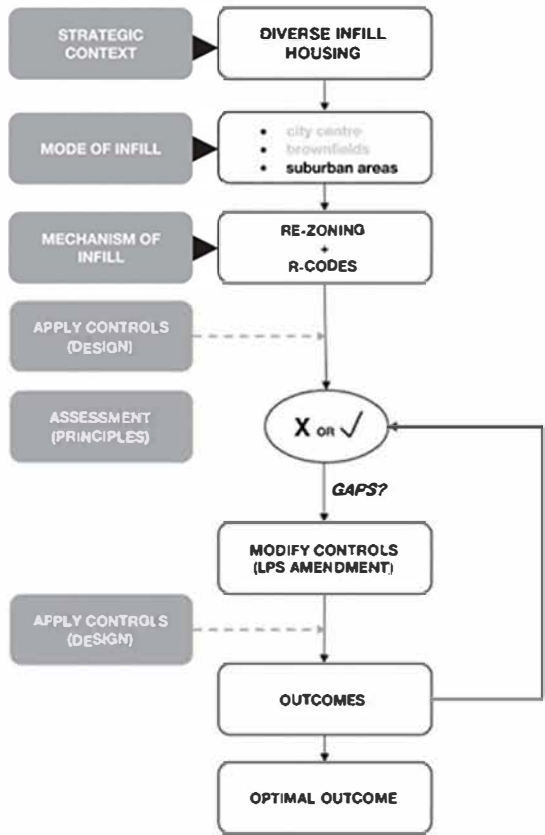
The study attempts to identify the reasons for this lack of support through analysis of the resulting form of development from this conven-

tional approach. An analytical framework is developed around key performance objectives of residential development as established by the R-Codes. The planning and design principles that contribute to performance against these objectives are scrutinised with particular reference to the context of achieving diverse residential infill development in suburban areas. Any shortcomings of performance against the design principles, evidenced from analysis of the typical built form outcomes, are identified. These performance gaps, and the planning and design criteria that address them inform the basis of the proposed amendment to the LPS.

The specific controls of the proposed amendment are then tested and refined through an iterative design process. Firstly typical sites for analysis are selected. A process of testing is then undertaken by preparing preliminary building envelopes based initially on current design regulations. These envelopes are then modified according to the additional controls of the proposed amendment which relate to improved performance. Variations to the controls specified by the amendment are then investigated in

terms of their impact on the design principles and also consideration of development feasibility. This process enables a refinement of the design to optimise the overall performance which in turn informs the development of the final details of the proposed controls and hence amendment. A diagram illustrating the general study process is shown on figure 2.

2
Study methodology chart



//// Analysis

Analytical Framework

How is the performance of any infill strategy, existing or proposed, to be assessed?

There is reluctance by local authorities to simply apply the traditional mechanism of achiev-

development in Western Australia using key objectives and establishing under these design principles. When suburban sites undergo infill using these regulations however it is evident that key areas of performance against these objectives, are neglected.

The majority of suburban residential areas in Fremantle which have not undergone strata subdivision, retain much of their valued suburban character - homes address the street, mature vegetation and trees occupy the front setbacks and backyards and stormwater infiltrates into local water tables through relatively natural soil profiles (3).

Fremantle LPS4 18
//// Analysis

ing infill by 'up-zoning' portions of existing suburban areas and applying the R-Codes. In the context of suburban residential infill this approach does not promote built form outcomes which are widely supported by professionals, the community and the local authority.

The R-Codes provide the broad framework for regulating the performance of infill residential

To more effectively gauge the performance of infill in suburban areas the analytical framework

Performance Objective	Simple Description	Regulatory Framework
Context	To meet reasonable community expectations in regard to appearance use and density	R-Codes
Streetscape	To contribute to the character of streetscapes	R-Codes Fremantle LP Policy 2.9
Site Planning	To optimise functionality, privacy and protect neighbours amenity	R-Codes Fremantle LP Policy 2.10
Building Design	To optimise comfort, streetscape and protect privacy	R-Codes

11
Key performance objectives and regulatory frameworks

needs to identify the key qualities of the residential environment that are overlooked by the current regulations. These gaps can then be used to propose more appropriate regulation or a suburban infill context.

It is not the intention of the amendment to substantially change the existing regulatory framework but to augment it to better cater to the circumstance of suburban infill. The study therefore adopts the broad planning and design objectives for residential development set out by the R-Codes. The key objectives in the R-Codes and relevant existing regulatory policies are shown in table 1.

These objectives are further described within the R-Codes in terms of design principles. These design principles form another part of the analytical framework. These are adopted but may need to be augmented if they fail to provide acceptable performance in the context of achieving diverse residential infill in the suburban areas of the City of Fremantle.

Analysis

Research undertaken by AUDRC has highlighted specific changes to suburban areas which have been subject to conventional methods of infill through rezoning. Planning provisions which have allowed the development of single

dwelling and grouped housing schemes on existing suburban lots through rezoning have in many instances yielded between double and quadruple increases of dwelling density on these lots. Analysis of some of the spatial outcomes at the scale of the street (4) show that the typical form of infill realised under this blanket planning control approach has the following spatial impacts:

- a halving of tree canopy cover,
- a doubling of roof area
- a doubling of paved driveway area; and
- a doubling in crossover area (loss of foot-path).

At the scale of the individual lot (5) further implications of this form of infill can be understood:

- large increases in the areas of unusable residual space (up to nearly 10% of the site area)
- substantial decreases in private and semi-private garden & living areas (reduced by over 75% per dwelling)
- concomitant increases in paved areas for vehicle circulation and parking (increased over three times)

Whilst it is apparent that there needs to be some trade-off in areas as infill automatically reduces the land available at ground area per dwelling the research shows some key find-



3
Typical suburban block in Fremantle which has not undergone infill



1985

From the LPS4 20
 /// Analysis

4
 Analysis of key spatial outcomes of typical conventional suburban infill at the street scale



2013

Surface analysis (1985)

	Area (m ²)	Ratio (%)
Study Area	23.500	
 Building Footprint	4070	17.3%
 Driveway Area	1572	6.7%
Crossover Area	295	1.3%
Number of Crossovers	18	
 Residual Areas	309	1.3%
 Tree canopy	1572	6.7%
Number of street trees	15	
Number of Lots	17	
Number of Dwellings	26	
Density (dph)	11	
Site Cover	17.3%	

Surface analysis (2013)

	Area (m ²)	Ratio (%)
Study Area	23.500	
 Building Footprint	7495 (-3474)	31.9% (-14.6%)(-84%)
 Driveway Area	3146 (-1574)	13.4% (-6.7%)(-100%)
Crossover Area	541 (-746)	2.3% (-1.1%)(-83.3%)
Number of Crossovers	22 (-7)	
 Residual Areas	621 (-312)	2.6% (-1.7%)(-100%)
 Tree canopy	801(-771)	3.4% (-3.3%)(-50.9%)
Number of street trees	13	
Number of Lots	45	
Number of Dwellings	53	
Density (dph)	24	
Site Cover	31.9% (+14.6	

	Area (m ²)	Ratio (%)
Study area (a)	990	
 Courtyard	-	-
 Atrium	-	-
 Yard	85	8.5
 Front Yard	90	9.0
 Residual spaces	85	8.5
 Vehicles : Circulation	225	22.7
Parking	109	11.0
Total	334	33.7
 Communal spaces	-	-
 Building footprint (b)	505	51.0
Usable open space (c):	485	
Plot ratio area (d):	620	
Site coverage (b/a):	0.50	
Plot Ratio (d/a):	0.65	
Open space intensity (d/c):	1.27	
Density:	30 dph	

ings:

- a large increase in impermeable hard surface (paved areas and hard roof)
- a proliferation of unusable private and common areas and a reduction in private open space; and
- a disproportionate increase in area for vehicle parking and manoeuvring

The designs that have been analysed comply with the general controls stipulated by the R-Codes to meet the design principles. The analysis would suggest however that certain spatial qualities of suburban precincts are being excessively eroded through this form of infill. These impacts are evident at the lot, street and neighbourhood scale and have been reported by others both in a Western Australian and national context (Brunner and Cozens, 2012, Hall, 2010).

From the LPSA ²⁴
//// Analysis

What then are the performance objectives of the R-Codes that cover these spatial impacts? – and where are the gaps in the design principles in achieving contextually appropriate and diverse infill housing in suburban areas? The study now investigates these objectives and the relevant design principles to examine how current regulation operates in addressing the strategic objectives of the study and the spatial impacts which have been identified through research.

Context

The R-Codes regulate this objective through specifying building density, building footprint and permissible envelope.

Context - Site Area – Density

Currently the design principles regulate den-

sity in suburban areas through minimum site area per dwelling which controls the number of dwellings that can be achieved on a given site. This form of control does achieve increases in infill in suburban areas however typically restricting this yield to a doubling of dwellings per lot when applied in the conventional manner through rezoning. The alternative control of density by plot-ratio has the potential to allow an increased number of dwellings to be provided within a similar building envelope to that prescribed under minimum site area per dwelling control. Therefore plot-ratio control would be favoured based purely on the greatest potential for yield of infill dwelling numbers.

Context - Site Area – Diversity

Under this objective of the R-Codes there are no specific provisions for housing diversity in suburban areas. As discussed the existing provisions and rezoning mechanism tend to promote the form of infill as larger floor area (3+ bedrooms) strata subdivided single and grouped dwellings in these areas. A strategic objective of the proposed amendment is to encourage variety in the size of dwellings supplied through infill – studio, one-, two- and three bedroom dwellings in infill in suburban areas. Clearly the current mechanism of regulation does not promote this diversity.

The use of plot-ratio control, as opposed to minimum site area per dwelling, however is a mechanism which is often suggested to encourage the supply of greater housing diversity and numbers of infill dwellings. This allows a gross yield of floor area within a restricted building envelope to be divided into whichever way either a project proponent or regulating authority prescribes. For example an authority may mandate a minimum number or percentage of certain dwelling sizes to achieve a mini-

mum level of diversity in projects.

Therefore some form of plot ratio control of development as opposed to minimum site area per dwelling, combined with some regulation concerning the size of dwellings would appear the most appropriate method of encouraging housing diversity.

Context - Open Space

The Open Space requirement is fundamental in controlling some of the poor spatial outcomes presented in the research evidence of conventional forms of infill. Open Space, by definition in the R-Codes, can be comprised of driveways and vehicle manoeuvring areas which tend to have limited functionality for residents. Careful control of this design element can also have positive spatial outcomes with regard to resident amenity and the impacts of built form at a neighbourhood scale. Currently Open Space is set at 50% for areas zoned R20 to R25. It may be necessary to test the feasibility of increasing open space provisions to offset additional built areas that result from infill.

Streetscape

Both the R-Codes and the Local Planning Policy 2.9 address key streetscape elements such as the location, extent and design of garages and carports and the manner in which buildings present to the street.

Streetscape - Garage Width

It is apparent from the research evidence is that in many instances strata subdivisions can lead to a proliferation of driveways and driveway width increases, which impact on the pedestrian amenity, retention of street trees and general appearance of the street as existing and new developments seek new crossovers of varying dimensions. There could clearly be some consideration of this impact in additional

regulation concerning infill in suburban areas.

Site Planning

Under this objective the R-Codes seek to generally optimise the functionality, environmental performance and amenity of the site and neighbouring areas.

Site Planning - Landscaping - Trees

Whilst the R-Codes provide some guidance on the requirement to retain mature vegetation in communal areas there is no incentive for this on private open space. In addition there is no requirement for any communal open space to be provided and therefore currently the regulation is unlikely to be enacted.

The analysis highlighted the loss of mature vegetation and trees as a feature of suburban infill. Trees and mature vegetation are substantial components of the character of suburban areas and whole suburbs can often be identified by the nature and extent of mature plantings (Pittendrigh, 1992). In addition these features can contribute to health and well-being (Moore and Sykes, 2009) as well as improving the aesthetic quality of residential environments (Ingham, 1992, Lennox-Boyd et al., 2002, Jim, 2004, Kowarik and Komer, 2005). People develop positive associations with trees; they provide a locus for memory (Dwyer et al., 1991). Mature vegetation can contribute to feelings of neighbourhood attachment which contributes to a resident's satisfaction with their residential environment encouraging stewardship and social and community engagement (Low, 2005, Kuo and Sullivan, 2001, Williams, 2005).

Mature vegetation and trees are substantial components of the character and quality of existing suburban neighbourhoods. If their retention and growth is to be supported then additional provisions will be required concerning

the allocation of private open space areas in infill development sites suitable to achieve this as well as possible planting quotas of suitable species

Site Planning - Landscaping - Microclimate

There are a number of aspects which can be considered under this criteria – urban heat island effect, passive cooling, natural ventilation and air quality, Urban Morphology, surface materials, albedo, impervious surface cover and water availability are all interrelated variables which effect heat adsorption and retention in residential areas (Coutts et al., 2009). At more local scales mature trees and vegetated permeable ground as well as retaining urban water have been shown to have substantial impacts on reducing heat adsorption and controlling air temperatures through shade and evapotranspiration (Brown et al., 2013). This research

Fremantle LPS4 26
//// Analysis

suggests that encouraging the retention and planting of mature trees and vegetation as well as promoting permeable ground areas are key strategies in managing microclimates in suburban infill locations.

As discussed there is little regulation in the R-Codes or local planning policy to encourage or enforce the retention of trees or the establishment of permeable ground. In many instances of suburban infill in areas such as Fremantle the majority of mature trees are removed and the open space areas remaining after construction are residual and insufficient to effectively accommodate tree planting and water infiltration and retention strategies. Policies which mandate the inclusion of an appropriately dimensioned Deep Planting Zone have been used in other locations to allow the planting and reten-

tion of trees as well as providing opportunities to increase permeable ground (Parramatta City Council, 2011, New South Wales Government, 2002, Tweed Shire Council, 2008). Deep Planting or Deep Soil Zones are areas of soil suitable for the growth of mature trees and may be landscaped but not covered with impervious surfacing and not be located within a carparking area. the provision of such zones would seem appropriate in this context to manage poor microclimate outcomes which can be exacerbated with current design controls. Generally the controls stipulate a minimum site area of between 15 and 30% as Deep Planting Zone in infill locations with a minimum dimension of 3 to 4m. There is additional regulation which stipulates that half of this deep soil zone must be provided at the rear of the site recognising the prevalence and suitability of these areas for existing and proposed mature vegetation and trees.

Site Planning - Parking

The R-Codes tend to stipulate two on-site parking bays minimum per dwelling in suburban areas for the large size of the dwellings (2+ bedrooms) that are promoted through current infill mechanisms. In addition there are no means of limiting or reducing this. On conventional infill sites this creates a dominance of vehicle parking and manoeuvring areas within the open space which can have substantial impacts on other objectives which are critical in supporting the character and quality of the suburban areas. The City of Fremantle has lower car ownership than many metropolitan areas and is generally well serviced by public transport and cycling infrastructure. There are substantially under-utilised areas of local streets potentially suited to accommodating some additional vehicle parking as is



Appendix 2

Fremantle Housing Diversity II – Design based research to refine and inform a proposed amendment to LPS4 – June 2015 – AUDRC

Fremantle Housing Diversity II



AUDRC collaboration

Design based research
to refine and inform a proposed
amendment to LPS4

Fremantle Housing Diversity II

Dr Anthony Duckworth-Smith

AUDRC collaboration

University of Western Australia

AUDRC
Australian Urban Design Research Centre

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/////	Summary

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Appendix C - Development Type C: Micro-homes

/ Introduction

At the City of Fremantle's Ordinary Meeting of Council on 15 January 2014 council recommended that the city prepare a set of planning provisions to allow for the development of moderately sized housing within existing residential areas in the City. This recommendation was in recognition of Fremantle's need to provide a greater diversity of housing choice as well as increase its infill dwelling numbers to meet strategic planning goals. The form of the new planning provisions is a proposed amendment to Local Planning Scheme No.4 (LPS 4) with accompanying design guidelines.

One of the key objectives of the amendment is to try and achieve this infill in a manner which is more sensitive to the qualities of the existing suburban environment than that which would normally happen under current policy and practice. The initial research proposed a number of development standards through which to potentially achieve this.

The objective of this second phase of the study is to work with design practitioners from the local area to further test and refine the spatial outcomes of the proposed amendment, offer advice on their implications and make recommendations related both to the regulations contained in the planning scheme amendment and accompanying design guidelines.

// Design Brief

Vision

To increase the diversity of housing provided in the suburban areas of the City whilst retaining the established form, function and feel of those areas, including open space, amenity, vegetation, and streetscape.

Objective

To test a range of permitted design outcomes of a proposed local planning scheme amendment to stimulate the provision of moderately-sized infill housing in suburban areas in the City of Fremantle.

Method

Three design teams will be asked to prepare a schematic design on a typical suburban lot in Fremantle utilising the controls of the proposed planning scheme amendment.

Each team will be given the same site in a typical Fremantle suburban context and a specified development scenario/typology.

Background

It is generally recognised that the housing supply in Perth needs to offer a diversity of dwellings to

provide for a growing population and changes to household configurations. The average household size in Australia is predicted to decline from 2.6 persons per dwelling currently, to approximately 2.3 persons per dwelling by 2021 (Australian Bureau of Statistics, 1999). Conversely, the average Australian house size (floor area) is amongst the largest in the world, currently sitting at around 240sqm for a new house, which represents a substantial increase from 162sqm in 1984-95.

Perth's housing demand has predominantly been met through low density greenfields suburban expansion. Concentrating new dwellings in this form presents a range of emerging social, economic, and environmental concerns. State strategic planning policy recognises these factors and sets a target of 47% of new housing development to provide for Perth's future population to be provided in the form of infill development.

There are a variety of ways in which additional infill housing can be encouraged, broadly:

1. The stimulation of high density residential

- projects in new or existing city centre or mixed-use locations through zoning ordinance (e.g. Activity Centres);
2. Rezoning of derelict or obsolete land uses and intensities for residential development (e.g. brownfields regeneration, activity corridors); and
3. Infill of existing suburban fabric through rezoning to allow greater dwelling density: 'greyfields regeneration'.

Different local authorities have different opportunities to employ these and it is generally recognised that to meet the strategic targets of infill dwelling numbers all of them will need to be pursued. This project is concerned with the residential infill opportunities presented by the latter case - the existing suburban fabric. The redevelopment of privately owned individual lots in suburban areas to accommodate more than a single dwelling (Western Australian Planning Commission, 2014). This is currently the most popular mechanism for achieving urban infill in Perth accounting for approximately 80% of all infill projects.

The application of this type of infill, utilising current planning and design controls, has in many instances led to a substantial deterioration in the qualities of neighbourhoods and streets. Tree canopy has been (on average) halved resulting in potentially detrimental impacts on health, wellbeing, amenity, ecosystem services, energy consumption and micro-climate. Impervious surfaces and areas devoted to vehicles have increased by 2–3 times, affecting groundwater infiltration and exacerbating urban heat island effects. Usable private outdoor areas are reduced by up to 80% and non-usable residual setback areas are doubled.

In short, although this existing mechanism achieves an increase in density, it makes inefficient use of urban land and exacerbates some poor environmental outcomes.

It is inevitable that there will be some trade-offs as density increases, however it would seem that the current regulation is leading to some very poor quality outcomes when suburban precincts undergo infill through rezoning. The City of Fremantle has a responsibility to accommodate substantial numbers of infill dwellings in the future and a large proportion of its residential land is suburban allotments. With all this in mind AUDRC and the City of Fremantle have been working together to try to answer an important question:

How can suburban infill processes be better managed to encourage contextually-appropriate and diverse housing in suburban areas within the City of Fremantle?

Based on an initial research project into this question by AUDRC, Council adopted principles on which to base an amendment to LPS4, whereby moderately-sized housing (up to 120sqm floor area) would be permitted to be developed in areas zoned R25 and below, irrespective of whether the development meets the minimum and average site area requirements of the Residential Design Codes.

General Development Constraints

All development standards of the Residential Design Codes, Local Planning Scheme No.4, and City of Fremantle local planning policies continue to apply – e.g. boundary setbacks, outdoor living area, building height, visual

privacy, excavation and fill, and overshadowing – unless they are in conflict with the specific development controls of the Scheme and local planning policy amendments.

Attention is drawn to the requirements of Local Planning Policies 2.9 – *Residential Streetscape Policy*, 2.10 – *Landscaping of Development and Existing Variation of Development Sites*, and 2.12 *Planning Applications Impacting on Verge Infrastructure and Verge Trees* as they relate to the objectives of this proposed amendment.

Specific Development Controls

The proposed scheme amendment details key development standards that cannot be varied, relating to such aspects as individual dwelling floor area, open space, and on-site car parking. Additional local planning policy provisions are also proposed. The planning policy provisions will not be as stringent as the scheme amendment (e.g. can be varied within defined parameters) but would still provide for the desired outcome and further protect the existing amenity of an area.

Scheme Amendment Details

The amendment would apply to properties zoned R25 and below. Currently development in these areas is constrained to the minimum site area requirements for single houses and grouped dwellings. Minimum site area requirements do not apply under the proposed scheme amendment and there is no restriction on dwelling type (single, grouped and multiple dwelling arrangements are all permitted).

1. Any new dwelling shall have a maximum floor area of 120sqm (Plot Ratio Area).

A performance objective of the amendment

is to increase moderately sized suburban housing in low density areas. A maximum floor area of 120 sqm is proposed, which would limit dwelling size to a generous 2 bedroom house or modest 3 bedroom dwelling.

2. A minimum of 60% open space – as defined by the R-Codes – shall be provided over the entire development site.

Increasing the open space requirement further ensures development is kept to a limited footprint, thereby reducing building bulk and impact on established suburbs.

3. A minimum of 15% of the development site area shall be provided for a deep planting zone (DPZ). These areas shall be:

- Uncovered and not be on top of any structure, with a fully permeable surface and not used for parking of vehicles;
- Planted with soil to a depth of XXcm and contain a retained or planted mature tree such that there is 1 tree for every 25m² of DPZ (tree species and size to Council specification);
- Have a minimum dimension of 3 metres; and
- Be distributed so that at least 50% of the total required area is to be provided on the rear half of the site.

As well as the cooling and shading benefits and other ecosystem services mature vegetation contributes to the character and identity of a suburb and its loss is considered one of the negative impacts of infill development.

4. A minimum and maximum of one car bay shall be provided on-site for each new dwelling.

In the case of an existing dwelling two car

bays (maximum) would be permitted. Existing car bays can be apportioned to new dwellings provided this is practically achievable. Additionally one dwelling would be allowed to require no car parking where that dwelling is no larger than one bedroom/studio size (up to 60 sqm).

5. Visitor parking shall not be provided for developments of less than 5 dwellings.

The general purpose is to reduce the number of car bays required on-site, limiting the visual impact of extensive hard surfaced driveways and parking areas, and allowing some of the surplus parking to be accommodated on-street.

Local Planning Policy

The local planning policy is intended to further address amenity issues. The details of the policy will be informed by this design research exercise, however the following guidance should be utilised in preparing design responses.

1. Built form (bulk and scale) and its compatibility with the predominant building form within the locality and streetscape including:

- Ensuring a strong interaction to the street, including at least one dwelling facing the street where there is common access(es);
- Street setback and form, which would be similar to existing LPP2.9.

2. Design, location, and integration of parking/garages/carports, including:

- Up to 50% of the street setback area permitted for parking;
- Allowing for the use of the existing dwelling parking space for rear development(s);

- No double garage allowed fronting the street (unless existing);
- One single width (3 metres) garage allowed where in line with the dwelling;
- Double width (6 metres) carports allowed, including in front of the dwelling where frontage is 12 metres or greater;
- Single width (3 metres) carports required where frontage is 12 metres or less (as per LPP2.9).

3. Driveway width, construction and turning areas including:

- The minimum width of a driveway to be 2.75 metres;
- The maximum width of a driveway to be 3 metres;
- The driveway to be permeable in construction (unless existing);
- No requirement for on-site turning areas, unless abutting a primary distributor.

4. Reciprocal rights of access over existing driveways and crossovers for new dwellings, including:

- If existing driveway/crossover does not allow access to rear of site then additional crossover permitted subject to a maximum width of 3 metres; and
- In aggregate width of crossovers on lot to not exceed 6 metres.

5. Environmentally sustainable design requirements including:

- Definition or requirements of the deep planting zone including: unpaved, uncovered, minimum dimension, and acceptable planting;
- Water permeable driveways;
- Permeable landscaping of site required;
- Paving and hard surfaces to be limited

(e.g. minimum 50% of front setback to be landscaped);

- Fencing requirements:
- Low and open fencing to retain interaction with the street;
- Fencing up 1.2 metres in height and visually permeable above 700 mm.

Format of process and submission

A design briefing will be held in the research studio at AUDRC on Thursday 16 April 2015, and will be attended by three teams from Fremantle-based design practitioners.

Each team will be given the same site, however allocated a different development/housing scenario to undertake, utilising the proposed amendment controls and bearing in mind existing planning and design policies.

AUDRC will administer the design process and provide materials and resources as needed. Site Plans and street elevations - both digital & printed - at 1:200 scale will be provided.

The format of the design briefing will be:

10am – 10:30am:

Introductions (City of Fremantle, AUDRC)

10:30am – 11:00am:

Site details and proposal development scenarios (AUDRC)

11:00am- 11:45am:

Feedback and discussion (All)

11:45am-12:00pm:

Confirmation of work packages

Design Scenarios

It is proposed that each team will be given a

different development scenario to test permitted responses. The three scenarios proposed are:

- Retained single dwelling with rear development;
- Vacant site with 'maisonette' or 'apartment house';
- Vacant site with 'micro home' village.

The appendix attached to this brief demonstrates examples of each of the development scenarios.

Outcomes and Deliverables

Each team will be responsible for delivering at least one sketch design. AUDRC will provide digital base plan and street elevation drawings. The participants will be responsible for providing the following documentation:

1. Project description (up to 300 words): including key built form elements and how integration with the suburban context is managed.

2. Project details/calculations:

- Site area;
- Dwelling yield;
- Dwelling type;
- Plot Ratio Area breakdown;
- Density (DPH);
- Plot ratio;
- Parking yield;
- Open space areas;
- Deep planting zone (DPZ) areas.

3. Drawings (AutoCAD format):

- Site Plan: 1:200;
- Typical Floor Plan: 1:200;
- Basic Street Elevation: 1:200;
- Outline elevations to allow AUDRC to generate digital massing model.

Following the design briefing participants will have two weeks to finalise the sketch designs and submit their proposals to AUDRC (by 1 May 2015).

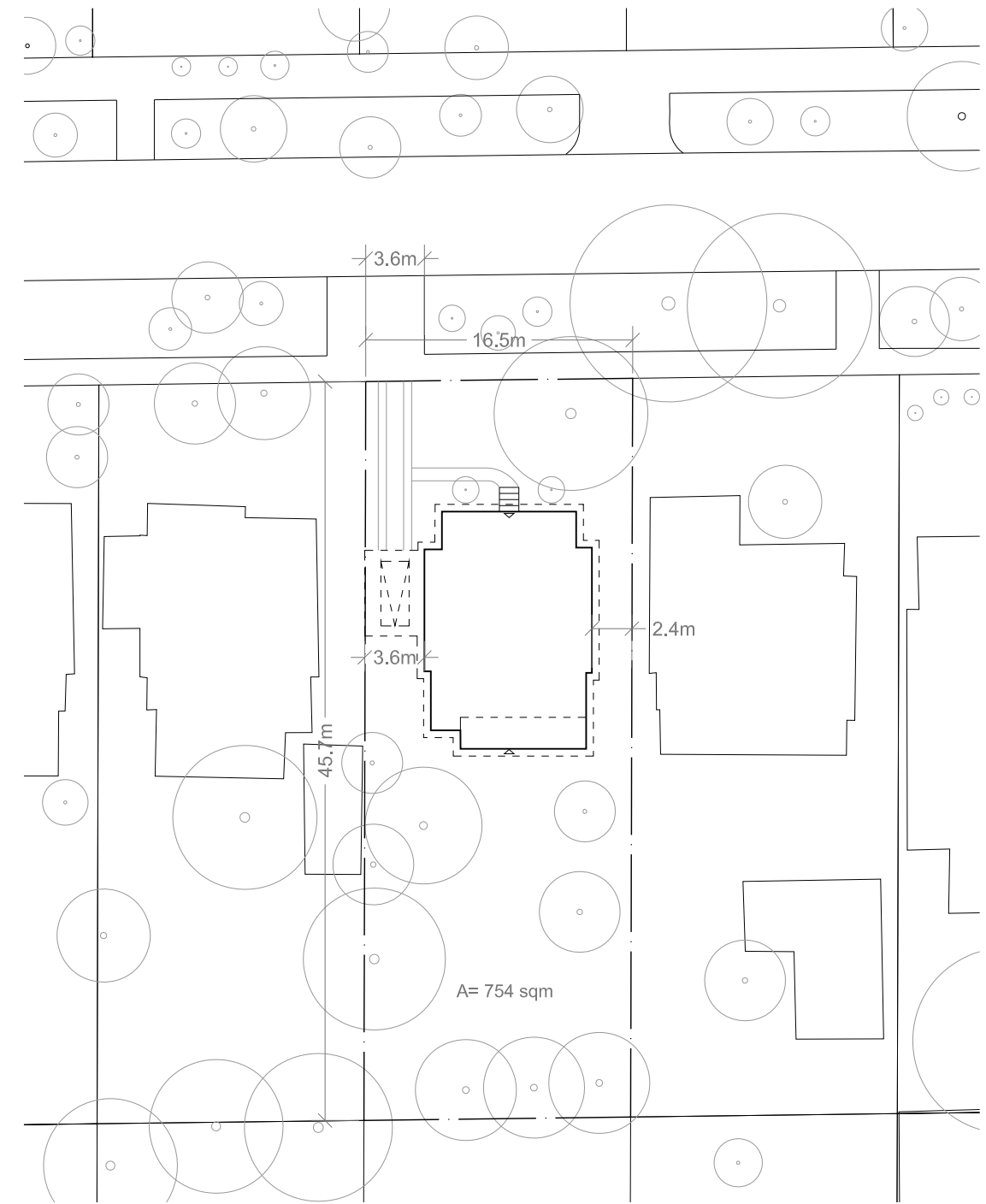
Submissions and project methodology will be collated, standardised and presented to the City of Fremantle in a brief summary report authored by AUDRC. Attributions of design authorship of the individual teams will be presented and retained in all publications.

Design teams:

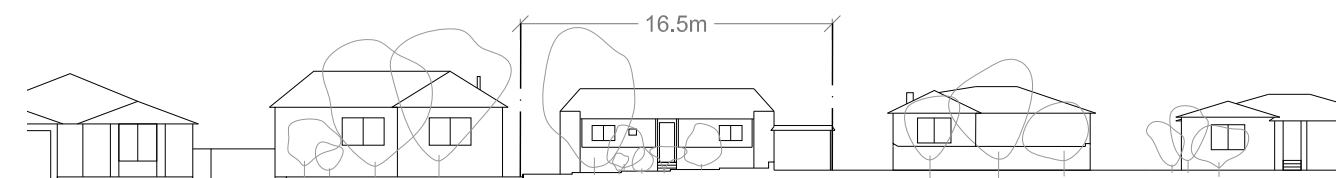
- David Barr Architects (Team A);
- Bernard Seeber Architects (Team B); and
- Officer Woods Architects (Team C).

/// Site details

The site represents a typical single dwelling on a level suburban lot in the City of Fremantle. The orientation will allow participants to maximise the built form envelope whilst the presence of existing trees will inform site planning decisions.



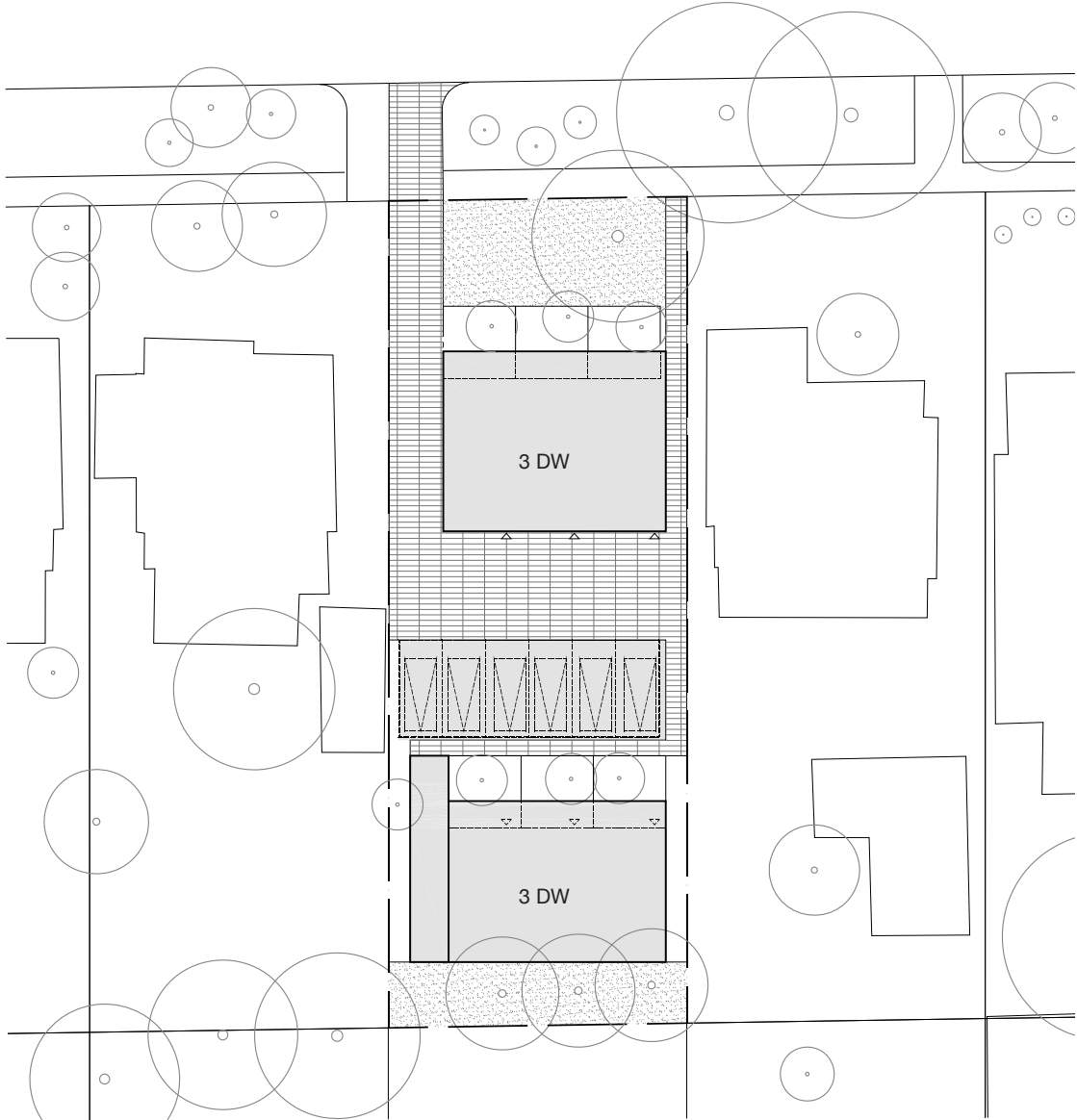
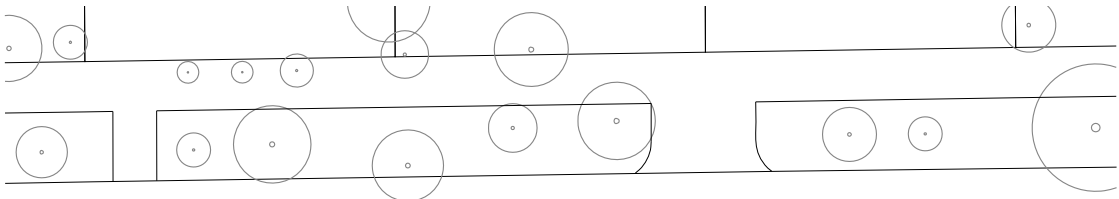
Site Plan 1:400



Street Elevation 1:400

//// Design responses

Team A: David Barr Architects
Vacant site with micro-home village



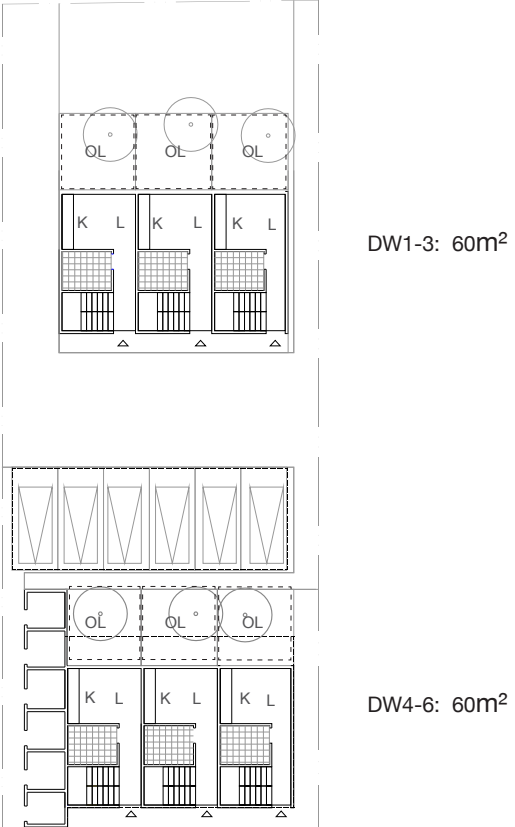
Site Condition 1:500



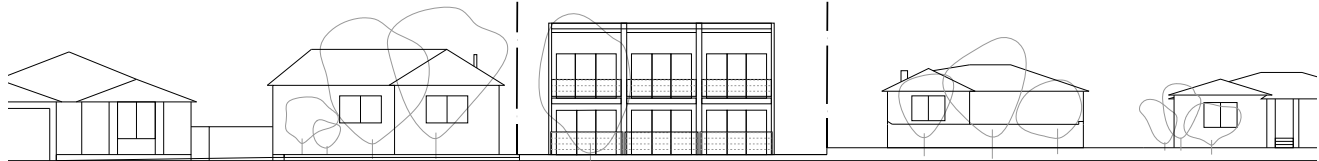
Site Plan 1:400

754 Site Area (m ²)	
6 Dwellings	6 x 1 brm
79 dph	
6 On-Site Parking	(1 /dw)
0.5 Plot Ratio	360 m ²
60% Open Space	461 m ²
20% Deep Planting Zone	150 m ²

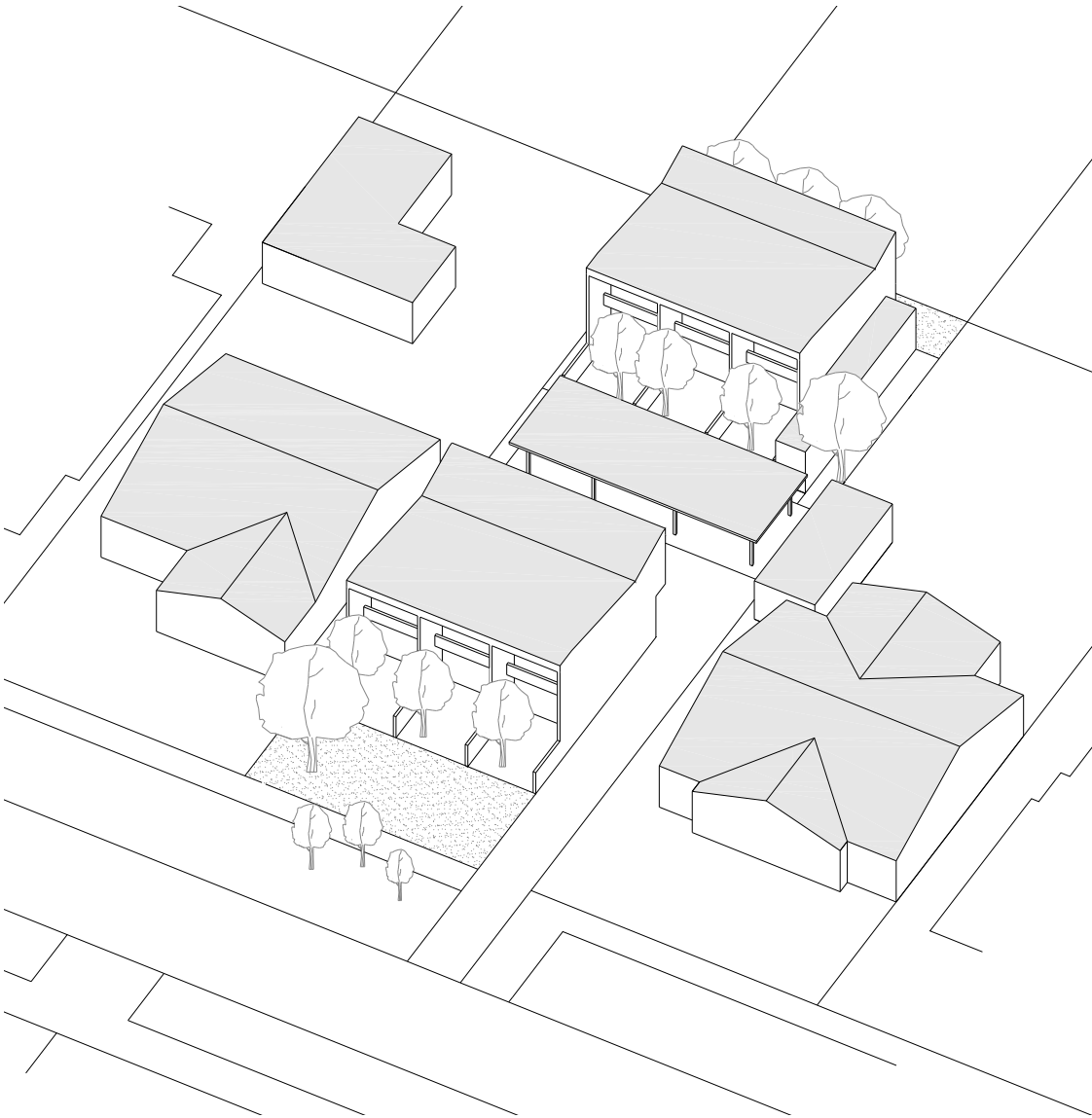
Site Condition 1:500



Typical Floor Plan 1:400



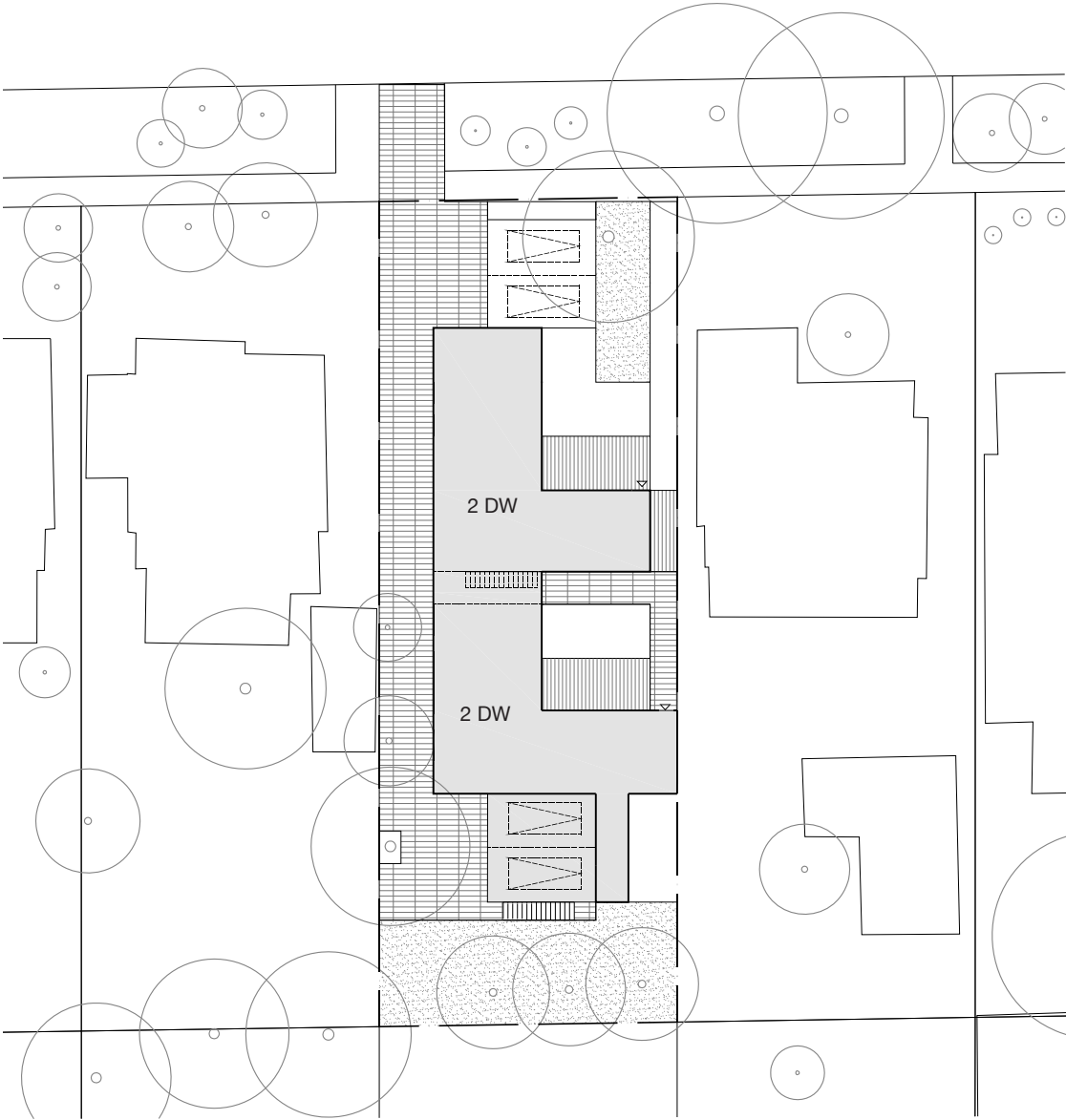
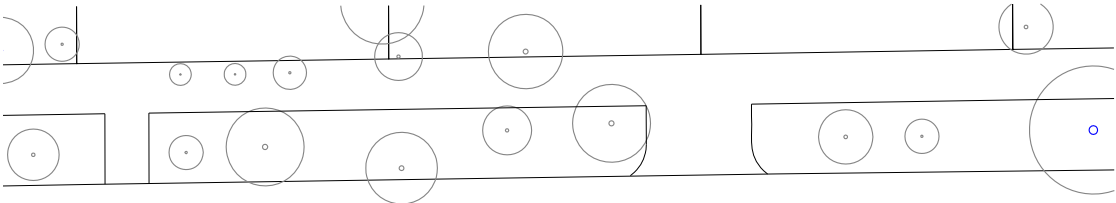
Street Elevation 1:400



Axonometric Model

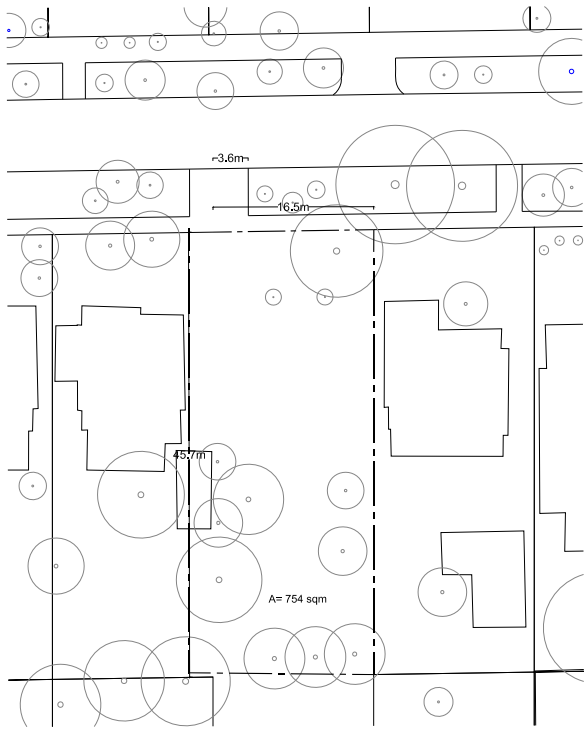
//// Design responses

Team B: Bernard Seeber Architects
Vacant site with ‘apartment house’



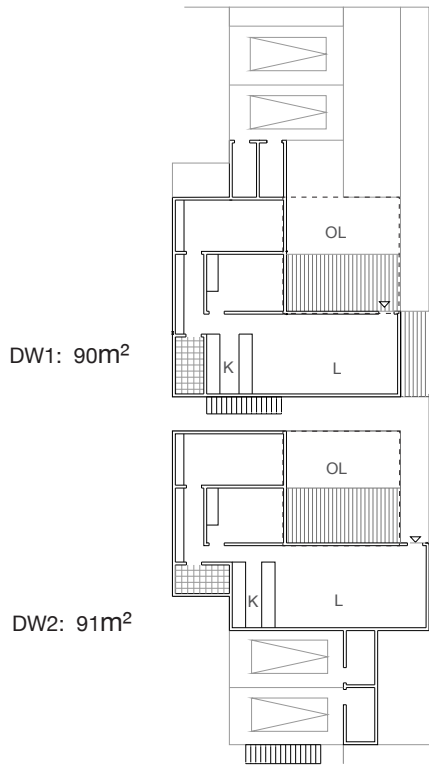
-  Permeable Driveway
-  Deep Planting Zone

Site Plan 1:400

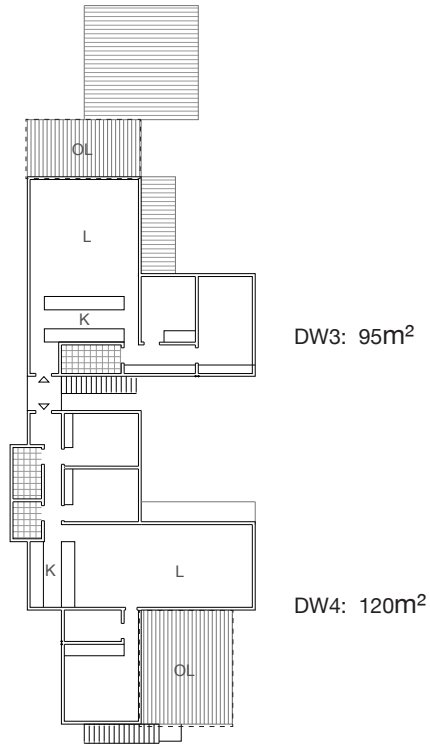


Site Condition 1:500

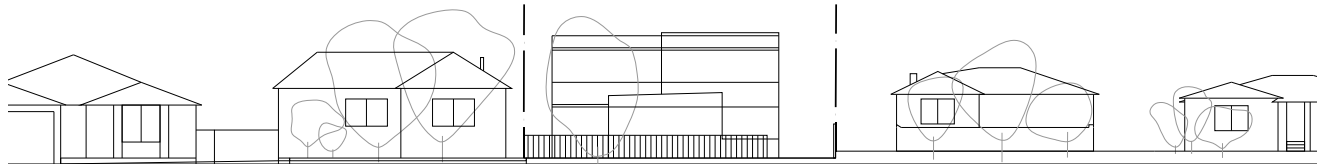
754 Site Area (m ²)	
4 Dwellings	3 x 2 brm 1 x 3 brm
53 dph	
4 On-Site Parking	(1 /dw)
0.6 Plot Ratio	491 m ²
62% Open Space	471 m ²
17% Deep Planting Zone	129 m ²



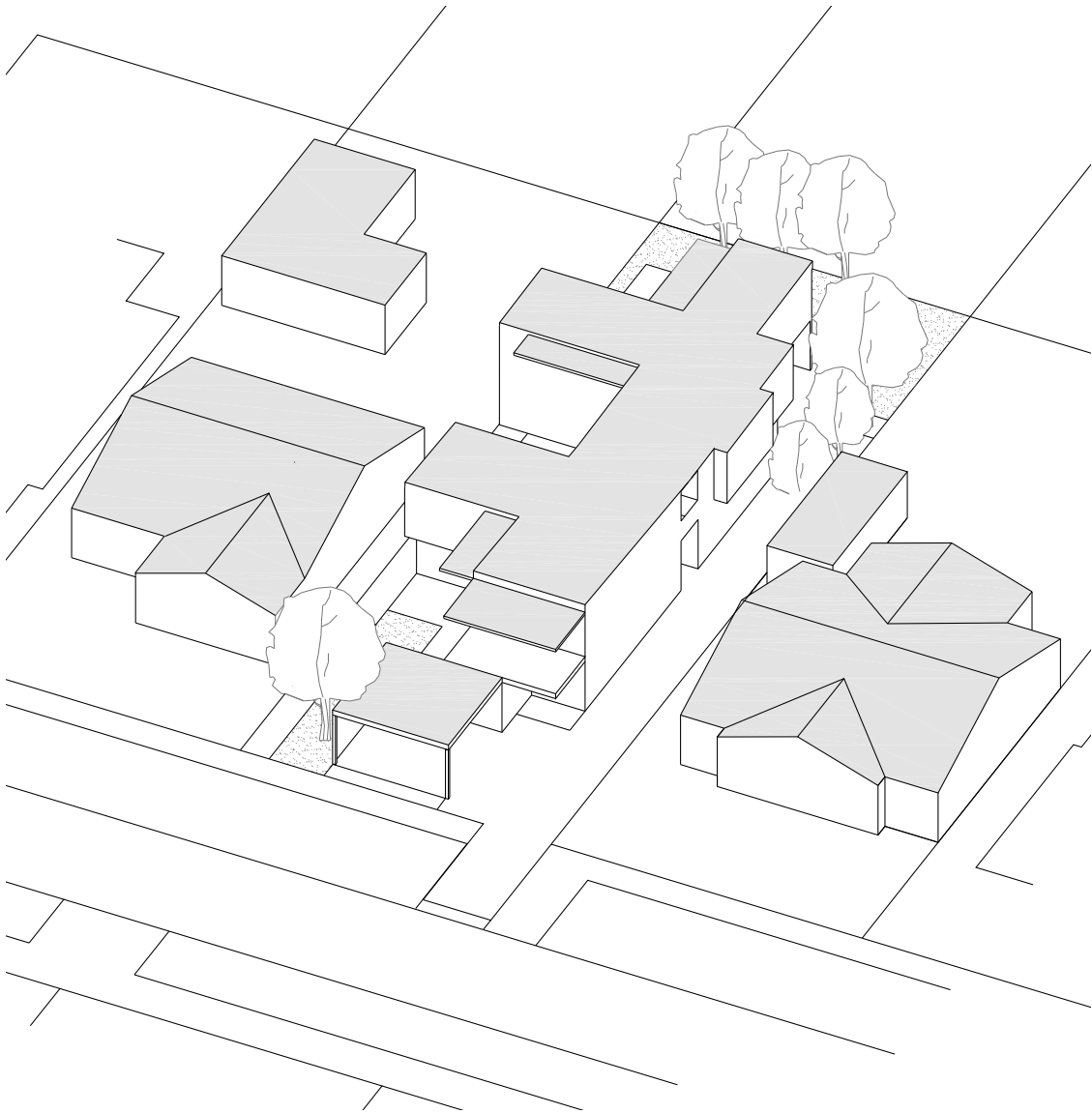
Typical Ground Floor Plan 1:400



Typical First Floor Plan 1:400



Street Elevation 1:400

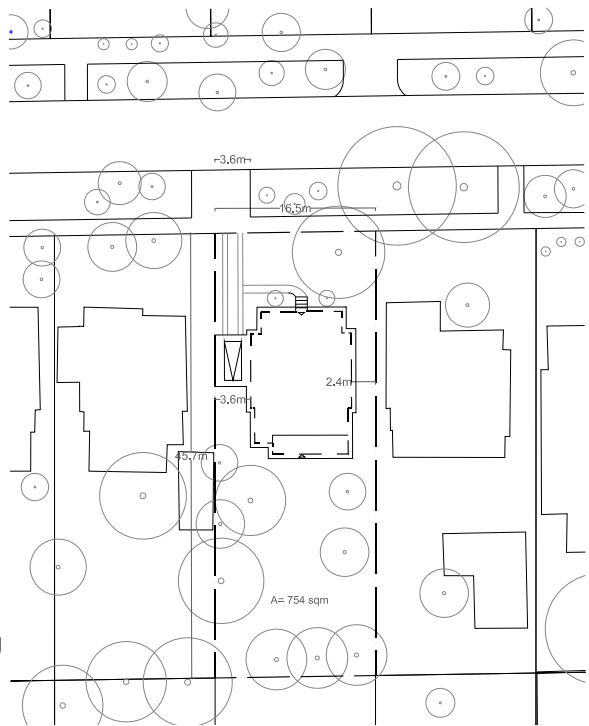


Axonometric Model

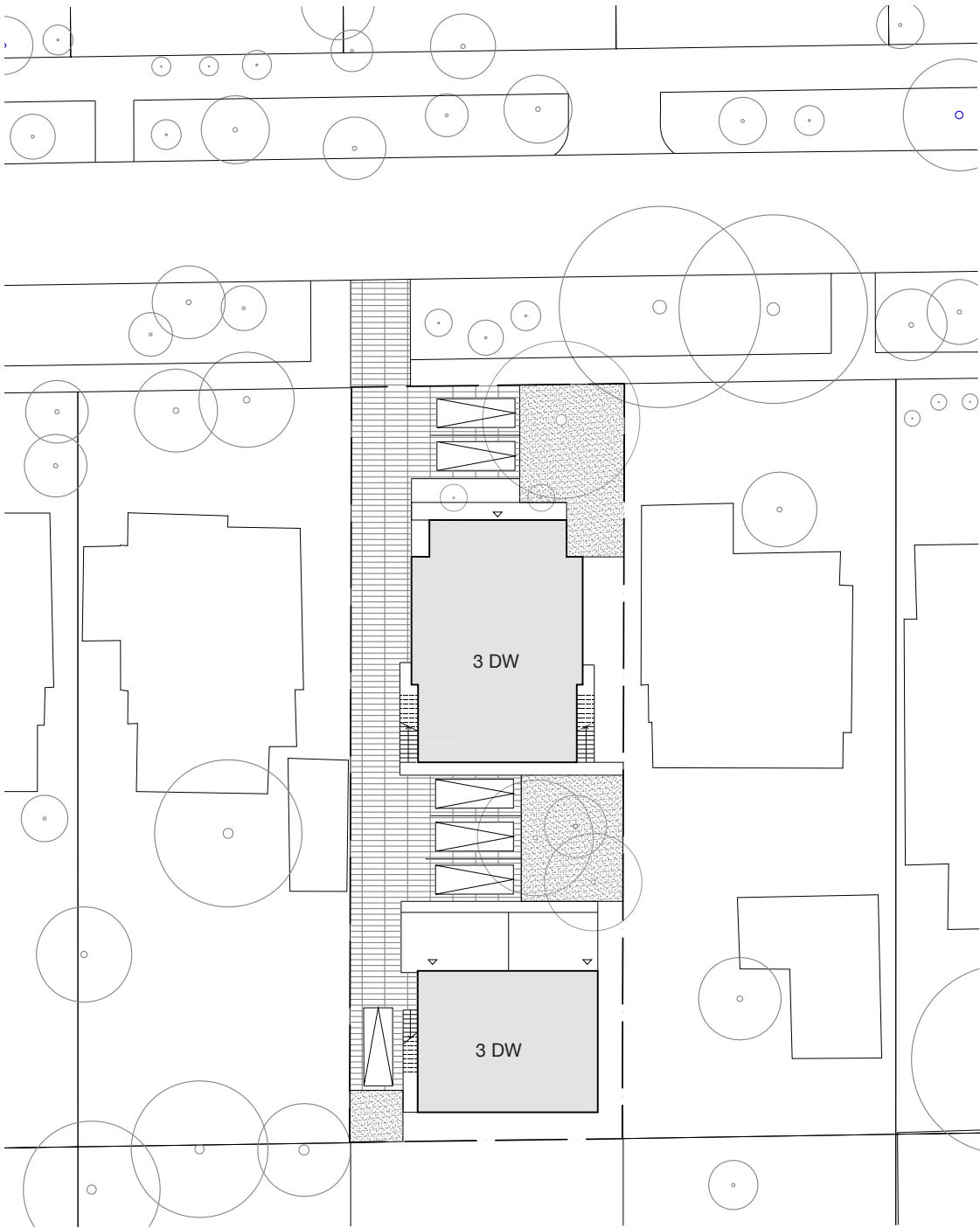
//// Design responses

Team C: Officer Woods Architects
Retained single dwelling with rear
development. Option 1

754 Site Area (m²)
6 Dwellings
78 dph
6 On-Site Parking (1 /dw)
0.5 Plot Ratio 426 m²
60% Open Space 456 m²
15% Deep Planting Zone 113 m²

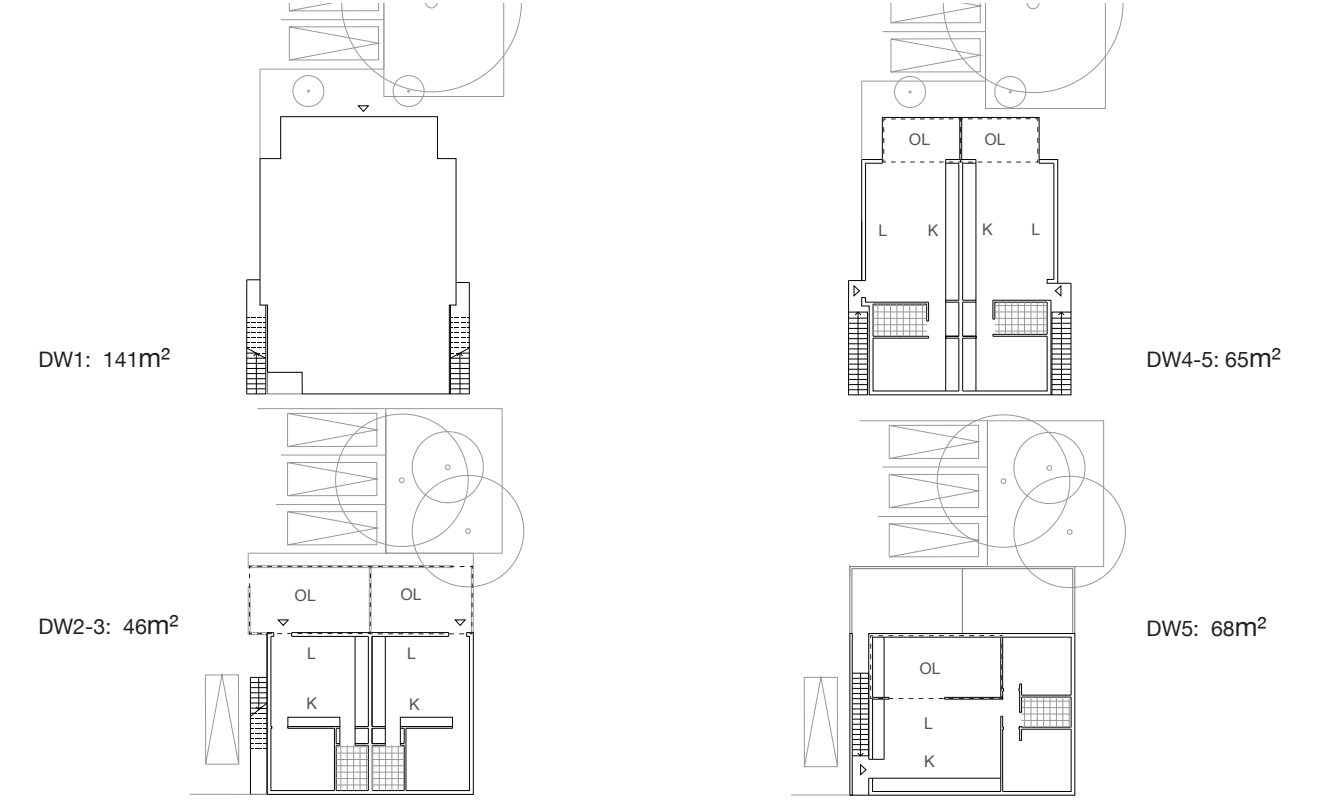


Site Condition 1:500



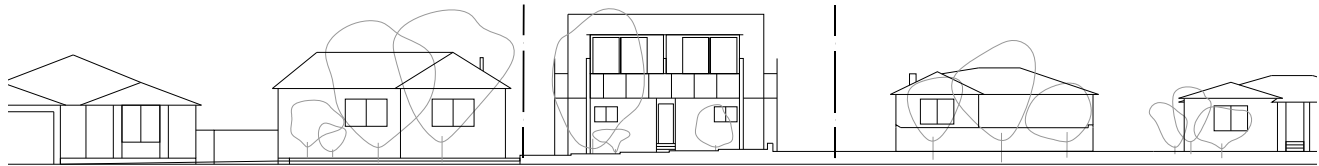
Permeable Driveway
Deep Planting Zone

Site Plan 1:400

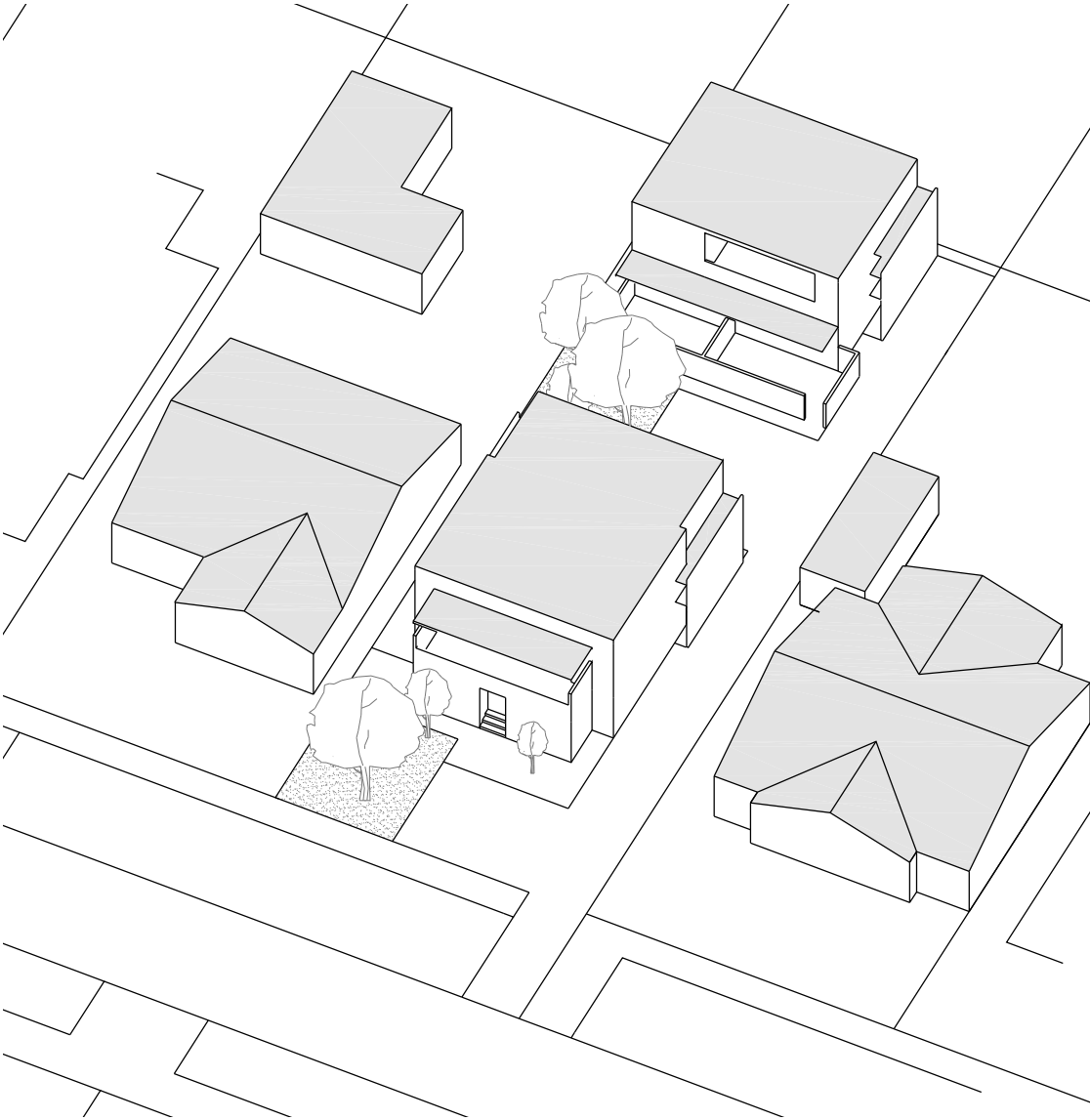


Typical Ground Floor Plan 1:400

Typical First Floor Plan 1:400



Street Elevation 1:400



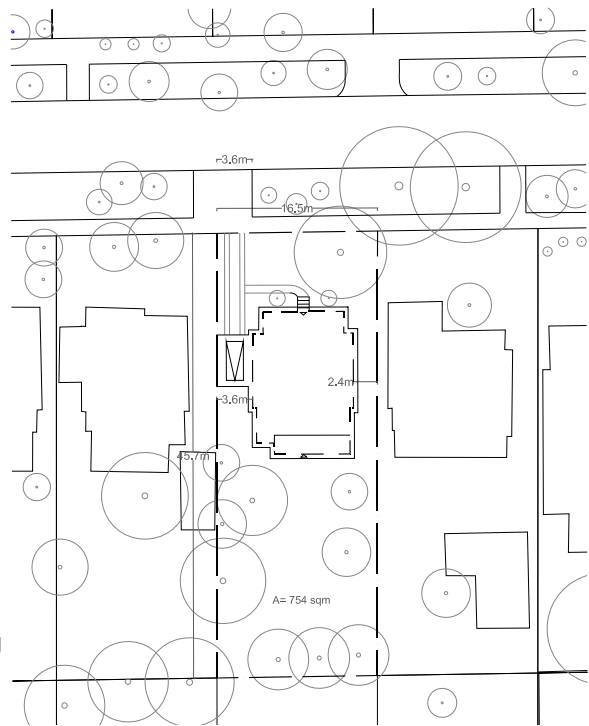
Axonometric Model

//// Design responses

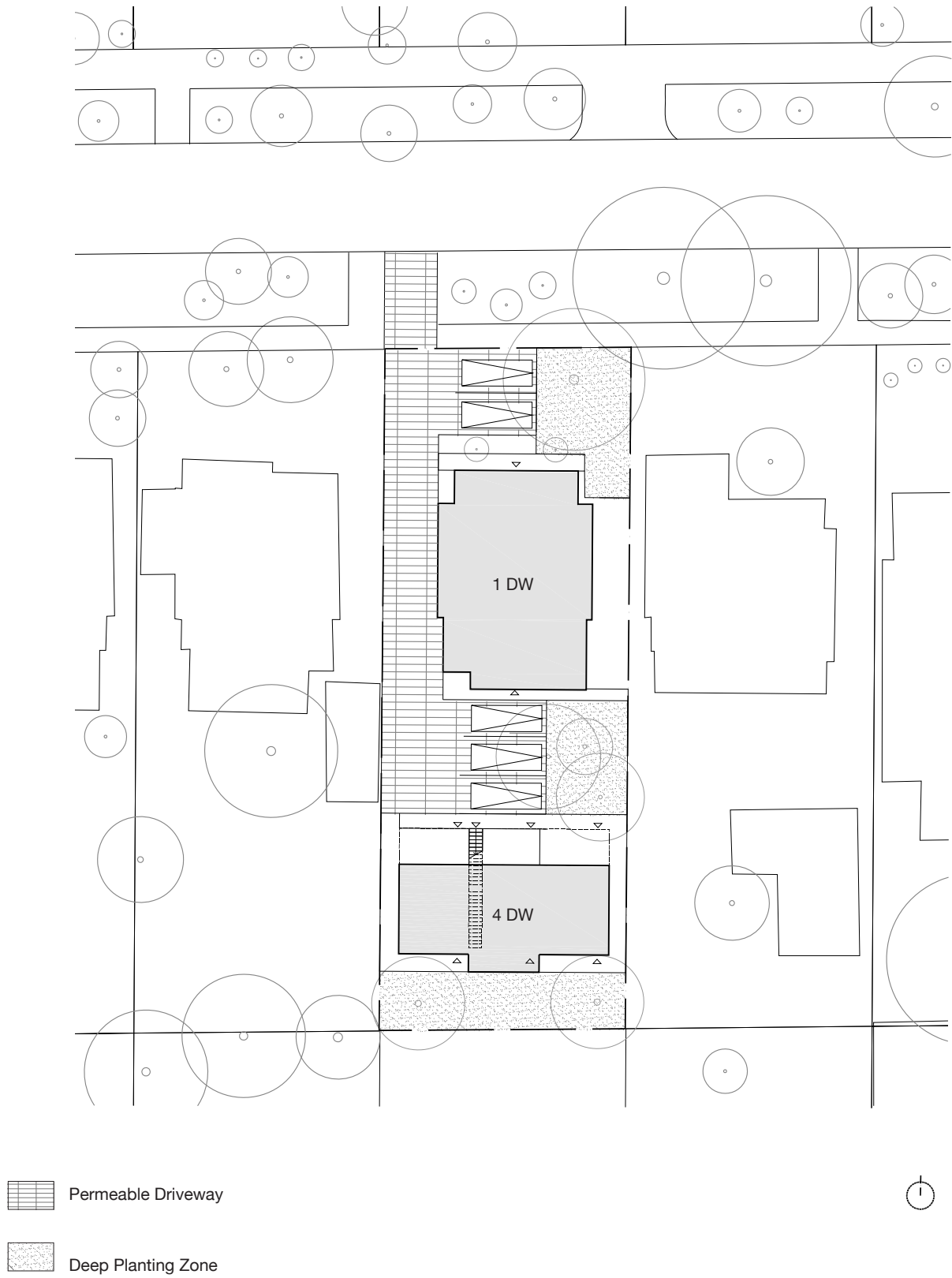
Team C: Officer Woods Architects
Retained single dwelling with
rear development. Option 2

754 Site Area (m²)
5 Dwellings
66 dph
6 On-Site Parking (1 /dw)
0.5 Plot Ratio 391 m²
65% Open Space 494 m²
15% Deep Planting Zone 117 m²

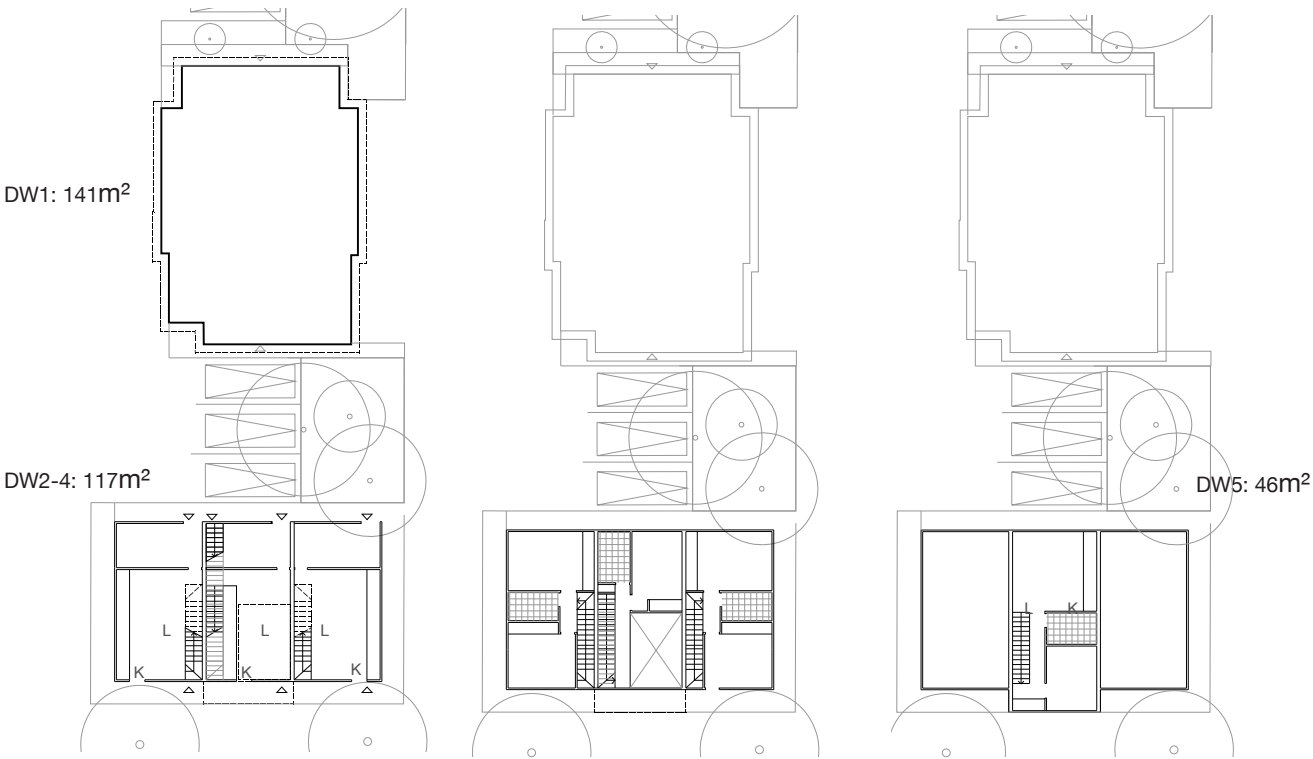
2x1 brm 2x2brm 1x existing



Site Condition 1:500



Site Plan 1:400



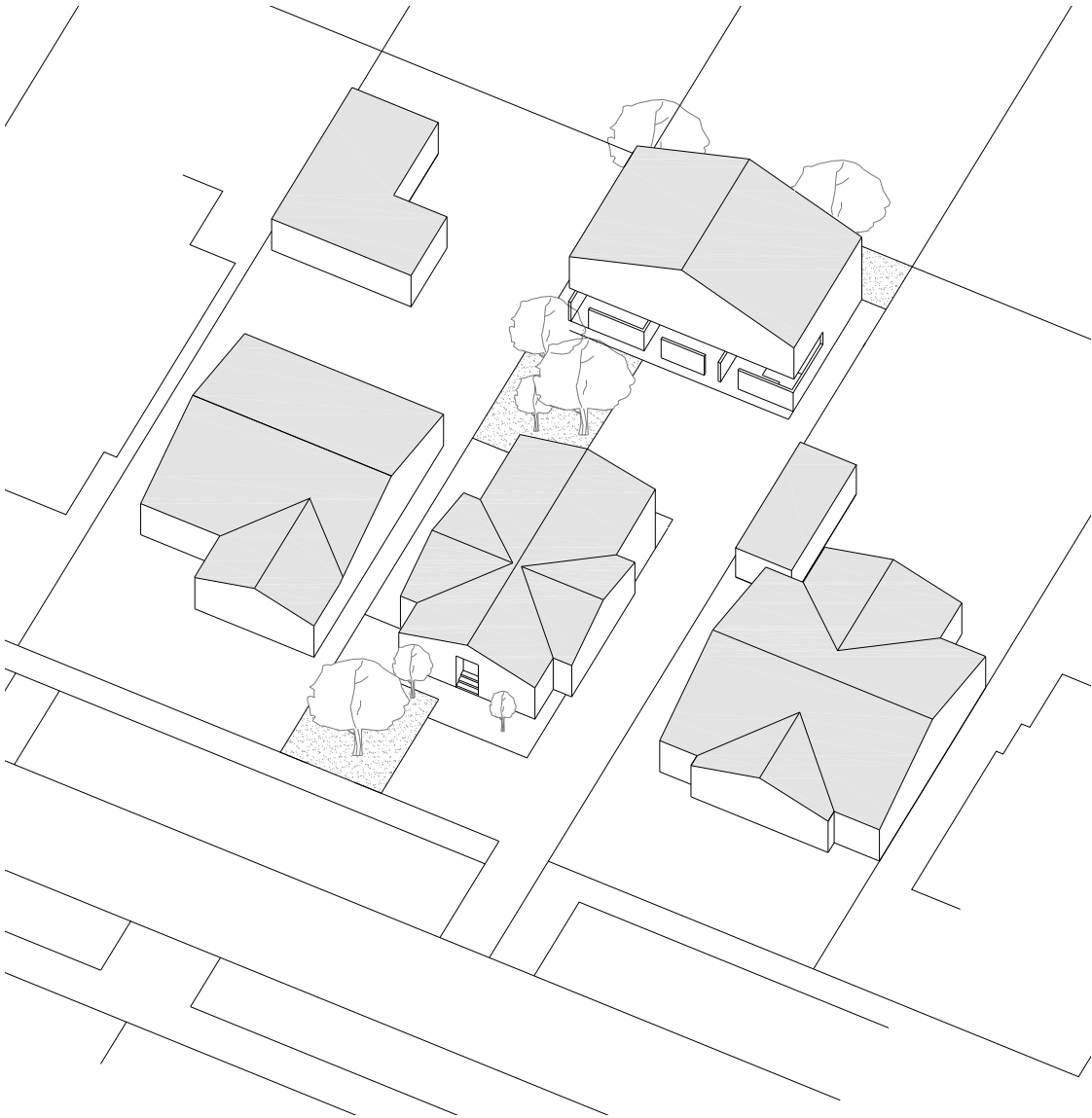
Typical Ground Floor Plan
1:400

Typical First Floor Plan
1:400

Typical Loft Floor Plan
1:400



Street Elevation 1:400

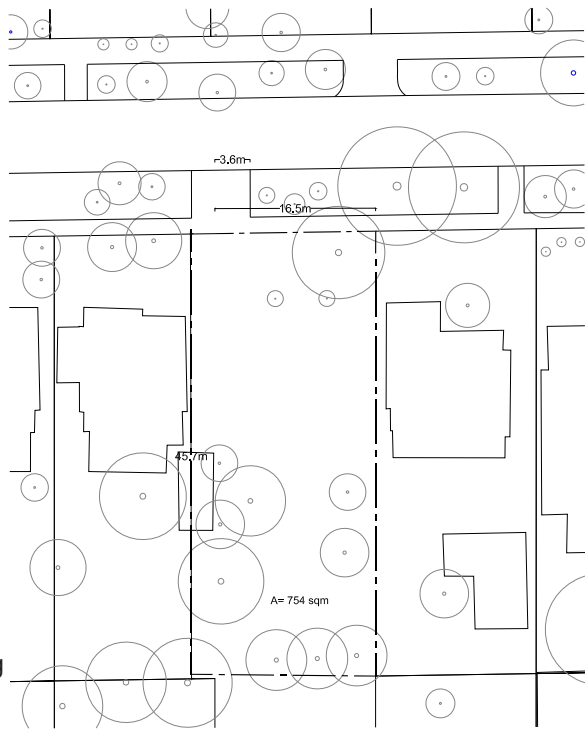


Axonometric Model

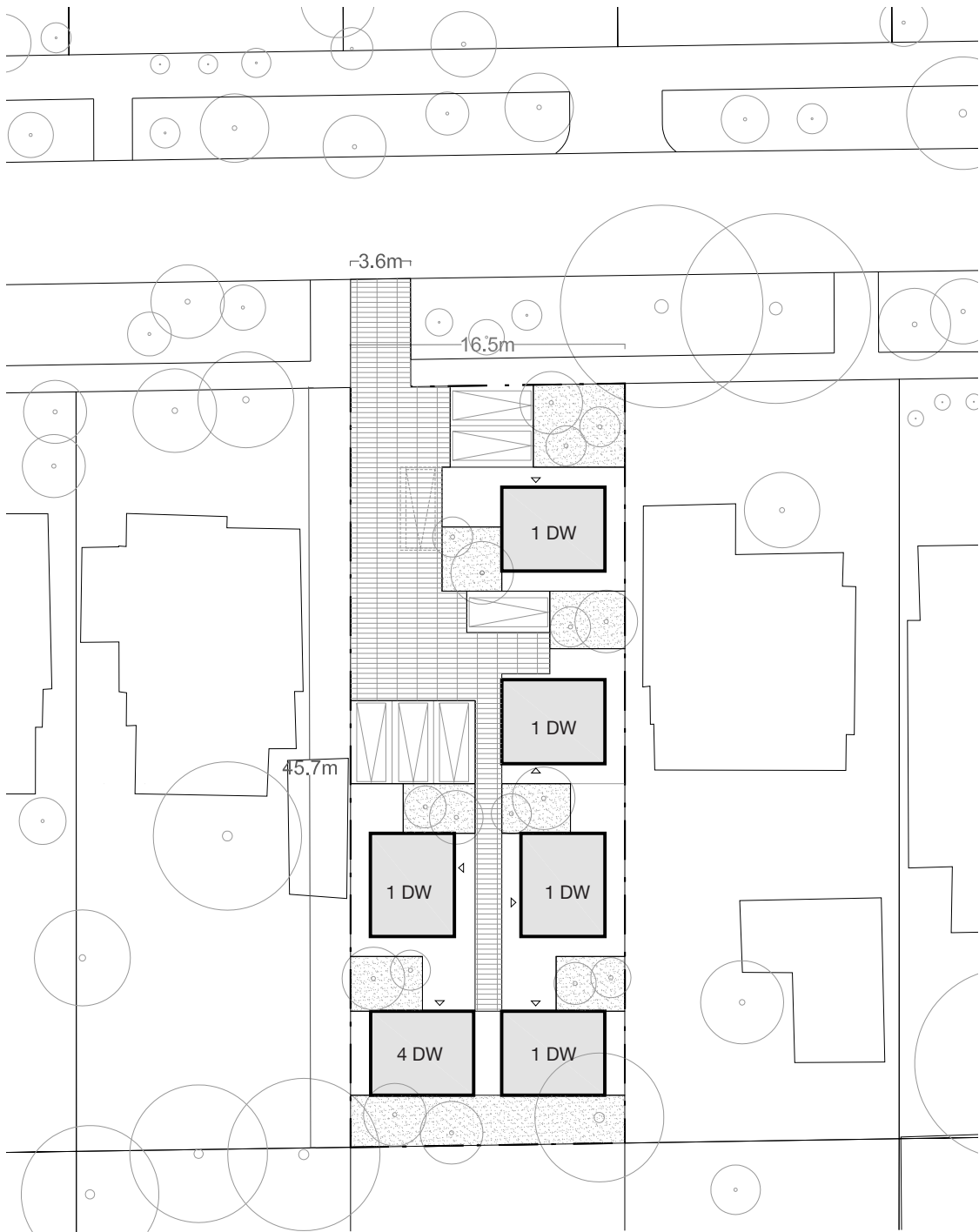
//// Design responses

Team D: AUDRC

Vacant site with micro-home village



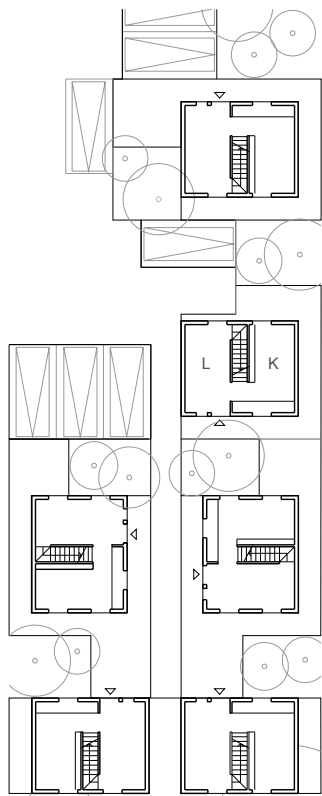
754 Site Area (m ²)	
6 Dwellings	2x1 brm 2x2brm 1x existing
79 dph	
6 On-Site Parking	(1 /dw)
0.5 Plot Ratio	376 m ²
64% Open Space	485 m ²
21% Deep Planting Zone	160 m ²



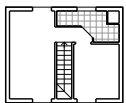
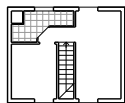
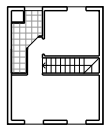
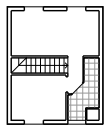
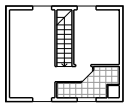
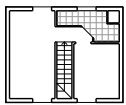
- Permeable Driveway
- Deep Planting Zone



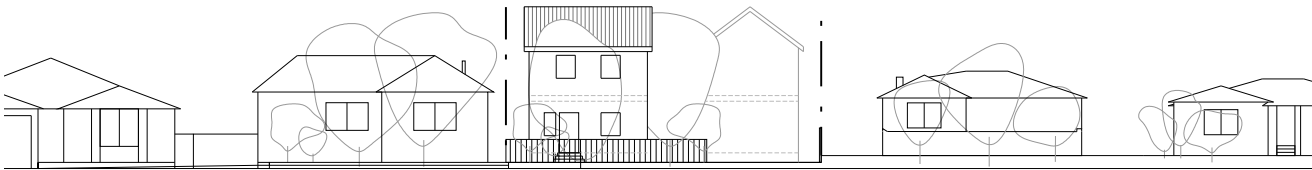
DW1-6: 63m²



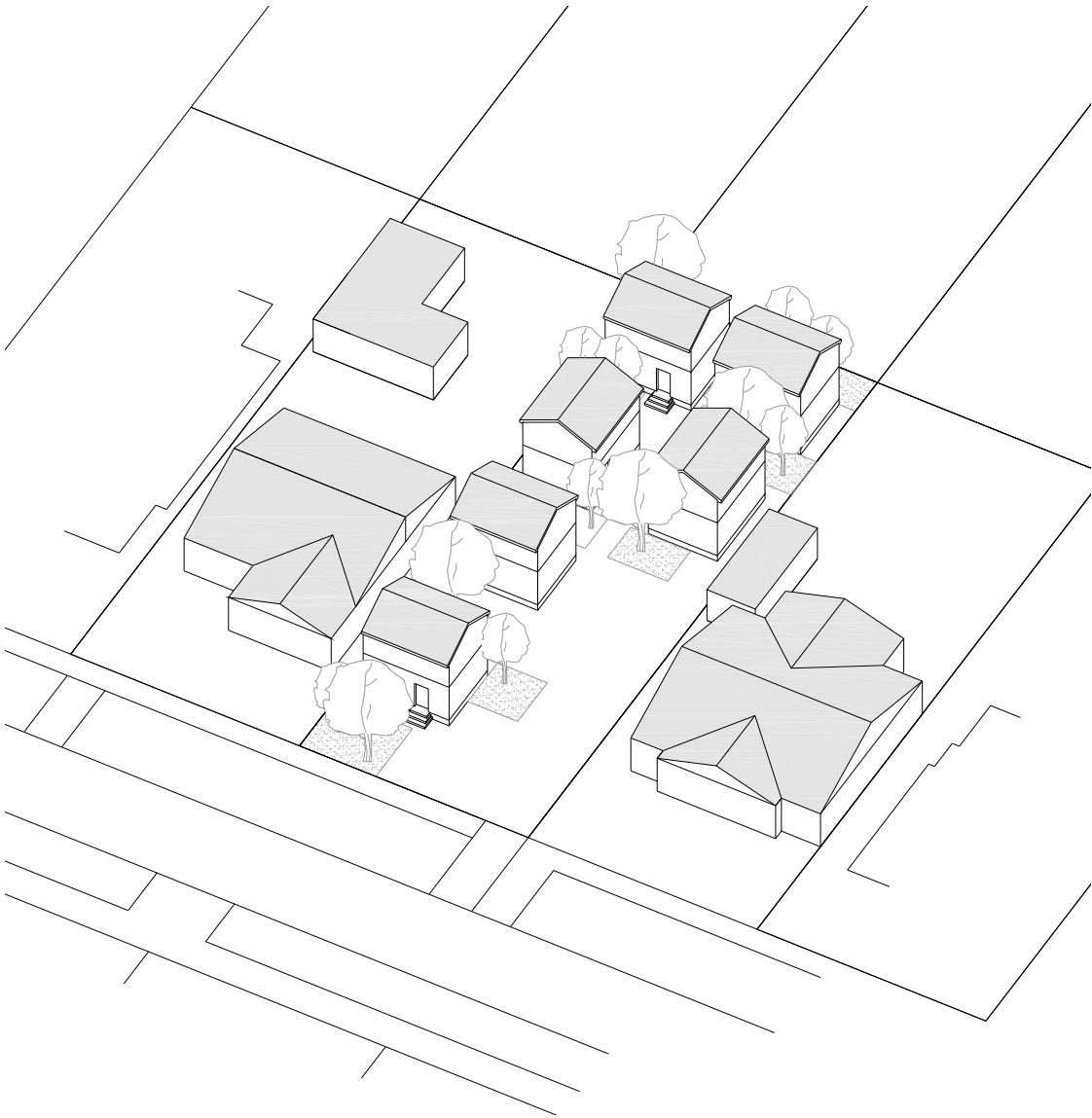
Typical Ground Floor Plan
1:400



Typical First Floor Plan
1:400



Street Elevation 1:400



Axonometric Model

//// Summary

The research by design exercise in response to the brief its accompanying new and amended planning and design controls has demonstrated that a significant intensity of development is still permissible. Design teams were asked to pursue a particular development typology in order to examine the development potential.

The results indicate that the following aspects will be important considerations for further refinement of the proposed local planning scheme amendment:

- **Open Space:** Further increasing open space (beyond 60%) to manage overbuilding on the site particularly in relation to open space patterns of the existing suburban context.
- **Deep Planting Zone:** Increasing the proportion of the deep planting zone (DPZ) - beyond 15%, to provide a more open garden setting in response to the suburban character.
- **Deep Planting Zone:** Increasing the minimum dimension of the DPZ beyond 3m as this was not seen to provide enough protection to mature vegetation during construction, or encourage their retention and also was not considered sufficient to promote these areas as usable or reflect the open space patterns and scale of the existing suburban context.
- **Building Bulk:** The need to address building bulk at the rear of the property as current setback regulations permit only 1.5m setbacks for 2 storey development.
- **Intensity of Use:** The need to consider the appropriate level of intensity in terms of dwelling/household accommodation

over existing levels. Current patterns are restricted to single or dual occupancy on a typical lot whereas the proposed controls permit up to six separate dwellings.

- **Vehicle Manoeuvring:** Removal of on-site manoeuvring to enforce vehicles to exit in forward gear was not supported by the design teams owing to perceptions of safety problems particularly on the approach to crossovers.
- **Streetscape:** The need to consider the potential disturbance to the established street rhythm in terms of the frequency of functional entries facing the street. Designs have incorporated up to 3 narrow dwellings with individual street-front entrances. There may be the need to consider incentivising designs to present to the street as a single dwelling (such as with maisonettes) or to encourage the retention/retrofitting of existing dwellings.

The research by design exercise has shown that additional refinement of the proposed scheme amendment is required in order to meet the objective of increasing housing diversity in suburban areas of the City of Fremantle whilst attempting to respect their essential spatial character.

Its apparent that even with good design intentions the scale and intensity of use permitted by the proposed controls represents a significant change over the existing context. The research by design exercise has illustrated in an easily comprehensible way what the product of the proposed planning controls may look like and provides valuable feedback to enable their refinement.

Appendix A

Backyard infill tucks neatly away behind a traditional suburban dwelling but must negotiate site planning constraints such as vehicle parking & manouvering and neighbouring privacy.

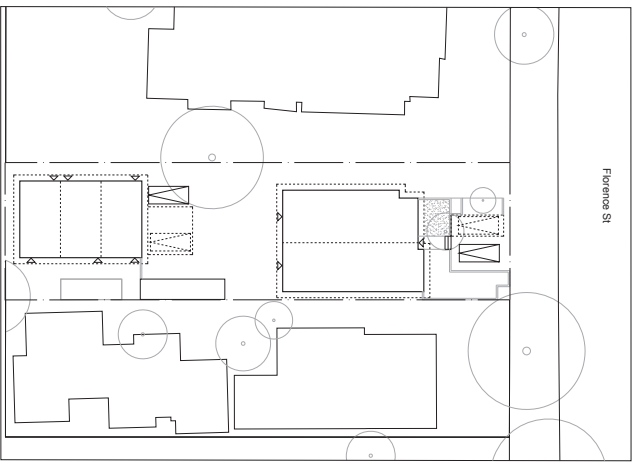
FLORENCE (Typology A)

FLORENCE STREET, WEST PERTH

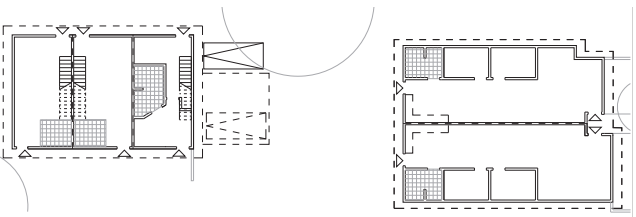
Suburban Context Integration:

- Retained front dwelling
- Local materials in new construction - recycled brickwork
- Familiar roof forms

690	Site Area (m²)		
5	Dwellings	3 x 1 brm	2 X 2 brm
72	dph		
5	On-Site Parking	(1 /dw)	
0.5	Plot Ratio		
60%	Open Space	418 m²	
1%	Deep Planting Zone	9.3 m²	



Architectural Site Plan



Typical Floor Plan



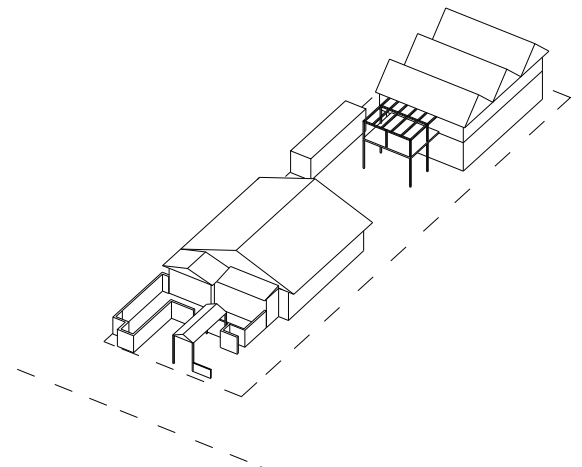
Site Context Plan



View from Florence St



View from Site Car Parking



Axonometric

Appendix B

Maisonette style housing maintains a character which is often sympathetic to the suburban street.

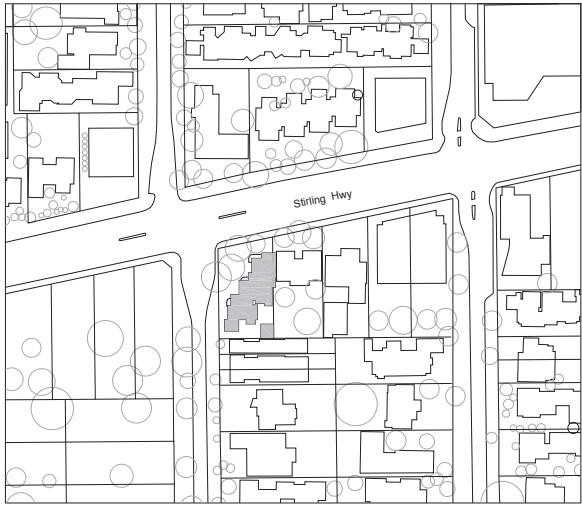
GREENOUGH MAISONETTE (Typology B)

STIRLING HWY, NEDLANDS
HORACE COSTELLO, 1938-40

Suburban Context Integration:

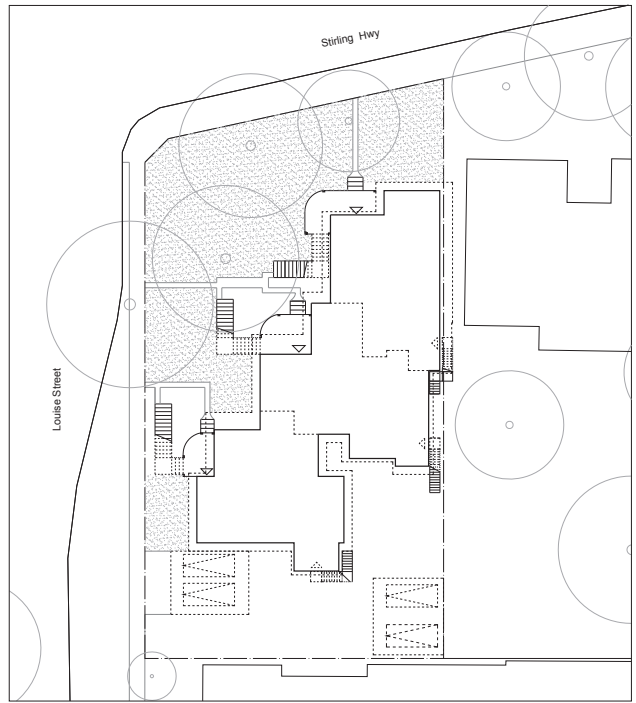
- Modulated front setback -contributes to streetscape and maintains domestic character
- Front and rear entries - contributes to domestic character
- Individual unit access - privacy and domestic character

1000	Site Area (m ²)	
6	Dwellings	6 x 2 brm
60	dph	
4	On-Site Parking	(0.66/dw) +On-Street
0.7	Plot Ratio	
56%	Open Space	568 m ²
29%	Deep Planting Zone	296 m ²



Site Context Plan

0 10 50

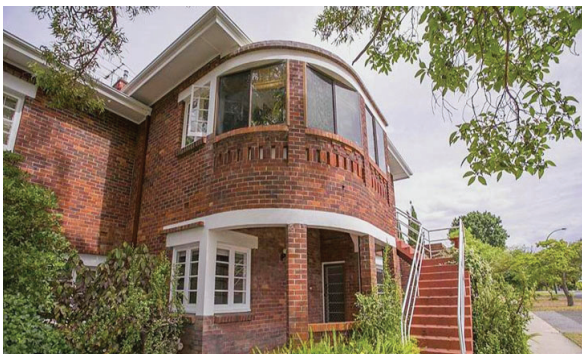


Architectural Site Plan

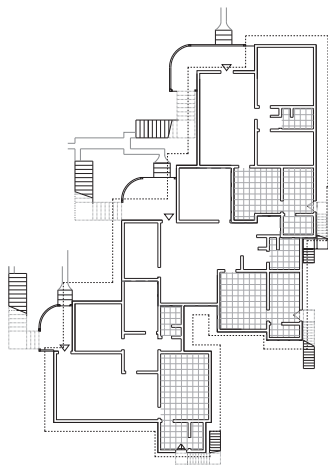
0 5 10



View from Stirling Hwy

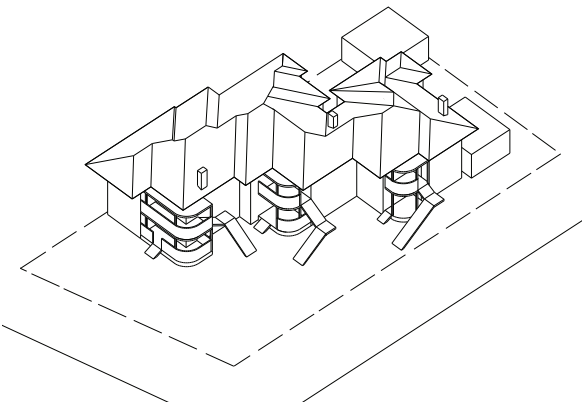


View from Louise Street



Typical Floor Plan

0 1 5



Axonometric

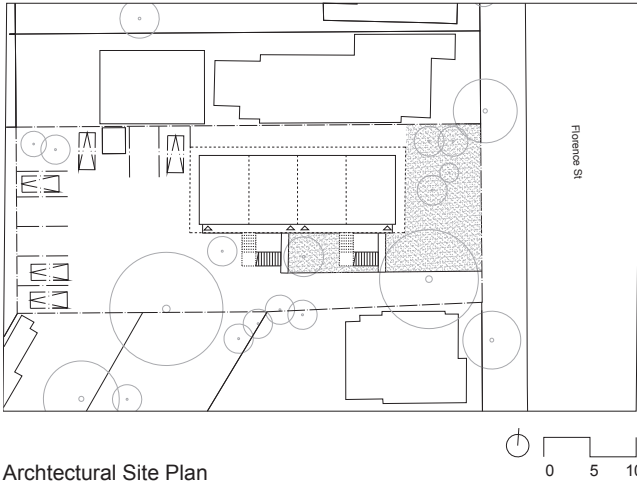
FLORENCE COURT (Typology B)

FLORENCE STREET, WEST PERTH

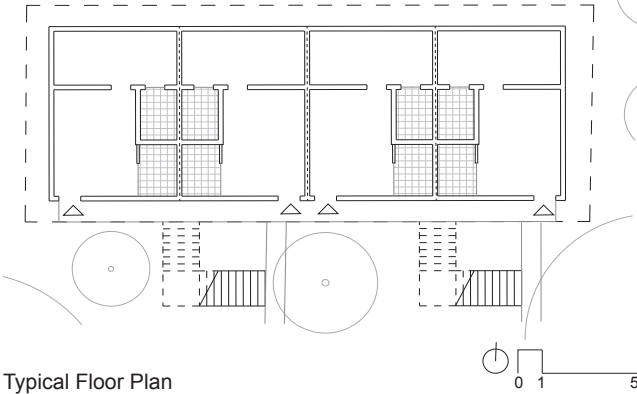
Suburban Context Integration:

- Unmodulated front setback -does not integrate
- Front entries only to dwellings - apartment character
- Shared access - low privacy and apartment character
- Street Elevation - proportion consistent with domestic building

1003	Site Area (m²)	
8	Dwellings	8 x 1 brm
79	dph	
8	On-Site Parking	(1 /dw)
0.3	Plot Ratio	
81%	Open Space	818 m²
16%	Deep Planting Zone	163 m²



Archtectural Site Plan



Typical Floor Plan



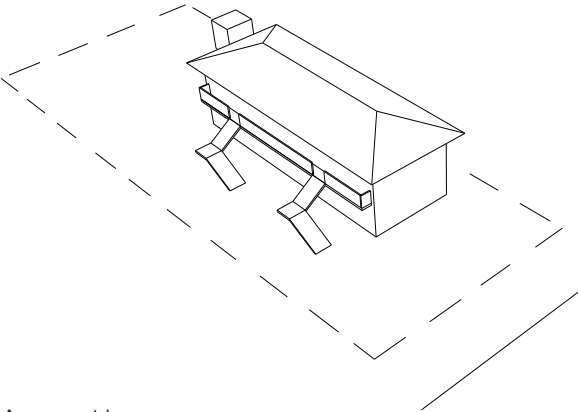
Site Context Plan



View from Florence Street



View from Florence Street



Axonometric

Appendix C

Micro-homes are an emerging typology for smaller households who wish to reduce their physical and ecological footprints.

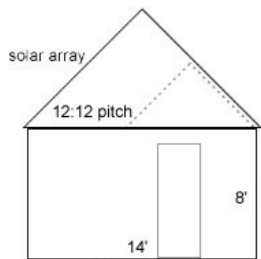
MICRO HOMES (Typology C)

TYPOLGY I

Michael Janzen

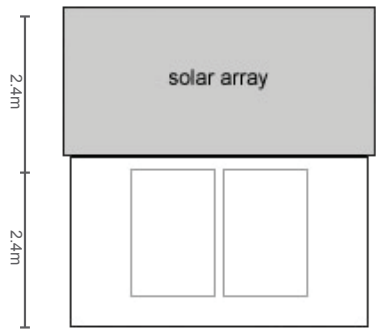
Plot Ratio Area: 17.6 m²

Footprint Area: 17.6 m²

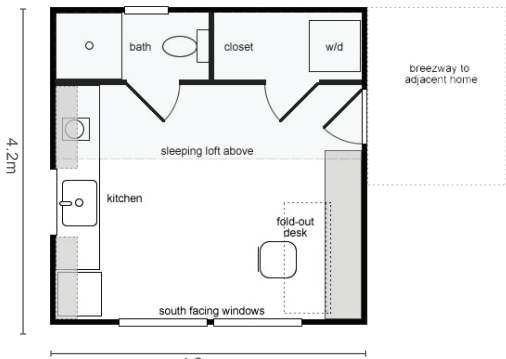


East Elevation

<<http://www.tinyhousedesign.com/tiny-house-village-design-concept-part-3>>



South Elevation



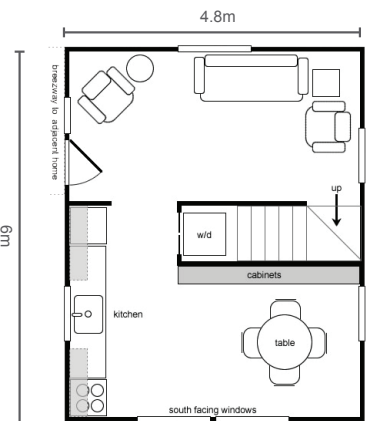
Floor Plan

TYPOLGY II

Michael Janzen

Plot Ratio Area: 57.6 m²

Footprint Area: 28.8 m²



Ground Floor Plan



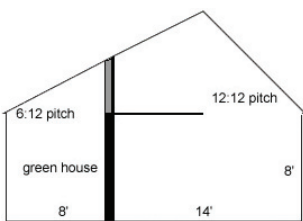
First Floor Plan

TYPOLGY III

Michael Janzen

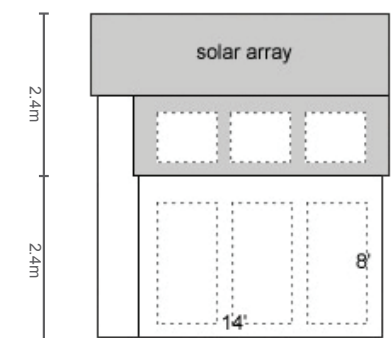
Plot Ratio Area: 25.6 m²

Footprint Area: 25.6 m²

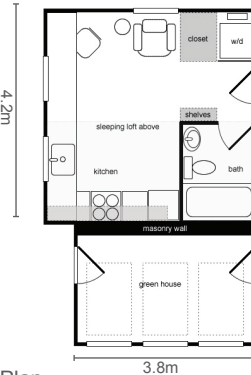


East Section

<<http://www.tinyhousedesign.com/tiny-house-village-design-concept-part-3>>



South Elevation



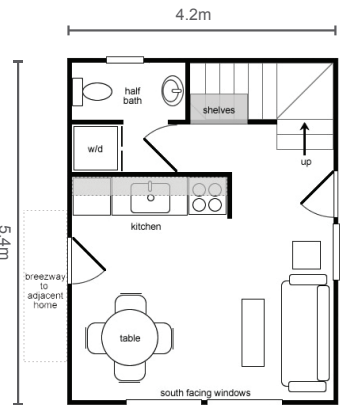
Floor Plan

TYPOLGY IV

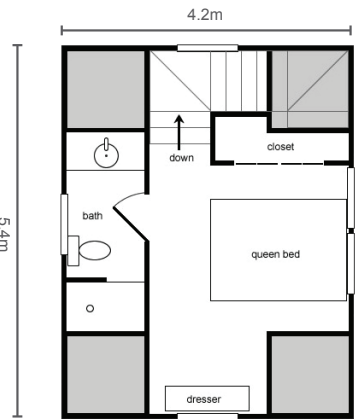
Michael Janzen

Plot Ratio Area: 46.3 m²

Footprint Area: 22.6 m²



Ground Floor Plan



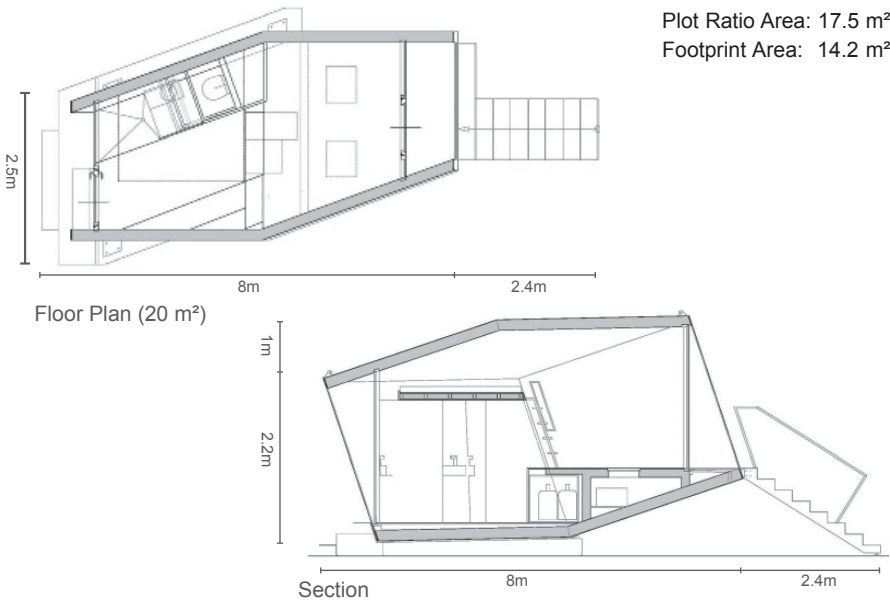
First Floor Plan

MICRO HOMES (Typology C)

HYPERCUBUS, AUSTRIA
Studio WG3



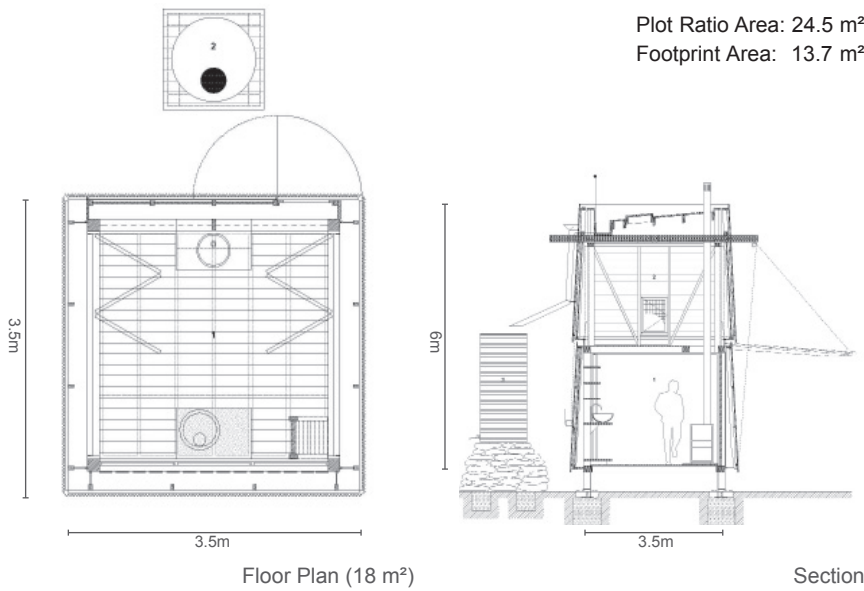
<<http://www.archdaily.com/?p=260861>>



PERMANENT CAMPING, MUDGE
Casey Brown Architecture



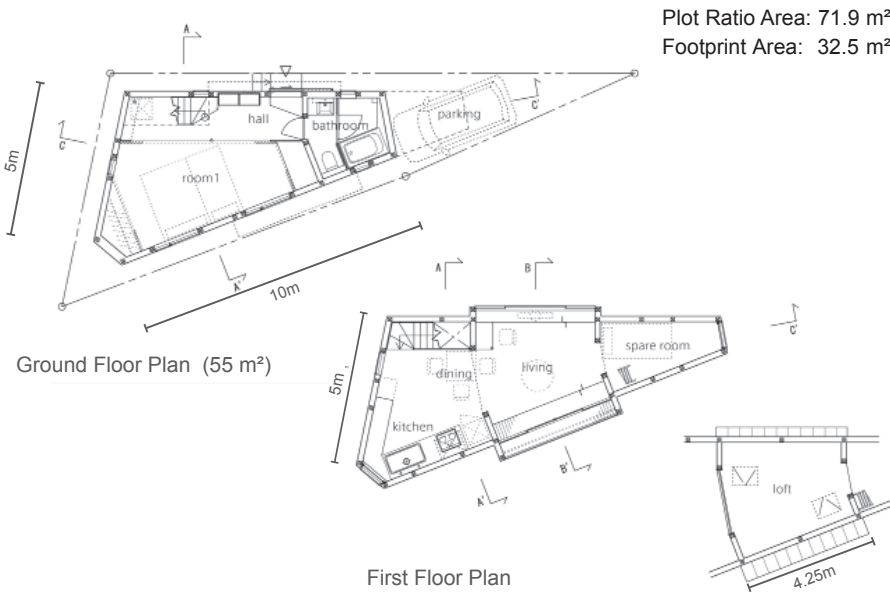
<<http://www.archdaily.com/?p=339400>>



HOUSE IN HORINOUCI, TOKYO
Mizuishi Architects Atelier



<<http://www.archdaily.com/?p=339400>>



Contributors

Dr Anthony Duckworth-Smith

Anthony is a researcher, teacher and practitioner with experience in Architecture, Civil Engineering and Transport Planning. Anthony ‘s current research is related to the urban intensification of cities.

External (Invited) Design Teams

David Barr Architects
Officer Woods Architects
Bernard Seeber Architecst

AUDRC Research Assistants

Faranak Farshidfar
Giovanna Federico
Anna Maria Velasco Munoz

Executive Summary>

The report documents the results of a particular stage of the broader research project to inform the development of a proposed amendment to the City of Fremantle's Local Planning Scheme (No.4) to encourage the supply of greater housing diversity in the City's suburban areas whilst respecting their essential character.

This report details the results of a research by design exercise where four design teams were given a preliminary set of new and amended planning controls and a target development typology. The intention was to explore the development potential of a typical single suburban lot to understand the potential spatial outcomes of the proposed planning controls. The results provided a range of recommendations for further refinement of the proposed controls to help meet the overall objective.

Keywords >

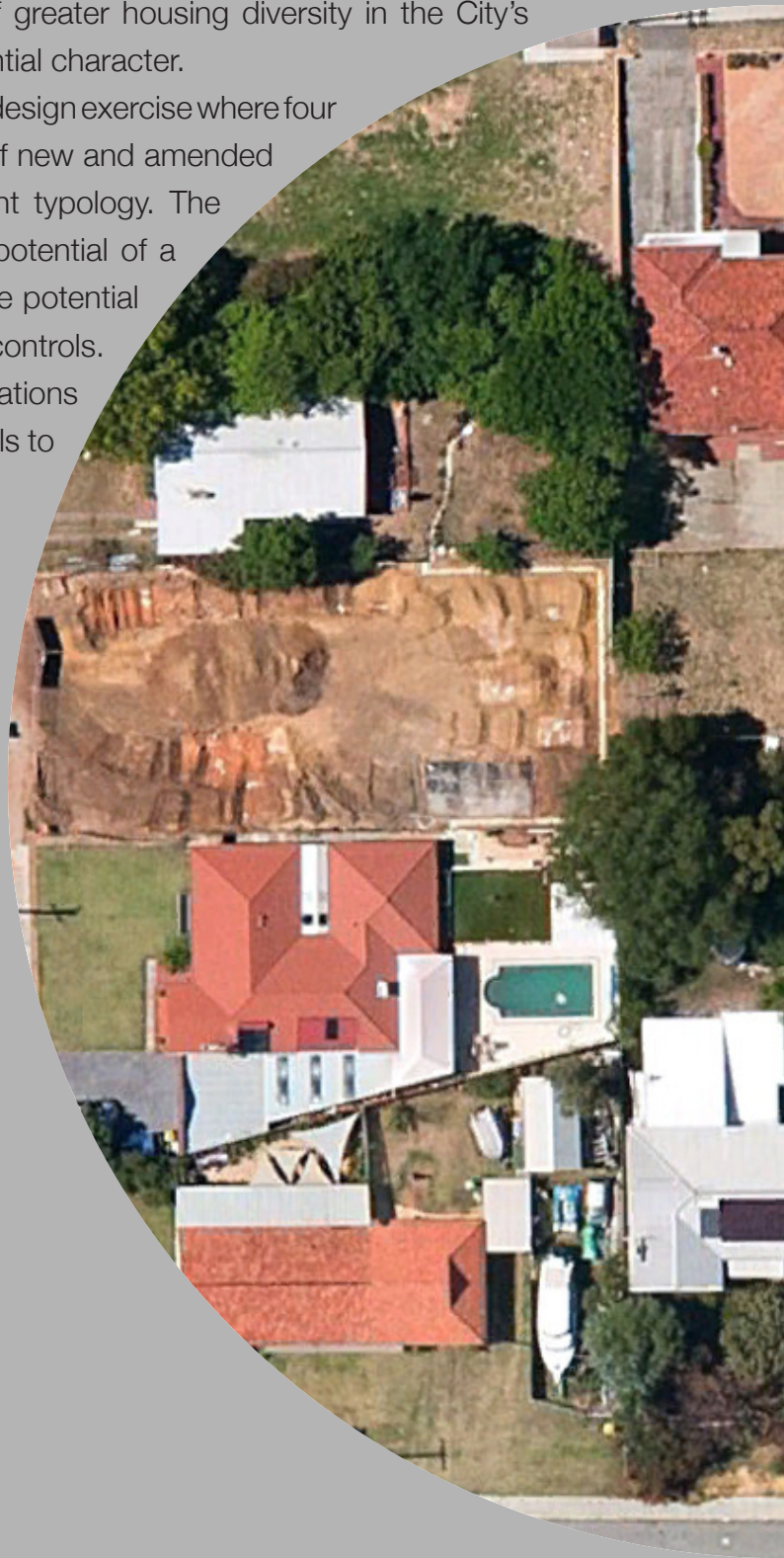
Suburban Infill

Planning & design policy

Character

Urban tree canopy

Urban Design





Appendix 3

Local Planning Policy 3.20 – Special Control Area Provisions for Small Infill Development



CITY OF FREMANTLE

LOCAL PLANNING POLICY 3.20

SPECIAL CONTROL AREA PROVISIONS FOR SMALL INFILL DEVELOPMENT

ADOPTION DATE: 28 MARCH 2018
AMENDED DATE: 27 FEBRUARY 2019
AUTHORITY: PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015 & LOCAL PLANNING SCHEME NO. 4

PURPOSE

The purpose of this policy is to complement the planning controls set out in Local Planning Scheme No. 4 (LPS4) Clause 5.7 - *Special control area provisions for small infill development*. The purpose of these controls is to allow for an alternative development type, in select areas, that provides for smaller dwelling options to what would normally be available under the conventional zoning and density (R-Code).

APPLICATION

This policy applies to areas designated on the scheme map of LPS4 as Special Control Area 5.7 (SCA 5.7). These areas are also indicated in Part 1 (Location) of this policy.

The policy is set out in the themes derived from the community engagement on the 'Freo Alternative' (refer to Figure 1). The Freo Alternative was a community engagement process that ran in late 2016, exploring the idea of smaller housing in Fremantle with the community. Each theme derived from the Freo Alternative has an objective which needs to be met. The deemed-to-comply criteria are one way to achieve the objective. The design principles are an alternative way of meeting the theme's objective. For some themes additional guidance is provided. **Note:** not all themes have deemed-to-comply, design principles or design guidance.

Policy Key

DEEMED-TO-COMPLY – The requirement to meet the objective
DESIGN PRINCIPLES – An alternative way to meet the objective
DESIGN GUIDANCE – Guidance on how to meet the deemed-to-comply requirement

STATUTORY BACKGROUND

Clause 5.7 in LPS4 sets out the requirements for development under this policy.

Where not provided for in this policy all definitions are as per LPS4 or the Residential Design Codes of WA (R-Codes).

There are other planning provisions that apply to development within Special Control Area 5.7, which should be recognised and understood as part of the application process. Other applicable planning documents will include:

- Part 5 of the R-Codes, with the exception of the following:

- Part 5.1.1 – Site area;
- Part 5.1.3 – Lot boundary setback (rear setback calculation only);
- Part 5.1.4 – Open space;
- Part 5.1.5 – Communal open space;
- Part 5.2.1 – Setback of garages and carports (specific provisions only);
- Part 5.3.1 – Outdoor living areas;
- Part 5.3.3 – Parking (specific provisions only); and
- Part 5.3.5 – Vehicular access (specific provisions only).

- Local Planning Scheme No.4.
- Other local Planning policies relating to development control; such as *LPP 2.4: Boundary Walls in Residential Development*, *LPP 2.8: Fences Policy* and *LPP 2.9: Residential Streetscape Policy*.

Freo Alternative Themes	
Location	Promote smaller housing types in areas with access to public transport and local amenities.
Housing choice	Provide diversity of housing size and type in suburban areas to increase housing choice.
Built form	Ensure good quality design outcomes including design that is responsive to local character and context.
Sustainability	Mandate higher than standard sustainability requirements in building design & construction.
Open Space	Maintain the traditional open feel of private lots in suburban areas, whilst also allowing for viable development of smaller housing typologies.
Trees and landscaping	Provide for existing, new trees and garden space on development sites, proportionate to achieving viable development of smaller housing typologies.
Community	Promote private land development outcomes that would help foster social interactions between new smaller dwellings, adjoining development & the street.
Car movement & parking	Appropriate allocation of land required for car parking & movement for small house development.

Figure 1: Eight themes as derived from the community during the engagement on the Freo Alternative.

1. LOCATION

Objective: Promote smaller housing types in areas with access to public transport and local amenities.

A key objective of the policy is to provide for a diversity of smaller housing sizes in Fremantle's suburban areas located near public transport, commercial areas, public parks and amenities.

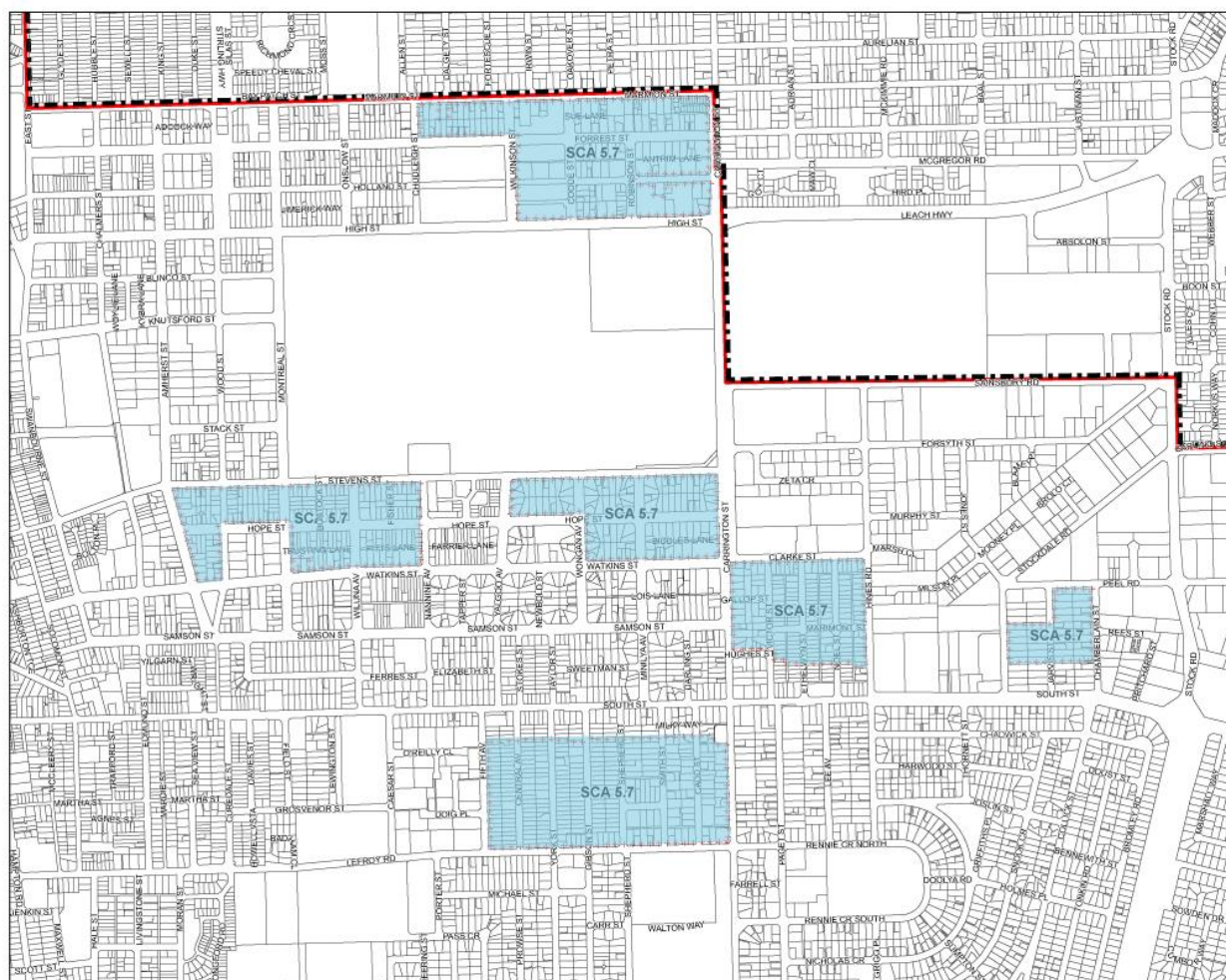


Figure 2: Areas designated on the LPS4 map as 'SCA 5.7', where this policy applies.

As per the requirements of clause 5.7 of LPS4, development of housing under this policy can be considered on properties in areas identified on the scheme map as SCA 5.7, and where the site is 600m² or over.

The development would additionally need to meet all the requirements of the Local Planning Scheme No. 4 and this local planning policy.

2. HOUSING CHOICE

Objective: Provide diversity of housing size and type in suburban areas to increase housing choice.

Household sizes have reduced in the City of Fremantle in recent times, while new housing being built is the largest yet. The purpose of this policy is to give smaller households an alternative option in areas losing diversity of housing size.

As per the requirements of the clause 5.7 of LPS4 the following applies to development under this policy:

- Any new dwelling shall have a maximum floor area of 120m².
- A maximum of three dwellings, including existing dwellings, on lots 750m² or less. On lots over 750m² an additional dwelling for every 150m² in excess of 750m².

These requirements are provided in the City's Local Planning Scheme No. 4 provisions. There are no variation criteria applicable to these requirements.

3. BUILT FORM

Objective: Ensure good quality design outcomes including design that is responsive to local character and context.

3.1 Visual appearance

The design of a development contributes greatly to the visual interest of the building and the character of a local area. A building's aesthetics and articulation not only adds to the composition and detailing of a building's facade but also the appearance of the building and perceived bulk and scale.

To satisfy the visual appearance requirement of this policy guidance will be taken from the City of Fremantle's Design Advisory Committee (DAC) on the visual appearance of the place. Proponents are highly encouraged to seek preliminary feedback from the DAC prior to submission of a formal development application.

3.2 Rear setback

Setbacks are the spaces between buildings and lot boundaries. Setbacks are important to the amenity of new development and buildings on adjacent sites.

In established suburbs the rear setback, compared to a side setback, is more important as traditionally large backyards adjoin each other and the setback between the rear adjoining boundaries has, in the past, been substantial. The rear setback area is also generally where the mature vegetation on a site is located. The purpose of the rear setback requirement is therefore to maintain this separation, retain the existing pattern and mature trees.

DEEMED-TO-COMPLY

All buildings shall be set back a minimum 5.0m from the rear boundary of the development site.

DESIGN PRINCIPLES

Council may consider a reduction to the 5.0m rear setback requirement where:

- The adjoining property to the rear has:
 - A building with a wall 5.0m or more in length located within 2m of the common boundary; or
 - An existing ground level 1.0m or more higher than the subject site at the rear boundary.
- Greater protection of existing mature trees could be attained than would otherwise be achieved with the 5.0m setback requirement.

- Outdoor living areas and/or some of the Deep Planting Zone would be more suitably located centrally on the site so as to gain better use of the northern aspect for development.
- The property's rear boundary does not adjoin a privately owned residential lot e.g. the rear boundary abuts a laneway, right of way or other pedestrian or vehicular access way.

3.3 Private outdoor living

Private outdoor living spaces are outdoor living areas, including balconies, courtyards and terraces for private use. These spaces enhance the amenity and indoor/outdoor lifestyle of residents and support indoor-outdoor living.

DEEMED-TO-COMPLY

- A minimum 30m² of outdoor living area shall be provided per dwelling, with minimum length and width dimension of 4.0m, directly accessible from a habitable room. 20m² of this area is to be without a permanent roof cover.
- The outdoor living area (balcony) may be reduced to a minimum 15m² where the outdoor living area is to an upper floor dwelling only.
- Outdoor living areas and balconies shall predominantly face north, east or west.

4. SUSTAINABILITY

Objective: Mandate higher than standard sustainability requirement in building design & construction.

Buildings designed and constructed to sustainably deliver greater environmental, social and economic outcomes.

4.1 Sustainable design

Sustainable buildings utilise passive environmental design that responds to local climate and site conditions to provide optimal orientation, shading, thermal performance and natural ventilation. Sustainable design additionally reduces reliance on heating and cooling technology and minimises energy use, resource consumption and operating costs over the life of the building. Other sustainable design measures include the use of sustainable construction materials, recycling, material re-use, energy & water efficient features, harnessing of renewable energy sources and appropriate water management.

- A sustainability report is to accompany the development assessment application. The report is to outline the sustainability commitments of the development proposal and demonstrate:

DEEMED-TO-COMPLY

1. The development achieves a star rating of one star in excess of the current energy efficiency requirement of the National Construction Code. The star rating shall be certified by an accredited energy assessor.
2. The development includes at least two of the following:

- The provision of a minimum 1.5kw photovoltaic solar panel system per dwelling.
- The provision of holding at least 1000 litres of rainwater per dwelling. The rainwater is to be connected to water use in a dwelling(s), e.g. toilet or washing machine, and/or used for irrigation on private or communal outdoor areas, preferably the deep planting zone(s) on the development site.
- Approved grey water system for all dwellings.
- At least one dwelling is fully accessible suitable for independent living (Platinum standard – Livable Housing Australia).

DESIGN PRINCIPLES

In cases where the deemed-to-comply requirements of Part 2 cannot reasonably be met, Council may consider the achievement of an additional half (0.5) star as an alternative means of complying with this policy.

Alternative options to those provided in Part 2 proposed as an option to meet the Part 2 requirements will be considered by Council on a case-by-case basis and against the objective of the theme.

Alternative building methods that cannot meet the requirements above will be considered on their own merits and deemed acceptable where they demonstrate significantly higher sustainability outcomes through the submitted sustainability report.

5. OPEN SPACE

Objective: Maintain the traditional open feel of private lots in suburban areas, whilst also allowing for viable development of smaller housing typologies.

Open space is generally the area of the lot not occupied by building(s). This includes areas under eaves, usable flat roof areas, uncovered driveways and car parking and also patios and verandahs where open on at least two sides. Traditionally, suburban lots had a high open space percentage (approximately 70%).

5.1 Open space

Designing new development with a larger open space requirement (as defined by the R-Codes) maintains the traditional feel of suburban areas and increases the amenity for residents of the development.

DEEMED-TO-COMPLY

- A minimum 70% of the entire development site shall be open space.

DESIGN PRINCIPLES

Council may consider a reduction in open space to a minimum of 60% open space where -

- an existing dwelling is retained or adapted with no significant enlargement or other alteration to the existing building footprint; or
- a building assessed as having 'some' or more cultural heritage significance is retained; or

- a building with a high degree of embedded energy is retained; or
- a minimum of 50% of the available open space includes areas that are developed as water permeable uncovered:
 - outdoor living areas,
 - communal areas and/or
 - deep planting zones.

6. TREES AND LANDSCAPING

Objective: Provide for existing and new trees on development sites, proportionate to achieving viable development of smaller housing typologies.

Established tree and garden areas (landscaping) play an important role in integrating new buildings into their surrounding streetscape and the existing neighbourhood context. There are also many positive environmental benefits of trees and gardens including urban cooling through shade, clean air from ecological processes, habitat for wildlife, aesthetic appeal to the urban landscape and rain and storm water benefits.

6.1 Canopy cover

Trees contribute to the local environment, while creating a varied, interesting and attractive landscape that builds on sense and character of place. Existing trees on private land represent a significant proportion of tree canopy within our urban areas. Significant loss of urban tree canopy, due to private development, is an increasing focus of community concern. Retaining existing trees or planting new trees is critical for urban ecology and maintaining a liveable environment.

DEEMED-TO-COMPLY

Retain or plant at least one tree on site that meets the following requirements -

- Healthy specimen with ongoing viability as identified by a suitably qualified arborist.
- At least 3m in height and/or have a trunk with a diameter of at least 100mm, one metre from the ground and/or has a canopy of 3.0m or more or the potential to reach these measurements.
- Specimen from the list of preferred tree/plant species in Appendix 1 of this policy.

DESIGN GUIDANCE

- Prior to lodging a development application, obtain an arboricultural report on health and structural condition of existing trees. Healthy existing trees should be retained where possible. If trees are identified for retention seek specialist arboricultural advice on 'rootable soil area', management during construction and post construction monitoring to ensure the health of trees.
- A condition of planning approval for the retained or planted tree to be maintained and not removed will be included on all developments assessed under this planning policy.

6.2 Deep planting zone

Deep planting zones support healthy plant and tree growth and green spaces. Mandating a deep planting zone ensures the loss of vegetation to make way for new development is

reduced and a sufficient uncovered and unpaved open space area is set aside and protected from further development.

The mandatory requirement for a deep planting zone from LPS4 is as follows:

- A minimum 25% of the development site area shall be provided as deep planting zone.
- The deep planting zone can be included as part of the open space percentage for the development, and 50% of the deep planting zone must be provided on the rear proportion of the site.
- A minimum of 1 tree, to Council specification, is required to be retained or planted in the deep planting zone on site.

Deep planting zone means an area of the lot for the exclusive use of supporting plant life. The deep planting zone shall:

- Be landscaped, water permeable, unpaved and uncovered
- Be a minimum length and width dimension of 3.0 metres
- Not be used for vehicle parking or access
- Contain no buildings, patios, pergolas, swimming pools or external fixtures.

DEEMED-TO-COMPLY

- The deep planting zone shall be reticulated and landscaped with waterwise plants.
- A waterwise landscaping plan shall be included with the development application.
- 50% of the deep planting zone must be provided on the rear portion of the site.

DESIGN PRINCIPLES

Council may consider a reduction to the requirement for 50% of the deep planting zone to be provided on the rear portion of the site where:

- The development site has an irregular lot shape which restricts placement of the deep planting zone to the rear; or
- An alternative location of the deep planting zone would ensure areas of established trees and shrubs are retained.

DESIGN GUIDANCE

- A waterwise landscaping plan shall be included with the development application.
- Deep planting zones are to be considered early in site planning, especially where existing trees are identified for retention.
- The deep planting zone can be included as part of the open space for the development.
- A condition of planning approval for the deep planting zone to be retained as a deep planting zone (as per the definition) will be applied to all approved development applications.

7. COMMUNITY

Objective: Promote private land development outcomes that would help foster social interactions between new smaller dwellings, adjoining development & the street.

The interaction of a private development internally and externally between residents and the existing neighbourhood and street is important to improve safety and enhances social interactions of residents and the wider community.

7.1 Communal space

Communal spaces provide opportunities for casual social interaction among residents and can assist with social integration. Communal space also contributes to the appeal of a development and the wellbeing of residents.

The size, location and design of communal space will vary depending on the site context and the scale of development. In designing these spaces, an emphasis should be placed on their quality and potential to deliver benefit to residents and visitors.

DEEMED-TO-COMPLY

Where three or more dwellings are proposed, usable and effective communal space shall be provided that is accessible to all residents of a development site, with a minimum dimension of 3.0m.

DESIGN GUIDANCE

- Design solutions for communal space that is usable and effective may include seating at building entries, near letter boxes and adjacent to streets or shared gardens, outbuildings, laundries etc.
- Communal space should be consolidated into a well-designed, easily identified and usable area.
- Communal space can be internal or external space and may be co-located with deep soil areas or can be provided as a landscaped roof top terrace or a common room.
- Communal space in larger developments should consider greater dimensions.

7.2 Development fronting the street

The street interface is the transition area between the dwelling, its private or communal space at the street edge and public domain. The interface of the development contributes to the quality and character of the street and improves safety and enhances social interactions.

DEEMED-TO-COMPLY

- Direct access from the street to front of at least one dwelling, and may include an existing retained dwelling.
- Major openings to habitable room windows and porches overlooking the street in at least one dwelling within a development, this may be provided for within an existing retained dwelling.
- The development should positively address adjoining public parks, open space or bushland where applicable.

DESIGN PRINCIPLES

Council may consider a variation to the deemed-to-comply requirement where-

The interface of the development contributes to the quality and character of the street and improves safety and enhances social interactions.

8. VEHICLE MOVEMENT AND PARKING

Objective: Appropriate allocation of land required for car parking & movement for smaller house development.

Design, location and integration of parking garages/carports and driveways are essential for:

- The efficient use of land on a development site;
- Tree retention;
- The amenity of the streetscape;
- Limiting the impact on ecological factors such as water permeability; and
- Safety of residents and pedestrians.

8.1 Vehicle access and movement

Vehicle access points are important connections between the street and the site, however can have negative impacts on the streetscape and pedestrians. Additionally, the land required for driveways and movement circles on a development site increases the impermeable surface of the site. Vehicle access should be designed to maximise safety and reduce impermeable surfaces.

DEEMED-TO-COMPLY

The deemed-to-comply criteria of the R-Codes [5.3.5 Vehicle access] is amended as follows:

- Driveways shall be water permeable in construction; no hardstand or impermeable paved driveways will be approved on site.
- The minimum width of a driveway shall be 2.75m.
- The maximum width of a driveway shall be 3.0m.
- If the existing driveway/crossover doesn't allow access to the rear of the site, then an additional crossover is permitted subject to a 3.0m maximum width and in aggregate width of crossovers on a development site to not be over 6.0m.
- Reduced or no turning circles can be considered where it is demonstrated clear sight lines are provided at pedestrian and vehicle access points for pedestrian and cycle safety, and vehicles can safely enter and exit the site and street. This does not apply where the site abuts a primary distributor road or distributor A road.

DESIGN PRINCIPLES

Council may consider a variation to the deemed-to-comply requirement for a water permeable driveway and the 2.75m minimum and 3.0m maximum driveway width where the driveway is existing and has been proven to be existing on the site for at least two years.

8.2 Vehicle parking

In order to provide a diverse and attractive streetscape the space required for cars needs to be carefully considered.

The mandatory requirement for a vehicle parking from LPS4 is as follows:

- A maximum of 1 vehicle parking bay shall be provided for each new dwelling and a maximum of two car bays for any existing dwelling on the development site.
- The vehicle parking bay requirement above, can be waived where one small dwelling within a development achieves a floor area of 60m² or less.
- Visitor parking shall not be provided for development less than 5 dwellings.

DEEMED-TO-COMPLY

- A maximum of two car bays shall be provided to the front of the development.
- The existing dwelling parking space can be used for rear development(s).
- Parking surfaces shall be water permeable in construction; no hardstand or impermeable paved vehicle parking will be approved on site.
- No double garages will be permitted fronting the street (unless existing).
- Carport requirements as per Local Planning Policy 2.9 – Residential Streetscape Policy

DESIGN GUIDANCE

- Car share facilities are strongly encouraged.
- Council will not provide on street resident parking permits for development under this policy.



**C2405-7 PREPARATION OF AMENDMENT NO. 76 TO LOCAL PLANNING
SCHEME NO. 4 – LOT 1488, 103 CARRINGTON STREET, LOTS 1, 2,
AND 3, 396 HIGH STREET, LOT 1483, 386 HIGH STREET, LOT 51,
167 HOLLAND STREET, LOT 252, 169 HOLLAND STREET, AND
LOTS 1-4 ON STRATA PLAN 65266, 171 HOLLAND STREET,
FREMANTLE**

Attachment 1 – Proposed amendment document

CITY OF FREMANTLE
LOCAL PLANNING SCHEME NO. 4
AMENDMENT NO. 88

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND LOCAL PLANNING SCHEME

CITY OF FREMANTLE
LOCAL PLANNING SCHEME NO. 4
AMENDMENT NO. 88

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

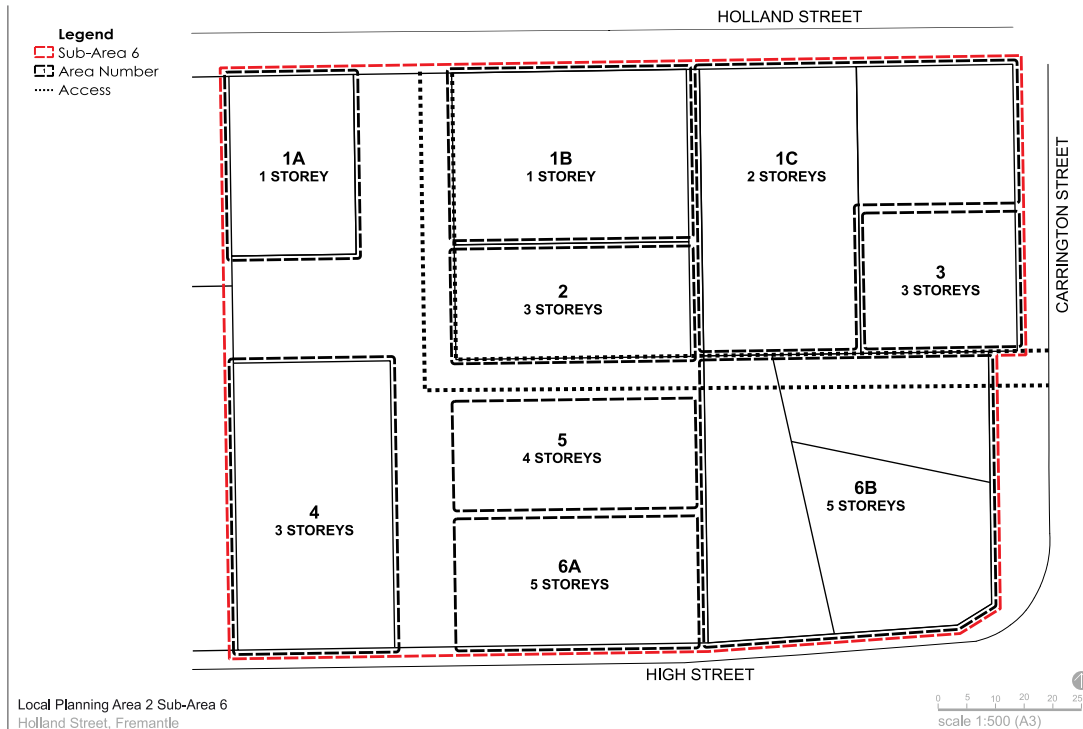
1. Amend the density coding of Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle from R30 to R160.
2. Amending clause 6.2, schedule 2 – Additional uses by inserting the following:

4	396 (Lots 1, 2 and 3 on Plan 31414 Certificates of Title 37/349A and 45/96A) High Street, Fremantle	Consulting Rooms, Office, Restaurant/Café	1. The additional uses are 'A' uses. 2. Any uses of Consulting Rooms, Office and/or Restaurant/Café shall not exceed a gross lettable area of 320 sqm on the ground level. 3. The additional uses hereby permitted will not apply to any increase in floor area or substantial redevelopment.
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3. Amending clause 6.7, schedule 27 – Local Planning areas (Development Requirements) by inserting the following:

Local Planning Area 2 - Fremantle Sub Area 6

urban|design
plan|development



Access

(a) A minimum 6 metre wide public access laneway running shall be designated in Lot 252 along the western margin of proposed Lots 1B and 2, then in an easterly direction to the boundary of Lot 3, thereafter delineated as a shared access easement in Lots 3 and 2 Carrington Street, as defined on Plan Sub Area 6, and indicative concept plan.

Building Height and Setbacks

(b) Clause 2.2 'Matters to be considered in applying general and specific height controls' does not apply to Sub Area 6.

(c) Permitted building heights shall be in accordance with the requirements set out in the table below as defined on Plan Sub Area 6.

Area	Permitted Height (external wall metres)	Maximum Storeys
1 (a)	3	2
1 (b)	3	2
1 (c)	7	2
2	10	3
3	13	4
4	10	3
5	13	4

6 (a) and 6 (b)	16.5 Council may permit a maximum building height of 16.5 metres for Area 6(a) and 6(b) where the proposed development satisfies all of the following: i. Exceptional design quality and distinctive architecture befitting the entry into Fremantle ii. Demonstrate a high standard of environmentally sustainable building design and fabric to minimise energy consumption, water usage, emissions and waste iii. Optimise solar aspect and breezeways iv. Provide a high quality and publicly accessible internal pedestrian communal open space in Lot 252 linking Holland Park to Holland and Carrington Streets. Council may impose a lesser height in the event that the proposal does not satisfy any one or all of the above requirements.	5
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Other Development Standards

(d) Development shall satisfy the following design requirements:

- i) Retain and/or interpret any features of cultural heritage or landscape significance;
- ii) Maximise opportunities to retain existing trees and provide significant areas of new planting;
- iii) Landscaping treatment of the street verge, including the provision of vehicle parking for public use;
- iv) Integrate with surrounding public areas;
- v) Provide visual permeability through the site and mitigate the impact of building bulk on streetscape.

(e) Built form in Sub Area 6 should embody contemporary and innovative architecture that is sensitive to Fremantle's sense of place and satisfies any relevant planning and design policy adopted for the area.

(f) The provision of the pedestrian access link is considered integral to any development to ensure the provision of activated and high quality pedestrian space. A high amenity pedestrian link with a minimum width of 6 metres is to be provided between Holland Street and Holland Park with connection to Carrington Street. Ongoing public access arrangements are to be determined by and be to the satisfaction of the City and set as a condition of planning approval.

(g) Retention of north-south spine of remnant eucalypt trees to supplement pedestrian links east and west.

(h) Development abutting the remnant eucalypt trees shall be setback to the canopy dripline so as to not undermine or compromise the integrity or wellbeing of those trees.

(i) Stage one development is permitted to the area 1(b) pursuant to the existing R-Code R30 and in accordance with R-Codes Volume 1.

Parking and vehicle access

(j) The provisions of clause 4.7.3 of the Scheme apply in Sub Area 6.

(k) Parking requirements for ground level non-residential uses anywhere in Sub Area 6 may be reduced by 50%.

- i) Primary vehicle access to the development shall be from Holland Street;
- ii) A Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be submitted in support of application for planning approval.

4. Delete Special Control Area SCA 5.7 over Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle.

5. Amending the Scheme Map accordingly.

Dated this day of 2023

CHIEF EXECUTIVE OFFICER



Form 2A
Resolution to
prepare or adopt a
Local Planning Scheme Amendment

Regulation 35(1)

Version: 2.0 (June 2021)

Planning and Development Act 2005

RESOLUTION TO
AMENDMENT TO LOCAL PLANNING SCHEME

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*,
amend the above Local Planning Scheme by

The Amendment is _____ under the provisions of the
Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

Pursuant to Regulation 35A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the amendment to the above Local Planning Scheme affects the following structure plan(s):

Upon the amendment taking effect, the

Dated this _____ day of _____ 20____

(Chief Executive Officer)

The information and plans provided with this application may be made available by the WAPC for public viewing in connection with the application.

PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

1. **LOCAL AUTHORITY** : City of Fremantle
2. **DESCRIPTION OF SCHEME** : Local Planning Scheme No. 4
3. **TYPE OF SCHEME** : Local Planning Scheme
4. **SERIAL NUMBER OF AMENDMENT** : Amendment No. 88
5. **PURPOSE** :

Amending the density coding of Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle from R30 to R160.

Amending clause 6.2, schedule 2 – Additional uses by allowing the consideration of consulting rooms, office and restaurant / café uses on 396 High Street, Fremantle

Amending clause 6.7, schedule 27 – Local Planning areas (Development Requirements) by inserting a new sub-area 6 including development and built form controls pertaining to use, building height, access, setbacks.

Deleting Special Control Area SCA 5.7 over Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle.

Amending the Scheme Map accordingly.

SCHEME AMENDMENT REPORT

1. Introduction

1.1 Purpose

The purpose of this Scheme Amendment Report is to substantiate changes to the City of Fremantle Local Planning Scheme No. 4 to:

- Amend the Scheme Map classification of Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle and apply Sub-area 6 to Local Planning Area 2;
- Add Sub-area 6, Local Planning Area 2, to Schedule 7 of the Scheme to specifying specific development controls for Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle;
- Amend the Scheme Map residential coding of Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle from R30 to R160; and
- Amend the Scheme Map by removing the Special Control Area 5.7.

An interrelated purpose of this proposed amendment necessitates the application of a supporting planning provisions (Sub-area 6, Local Planning Area 2, to Schedule 7) to coordinate shared access arrangements and control built form and height across the site.

1.1.1 Aim

The aim of the Scheme Amendment Report is to facilitate an increase in residential densities and substantiate quality built form, diverse residential mix of grouped and multiple dwellings and a limited offering of commercial uses with an internal public open space linkage to adjacent Holland Park. To facilitate implementation of the amendment, it is proposed to create a Local Planning Area, sub-area 6, to address built form, height and land use considerations.

The proposed amendment does not seek to change the land classification from Residential Zone, only to increase the residential density with additional provisions to control development. Accordingly, the amendment is considered to be standard.

1.1.2 Objectives

Upon amendment of the Fremantle Local Planning Scheme, the proposal is guided by the following objectives:

- a) Ensure there is provision for affordable housing within a mix of dwelling types and higher order densities.
- b) Encourage a high standard of building design and landscape that follows the City of Fremantle's sustainable design principles.
- c) Ensure existing features of the site including its sloping gradient and mature trees are integrated into the design.
- d) To provide for efficient vehicular and pedestrian accessibility to and within the site as well as an appropriate amount of onsite parking that does not affect the amount and quality of landscaped open space.

2. Description

2.1 Site Description

The subject site is bounded by High Street, Carrington Street and Holland Street and comprises of the following lots:

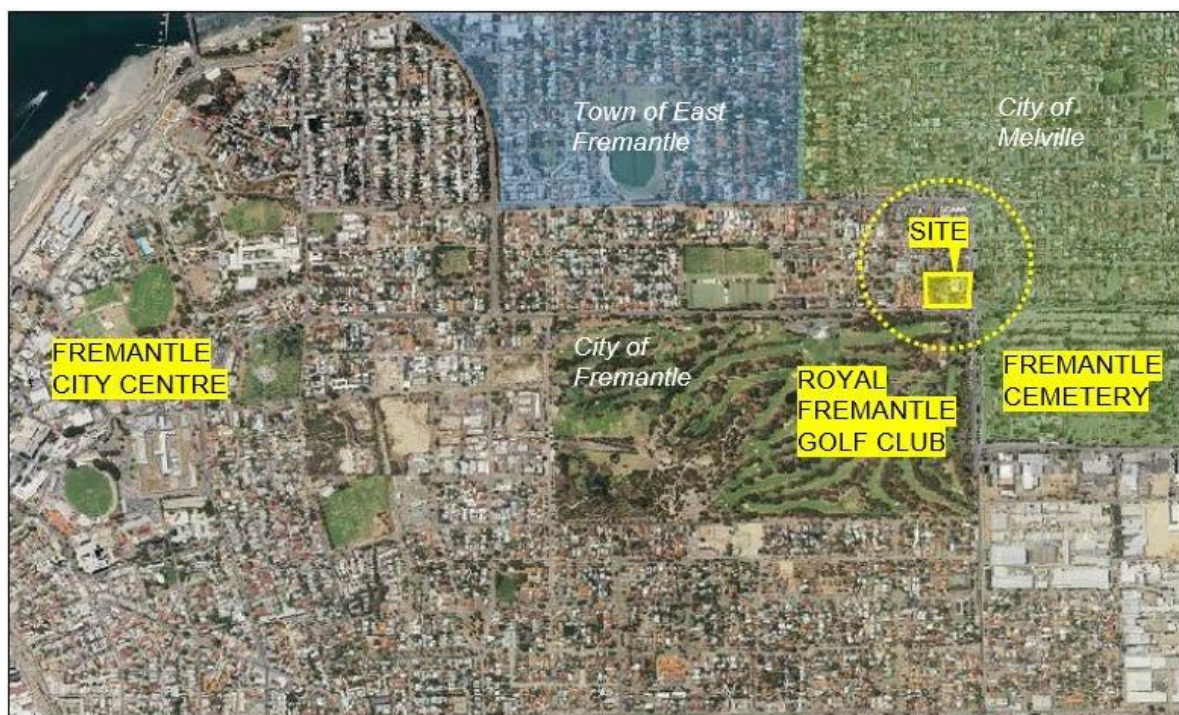
- Lots 3, 252 (SP68374) 1483 High Street;
- Lots 1, 2 and 1488 Carrington Street; and
- Lots 51 and 1489 (SP222441) Holland Street.

Refer Figure 1 for site location.

2.1.1 Ownership

DevelopmentWA owns the larger portion of the site being Lots 252 and 1483 with the remainder held by private owners. The second largest land holding is in the ownership of Urban Fabric, being Lots 1, 2 and 3. The existing residential composition is limited to one house and a site of four grouped dwellings in private ownership on Lots 51 and 1489 respectively. The majority of the site has been cleared in preparation for redevelopment including the former petrol station and veterinary clinic.

Figure 1: Site Location



2.1.2 Site Characteristics

The eight metre cross fall is a major feature of the site that can be utilised for design opportunities, for example enabling:

- stepped approach to development
- reducing cut to fill requirements
- containing the site

- undercroft parking
- reducing the need for retaining walls

The gradient gives opportunities for views across and beyond the site that are sensitive to overseeing and overshadowing concerns as well as ease of access to undercroft parking, concealed beneath dwellings.

A significant element to the proposal is retention of remnant endemic trees to provide a spine of public open space that connects to Holland Park. This will enable more people to enjoy the functionality and service provision in a village type setting within reach of existing and proposed on site facilities and services via additional use designation. Public transport is available along Carrington and Marmion Streets connecting the site to Fremantle, Garden City Booragoon and the hinterland.

The remnant mature trees that form an open space corridor (refer to figure 4 Concept Site Plan) are a key feature of the site. These mature trees have influenced the site responsive design of the internal open space that provides a link to Holland Park and proposed building envelopes and the internal access. The trees are predominantly endemic Eucalypts, half of them 15 metres or taller in height. While the large, mature trees are currently standout features, consideration will be given to the younger trees that are yet to reach their potential height.

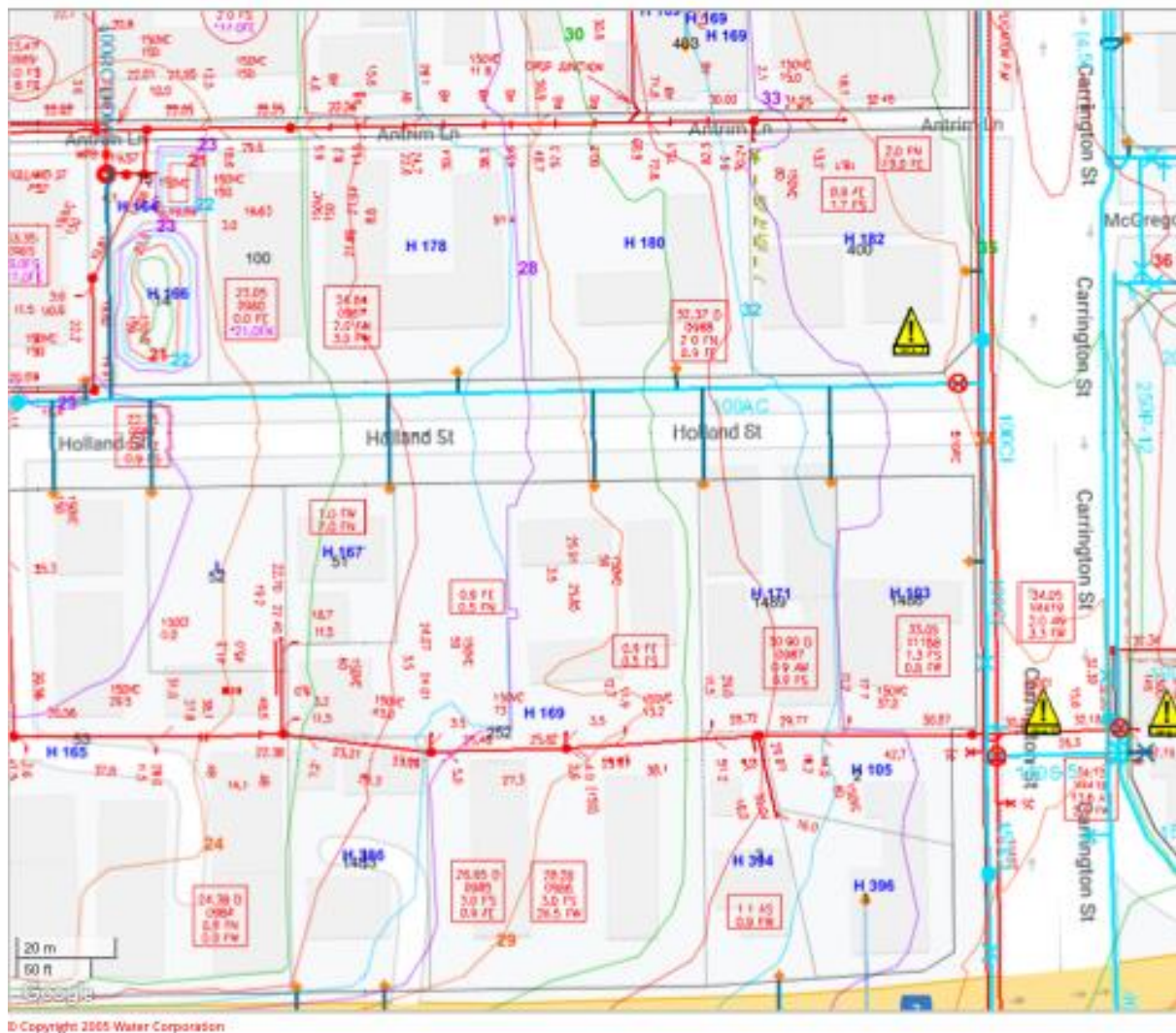
The surrounding suburbs, streets and parks (Mc Gregor Street Park, Royal Fremantle Golf Course, Fremantle Cemetery and Holland Park) are well vegetated, so it was important for internal landscaped spaces within the development to have a focus on pedestrians linking the site to surrounding suburbs, streets and Holland Park.

2.1.3 Site Infrastructure

Existing infrastructure is best represented by site and feature survey overlay that depicts:

- one metre contour interval
- surrounding service mains
- central sewerage main through the site
- water main connections
- building footprints to the remaining dwellings on Lot 51 and 1489.

Figure 2: Service Mains Infrastructure



2.2 Land Use of the Suburb and Surrounds

In relation to surrounding uses, the western boundary of subject site borders the Holland Street pocket park and existing group of housing. The Royal Fremantle Golf Course and the Fremantle Public Course are located on the opposite side of High Street. South east of the site is the Fremantle Cemetery. Single residential housing east of Carrington Street in the municipality of Melville provides an extensive linear park running east.

Employment opportunities exist in the O'Connor Light industrial area further south and east of the subject site. Fremantle CBD is located 3km west and within a five minute walk there are a variety of parks, a petrol station, primary school, a small commercial area that contains a variety of services. Bus services to central Fremantle and Bullcreek Station via Garden City occur along Marmion Street. The existing bike network provides safe passage for cyclists north, south, east and west via the local bike-friendly street network together with shared paths and bike lanes within the vicinity of the subject site.

2.3 Concept Plan of Built Form

The amendment is based on a concept plan of built form (refer to figure 3 overleaf) that seeks to provide suitable living spaces for a wider group of individuals and families in Fremantle. The concept design comprises a variety of small one and two bedroom units in clusters of building envelopes with a graduation of building heights from one storey at Holland Street to five storeys on High Street. The siting of building envelopes is a design derivative; a site responsive outcome responding to the site's characteristics, namely:

- site gradient of eight metres
- tree retention
- solar access
- breezeways

Space is moderate and scaled for people, enabling the built form to sit with ease into the adjacent residential development. Refer Concept of Built Form plan overleaf that is a design derivative, site responsive outcome of the site's characteristics.

The concept design illustrates single storey residential housing to Holland Street to equate to the existing building heights. With respect to existing development to the west, the central portion of the site is allocated three storeys to respect the single storey development. Thereafter, building height graduates to five storeys with inward facing apartments to optimise solar access and, in part, act as a noise barrier to the development.

The proposed design of residential mix responds to changing household composition and housing market demand. The emphasis of the proposal is on:

- affordable housing
- providing accommodation for the under catered lower social demographic
- providing a differential rental offering
- enabling disability accommodation with allied health services
- some dwellings will be for sale, some for rent, to avoid a monoculture of residents.

Therefore, the proposed density of units will vary across the site depending on architectural design and may range from R50 to R160 to facilitate accommodation variety and housing affordability.

For example, it is proposed that Lots 1, 2 and 3 provide enduring rental accommodation for the single parent, student, NDIS participants and lower socio-economic resident cohort to address the housing shortage. An endeavour of this cohort mix is to enable a relationship to develop between students and NDIS participants as supported by allied health services.

An example of a similar project with comparable structures is 339 South Street in Samson that exemplifies the residential community ethic. It is a low cost housing initiative that offers independence to residents while sharing some social and utilitarian amenities. Dwellings are oriented for solar and prevailing breezes and are clustered with pedestrian access alleys and landscaping. Building technology achieves high levels of energy and acoustic management adding to the comfort of sustainability and general aesthetics.

Figure 3: Concept of Built Form (Source: David Barr Architects)



The sloping site will enable some units to take advantage of views across the site to Holland Park. Internal vehicle access options remain open at this stage at this of scheme amendment process, until consideration has been given to design and address for each dwelling cluster.

2.4 Proposed Amendment

2.4.1 Residential Density

The amendment proposes an increase in density from R30 to R160. The site has a commanding position on the entry to Fremantle and warrants quality design with built form that references the entry to town. Accordingly, and with respect to the type of accommodation to be provided, a higher density is proposed to set the site apart from the standard surrounding R30 density coding.

Moreover, the proposed density accommodates the variety of built form and height described above to provide for the requisite household composition and housing market demand. Being receptive of agency comments, and to facilitate staged development of the site, a maximum residential density coding of R160 was selected to offer:

- smaller more affordable housing
- responding to market demographic
- accommodation is needed by an ever increasing cohort of the population
- smaller, functional accommodation
- comfortable living space.

Smaller, functional and more affordable dwelling units, particularly directed at the low socio-economic cohort, is the very audience that the two main proponents wish to address. There is a preference for a lesser plot ratio to achieve more open space and suitable floorspace size, while achieving the appropriate graduated height for this significant site.

To put it another way, an increase in residential density to a maximum R160 will provide functional, comfortable living space for the market the two main proponents, Development WA and Urban Fabric wish to serve. A density of R160 is therefore deemed suitable.

The amendment area is situated amongst an array local amenities and facilities including open space, shops and bus routes 502, 111, 114, 910 and 915.

A coding of R160 achieves the default settings of the Residential Design Codes Volume 2 - Apartments that can be supplemented by alternative provisions defined by the City of Fremantle, including that to control height, in the local planning area document.

2.4.2 Building Height

In response to and respect for existing residential development on Lots 51 and 1489, Development WA has confirmed single storey dwellings for proposed lots A and B fronting Holland Street (refer to figure 4 Concept Site Plan). This approach maintains the low key development of the existing streetscape while enabling a graduation of building height to up to five storeys along High Street.

To accommodate and define the graduation in height across the composite site, reference is made to the associated local planning area provisions (Sub-area 6, Local Planning Area 2, to Schedule 7) to coordinate shared access arrangements and control built form and height across the site. The nominal building heights are illustrated at figure 3: Concept of Built Form.

2.4.3 Additional Commercial Uses

In recognition of the potential dwelling yield derived from composite development and the representative resident cohort additional commercial uses are proposed for 396 High Street, Fremantle to facilitate a semblance of allied health services tailored for the common use by the residents. The uses warranted to service the resident population comprise allied health services (physiotherapist, consulting rooms) a café and an incidental office for the operation of rental accommodation on 396 High Street, Fremantle.

These additional uses will not be allocated a mixed use or commercial zoning that purport to provide other retail or commercial services. Rather these select allied health services will be controlled through assigning the following additional uses to 396 (Lots 1, 2 and 3) High Street, Fremantle - corner High and Carrington Streets. The estimated nett lettable area (square metres) for these allied health uses is approximated at:

- physiotherapist: 120
- consulting rooms: 120
- café: 40
- manager's office 40.

With reference to the City of Fremantle Local Planning Scheme, such uses are defined as:

consulting rooms means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

restaurant/café means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*.

office means premises used for the administration, clerical, technical, professional or similar businesses activities.

Limited floorspace, restricted site access limited will ensure these uses will not impact other retail or commercial centres. There is no intention to pursue a convenience store, lunch bar, liquor store, fast food outlet, medical centre nor restricted premises.

Noting the recommended limitation on proposed commercial uses and nett lettable area, State Planning Policy 4.2 - Activity Centres (SPP4.2), is not applicable to the proposal. SPP 4.2 is intended to ensure planning and decision making considers the distribution, function, broad land use, access and urban form of activity centres. In doing so it encourages commercial development to be focused within and around activity centres and aims to maximise access to those services by different modes of transport. The proposed composition and floorspace limitation of 320 square metres to proposed commercial uses is coordinated to the extent that the primacy of activity centres (Hilton, Stammers and Willagee) will not be negatively affected.

2.4.4 Special Control Area 5.7 Fremantle Alternative

In February 2019, the City of Fremantle Local Planning Scheme was amended to include a Special Control Area provision [PART 5 at 5.1.1(g)] to enable small infill development at designated sites across the municipality. This gave the City Council discretion to grant

development approval for Grouped Dwellings and or Multiple Dwellings on a lot with a density coding of R35 or lower where the lot is over 600m².

The criterion set for this discretionary power has implications for the proposal, for example:

- dwelling density
- maximum dwelling yield
- open space provision.

These criterion negatively influence the proposed development outcomes to the extent that this provision needs to be removed from the subject sites. Accordingly, this scheme amendment removes the application of clause 5.1.1. to the subject site.

2.4.5 Internal Open Space

The placement of internal open space protects mature remnant eucalypt trees and provides a link to Holland Park to the west. The open space area is estimated at 1,600 square metres to be designed as internal private open space for the enjoyment of residents. Refer to Figure 4 Indicative Concept Plan.

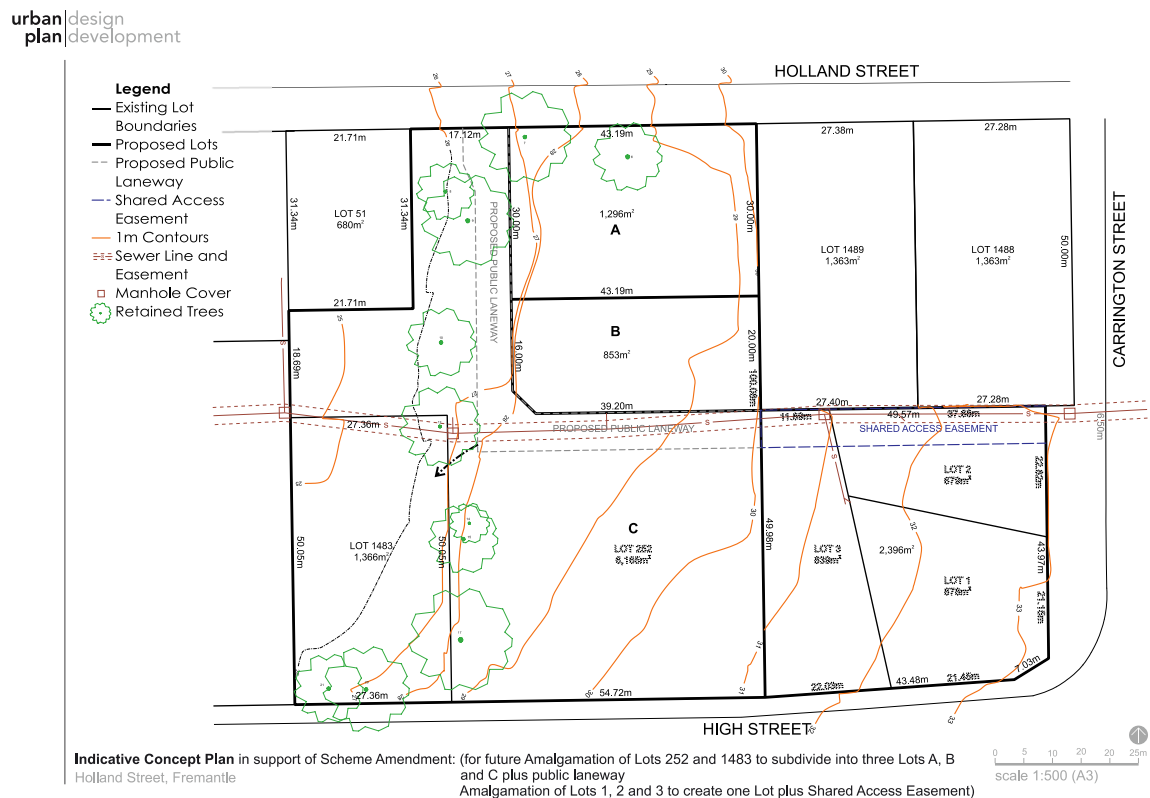
2.3.6 Indicative Concept Plan

A consideration of overall development is the necessity of coordinated internal access. At this early stage of scheme amendment advertising, internal access options have been considered in respect of design, address and access for each dwelling cluster. It is proposed to create a public access laneway through Lot 252 along the line of trees and then east to the boundary of Lot 3 where the access will be designated as a shared access easement through to Carrington Street enabling through movement of pedestrians and vehicles. The public laneway will provide a pedestrian link through to Holland Park being afforded by the open space. A combination of these access options could be considered. This overall proposal is in keeping with the inherent qualities of the David Barr concept design drawing.

Access to Lots 1, 2 and 3 is supplemented by an existing left-in and left-out crossover to Carrington Street.

Subsequent approval of the proposed subdivision is enabled by section 138 (3) (c) of the Planning and Development Act 2005 as supported by this scheme amendment.

Figure 4: Indicative Concept Plan



2.4 Local Planning Area, Sub-Area 6

To coordinate orderly and proper planning, in accordance with the Planning and Development Local Planning Schemes Regulations, warrants the application of a supporting planning instrument, either: a Local Development Plan or a Local Planning Area policy.

The amendment proposes inserting Sub-area 6, Local Planning Area 2, to Schedule 7, a more detailed set of scheme provision into the Scheme. The planning instrument supporting this scheme amendment has been prepared in liaison with the City of Fremantle to ensure satisfactory built form outcomes that will replace the guidance of Local Planning Area 2.

Proposed Sub-area 6 Local Planning Area 2 establishes:

- development intent
- built form structure throughout the site and define heights
- shared access to afford coordinated access through the site
- appropriate parking provision for the demographic
- indicative subdivision arrangement
- sequence of staged development of components of the site.

2.5 Stage 1 Development

To facilitate cash flow, Development WA wish to undertake a stage one development of single storey grouped dwellings fronting Holland Street. This staged development is sited within Lot 252 and conforms to the existing R30 residential coding. Accordingly, the stage one development can be achieved under the existing zone and residential coding. To facilitate subsequent staged development and enable access to the rear of Lot 252 and through to Lots 1483, 3, 2 and 1, it is necessary to define the internal shared access easements; this also helps define individual building envelopes. Accordingly, this scheme amendment is supported by a concept site plan that will form part of the Local Planning Area to demonstrate future site boundaries for future subdivision under a separate process (potentially strata) and access easements throughout the subject site.

3. Planning Context

3.1 State Planning Framework

The strategic planning and policy context that applies to the subject site is very extensive:

- Perth and Peel Strategic Framework @ 3.5 million
- SPP 5.4 Road and Rail Transport Noise
- SPP 3 – Urban Growth and Settlement
- SPP 7.3 Residential Design Codes Volume 2
- City of Fremantle Local Planning Scheme No.4
- Local Planning Strategy 2001
- Local Planning Policies of Relevance
- One Planet Fremantle Strategy 2014/15 – 2019/20
- City of Fremantle Urban Forest Plan
- Greening Fremantle Strategy 2020.

The essential objective of the state strategic Planning Framework is to assist in the consolidation of urban form with particular emphasis on existing centres and transport corridors.

The overarching Perth and Peel @ 3.5 million strategic framework identifies urban corridors in the Central Sub-region alongside high-frequency public transit routes that should be the focus for investigating increased residential densities, with potential for mixed land uses where appropriate. The subject site is located near the Marmion Street corridor a designated urban corridor within walking distance (300 metres) with access to services and high frequency transport.

Of most significance to the amendment is road transport noise addressed in SPP 5.4. This Policy notes that it is generally acceptable to provide a continuous wall along the property boundary for development backing onto a strategic freight route, from which access is not permitted. In the first instance, the existing High Street acoustic wall constructed by Main Roads as part of the High Street upgrade abates noise exposure. This reduces the noise levels. To supplement this the Concept of Built Form places inward facing apartments in Lots 1483 and 252 to optimise solar access and act as a noise barrier to High Street. More

stringent building construction standards may be considered for inward facing apartments with designed qualities responding to the quiet house design elements as given in the Road and Rail Transport Noise Guidelines, to be considered in latter stages of the planning process.

The remaining state and city strategic policy documents are too expansive to detail here. However, the proposed development responds well to this strategic policy framework and is able to achieve:

- well connected development
- scaled built form
- quality living environment
- functional built quality living spaces
- amenity through internal living spaces connected to external open space
- offering variety of sustainable housing typology
- with a range of densities
- integrated into sloping site gradient while
- aesthetic through remnant trees.

The design elements of the proposed concept respond to the intent of the policy framework.

3.2 Local Planning Framework

3.2.1 Local Planning Scheme No. 4

Local Planning Area 2 - Fremantle

The City of Fremantle Local Planning Scheme No.4 sets out Local Planning Areas to enhance and guide locally desired streetscape and builtform character. Local Planning Area 2 – Fremantle specifies that in granting consent to the maximum heights prescribed Council shall be satisfied in regard to all of the following:

- that the proposal is consistent with predominant height patterns of adjoining properties and the locality generally,
- the proposal would not be detrimental to the amenity of the area,
- the proposal would be consistent, if applicable, with conservation objectives for the site and locality generally, and
- any other relevant matter outlined in Council's local planning policies. Council may impose a lesser height in the event that the proposal does not satisfy any one or all of the above requirements.

In considering this guidance relative to the proposed design, single storey height accommodation is placed against High Street replicating the existing Holland Street streetscape. Thereafter the height of buildings increases to five storeys at High Street. This graduation in height is reinforced by the Sub-area 6, Local Planning Area 2, to Schedule 7 in support of this scheme amendment is to enable building height from five storeys graduating to one storey supplementing the guidance of Local Planning Area 2. The proposed four to five storey built form to High Street provides the opportunity to screen and buffer the internal courtyards from traffic and noise exposure.

In terms of implications for amenity, conservation of existing trees can be catered for in the design.

Local Planning Strategy

The Fremantle Planning Strategy 2001 has a number of planning areas; the subject land falls within Fremantle Area. The relevant strategies for this Area promote higher densities particularly if composed with mixed use development:

- Provide a mix of medium density residential development with some higher density residential development within mixed use areas to provide for a variety of dwelling types and sizes.
- Ensure residential redevelopment is compatible with the heritage character and scale of the built environment, streetscapes and urban spaces of the area and the amenity of adjoining properties, including the Fremantle Port.
- To facilitate the development of mixed use areas as a transition between the city centre and surrounding residential areas.
- Secure areas of public open space and preserve significant landforms.
- Provide safe access and movement for pedestrians and cyclists.

3.2.2 Local Planning Policies (LPP)

LPP 2.9 – Residential Streetscape Policy

The provisions of this policy apply to all residential development and addresses items including setbacks, building orientation and building height and scale.

LPP 2.10 – Landscaping of Development and Existing Vegetation on Development Sites

The objective of this policy is to provide guidance on the requirement and assessment of landscape plans and where Scheme and Policy requirements can be varied in relation to planning applications that contain trees and vegetation considered worthy of conservation.

LPP 2.13 – Sustainable Buildings Design Requirements

All mixed use and multiple dwellings as well as commercial developments in excess of 1,000sq.m GLA require buildings to be designed and constructed in such a manner so as to achieve a rating of not less than 4 Star Green Star using the relevant Green Building Council of Australia Green Star rating tool. Noting the Place Quality and One Planet characteristics of the proposed design concept, these star ratings should be easily achieved at completion of design.

LPP 2.24 – Waste Management Plans for New Development

The shared access arrangement commencing in Holland Street through Lot 252 and passing through Lots 3 and 2 Carrington Street is planned deliberately to achieve through access movement, particularly for waste disposal purposes for those lots with limited street frontage. This avoids waste truck having to manoeuvre within the site. The access easement is sized to provide waste collection access of sufficient width for side arm waste truck. At this stage of the planning process, bin collection bays are proposed in lots 252 and 3. This service would be provided as the City does not enter private property to collect waste.

3.2.3 Other Local Strategies

Greening Fremantle: Strategy 2020

While encouraging urban infill, the Framework also highlights a green network to encourage biodiversity linkages, as also emphasised in the Green Links in the Greening Fremantle: Strategy 2020. The Royal Fremantle Golf Club south of the site and the City of Melville McGregor Street linear park are marked as a part of this green network. The proposed development retains mature and semi-mature trees as well as an increased greening effort and linkage to surrounding green space of Holland Park.

Sustainability

The One Planet Living Principles is a sustainability framework for ecological and carbon foot-printing that focus around 10 guiding principles. The proposal is based on One Planet Living Principles and has used these in conjunction with site specific observations to apply five place quality principles, being; solar passive, connected, diversity, flora and fauna, and water.

3.3 Summary of Strategic Framework

The proposal emulates the strategic policy framework, both state and city, and when developed will achieve a built form that is:

- well connected
- quality living environment
- offering variety of sustainable housing typology
- with a range of densities
- integrated into sloping site gradient while
- maintaining remnant trees.

The proposed amendment represents an opportunity to exemplify the transport orientated development characteristics and demonstrates accord with the Central Sub-region Strategy exemplifying quality built form in keeping with the character of Fremantle's future development strategy. The proposal provides exemplar qualities in:

- a mixture of medium density residential development with some higher density residential and mixed use
- ensures residential redevelopment is compatible with the scale of the built environment, streetscapes and urban spaces
- enhances public open space and accommodates the significant landform slope
- provides safe and amenable internal access and movement for pedestrians and cyclists.

5. Conclusion

The proposed amendment represents the opportunity for a high quality, diverse residential mix of grouped and multiple dwellings offering complementary allied health uses adjacent the existing Holland Park. The proposed Amendment, including the Local Planning Area Sub-Area 6, responds to changing household composition and housing market demand and, along with the proposed densities, enables a variety of one, two bedroom units in clusters of building envelopes graduating from one storey at the Holland Street frontage to five storeys on High Street. To reiterate, the proposed built form composition enables:

- a mixture of medium density and some higher density housing
- provision of allied health services to serve the residents
- compatible redevelopment suitable for the context as an entry to the City of Fremantle
- safe amenable public open space linking to Holland Park.

The conceptual siting of the building envelopes is in direct response to remnant trees, solar access and breezeways and integrates the slope into the design to avoid retaining walls. The remnant mature trees are a key feature of the site. The mature trees have influenced the layout of the development and the internal landscaped spaces comprising approximately 10 percent public open space proposed to be assigned to the City.

The eight metre cross fall is a major feature of the enables design opportunities. It allows for a stepped approach to built form, reducing cut to fill requirements and containing the site, reducing the need for retaining walls. The entire development weaves a reasonably high density providing a wide variety of accommodation types into an inviting landscaped space that enables sustainability initiatives integrated into design outcomes.

At this early stage of scheme amendment advertising, internal access options remain open until consideration has been given to design, address and access for each dwelling cluster. While the overall proposal is in keeping with the inherent qualities of the David Barr concept design drawings, detailed design, which influences access options, has not been achieved for any of the parcels at this juncture.

PLANNING AND DEVELOPMENT ACT 2005

CITY OF FREMANTLE

LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 88

The City of Fremantle under and by virtue of the powers confirmed upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above Local Planning Scheme by:

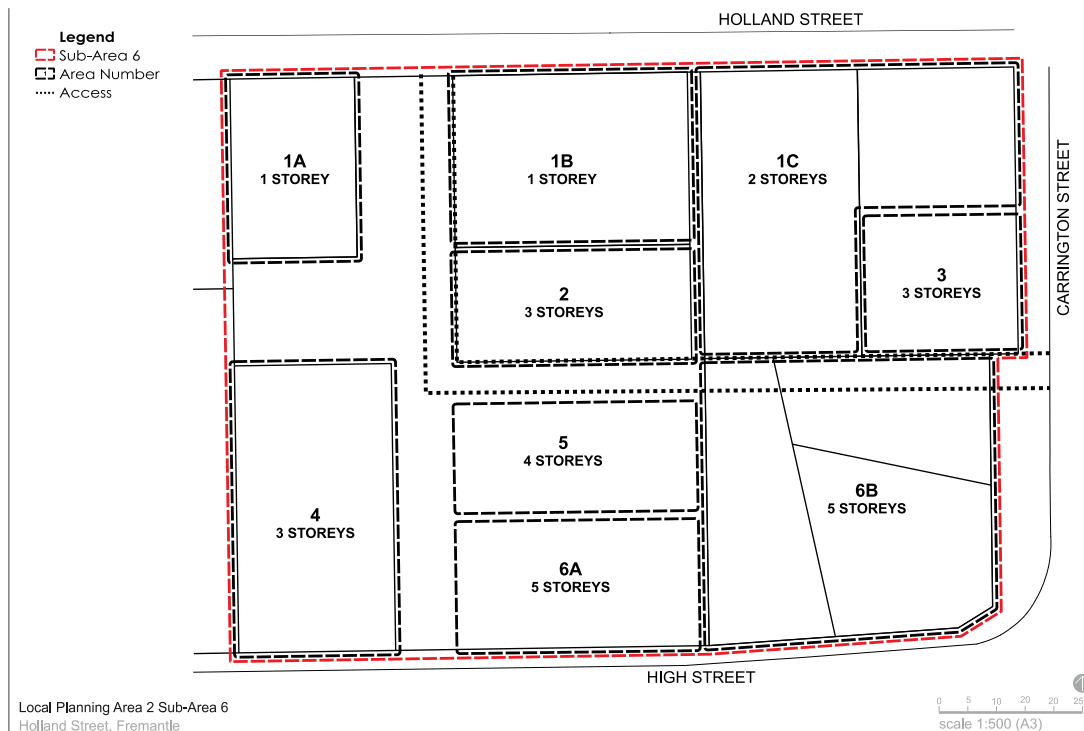
1. Amending the density coding of Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle from R30 to R160.
2. Amending clause 6.2, schedule 2 – Additional uses by inserting the following:

4	396 (Lots 1, 2 and 3 on Plan 31414 Certificates of Title 37/349A and 45/96A) High Street, Fremantle	Consulting Rooms, Office, Restaurant/Café	1. The additional uses are 'A' uses. 2. Any uses of Consulting Rooms, Office and/or Restaurant/Café shall not exceed a gross lettable area of 320 sqm on the ground level. 3. The additional uses hereby permitted will not apply to any increase in floor area or substantial redevelopment.
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3. Amending clause 6.7, schedule 27 – Local Planning areas (Development Requirements) by inserting the following:

Local Planning Area 2 - Fremantle Sub Area 6

urban|design
plan|development



Access

(a) A minimum 6 metre wide public access laneway running shall be designated in Lot 252 along the western margin of proposed Lots 1B and 2, then in an easterly direction to the boundary of Lot 3, thereafter delineated as a shared access easement in Lots 3 and 2 Carrington Street, as defined on Plan Sub Area 6, and indicative concept plan.

Building Height and Setbacks

(b) Clause 2.2 'Matters to be considered in applying general and specific height controls' does not apply to Sub Area 6.

(c) Permitted building heights shall be in accordance with the requirements set out in the table below as defined on Plan Sub Area 6.

Area	Permitted Height (external wall metres)	Maximum Storeys
1 (a)	3	2
1 (b)	3	2
1 (c)	7	2
2	10	3
3	13	4
4	10	3
5	13	4

6 (a) and 6 (b)	16.5 Council may permit a maximum building height of 16.5 metres for Area 6(a) and 6(b) where the proposed development satisfies all of the following: i. Exceptional design quality and distinctive architecture befitting the entry into Fremantle ii. Demonstrate a high standard of environmentally sustainable building design and fabric to minimise energy consumption, water usage, emissions and waste iii. Optimise solar aspect and breezeways iv. Provide a high quality and publicly accessible internal pedestrian communal open space in Lot 252 linking Holland Park to Holland and Carrington Streets. Council may impose a lesser height in the event that the proposal does not satisfy any one or all of the above requirements.	5
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Other Development Standards

(d) Development shall satisfy the following design requirements:

- i) Retain and/or interpret any features of cultural heritage or landscape significance;
- ii) Maximise opportunities to retain existing trees and provide significant areas of new planting;
- iii) Landscaping treatment of the street verge, including the provision of vehicle parking for public use;
- iv) Integrate with surrounding public areas;
- v) Provide visual permeability through the site and mitigate the impact of building bulk on streetscape.

(e) Built form in Sub Area 6 should embody contemporary and innovative architecture that is sensitive to Fremantle's sense of place and satisfies any relevant planning and design policy adopted for the area.

(f) The provision of the pedestrian access link is considered integral to any development to ensure the provision of activated and high quality pedestrian space. A high amenity pedestrian link with a minimum width of 6 metres is to be provided between Holland Street and Holland Park with connection to Carrington Street. Ongoing public access arrangements are to be determined by and be to the satisfaction of the City and set as a condition of planning approval.

(g) Retention of north-south spine of remnant eucalypt trees to supplement pedestrian links east and west.

(h) Development abutting the remnant eucalypt trees shall be setback to the canopy dripline so as to not undermine or compromise the integrity or wellbeing of those trees.

(i) Stage one development is permitted to the area 1(b) pursuant to the existing R-Code R30 and in accordance with R-Codes Volume 1.

Parking and vehicle access

(j) The provisions of clause 4.7.3 of the Scheme apply in Sub Area 6.

(k) Parking requirements for ground level non-residential uses anywhere in Sub Area 6 may be reduced by 50%.

- i) Primary vehicle access to the development shall be from Holland Street;
- ii) A Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be submitted in support of application for planning approval.

4. Deleting Special Control Area SCA 5.7 over Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle.

5. Amending the Scheme Map accordingly.

ADOPTION

Adopted by resolution of the City of Fremantle at the Ordinary Meeting of the Council held on the day of 2024.

Mayor

.....

Chief Executive Officer

.....

FINAL ADOPTION

Adopted for final approval by resolution of the City of Fremantle at the Ordinary Meeting of the Council held on the day of 2024.

COMMON SEAL of the City of Fremantle was hereunto affixed by authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

**RECOMMENDED/SUBMITTED
FOR FINAL APPROVAL**

.....
**DELEGATED UNDER S16 OF THE
PLANNING AND DEVELOPMENT ACT 2005**

.....
DATE

FINAL APPROVAL GRANTED

.....
MINISTER FOR PLANNING

.....
DATE



EXISTING SCHEME MAP

ADOPTION
ADOPTED by resolution of the City of Fremantle at the
Ordinary Meeting of the Council held on the day of
..... 2024.



PROPOSED SCHEME AMENDMENT MAP

FINAL APPROVAL
This section to be completed at Final Approval stage after the Minister has approved the amendment.
ADOPTED BY FINAL RESOLUTION by the City of Fremantle at the Ordinary Meeting of the Council
held on the day of 2024. The common seal of the City of Fremantle was hereunto affixed
by the authority of a resolution of the Council in the presence of:

- LEGEND
- REGION SCHEME RESERVES
- PARKS AND RECREATION - RESTRICTED
 - PRIMARY REGIONAL ROADS
 - PUBLIC PURPOSES
- LOCAL SCHEME ZONES
- RESIDENTIAL
- LOCAL SCHEME RESERVES
- RECREATION AND OPEN SPACE
- OTHER
- R30 R CODES
 - SCA SCA - Development Areas
 - SCA 5.7 SCA 5.7 Special Control Area - General
 - SCA Scheme Area Boundary
 - SCA Local Government Boundary
 - A4 Additional Uses

Proposed Amendment No.88



**C2405-7 PREPARATION OF AMENDMENT NO. 76 TO LOCAL PLANNING
SCHEME NO. 4 – LOT 1488, 103 CARRINGTON STREET, LOTS 1, 2,
AND 3, 396 HIGH STREET, LOT 1483, 386 HIGH STREET, LOT 51,
167 HOLLAND STREET, LOT 252, 169 HOLLAND STREET, AND
LOTS 1-4 ON STRATA PLAN 65266, 171 HOLLAND STREET,
FREMANTLE**

Attachment 2 – Modified amendment document (tracked changes)

CITY OF FREMANTLE

LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 76

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

CITY OF FREMANTLE LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 76

Resolved that the local government, pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Amending the density coding of Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle~~Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle~~ from R30 to R160.

2. Amending clause 6.2, schedule 2 – Additional ~~uses~~ Uses by inserting the following:

4	396 (Lots 1, 2 and 3 on Plan 31414 Certificates of Title 37/349A and 45/96A) High Street, Fremantle	Consulting Rooms, Office, Restaurant/Café	1. The additional uses are 'A' <u>'D'</u> uses. 2. Any uses of Consulting Rooms, Office and/or Restaurant/Café shall not exceed a <u>combined</u> gross <u>nett</u> lettable area of 500 <u>320 square metres on the and shall be restricted to the ground level only.</u> The additional uses hereby permitted will not apply to any increase in floor area or substantial redevelopment.
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3. Amending clause 6.7, schedule ~~27~~ – Local Planning ~~areas~~ Areas (Development Requirements) by inserting the following:

Local Planning Area 2 – Fremantle

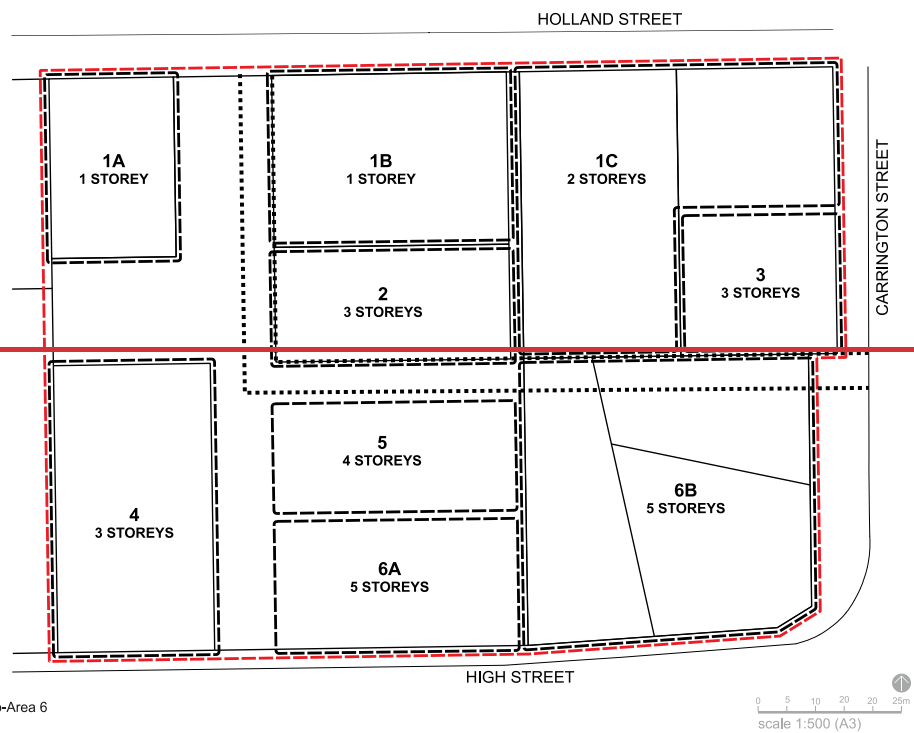
Sub Area 6

Legend
 Sub-Area 6
 Boundary



urban
plan

Legend
 Sub-Area 6
 Area Number
 Access



Local Planning Area 2 Sub-Area 6
Holland Street, Fremantle

Land Use

(a) Notwithstanding the provisions of Table 1 Zoning:

- (i) Additional non-residential uses will only be permitted at ground level to Lots 1, 2 and 3 High Street (area 6b) where they meet local needs for allied commercial services of incidental office, consulting rooms and café.
- (ii) Nett floorspace limitation of 500 square metres applies.

Access

- ~~(a) A minimum 6 metre wide public access laneway running shall be designated in Lot 252 along the western margin of proposed Lots 1B and 2, then in an easterly direction to the boundary of Lot 3, thereafter delineated as a shared access easement in Lots 3 and 2 Carrington Street, as defined on Plan Sub Area 6, and indicative concept plan.~~

Building Height ~~and Setbacks~~

- ~~(b)(a)~~ Clause 2.2 ~~"Matters to be considered in applying general and specific height controls"~~ controls does not apply to Sub Area 6.

- ~~(c) Permitted building heights shall be in accordance with the requirements set out in the table below as defined on Plan Sub Area 6.~~

Area	Permitted Wall Height (metres)	Maximum Storeys
1(a)	3	1
1(b)	3	1
1(c)	7	2
2	10	3
3	13	4
4	10	3
5	13	4
6(a) and 6(b)	16.5 Council may permit a maximum building height of 16.5 metres for Area 6(a) and 6(b) where the proposed development satisfies all of the following: i. Exceptional design quality and distinctive architecture befitting the entry into Fremantle. ii. Demonstrate a high standard of environmentally sustainable building design and fabric to minimise energy consumption, water usage, emissions and waste. iii. Optimise solar aspect and breezeways. iv. Provide a high quality and publicly accessible internal pedestrian communal open space in Lot 252 linking Holland Park to Holland and Carrington Streets. Council may impose a lesser height in the event that the proposal does not satisfy any one or all of the above requirements.	5

- ~~(b) Permitted building heights shall be in accordance with the requirements set out in the table below –~~

Area	Permitted Building Height
1	As defined by Volume 1, Part B, Table 3, category B of the R-Codes

2	<u>Single houses and grouped dwellings as defined by Volume 1, Part C, Table C of the R-Codes, with a minimum of two storeys.</u> <u>Multiple dwellings as defined by Volume 2, Part 2, Tables 2.1 and 2.2 of the R-Codes, with a minimum of three storeys.</u>
---	---

(c) An additional two storeys may be permitted within Area 2, subject to:

- (i) the provision of at least 15% social and / or affordable housing within the development, designed and constructed to Platinum standard, as defined in Livable Housing Australia's Livable Housing Design Guidelines
~~Street setbacks are in accordance with the R-Codes unless specified above.~~
- (ii) the development being of distinctive architecture befitting its location and exceptional design quality meeting, at the highest possible standard, the principles of good design listed under Schedule A – Supplemental Provisions to the deemed provisions Clause 78B Advisory Committee (6)(c) of this Scheme, and including, but not limited to:
 - the development demonstrating a selection of high-quality building materials, sustainable building measures and building longevity
 - the design addressing the relationship of taller components to lower levels (podium)
 - the impact of the development on distant views of the site
 - the roofscape aspect of the design.

~~(d) The minimum western boundary setback for Lot 1483 shall be 4 metres.~~

Other Development Standards

~~(e) Development shall satisfy the following design requirements:~~

- ~~(i) Retain and/or interpret any features of cultural heritage or landscape significance;~~
- ~~(ii) Maximise opportunities to retain existing trees and provide significant areas of new planting;~~
- ~~(iii) Landscaping treatment of the street verge, including the provision of vehicle parking for public use;~~
- ~~(iv) Integrate with surrounding public areas;~~
- ~~(v) Provide visual permeability through the site and mitigate the impact of building bulk on streetscape.~~

~~(i) Built form in Sub Area 6 should embody contemporary and innovative architecture that is sensitive to Fremantle's sense of place and satisfies any relevant planning and design policy adopted for the area.~~

~~(f)(d) The provision of the pedestrian access link is considered integral to any development to ensure the provision of activated and high quality pedestrian space. At the time of subdivision and/or development, a high amenity, east-west pedestrian link with a minimum width of 6 metres is to shall be provided between Holland Carrington Street and Holland Park with connection to Carrington Street.~~

~~Ongoing public access arrangements are to be determined by and be to the satisfaction of the City and set as a condition of planning approval.~~

~~(g)(e)~~ Retention of Communal open space shall retain the north-south spine of remnant eucalypt trees to supplement pedestrian links east and west and connect with the east-west pedestrian link from Carrington Street to Holland Park.

~~(h)(f)~~ Development abutting the remnant eucalypt trees communal open space shall be set back to the tree canopy dripline, so as to not undermine or compromise the integrity or wellbeing of those the remnant trees.

~~(g)~~ Development shall demonstrate housing diversity by providing a range of dwelling sizes that cater for different household types. The proportion of each dwelling size shall be evidenced by local demographics, market demand, and neighbourhood character, ensuring inclusivity and meeting the varied needs of residents.

~~(i)(h)~~ At the time of subdivision and/or development, an acoustic assessment prepared by a suitably qualified acoustic engineer shall be provided to the satisfaction of the local government to determine road noise levels and any mitigation measures necessary, in accordance with State Planning Policy 5.4 – Road and Rail Noise.

~~(j)~~ Stage one development is permitted to the area 1(b) pursuant to the existing R-Code R30 and in accordance with R-Codes Volume 1.

~~Parking and vehicle access~~

~~(k)~~ The provisions of clause 4.7.3 of the Scheme apply in Sub Area 6.

~~(l)~~ Parking requirements for ground level non-residential uses anywhere in Sub Area 6 may be reduced by 50%.

~~(i)~~ Primary vehicle access to the development shall be from Holland Street;

~~(ii)~~ A Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be submitted in support of application for planning approval.

~~(i)~~ At the time of subdivision and/or development, provision shall be made for a minimum six-metre-wide laneway between Holland Street and Carrington Street, across Lot 252 Holland Street and the northern extent of Lots 1 and 3 High Street.

~~(j)~~ At the time of subdivision and/or development, a Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be provided to the satisfaction of the local government. submitted in support of application for planning approval.

~~Primary vehicle access to the development shall be from Holland Street;~~

~~A Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be submitted in support of application for planning approval.~~

4. Deleting Special Control Area SCA 5.7 ~~over from Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle~~~~Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle.~~
5. Amending the Scheme Map accordingly.

The Amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a) The amendment is not addressed by the Fremantle Local Planning Strategy
- a)b) The amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.

Dated this XX day of ~~February~~ May 2024

.....
GLEN DOUGALL
CHIEF EXECUTIVE OFFICER

Proposal to Amend a Local Planning Scheme

1. Local Authority:

City of Fremantle

2. Description of Local Planning Scheme:

Local Planning Scheme No. 4

3. Type of Scheme:

District Zoning Scheme

4. Serial No. of Amendment:

76

5. Proposal:

Amending the density coding of Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle~~Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle~~ from R30 to R160.

Amending clause 6.2, schedule 2 – Additional ~~uses~~ Uses by allowing the consideration of ~~consulting~~ Consulting rooms~~Rooms,~~ office~~Office,~~ and restaurant~~Restaurant~~ / ~~café~~ Café uses on 396 High Street, Fremantle

Amending clause 6.7, schedule ~~2~~ 7 – Local Planning ~~areas~~ Areas (Development Requirements) by inserting a new ~~sub-area~~ Sub Area 6 including development and built form controls pertaining to ~~use,~~ building height, ~~access,~~ tree retention, noise mitigation, and pedestrian and vehicular access~~setbacks~~.

**Deleting Special Control
Area SCA 5.7 ~~over from Lot
1488, 103 Carrington
Street, Lots 1, 2, and 3, 396
High Street, Lot 1483, 386
High Street, Lot 51, 167
Holland Street, Lot 252, 169
Holland Street, and Lots 1-4
on Strata Plan 65266, 171
Holland Street,
Fremantle~~ Lots 3, 252
(SP68374) 1483 High
Street, Lots 51 and 1489
(SP222441) Holland Street
and Lots 1, 2 and 1488
Carrington Street,
Fremantle.**

**Amending the Scheme Map
accordingly.**

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1. Introduction

1.1. Purpose

The purpose of this Scheme Amendment Report is to substantiate changes to the City of Fremantle Local Planning Scheme No. 4 to:

- ~~Amend the Scheme Map classification of Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle and apply Sub-area 6 to Local Planning Area 2~~
Amend the residential density coding of Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle from R30 to R160 on the Scheme Map
- Amend Schedule 2, clause 6.2 to designate an Additional Use site over 396 (Lots 1, 2 and 3 on Plan 31414 Certificates of Title 37/349A and 45/96A) High Street, Fremantle to permit Consulting Rooms, Office, and Restaurant/Café uses
- Add-Insert Sub-area 6, into Local Planning Area 2, to Schedule 7, Local Planning Area 2, of the Scheme to specifying to provide specific development controls for Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle
~~Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle~~
- ~~Amend the Scheme Map residential coding of Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle from R30 to R160~~
- Amend-Delete Special Control Area 5.7 from Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle on the Scheme Map, by removing the Special Control Area 5.7.

~~An interrelated purpose of this proposed amendment necessitates the application of a supporting planning provisions (Sub-area 6, Local Planning Area 2, to Schedule 7) to coordinate shared access arrangements and control built form and height across the site.~~

1.2. Aim

The aim of ~~the Scheme Amendment Report~~this amendment is to facilitate an increase in residential densities and ~~substantiate~~deliver quality built form, a diverse ~~residential~~ mix of grouped and multiple dwellings, ~~and~~ a limited offering of complementary commercial uses ~~with, and~~ an internal ~~public~~ open space linkage to the adjacent Holland Park. To ~~facilitate~~ implementationachieve the aims of the amendment, it is proposed to create a new Local Planning Area, sub-area 6 under Local Planning Area 2, to

addressing building height, tree retention, noise mitigation, and pedestrian and vehicular access considerations ~~coordinate shared access arrangements and control built form and height across the site.~~

The proposed amendment does not seek to change the ~~land classification~~ zoning from ~~the~~ Residential Zone, only to increase the residential density with additional provisions to control development. ~~Accordingly, the amendment is considered to be standard.~~

1.3. Objectives

~~Upon amendment of the Fremantle Local Planning Scheme, the~~The proposal is ~~guided by~~aims to deliver the following objectives:

- a) ~~Ensure there is p~~Provision for affordable housing within a mix of dwelling types ~~and at a higher order densities~~density than the surrounding suburb.
- b) ~~Encourage a~~A high standard of building design and landscape that follows the City of Fremantle's sustainable design principles.
- c) ~~Ensure Integration of~~ existing features of the site into the design, including its sloping gradient and mature trees ~~are integrated into the design.~~
- d) ~~To provide for~~Provision of efficient vehicular and pedestrian accessibility to, and within the site, as well as an appropriate amount of on-site parking that does not affect the ~~amount~~ size and quality of landscaped open space.

2. Description

2.1. Site Description

The subject site is bounded by High Street, Carrington Street and Holland Street and comprises ~~of~~ the following lots:

- ~~Lot 1488, 103 Carrington Street~~Lots 3, 252 (SP68374) 1483 High Street
- ~~Lots 1, 2, and 3, 396 High Street and Lot 1483, 386 High Street~~Lots 1, 2 and 1488 Carrington Street
- ~~Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street~~Lots 51 and 1489 (SP222441) Holland Street.

Refer to Figure 1 for site location.

2.2. Ownership

DevelopmentWA owns the larger portion of the site ~~being~~ (Lots 252 and 1483), ~~with while~~ the remainder is held by private owners. The second largest land holding is in the ownership of Urban Fabric, ~~being~~ (Lots 1, 2 and 3). ~~The existing residential composition~~Existing development on-site is limited to one house and ~~a site of~~ four grouped dwellings, all in private ownership, on Lots 51 and Lots 1-4 on Strata Plan 65266~~1489~~ respectively. The ~~majority remainder~~ of the site has been cleared in preparation for redevelopment, including the former ~~petrol station and~~ veterinary clinic that stood on 396 High Street.



Figure 1: Site Location

2.3. Site Characteristics

The eight-metre cross fall is a major feature of the site that ~~can be utilised for~~ presents design opportunities, for example ~~enabling~~:

- ~~stepped approach to~~ ing development down the slope
- reducing cut ~~to~~ and fill requirements
- ~~containing the site~~
- ~~undercroft parking~~
- reducing the need for retaining walls.

The gradient also gives opportunities for views across and beyond the site that are sensitive to ~~overseeing overlooking~~ and overshadowing concerns, as well as providing ease of access to undercroft parking, concealed beneath dwellings.

The remnant mature trees that form an open space corridor (refer to Figure 4: Concept Site Plan) are another key feature of the site. The remnant mature trees have influenced the site-responsive design of the internal open space that provides a link to Holland Park and the internal accessway. The trees are predominantly endemic Eucalypts, half of which are 15 metres or taller. While the large, mature trees are currently standout features, consideration will be given to the younger trees that are yet to reach their potential height.

A significant element of the proposal is the retention of these trees to provide a spine of open space that connects to Holland Park. This will enable more people to enjoy a village-type setting within reach of existing and proposed on-site facilities and services via the Additional Use site designation.

The surrounding suburbs, streets and parks (McGregor Street Park, Royal

Fremantle Golf Course, Fremantle Cemetery and Holland Park) are well vegetated, so it was important for internal landscaped spaces within the development to have a focus on pedestrians linking the site to surrounding suburbs, streets and Holland Park.

~~A significant element to the proposal is retention of remnant endemic trees to provide a spine of open space that connects to Holland Park. This will enable more people to enjoy the functionality and service provision in a village type setting within reach of existing and proposed on site facilities and services via additional use designation. Public transport is available along Carrington and Marmion Streets connecting the site to Fremantle, Garden City Booragoon and the hinterland.~~

~~The remnant mature trees that form an open space corridor (refer to figure 4 Concept Site Plan) are a key feature of the site. The remnant mature trees have influenced the site responsive design of the internal open space that provides a link to Holland Park and proposed building envelopes and the internal access. The trees are predominantly endemic Eucalypts, half of them 15 metres or taller in height. While the large, mature trees are currently standout features, consideration will be given to the younger trees that are yet to reach their potential height.~~

~~The surrounding suburbs, streets and parks (Mc Gregor Street Park, Royal Fremantle Golf Course, Fremantle Cemetery and Holland Park) are well vegetated, so it was important for internal landscaped spaces within the development to have a focus on pedestrians linking the site to surrounding suburbs, streets and Holland Park.~~

2.4. Site Infrastructure

Existing infrastructure is best represented by the site and feature survey in Figure 2 overleaf below that depicts:

- one metre contour intervals
- surrounding service mains
- central sewerage main through the site
- water main connections
- building footprints to the remaining dwellings on Lot 51 and 1489.

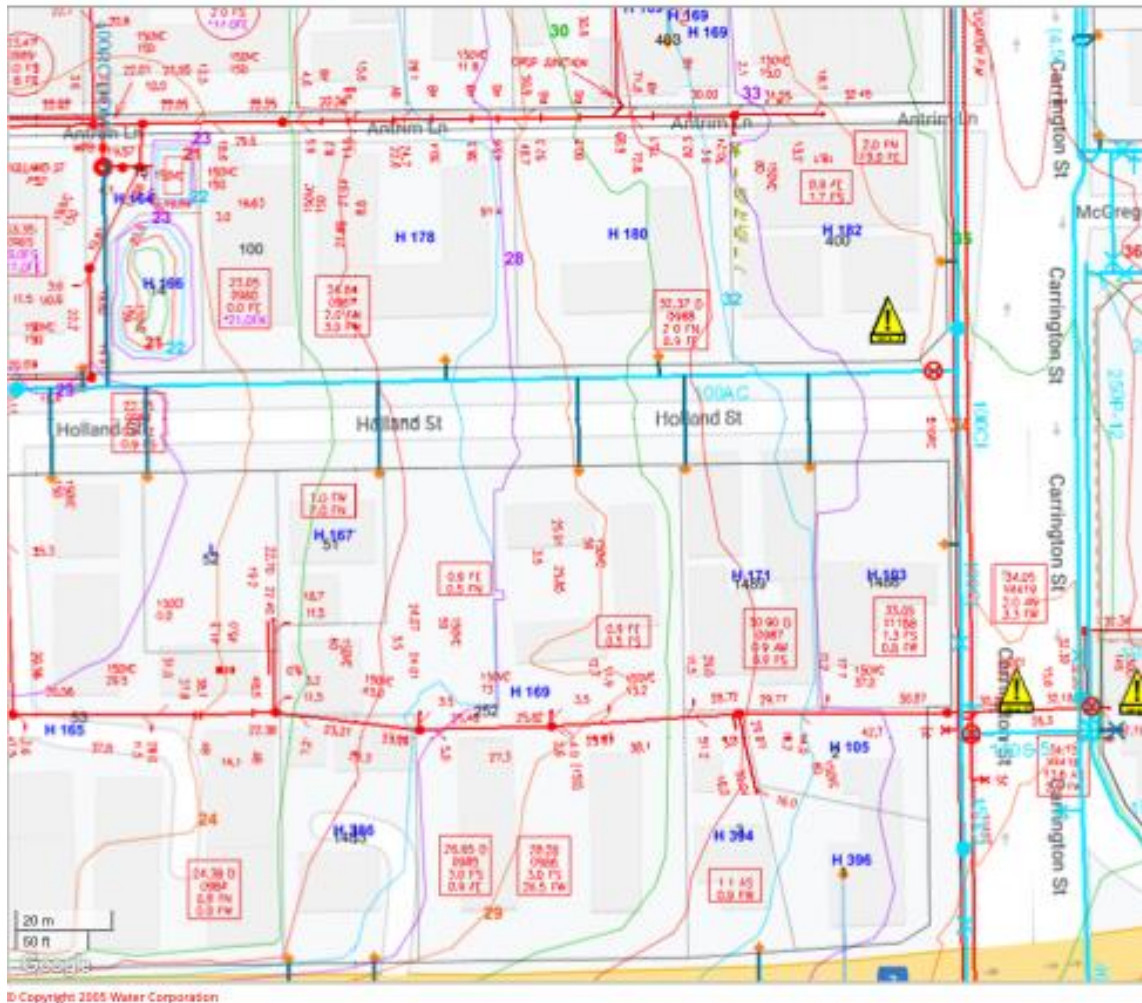


Figure 2: Service Mains Infrastructure

2.5. Land Use of the Suburb and Surrounds

In relation to surrounding uses, the western boundary of ~~subject-the~~ site borders the Holland Street pocket park and ~~an~~ existing grouped ~~of~~ housing ~~development~~. The Royal Fremantle Golf Course and the Fremantle Public ~~Golf~~ Course are located ~~on the opposite to the south, on the opposite~~ side of High Street. South-east of the site is the Fremantle Cemetery. ~~Single residential housing~~The land to the east, ~~on the opposite side~~ of Carrington Street, in the ~~municipality-City~~ of Melville, is developed with a mixture of single houses and ~~grouped dwellings, while provides~~ an extensive linear park ~~running-runs~~ eastward along McGregor Street. The land to the north of the site, ~~on the opposite side of Holland Street,~~ is developed with grouped dwellings and low-rise (two-storey) apartments.

Employment opportunities exist in the O'Connor Light industrial area further south and east of the subject site. Fremantle CBD is located three kilometres west and within a five-minute walk there are a variety of parks, a petrol station, primary school, a small commercial area that contains a variety of services. ~~Bus services to central Fremantle and Bullcreek Station via Garden City occur along Marmion Street~~The site is also served by two bus routes,

namely the 114 from Perth and Lake Coogee via Carrington Street, and the high-frequency 915 between Fremantle Station and Bull Creek Station via Marmion Street. The existing bike network provides safe passage for cyclists north, south, east and west via the local bike-friendly street network together with shared paths and bike lanes within the vicinity of the subject site.

2.6. Concept Plan ~~of Built Form~~

~~The amendment is based on a~~ concept plan ~~of built form~~ (refer to ~~figure Figure 3 overleaf below~~) ~~has been developed, which that~~ seeks to provide suitable living spaces for a wider group of individuals and families in Fremantle. The concept ~~design~~ comprises a variety of small one and two-bedroom units ~~in clusters of~~ contained within various building envelopes with ~~a graduation of~~ building heights graduating from ~~one a single~~ storey at Holland Street to five storeys on High Street. The siting of building envelopes is ~~a design derivative;~~ a site responsive design outcome ~~responding to based on~~ the site's characteristics, namely:

- ~~site gradient~~crossfall of eight metres
- ~~tree retention~~existing mature trees
- solar access
- breezeways.

Space is moderate and scaled for people, enabling the built form to sit with ease into the adjacent residential development. ~~Refer Concept of Built Form plan overleaf that is a design derivative, site responsive outcome of the site's characteristics.~~

The concept design illustrates ~~single two~~-storey residential housing to Holland Street to equate to the existing building heights. ~~With respect to existing development to the west, the~~ The central portion of the site is allocated ~~three two to three~~ storeys to ~~respect the single storey development interface with the existing single storey development to the west.~~ Thereafter, building height graduates to four and five storeys with inward facing apartments to optimise solar access and, in part, act as a noise barrier to the development from High Street.

The proposed ~~design of~~ residential mix responds to changing household composition and housing market demand. The emphasis of the proposal is on:

- affordable housing
- providing accommodation for the ~~under under~~-catered lower ~~social~~ socio-economic demographic
- providing a different~~ial~~ rental offering from the norm
- enabling disability accommodation with allied health services
- providing some a mix of dwellings ~~will be~~ for sale, ~~some for and~~ rent, to avoid a monoculture ~~of amongst the~~ residents.

Therefore, the proposed density of units will vary across the site depending on architectural design and may ~~u~~ range from R50 to R160 to facilitate a variety of accommodation ~~variety~~ and deliver housing affordability.

For example, it is proposed that Lots 1, 2 and 3 provide enduring rental accommodation for the single parent, student, NDIS participants and lower socio-economic resident cohort to address the housing shortage. An endeavour of this cohort mix is to enable a relationship to develop between students and NDIS participants, as supported by allied health services.

An example of a similar project with comparable structures is 339 South Street in Samson ~~that, which~~ exemplifies the residential community ethic. It is a ~~low~~ low-cost housing initiative that offers independence to residents while sharing some social and utilitarian amenities. Dwellings are oriented for solar access and prevailing breezes and are clustered with pedestrian access alleys-lanes and landscaping. Building technology achieves high levels of energy efficiency and acoustic management, adding to ~~the comfort-of,~~ sustainability, and general aesthetics.



Figure 3: Concept ~~of Built Form~~ Plan (Source: David Barr Architects)

The sloping site will enable some units to take advantage of views across the site to Holland Park. Internal vehicle access options remain open at this stage ~~at this of scheme amendment process,~~ until consideration has been given to the design and address ~~for-of~~ each dwelling cluster.

2.7. Proposed Amendment

2.7.1. Residential Density and Diversity

The amendment proposes an increase in density from R30 to R160. The site has a commanding position ~~on-at~~ the entry to Fremantle and warrants quality design with built form that references the entry to town. Accordingly, and with

respect to the type of accommodation to be provided, a higher density is proposed to set the site apart from the ~~standard~~ surrounding R30 ~~density coding/development~~.

Moreover, the proposed density accommodates the variety of built form and height described above to ~~be able~~ provide for the requisite household composition ~~and to meet~~ housing market demand. Being receptive of agency comments, and to facilitate staged development of the site, a maximum residential density coding of R160 was selected to ~~offer~~:

- ~~Smaller/offer smaller,~~ more affordable housing
- ~~responding~~ to market demographics
- ~~provide~~ accommodation ~~that~~ is needed by an ever-increasing cohort of the population
- ~~provide~~ smaller, functional accommodation
- ~~provide a~~ comfortable living space.

Smaller, functional, and more affordable dwelling units, particularly directed at the low socio-economic cohort, is the very ~~audience-market~~ that the two main proponents wish to address. There is a preference for a lesser plot ratio to achieve more open space and suitable floorspace compared to that assigned to R160 coding, while achieving the appropriate height for this significant site.

~~To put it another way, an increase in residential density to a maximum R160 will not provide functional, comfortable living space for the market the two main proponents, Development WA and Urban Fabric wish to serve. A density of R160 is therefore deemed suitable.~~

~~The amendment area is situated amongst an array local amenities and facilities including open space, shops and bus routes 502, 111, 114, 910 and 915.~~

A coding of R160 achieves the default settings of the Residential Design Codes Volume 2 – Apartments that can be supplemented by alternative Scheme provisions defined by the City of Fremantle, including ~~that to control~~ s on height, ~~in the local planning area document~~.

2.7.2. Building Height

~~In response to and respect for existing residential development on Lots 51 and 1489, Development-WA has confirmed that single storey dwellings are intended for proposed lots A and B fronting Holland Street (refer to figure Figure 4: Concept Site-Subdivision Plan below). This approach maintains the low key development of the existing streetscape while enabling a graduation of building height to up to five storeys along High Street. However, a height limit of two storeys, per Volume 1, Part B, Table 3, category B of the R-Codes, is set over Area 1 to provide an orderly transition from the two-storey development on the northern side of Holland Street to any taller buildings further south.~~

Building height limits within Area 2 would be per Volume 1, Part C, Table C of the R-Codes for single houses and grouped dwellings (four storeys) and per Volume 2, Part 2, Tables 2.1 and 2.2 of the R-Codes for multiple dwellings (five storeys). Minimum building heights of two storeys for single houses and grouped dwellings and three storeys for multiple dwellings are set to

encourage subdivision and development in accordance with the R160 density code.

As this proposal is intended to facilitate the delivery of affordable housing, including enduring rental accommodation for those of a lower socio-economic standing, a provision has been included that offers an additional two storeys of height within Area 2, subject to the provision of 15% social and / or affordable housing within any single development, which must be constructed to Liveable Housing Australia's Platinum standard.

By offering a building height bonus, the provision of social and / or affordable housing at a rate above that of the 10% required in government housing developments is incentivised. Furthermore, by requiring that this housing component is designed to Liveable Housing Australia's Platinum standard, it is guaranteed to be suitable for those with disabilities, or those who wish to age in place.

~~To accommodate and define the graduation in height across the composite site, reference is made to the associated local planning area provisions (Sub-area 6, Local Planning Area 2, to Schedule 7) to coordinate shared access arrangements and control built form and height across the site. The nominal building heights are illustrated at figure 3: Concept of Built Form.~~

2.7.3. Additional Commercial Uses

In recognition of the potential dwelling yield derived from ~~composite-the proposed~~ development, and the representative resident cohort, additional commercial uses are proposed for 396 High Street, Fremantle to facilitate a semblance of allied health services tailored for the ~~common-use-by~~ support of the residents. ~~The uses warranted to service the resident population comprise allied health services (physiotherapist, consulting rooms)~~ It is also considered that a café and an incidental office for the operation of rental accommodation on 396 High Street, Fremantle are warranted.

These additional uses will not be allocated a ~~mixed-Mixed use-Use~~ or ~~commercial-Commercial~~ zoning that purport to provide other retail or commercial services. Rather, these select ~~allied health services-ed additional uses~~ will be controlled ~~through assigning the following additional uses by assigning them~~ to 396 (Lots 1, 2 and 3) High Street, Fremantle ~~—on the~~ corner of High and Carrington Streets. The estimated nett lettable area ~~s (square metres)~~ for these ~~allied health uses would be is approximated-approximately~~ at:

- ~~•—physiotherapist: 120~~
- consulting rooms: 120240m²
- ~~•—gymnasium (common facility): 100~~
- café: 40m²
- manager's office 40m².

With reference to the City of Fremantle Local Planning Scheme, such uses are defined as follows:

consulting rooms means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

restaurant/café means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*.

office means premises used for the administration, clerical, technical, professional or similar businesses activities.

Limited floorspace, ~~and~~ restricted site access ~~limited~~ will ensure ~~that~~ these uses will not impact other retail or commercial centres. There is no intention to pursue a convenience store, lunch bar, liquor store, fast food outlet, medical centre, nor restricted premises.

Noting the recommended limitation on proposed commercial uses and nett lettable area, ~~State Planning Policy 4.2 – Activity Centres (SPP4.2)~~, is not applicable to the proposal. SPP 4.2 is intended to ensure planning and decision ~~making~~ considers the distribution, function, broad land use, access, and urban form of activity centres. In doing so, ~~it~~ encourages commercial development to be focused within and around activity centres and aims to maximise access to those services by different modes of transport. The proposed composition and floorspace limitation of ~~420-320m² square metres to proposed commercial uses is coordinated to the extent that is deliberate, so as to not undermine~~ the primacy of ~~existing nearby~~ activity centres (Hilton, Stammers, and Willagee) ~~will not be negatively affected~~.

2.7.4. Special Control Area 5.7 – ~~“The Fremantle-Freo Alternative”~~

In February 2019, the City of Fremantle Local Planning Scheme was amended to include ~~a~~ Special Control Area ~~5.7 provision [PART 5 at 5.1.1(g)]~~ to enable small infill development ~~at in~~ designated ~~sites areas~~ across the ~~municipality~~ local government area. This ~~gave gives~~ the City ~~Council~~ discretion to grant development approval for ~~additional Grouped grouped Dwellings and and / or Multiple multiple Dwellings dwellings~~ on a lot with a density coding of R35 or ~~lower less~~, where the lot is ~~over 600m² 600m² or greater in area~~.

~~The criterion set for this discretionary power has implications for the proposal, for example:~~

- ~~• dwelling density~~
- ~~• maximum dwelling yield~~
- ~~• open space provision~~

~~These criteria negatively influence the proposed development outcomes to the extent that this provision needs to be removed from the subject sites. However, in view of the proposed increase in density, it is considered that these provisions are no longer required.~~ Accordingly, this scheme amendment removes the application of ~~clause 5.1.1. Special Control Area 5.7 to from~~ the subject site.

2.7.5. Internal Open Space

The placement of internal open space protects mature remnant eucalypt trees and provides a link ~~from Carrington Street in the east,~~ to Holland Park ~~to in the~~ west. The open space area is estimated at 1,600 ~~square metres m²~~ to be designated as internal private open space for the enjoyment of ~~residents~~residents. Refer to Figure 4: ~~Indicative~~ Concept Subdivision Plan below.

As this is a scheme amendment and not a structure plan, the provision of public open space will not be determined until the time of subdivision and/or development. However, it is anticipated that a 10% cash-in-lieu payment would be made to the City at the time of subdivision and / or development, per State Planning Policy 3.6 – Infrastructure Contributions, which could be used for the provision or improvement of public open space in the vicinity.

2.7.6. ~~Indicative~~ Concept Subdivision Plan

A consideration of the overall development is ~~the necessity of~~ coordinated internal access. At this ~~early stage of scheme amendment advertising, internal access options have been considered in respect of design, address and access for each dwelling cluster. It~~ is proposed to create an public access laneway through Lot 252 along the line of trees ~~and,~~ then east to ~~the boundary of Lot 3 where the access will be designated as a shared access easement through to Carrington Street enabling through movement of pedestrians and vehicles~~Carrington Street over Lots 2 and 3. The public laneway and open space will also provide a pedestrian link through to Holland Park ~~being afforded by the open space. A combination of these access options could be considered. This overall proposal is in keeping with the inherent qualities of the David Barr concept design drawing. Refer Figure 4: Concept Subdivision Plan below.~~

Access to Lots 1, 2 and 3 is supplemented by an existing left-in and left-out crossover to Carrington Street.

~~Subsequent approval of the proposed subdivision is enabled by section 138 (3) (c) of the Planning and Development Act 2005 as supported by this scheme amendment.~~

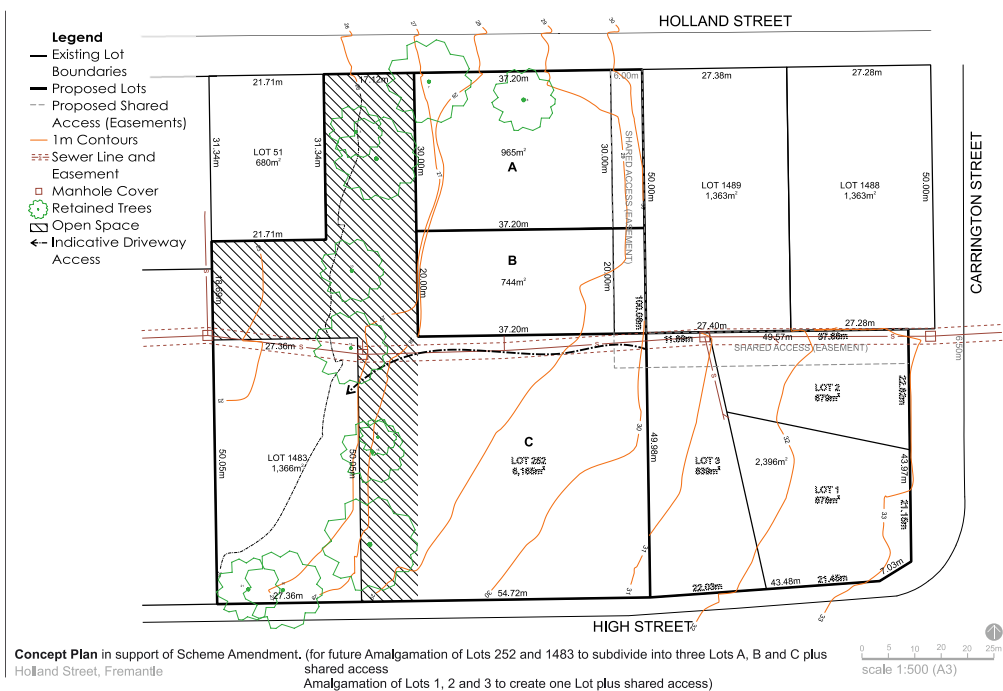


Figure 4: Concept Site-Subdivision Plan

2.8. Local Planning Area, Sub-Area-area 6

To coordinate orderly and proper planning, in accordance with the Planning and Development Local Planning Schemes Regulations, warrants the application of a supporting planning instrument, either: a Local Development Plan or a Local Planning Area policy.

The amendment proposes to inserting Sub-area 6, Local Planning Area 2, into Schedule 7, Local Planning Area 2, a new Sub-area 6a more detailed set of scheme provision into the Scheme. The planning instrument supporting this scheme amendment has been prepared in liaison with the City of Fremantle to ensure satisfactory built form outcomes that will replace the guidance of Local Planning Area 2.

Proposed Sub-area 6 Local Planning Area 2, Sub-area 6 establishes:

- development intent
- built form structure throughout the site and define building heights
- shared pedestrian and vehicular access easements to afford coordinated access through the site arrangements
- dwelling diversity appropriate parking provision for the demographic
- indicative subdivision arrangement
- location of private open space
- sequence of staged development of components of the site requirements for additional supporting studies (acoustics and traffic impact).

2.9. Stage ~~1~~One Development

~~To facilitate cash flow, Prior to completion of this amendment, Development WA~~DevelopmentWA wish to undertake a stage one development of single storey grouped dwellings fronting Holland Street. This first staged of development ~~would be~~is sited within Lot 252 and would conforms to the existing R30 residential density coding. ~~Accordingly, the stage one development can be achieved under the existing zone and residential coding. To facilitate subsequent staged development and enable access to the rear of Lot 252 and through to Lots 1483, 3, 2 and 1, it is necessary to define the internal shared access easements; this also helps define individual building envelopes. Accordingly, this scheme amendment is supported by a concept site plan that will form part of the Local Planning Area to demonstrate future site boundaries for future subdivision under a separate process (potentially strata) and access easements throughout the subject site.~~

3. Planning Context

3.1. State Planning Framework

The state strategic planning and policy ~~context~~framework that applies to the subject site ~~is very extensive~~includes:

- State Planning Strategy 2050
- Perth and Peel @3.5million Strategic Central Sub-Regional Planning Framework @ 3.5 million
- State Planning Policy 3.6 – Infrastructure Contributions
- State Planning Policy 4.2 – Activity Centres
- State Planning Policy 5.4 – Road and Rail Transport Noise
- ~~SPP 3 – Urban Growth and Settlement~~
- State Planning Policy 7.3 – Residential ~~Desing-Design~~ Codes, Volumes 1 and 2
- Development Control Policy 2.3 – Public Open Space in Residential Areas
- Position Statement – Expenditure of Cash in Lieu of Public Open Space
- ~~City of Fremantle Local Planning Scheme No.4~~
- ~~Local Planning Strategy 2001~~
- ~~Local Planning Policies of Relevance~~
- ~~One Planet Fremantle Strategy 2014/15 – 2019/20~~
- ~~City of Fremantle Urban Forest Plan~~
- ~~Greening Fremantle Strategy 2020.~~

The essential objective of the state strategic Planning-planning Framework framework is to ~~assist in the consolidation-consolidate~~ of urban form, with particular emphasis on existing centres and transport corridors.

3.1.1. State Planning Strategy 2050

The State Planning Strategy is the lead strategic planning document within State government, providing a strategic basis for the integration and coordination of land-use planning and development across state, regional and local jurisdictions. The Strategy is used to guide, shape and inform the hierarchy of State, regional and local planning tools, instruments and decisions within the Western Australian planning system.

The Strategy proposes that diversity, liveability, connectedness and collaboration are central to achieving the vision of sustained growth and prosperity, and establishes principles, strategic goals and directions that are important to the land use planning and development of the State.

The concept for the site embodies the principles of diversity, liveability and connectedness. In particular, the development of a range of dwelling types will support increased choice and access for a demographic cohort that is not well catered for at present. The redevelopment will also seek to protect and conserve existing mature trees and will incorporate design measures that improve local amenity and enhance overall liveability. Finally, the site's location close to high-frequency bus services and dual use paths will enhance the connectedness of any future development.

3.1.2. Perth and Peel @3.5million

The ~~overarching~~ Perth and Peel @-3.5-million ~~Central Sub-regional strategic framework~~ Planning Framework identifies urban corridors ~~in the Central Sub-region~~ alongside high-frequency public transit routes that should be the focus for investigating increased residential densities, with potential for mixed land uses where appropriate. The subject site is located near the Marmion Street corridor, which is a designated urban corridor within walking distance (~~300~~ approximately 250 metres) of the site, with which provides access to services and ~~high-high~~-frequency public transport.

3.1.3. State Planning Policy 3.6 – Infrastructure Contributions

This policy states that infrastructure contributions may be required in any development setting and imposed through the subdivision and development process. Where residential development is proposed, land for public open space is a standard requirement. This must be provided at a rate of 10% of the gross subdivisible area, or alternatively, a cash-in-lieu contribution may be made in accordance with WAPC policies and the *Planning and Development Act 2005*. In this instance, it is anticipated that a cash-in-lieu payment would be made.

3.1.4. State Planning Policy 4.2 – Activity Centres

This policy states that any amendment to a planning instrument that will result in new land being capable of accommodating Category A or B activity centre uses outside of activity centres (regardless of land size) is considered "out-of-centre" development. Restaurant/café is a Category A activity centre use, while office is a Category B activity centre use. While the inclusion of these uses in an out-of-centre development triggers the requirement for a Net Benefit Test to be undertaken, it is considered that this is not necessary in this

instance, due to the incidental nature of these uses and the highly constrained floorspace limits that would be applied.

3.1.5. State Planning Policy 5.4 – Road and Rail Noise

~~Of most significance to the amendment is road transport noise addressed in SPP 5.4. This Policy policy notes that it is generally acceptable to provide a continuous wall along the property boundary for where development backing backs onto a strategic freight route, from which access is not permitted. In the first instance, the existing High Street acoustic wall constructed by Main Roads as part of the High Street upgrade abates noise exposure. This reduces the noise levels. To supplement this the Concept of Built Form Plan (refer to Figure 3 above) places indicates inward-inward-facing apartments in on Lots 1483 and 252 to optimise solar access and act as a noise barrier to High Street. More stringent building construction standards may be considered at a later stage in the planning process for inward-inward-facing apartments, with designed qualities responding to in accordance with the quiet house design elements principles as given set out in the Department of Planning, Lands and Heritage's Road and Rail Transport Noise Guidelines, to be considered in latter stages of the planning process.~~

3.1.6. State Planning Policy 7.3 – Residential Design Codes

The Residential Design Codes Volumes 1 and 2 will guide the built form of any future development, whether single, grouped, or multiple dwellings. The northern extent of the subject site will be limited to two storeys to interface with existing development, both within the subject site and on the northern side of Holland Street. Building setback and separation requirements set out in the Residential Design Codes will address the interface between buildings with a height differential within the remainder of the subject site.

~~The remaining state and city strategic policy documents are too expansive to detail here. However, the proposed development responds well to this strategic policy framework and is able to achieve:~~

- ~~• well-connected development~~
- ~~• scaled built form~~
- ~~• quality living environment~~
- ~~• functional built quality living spaces~~
- ~~• amenity through internal living spaces connected to external private open space~~
- ~~• offering variety of sustainable housing typology~~
- ~~• with a range of densities~~
- ~~• integrated into sloping site gradient while~~
- ~~• aesthetic through remnant trees~~

~~The design elements of the proposed concept respond to the intent of the policy framework.~~

3.1.7. Development Control Policy 2.3 – Public Open Space in Residential Areas and Position Statement – Expenditure of Cash in Lieu of Public Open Space

As noted in section 3.1.3. above, the Commission's normal requirement in residential areas is that, where practicable, 10 percent of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown as a Reserve for Recreation.

However, a cash payment can be made by the subdivider in lieu of providing land for open space. In certain circumstance the use of these provisions should be encouraged, including where:

- the land area is such that a 10 percent contribution would be too small to be of practical use
- there may be sufficient public open space already in the locality
- public open space is planned in another location by way of a town planning scheme or local structure plan.

In this instance, it is considered that the subdivision of the subject site would meet at least two of these circumstances.

The Position Statement builds on Development Control Policy 2.3 by providing guidance on the requirements for the use of cash-in-lieu funds for POS and encourages the use of cash-in-lieu funds for the provision and betterment of open spaces for the community.

3.2. Local Planning Framework

The local strategic planning and policy framework that applies to the subject site includes:

- Fremantle Planning Strategy 2001
- Draft Fremantle Local Planning Strategy
- City of Fremantle Local Planning Scheme No.4
- LPP 2.9 – Residential Streetscape Policy
- LPP 2.10 – Landscaping of Development and Existing Vegetation on Development Sites
- LPP 2.24 – Waste Management Plans for New Development
- One Planet Action Plan 2020-2025
- Greening Fremantle: Strategy 2020
- City of Fremantle Urban Forest Plan.
- —

3.2.1. Fremantle Planning Strategy 2001

The Fremantle Planning Strategy 2001 designates a number of planning areas, with the site being within the Fremantle Planning Area.

The relevant strategies for this Planning Area promote higher densities, particularly if composed of mixed use development:

- Provide a mix of medium density residential development with some higher density residential development within mixed use areas to provide for a variety of dwelling types and sizes.
- Ensure residential redevelopment is compatible with the heritage character and scale of the built environment, streetscapes and urban spaces of the area and the amenity of adjoining properties, including the Fremantle Port.
- Secure areas of public open space and preserve significant landforms.
- Provide safe access and movement for pedestrians and cyclists.

3.2.2. Draft Fremantle Local Planning Strategy

The draft Local Planning Strategy mirrors the Fremantle Planning Strategy 2001 and introduces a focus on development along transit corridors, where this site is located, as key urban intensification areas.

3.2.1.3.2.3. Local Planning Scheme No. 4

Local Planning Area 2 – Fremantle

The City of Fremantle Local Planning Scheme No.4 sets out Local Planning Areas to enhance and guide locally desired streetscape and built form character. Local Planning Area 2 – Fremantle specifies that in granting consent to the maximum heights prescribed, Council shall be satisfied ~~in regard to of~~ all of the following:

- that the proposal is consistent with predominant height patterns of adjoining properties and the locality generally~~7~~
- the proposal would not be detrimental to the amenity of the area~~7~~
- the proposal would be consistent, if applicable, with conservation objectives for the site and locality generally~~7 and~~
- any other relevant matter outlined in Council's local planning policies.

~~-The Scheme notes that~~ Council may impose a lesser height in the event that the proposal does not satisfy any one or all of the above requirements.

In considering this guidance relative to the proposed design, ~~single storey height accommodation a two-storey height restriction is placed applied against on High Holland Street,~~ replicating the existing ~~Holland Street~~ streetscape. Thereafter, the height of buildings ~~gradually~~ increases to five storeys at High Street. ~~This graduation in height is reinforced by the Sub-area 6, Local Planning Area 2, to Schedule 7 in support of this scheme amendment is to enable building height from five storeys graduating to one storey supplementing the guidance of~~

~~Local Planning Area 2.~~ The proposed four to ~~five-five~~-storey built form ~~to along~~ High Street provides the opportunity to screen and buffer the ~~internal courtyards~~~~interior of the site~~ from traffic and noise exposure.

In terms of implications for amenity, conservation of existing trees can be catered for in the design.

~~3.2.2. Fremantle Local Planning Strategy~~

~~The Fremantle Planning Strategy 2001 has a number of planning areas; the subject land falls within Fremantle Area. The relevant strategies for this Area promote higher densities particularly if composed with mixed use development:~~

- ~~• Provide a mix of medium density residential development with some higher density residential development within mixed use areas to provide for a variety of dwelling types and sizes.~~
- ~~• Ensure residential redevelopment is compatible with the heritage character and scale of the built environment, streetscapes and urban spaces of the area and the amenity of adjoining properties, including the Fremantle Port.~~
- ~~• To facilitate the development of mixed use areas as a transition between the city centre and surrounding residential areas.~~
- ~~• Secure areas of public open space and preserve significant landforms.~~

~~Provide safe access and movement for pedestrians and cyclists.~~

~~3.2.3. Local Planning Policies (LPP)~~

~~3.2.3. Local Planning Policy 2.9 – Residential Streetscape Policy:~~

~~The provisions of this policy apply to all residential development assessed under Part 5 of the Residential Design Codes of Western Australia and addresses items matters including such as setbacks, and building orientation and building, height and scale.~~

~~Development on Holland Street would be restricted to two storeys, ensuring consistency with the prevailing streetscape and the provisions of LPP 2.9.~~

~~LPP 2.10—Landscaping of Development and Existing Vegetation on Development Sites:~~

~~The objective of this policy is to provide guidance on the requirement and assessment of landscape plans and where Scheme and Policy requirements can be varied in relation to planning applications that contain trees and vegetation considered worthy of conservation.~~

~~LPP 2.13—Sustainable Buildings Design Requirements:~~

~~All mixed use and multiple dwellings as well as commercial developments in excess of 1,000sq.m GLA require buildings to be designed and constructed in such a manner so as to achieve a rating of not less than 4 Star Green Star using the relevant Green Building~~

~~Council of Australia Green Star rating tool. Noting the Place Quality and One Planet characteristics of the proposed design concept, these star ratings should be easily achieved at completion of design.~~

3.2.4. Local Planning Policy 2.24 – Waste Management Plans for New Development:

~~This policy would apply at the development application stage; however, access and bin collection have been contemplated, as these would be restricted by the lot layout and lack of direct access to High Street. The requirement for a shared access arrangement minimum six-metre-wide laneway commencing in Holland Street, running through Lot 252, and passing through Lots 3-1 and 2-3 Carrington High Street, is planned deliberately to achieve through access movement, particularly would allow access for waste disposal purposes for those lots with limited street frontage. This avoids a waste truck from having to manoeuvre within the site. A minimum width of six metres would provide The access easement is sized to provide waste collection access of sufficient width space for a side-arm waste truck to operate safely. At this stage of the planning process, bin collection bays are proposed in lots 252 and 3. This service would be provided as the City does not enter private property to collect waste.~~

~~3.2.4. Other Local Strategies~~

~~Greening Fremantle: Strategy 2020~~

~~While encouraging urban infill, the Framework also highlights a green network to encourage biodiversity linkages, as also emphasised in the Green Links in the Greening Fremantle: Strategy 2020. The Royal Fremantle Golf Club south of the site and the City of Melville McGregor Street linear park are marked as a part of this green network. The proposed development retains mature and semi-mature trees as well as an increased greening effort and linkage to surrounding green space of Holland Park.~~

Sustainability

~~The One Planet Living Principles is a sustainability framework for ecological and carbon foot-printing that focus around 10 guiding principles. The proposal is based on One Planet Living Principles and has used these in conjunction with site-specific observations to apply five place quality principles, being; solar passive, connected, diversity, flora and fauna, and water.~~

3.2.5. One Planet Action Plan 2020-2025

The City of Fremantle uses the One Planet Living® Framework to set the agenda for sustainability throughout the organisation and improve the environment and quality of life for its community.

The City's One Planet Action Plan 2020-2025 sets out key operational services, programs and activities to create a more sustainable future. It is based on the ten One Planet Living guiding principles of

sustainability to drive better social, cultural, environmental, natural resource and economic outcomes. The vision is for a more sustainable way of living and working, meeting needs within planetary limits. The ten principles are as follows:



This amendment acknowledges the One Planet Living principles created by Bioregional. The City has also committed to Net Zero targets to reduce greenhouse gas emissions to avoid climate change, targeting net zero 2050 and 43% emissions reduction by 2030. A number of sustainability measures have been incorporated into the concept for the site, to create better places to live, including:

- Retention of large native trees on-site
- Passive solar orientation of housing
- Inclusion of significant open space
- Natural connections for flora and fauna to the adjacent Holland Park
- Diversity and affordability of housing.

3.2.6. Greening Fremantle: Strategy 2020

The Greening Fremantle: Strategy 2020 identifies the need to combat the urban heat island effect by greening the city, particularly with tree cover to provide shade and an evapotranspiration cooling effect. It sets an objective to encourage the retention of vegetation on private land, which this amendment is consistent with in its intent to retain the mature native trees on-site.

Other mitigating actions identified in the Strategy include reducing the amount of hard surfaces under the sun's influence and to reduce the heat absorption properties of those surfaces. It is intended that the future development would incorporate undercroft parking, rather than at-grade parking, which will significantly reduce the amount of hard surfacing on-site.

3.2.7. City of Fremantle Urban Forest Plan

The City's Urban Forest Plan builds on the Greening Fremantle: Strategy 2020 and sets a core objective of working towards increasing the amount of tree cover in the city to 20% and encouraging landowners to retain vegetation.

This amendment is consistent with the Urban Forest Plan, insofar as it will ensure the retention of the existing mature native trees on-site and will increase the amount of green space in the locality, which will increase and improve local biodiversity and help to combat the urban heat island effect.

3.3. Summary of Strategic Framework

~~The This proposal is consistent with both state and local strategic and policy frameworks emulates the strategic policy framework, both state and city, and when developed will achieve a built form that is:~~

- ~~• well-connected~~
- ~~• quality living environment~~
- ~~• offering variety of sustainable housing typology~~
- ~~• with a range of densities~~
- ~~• integrated into sloping site gradient while~~

~~maintaining remnant trees.~~

~~The proposed amendment and represents an opportunity to exemplify the transport orientated development characteristics and demonstrates accord with the Central Sub-region Strategy exemplifying quality built form in keeping with the character of Fremantle's future development strategy. The proposal provides exemplar qualities in:~~
create a development incorporating a mixture of housing typologies compatible with the scale and form of those adjacent, providing local services on-site, and with access to a variety of transport options.

- ~~• a mixture of medium density residential development with some higher density residential and mixed use~~

- ensures residential redevelopment is compatible with the scale of the built environment, streetscapes and urban spaces
- enhances public open space and accommodates the significant landform slope
- provides safe and amenable internal access and movement for pedestrians and cyclists.

4. Conclusion

The proposed amendment represents the opportunity for a high-quality, diverse residential mix of grouped and multiple dwellings offering complementary commercial uses adjacent the existing Holland Park tenancies. The proposed Amendment, including the Local Planning Area This is in, responds response to changing household composition and housing market demands and, along with the proposed densities, will enable a variety of one, two-bedroom units unit sizes in clusters of building envelopes graduating from two one storeys at the fronting Holland Street frontage to five storeys on High Street, with the potential for an additional two storeys where a higher percentage of social / and affordable housing is provided. To reiterate, the proposed built form composition enables:

a mixture of medium density and some higher density housing

provision of allied health services to serve residents

compatible redevelopment suitable for the context as an entry to the City of Fremantle

safe amenable open space linking to Holland Park.

The siting of the building envelopes is in direct response to remnant trees, solar access and breezeways and integrates the slope into the design to avoid retaining walls.

The eight metre crossfall is a major feature of the enables design opportunities. It allows for a stepped approach to built form, reducing cut to fill requirements and containing the site, reducing the need for retaining walls. The entire development weaves a reasonably high density providing a wide variety of accommodation types into an inviting landscaped space that enables sustainability initiatives integrated into design outcomes.

The remnant mature trees are a key feature of the site. The mature trees have influenced the layout of the development and the internal landscaped spaces comprising approximately 10 percent open space.

PLANNING AND DEVELOPMENT ACT 2005

CITY OF FREMANTLE

LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 76

Resolved that the local government, pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Amending the density coding of Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle~~Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle~~ from R30 to R160.

2. Amending clause 6.2, schedule 2 – Additional ~~uses~~Uses by inserting the following:

4	396 (Lots 1, 2 and 3 on Plan 31414 Certificates of Title 37/349A and 45/96A) High Street, Fremantle	Consulting Rooms, Office, Restaurant/Café	3. The additional uses are 'A' <u>'D'</u> uses. 4. Any uses of Consulting Rooms, Office and/or Restaurant/Café shall not exceed a <u>combined</u> gross <u>nett</u> lettable area of 500 <u>320 square metres</u> on the<u>and shall be restricted to the ground level only.</u> The additional uses hereby permitted will not apply to any increase in floor area or substantial redevelopment.
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3. Amending clause 6.7, schedule ~~2~~7 – Local Planning ~~areas~~Areas (Development Requirements) by inserting the following:

Local Planning Area 2 – Fremantle

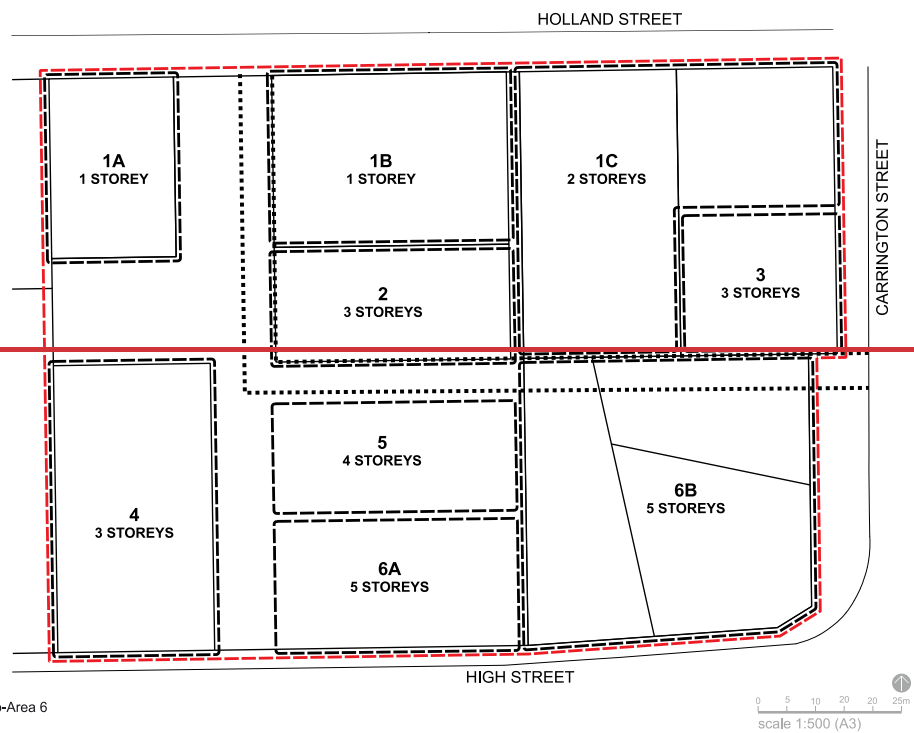
Sub Area 6

Legend
 Sub-Area 6
 Boundary



urban
plan

Legend
 Sub-Area 6
 Area Number
 Access



Local Planning Area 2 Sub-Area 6
Holland Street, Fremantle

Land Use

(m) Notwithstanding the provisions of Table 1 Zoning:

- (iii) Additional non-residential uses will only be permitted at ground level to Lots 1, 2 and 3 High Street (area 6b) where they meet local needs for allied commercial services of incidental office, consulting rooms and café.
- (iv) Nett floorspace limitation of 500 square metres applies.

Access

~~(b) A minimum 6 metre wide public access laneway running shall be designated in Lot 252 along the western margin of proposed Lots 1B and 2, then in an easterly direction to the boundary of Lot 3, thereafter delineated as a shared access easement in Lots 3 and 2 Carrington Street, as defined on Plan Sub Area 6, and indicative concept plan.~~

~~Building Height and Setbacks~~

~~(a) Clause 2.2 "Matters to be considered in applying general and specific height controls" does not apply to Sub Area 6.~~

~~(b) Permitted building heights shall be in accordance with the requirements set out in the table below as defined on Plan Sub Area 6.~~

Area	Permitted Wall Height (metres)	Maximum Storeys
1(a)	3	1
1(b)	3	1
1(c)	7	2
2	10	3
3	13	4
4	10	3
5	13	4
6(a) and 6(b)	16.5 Council may permit a maximum building height of 16.5 metres for Area 6(a) and 6(b) where the proposed development satisfies all of the following: v. Exceptional design quality and distinctive architecture befitting the entry into Fremantle. vi. Demonstrate a high standard of environmentally sustainable building design and fabric to minimise energy consumption, water usage, emissions and waste. vii. Optimise solar aspect and breezeways. viii. Provide a high quality and publicly accessible internal pedestrian communal open space in Lot 252 linking Holland Park to Holland and Carrington Streets. Council may impose a lesser height in the event that the proposal does not satisfy any one or all of the above requirements.	5

~~(b) Permitted building heights shall be in accordance with the requirements set out in the table below –~~

Area	Permitted Building Height
1	As defined by Volume 1, Part B, Table 3, category B of the R-Codes

2	<u>Single houses and grouped dwellings as defined by Volume 1, Part C, Table C of the R-Codes, with a minimum of two storeys.</u> <u>Multiple dwellings as defined by Volume 2, Part 2, Tables 2.1 and 2.2 of the R-Codes, with a minimum of three storeys.</u>
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(c) An additional two storeys may be permitted within Area 2, subject to:

- (i) the provision of at least 15% social and / or affordable housing within the development, designed and constructed to Platinum standard, as defined in Livable Housing Australia's Livable Housing Design Guidelines
~~Street setbacks are in accordance with the R-Codes unless specified above.~~
- (ii) the development being of distinctive architecture befitting its location and exceptional design quality meeting, at the highest possible standard, the principles of good design listed under Schedule A – Supplemental Provisions to the deemed provisions Clause 78B Advisory Committee (6)(c) of this Scheme, and including, but not limited to:
 - the development demonstrating a selection of high-quality building materials, sustainable building measures and building longevity
 - the design addressing the relationship of taller components to lower levels (podium)
 - the impact of the development on distant views of the site
 - the roofscape aspect of the design.

~~(c) The minimum western boundary setback for Lot 1483 shall be 4 metres.~~

Other Development Standards

~~(d) Development shall satisfy the following design requirements:~~

- ~~(vi) Retain and/or interpret any features of cultural heritage or landscape significance;~~
- ~~(vii) Maximise opportunities to retain existing trees and provide significant areas of new planting;~~
- ~~(viii) Landscaping treatment of the street verge, including the provision of vehicle parking for public use;~~
- ~~(ix) Integrate with surrounding public areas;~~
- ~~(x) Provide visual permeability through the site and mitigate the impact of building bulk on streetscape.~~

~~(j) Built form in Sub Area 6 should embody contemporary and innovative architecture that is sensitive to Fremantle's sense of place and satisfies any relevant planning and design policy adopted for the area.~~

(e)(d) The provision of the pedestrian access link is considered integral to any development to ensure the provision of activated and high quality pedestrian space. At the time of subdivision and/or development, a high amenity, east-west pedestrian link with a minimum width of 6 metres ~~is to~~shall be provided between

~~Holland-Carrington Street and Holland Park-with connection to Carrington Street. Ongoing public access arrangements are to be determined by and be to the satisfaction of the City and set as a condition of planning approval.~~

~~(f)(e)~~ Retention of Communal open space shall retain the north-south spine of remnant eucalypt trees to supplement pedestrian links east and west and connect with the east-west pedestrian link from Carrington Street to Holland Park.

~~(g)(f)~~ Development abutting the remnant eucalypt trees communal open space shall be set back to the tree canopy dripline, so as to not undermine or compromise the integrity or wellbeing of these the remnant trees.

~~(g)~~ Development shall demonstrate housing diversity by providing a range of dwelling sizes that cater for different household types. The proportion of each dwelling size shall be evidenced by local demographics, market demand, and neighbourhood character, ensuring inclusivity and meeting the varied needs of residents.

~~(h)~~ At the time of subdivision and/or development, an acoustic assessment prepared by a suitably qualified acoustic engineer shall be provided to the satisfaction of the local government to determine road noise levels and any mitigation measures necessary, in accordance with State Planning Policy 5.4 – Road and Rail Noise.

~~(i)~~ Stage one development is permitted to the area 1(b) pursuant to the existing R-Code R30 and in accordance with R-Codes Volume 1.

~~Parking and vehicle access~~

~~(j)~~ The provisions of clause 4.7.3 of the Scheme apply in Sub Area 6.

~~(k)~~ Parking requirements for ground level non-residential uses anywhere in Sub Area 6 may be reduced by 50%.

~~(iii)~~ Primary vehicle access to the development shall be from Holland Street;

~~(iv)~~ A Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be submitted in support of application for planning approval.

~~(i)~~ At the time of subdivision and/or development, provision shall be made for a minimum six-metre-wide laneway between Holland Street and Carrington Street, across Lot 252 Holland Street and the northern extent of Lots 1 and 3 High Street.

~~(j)~~ At the time of subdivision and/or development, a Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be provided to the satisfaction of the local government. submitted in support of application for planning approval.

~~Primary vehicle access to the development shall be from Holland Street;~~

~~A Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be submitted in support of application for planning approval.~~

4. Deleting Special Control Area SCA 5.7 ~~over from Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle~~~~Lots 3, 252 (SP68374) 1483 High Street, Lots 51 and 1489 (SP222441) Holland Street and Lots 1, 2 and 1488 Carrington Street, Fremantle.~~
5. Amending the Scheme Map accordingly.

COUNCIL ADOPTION

This Complex Amendment was adopted by resolution of the Council of the City of Fremantle at the Ordinary Meeting of the Council held on the XX day of February May 2024.

MAYOR

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Fremantle at the Ordinary Meeting of the Council held on the XX day of February May 2024.

MAYOR

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support, subject to modifications, by resolution of the City of Fremantle at the Ordinary Meeting of the Council held on the **XX** day of **XXXX** 202**X** and the Common Seal of the City of Fremantle was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
**DELEGATED UNDER S.16 OF
THE P&D ACT 2005**

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....



EXISTING SCHEME MAP

ADOPTION
 ADOPTED by resolution of the City of Fremantle at the
 Ordinary Meeting of the Council held on the day of
 2024.



PROPOSED SCHEME AMENDMENT MAP

FINAL APPROVAL
 This section to be completed at Final Approval stage after the Minister has approved the amendment.
 ADOPTED BY FINAL RESOLUTION by the City of Fremantle at the Ordinary Meeting of the Council
 held on the day of 2024. The common seal of the City of Fremantle was hereunto affixed
 by the authority of a resolution of the Council in the presence of:

- LEGEND
- REGION SCHEME RESERVES
- PARKS AND RECREATION - RESTRICTED
 - PRIMARY REGIONAL ROADS
 - PUBLIC PURPOSES
- LOCAL SCHEME ZONES
- RESIDENTIAL
- LOCAL SCHEME RESERVES
- RECREATION AND OPEN SPACE
- OTHER
- R CODES
 - SCA - Development Areas
 - SCA 5.7 Special Control Area - General
 - Scheme Area Boundary
 - Local Government Boundary
 - Additional Uses



**C2405-7 PREPARATION OF AMENDMENT NO. 76 TO LOCAL PLANNING
SCHEME NO. 4 – LOT 1488, 103 CARRINGTON STREET, LOTS 1, 2,
AND 3, 396 HIGH STREET, LOT 1483, 386 HIGH STREET, LOT 51,
167 HOLLAND STREET, LOT 252, 169 HOLLAND STREET, AND
LOTS 1-4 ON STRATA PLAN 65266, 171 HOLLAND STREET,
FREMANTLE**

Attachment 3 – Modified amendment document (clean copy)

CITY OF FREMANTLE

LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 76

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

CITY OF FREMANTLE LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 76

Resolved that the local government, pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

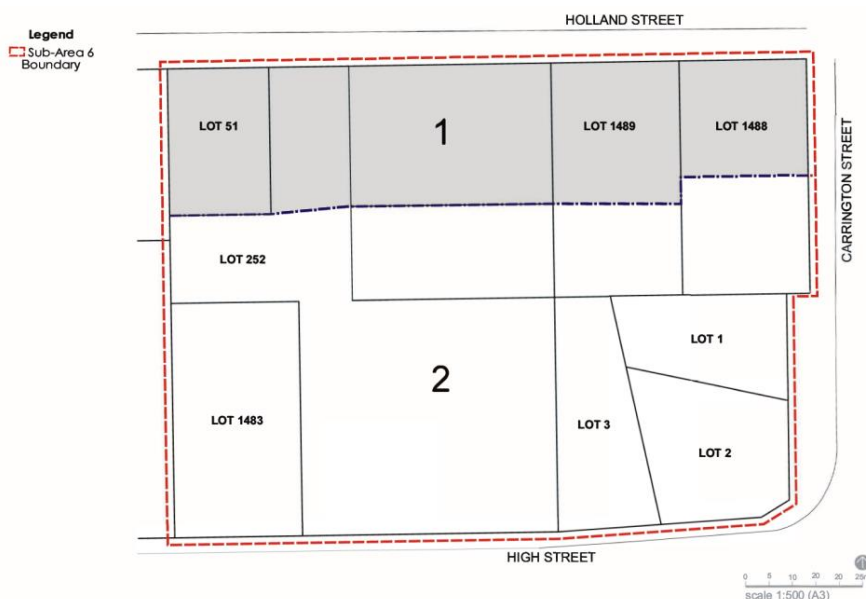
1. Amending the density coding of Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle from R30 to R160.
2. Amending clause 6.2, schedule 2 – Additional Uses by inserting the following:

4	396 (Lots 1, 2 and 3 on Plan 31414 Certificates of Title 37/349A and 45/96A) High Street, Fremantle	Consulting Rooms, Office, Restaurant/Café	1. The additional uses are 'D' uses. 2. Any uses of Consulting Rooms, Office and/or Restaurant/Café shall not exceed a combined gross nett lettable area of 320 square metres and shall be restricted to the ground level only.
---	---	---	---

3. Amending clause 6.7, schedule 7 – Local Planning Areas (Development Requirements) by inserting the following:

Local Planning Area 2 – Fremantle

Sub Area 6



Building Height

- (a) Clause 2.2 “Matters to be considered in applying general and specific height controls” does not apply to Sub Area 6.
- (b) Permitted building heights shall be in accordance with the requirements set out in the table below –

Area	Permitted Building Height
1	As defined by Volume 1, Part B, Table 3, category B of the R-Codes
2	Single houses and grouped dwellings as defined by Volume 1, Part C, Table C of the R-Codes, with a minimum of two storeys. Multiple dwellings as defined by Volume 2, Part 2, Tables 2.1 and 2.2 of the R-Codes, with a minimum of three storeys.

- (c) An additional two storeys may be permitted within Area 2, subject to:
- (i) the provision of at least 15% social and / or affordable housing within the development, designed and constructed to Platinum standard, as defined in Livable Housing Australia’s Livable Housing Design Guidelines
 - (ii) the development being of distinctive architecture befitting its location and exceptional design quality meeting, at the highest possible standard, the principles of good design listed under Schedule A – Supplemental Provisions to the deemed provisions Clause 78B Advisory Committee (6)(c) of this Scheme, and including, but not limited to:
 - the development demonstrating a selection of high-quality building materials, sustainable building measures and building longevity
 - the design addressing the relationship of taller components to lower levels (podium)
 - the impact of the development on distant views of the site
 - the roofscape aspect of the design.

Other Development Standards

- (d) At the time of subdivision and/or development, a high amenity, east-west pedestrian link with a minimum width of 6 metres shall be provided between Carrington Street and Holland Park.
- (e) Communal open space shall retain the north-south spine of remnant trees and connect with the east-west pedestrian link from Carrington Street to Holland Park.
- (f) Development abutting the communal open space shall be set back to the tree canopy dripline, so as not to compromise the integrity or wellbeing of the remnant trees.
- (g) Development shall demonstrate housing diversity by providing a range of dwelling sizes that cater for different household types. The proportion of each dwelling size shall be evidenced by local demographics, market demand, and neighbourhood character, ensuring inclusivity and meeting the varied needs of residents.

- (h) At the time of subdivision and/or development, an acoustic assessment prepared by a suitably qualified acoustic engineer shall be provided to the satisfaction of the local government to determine road noise levels and any mitigation measures necessary, in accordance with State Planning Policy 5.4 – Road and Rail Noise.

Vehicle access

- (i) At the time of subdivision and/or development, provision shall be made for a minimum six-metre-wide laneway between Holland Street and Carrington Street, across Lot 252 Holland Street and the northern extent of Lots 1 and 3 High Street.
 - (j) At the time of subdivision and/or development, a Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be provided to the satisfaction of the local government.
4. Deleting Special Control Area SCA 5.7 from Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle.
5. Amending the Scheme Map accordingly.

The Amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a) The amendment is not addressed by the Fremantle Local Planning Strategy
- b) The amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.

Dated this XX day of May 2024

.....
GLEN DOUGALL
CHIEF EXECUTIVE OFFICER

Proposal to Amend a Local Planning Scheme

- | | |
|---|---|
| 1. Local Authority: | City of Fremantle |
| 2. Description of Local Planning Scheme: | Local Planning Scheme No. 4 |
| 3. Type of Scheme: | District Zoning Scheme |
| 4. Serial No. of Amendment: | 76 |
| 5. Proposal: | <p>Amending the density coding of Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle from R30 to R160.</p> <p>Amending clause 6.2, schedule 2 – Additional Uses by allowing the consideration of Consulting Rooms, Office, and Restaurant/Café uses on 396 High Street, Fremantle</p> <p>Amending clause 6.7, schedule 7 – Local Planning Areas (Development Requirements) by inserting a new Sub Area 6 including development and built form controls pertaining to building height, tree retention, noise mitigation, and pedestrian and vehicular access.</p> <p>Deleting Special Control Area SCA 5.7 from Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle.</p> <p>Amending the Scheme Map accordingly.</p> |

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1. Introduction

1.1. Purpose

The purpose of this Scheme Amendment Report is to substantiate changes to the City of Fremantle Local Planning Scheme No. 4 to:

- Amend the residential density coding of Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle from R30 to R160 on the Scheme Map Amend Schedule 2, clause 6.2 to designate an Additional Use site over 396 (Lots 1, 2 and 3 on Plan 31414 Certificates of Title 37/349A and 45/96A) High Street, Fremantle to permit Consulting Rooms, Office, and Restaurant/Café uses
- Insert Sub-area 6 into Schedule 7, Local Planning Area 2, to provide specific development controls for Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle
- Delete Special Control Area 5.7 from Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle on the Scheme Map.

1.2. Aim

The aim of this amendment is to facilitate an increase in residential densities and deliver quality built form, a diverse mix of grouped and multiple dwellings, a limited offering of complementary commercial uses, and an internal open space linkage to the adjacent Holland Park. To achieve the aims of the amendment, it is proposed to create a new sub-area 6 under Local Planning Area 2, addressing building height, tree retention, noise mitigation, and pedestrian and vehicular access considerations.

The proposed amendment does not seek to change the zoning from the Residential Zone, only to increase the residential density with additional provisions to control development.

1.3. Objectives

The proposal aims to deliver the following objectives:

- a) Provision of affordable housing within a mix of dwelling types at a higher density than the surrounding suburb.
- b) A high standard of building design and landscape that follows the City of Fremantle's sustainable design principles.
- c) Integration of existing features of the site into the design, including its sloping gradient and mature trees.

- d) Provision of efficient vehicular and pedestrian accessibility to, and within the site, as well as an appropriate amount of on-site parking that does not affect the size and quality of landscaped open space.

2. Description

2.1. Site Description

The subject site is bounded by High Street, Carrington Street and Holland Street and comprises the following lots:

- Lot 1488, 103 Carrington Street
- Lots 1, 2, and 3, 396 High Street and Lot 1483, 386 High Street
- Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street.

Refer to Figure 1 for site location.

2.2. Ownership

DevelopmentWA owns the larger portion of the site (Lots 252 and 1483), while the remainder is held by private owners. The second largest land holding is in the ownership of Urban Fabric (Lots 1, 2 and 3). Existing development on-site is limited to one house and four grouped dwellings, all in private ownership, on Lot 51 and Lots 1-4 on Strata Plan 65266 respectively. The remainder of the site has been cleared in preparation for redevelopment, including the former veterinary clinic that stood on 396 High Street.



Figure 1: Site Location

2.3. Site Characteristics

The eight-metre cross fall is a major feature of the site that presents design opportunities, for example:

- stepping development down the slope
- reducing cut and fill requirements
- reducing the need for retaining walls.

The gradient also gives opportunities for views across and beyond the site that are sensitive to overlooking and overshadowing concerns, as well as providing ease of access to undercroft parking, concealed beneath dwellings.

The remnant mature trees that form an open space corridor (refer to Figure 4: Concept Site Plan) are another key feature of the site. The remnant mature trees have influenced the site-responsive design of the internal open space that provides a link to Holland Park and the internal accessway. The trees are predominantly endemic Eucalypts, half of which are 15 metres or taller. While the large, mature trees are currently standout features, consideration will be given to the younger trees that are yet to reach their potential height.

A significant element of the proposal is the retention of these trees to provide a spine of open space that connects to Holland Park. This will enable more people to enjoy a village-type setting within reach of existing and proposed on-site facilities and services via the Additional Use site designation.

The surrounding suburbs, streets and parks (McGregor Street Park, Royal Fremantle Golf Course, Fremantle Cemetery and Holland Park) are well vegetated, so it was important for internal landscaped spaces within the development to have a focus on pedestrians linking the site to surrounding suburbs, streets and Holland Park.

2.4. Site Infrastructure

Existing infrastructure is best represented by the site and feature survey in Figure 2 below that depicts:

- one metre contour intervals
- surrounding service mains
- central sewerage main through the site
- water main connections
- building footprints to the remaining dwellings on Lot 51 and 1489.

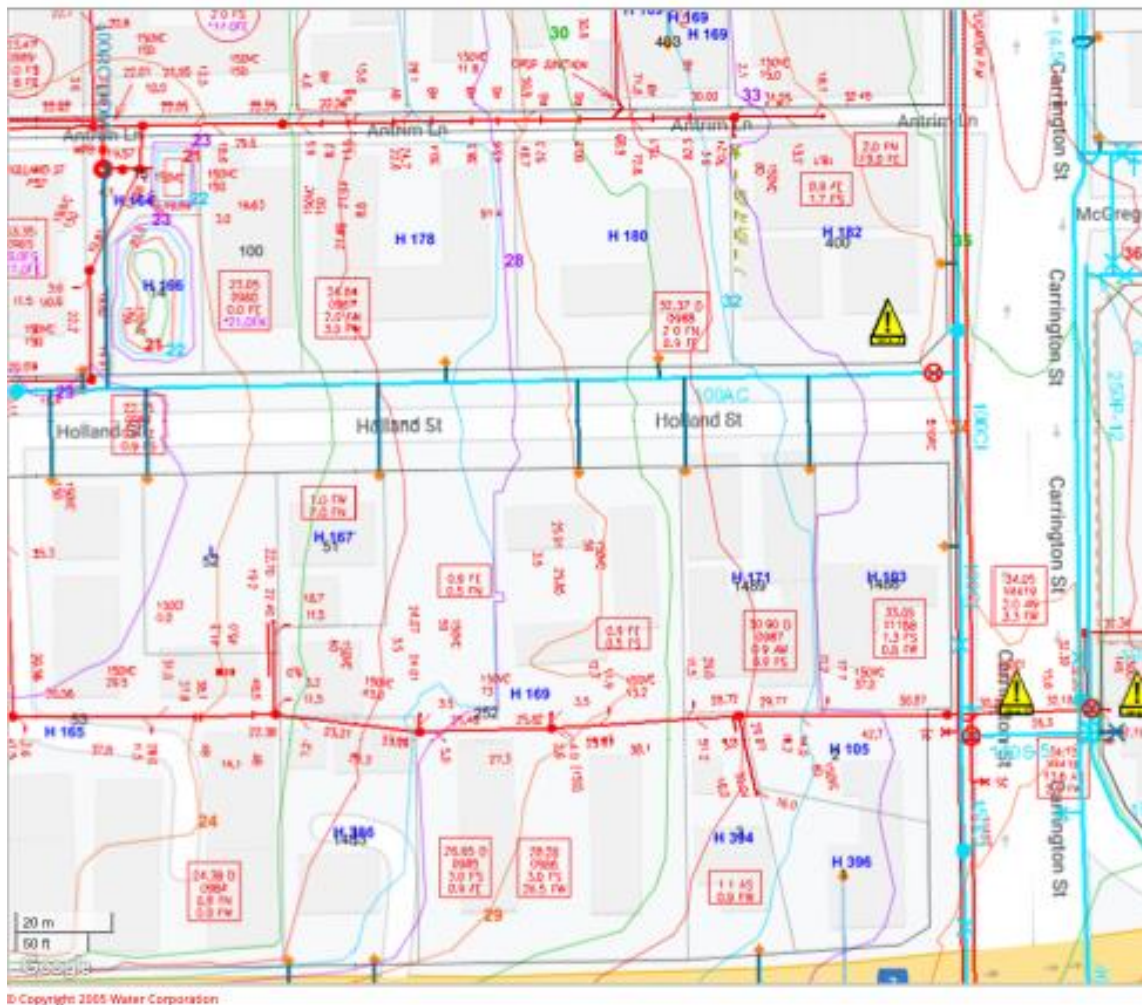


Figure 2: Service Mains Infrastructure

2.5. Land Use of the Suburb and Surrounds

In relation to surrounding uses, the western boundary of the site borders the Holland Street pocket park and an existing grouped housing development. The Royal Fremantle Golf Course and the Fremantle Public Golf Course are located to the south, on the opposite side of High Street. South-east of the site is the Fremantle Cemetery. The land to the east, on the opposite side of Carrington Street, in the City of Melville, is developed with a mixture of single houses and grouped dwellings, while an extensive linear park runs eastward along McGregor Street. The land to the north of the site, on the opposite side of Holland Street, is developed with grouped dwellings and low-rise (two-storey) apartments.

Employment opportunities exist in the O'Connor Light industrial area further south and east of the subject site. Fremantle CBD is located three kilometres west and within a five-minute walk there are a variety of parks, a petrol station, primary school, a small commercial area that contains a variety of services. The site is also served by two bus routes, namely the 114 from Perth and Lake Coogee via Carrington Street, and the high-frequency 915 between Fremantle Station and Bull Creek Station via Marmion Street. The existing

bike network provides safe passage for cyclists north, south, east and west via the local bike-friendly street network together with shared paths and bike lanes within the vicinity of the subject site.

2.6. Concept Plan

A concept plan (refer to Figure 3 below) has been developed, which seeks to provide suitable living spaces for a wider group of individuals and families in Fremantle. The concept comprises a variety of small one and two-bedroom units contained within various building envelopes with building heights graduating from a single storey at Holland Street to five storeys on High Street. The siting of building envelopes is a site responsive design outcome based on the site's characteristics, namely:

- crossfall of eight metres
- existing mature trees
- solar access
- breezeways.

Space is moderate and scaled for people, enabling the built form to sit with ease into the adjacent residential development.

The concept design illustrates two-storey residential housing to Holland Street to equate to the existing building heights. The central portion of the site is allocated two to three storeys to interface with the existing single storey development to the west. Thereafter, building height graduates to four and five storeys with inward facing apartments to optimise solar access and, in part, act as a noise barrier to the development from High Street

The proposed residential mix responds to changing household composition and housing market demand. The emphasis of the proposal is on:

- affordable housing
- providing accommodation for the under-catered lower socio-economic demographic
- providing a different rental offering from the norm
- enabling disability accommodation with allied health services
- providing a mix of dwellings for sale and rent to avoid a monoculture amongst the residents.

Therefore, the proposed density of units will vary across the site depending on architectural design and may range from R50 to R160 to facilitate a variety of accommodation and deliver housing affordability.

For example, it is proposed that Lots 1, 2 and 3 provide enduring rental accommodation for the single parent, student, NDIS participant and lower socio-economic resident cohort to address the housing shortage. An endeavour of this cohort mix is to enable a relationship to develop between students and NDIS participants, as supported by allied health services.

An example of a similar project with comparable structures is 339 South Street in Samson, which exemplifies the residential community ethic. It is a low-cost

housing initiative that offers independence to residents while sharing some social and utilitarian amenities. Dwellings are oriented for solar access and prevailing breezes and are clustered with pedestrian access lanes and landscaping. Building technology achieves high levels of energy efficiency and acoustic management, adding to comfort, sustainability, and general aesthetics.



Figure 3: Concept Plan (Source: David Barr Architects)

The sloping site will enable some units to take advantage of views across the site to Holland Park. Internal vehicle access options remain open at this stage, until consideration has been given to the design and address of each dwelling cluster.

2.7. Proposed Amendment

2.7.1. Residential Density and Diversity

The amendment proposes an increase in density from R30 to R160. The site has a commanding position at the entry to Fremantle and warrants quality design with built form that references the entry to town. Accordingly, and with respect to the type of accommodation to be provided, a higher density is proposed to set the site apart from the surrounding R30 development.

Moreover, the proposed density accommodates the variety of built form and height described above to be able provide for the requisite household composition to meet housing market demand. Being receptive of agency comments, and to facilitate staged development of the site, a maximum residential density coding of R160 was selected to:

- offer smaller, more affordable housing
- respond to market demographics
- provide accommodation that is needed by an ever-increasing cohort of the population
- provide smaller, functional accommodation
- provide a comfortable living space.

Smaller, functional, and more affordable dwelling units, particularly directed at the low socio-economic cohort, is the very market that the two main proponents wish to address. There is a preference for a lesser plot ratio to achieve more open space and suitable floorspace compared to that assigned to R160 coding, while achieving the appropriate height for this significant site.

A coding of R160 achieves the default settings of the Residential Design Codes Volume 2 – Apartments that can be supplemented by alternative Scheme provisions defined by the City of Fremantle, including controls on height.

2.7.2. Building Height

DevelopmentWA has confirmed that single storey dwellings are intended for proposed lots A and B fronting Holland Street (refer to Figure 4: Concept Subdivision Plan below). However, a height limit of two storeys, per Volume 1, Part B, Table 3, category B of the R-Codes, is set over Area 1 to provide an orderly transition from the two-storey development on the northern side of Holland Street to any taller buildings further south.

Building height limits within Area 2 would be per Volume 1, Part C, Table C of the R-Codes for single houses and grouped dwellings (four storeys) and per Volume 2, Part 2, Tables 2.1 and 2.2 of the R-Codes for multiple dwellings (five storeys). Minimum building heights of two storeys for single houses and grouped dwellings and three storeys for multiple dwellings are set to encourage subdivision and development in accordance with the R160 density code.

As this proposal is intended to facilitate the delivery of affordable housing, including enduring rental accommodation for those of a lower socio-economic standing, a provision has been included that offers an additional two storeys of height within Area 2, subject to the provision of 15% social and / or affordable housing within any single development, which must be constructed to Liveable Housing Australia's Platinum standard.

By offering a building height bonus, the provision of social and / or affordable housing at a rate above that of the 10% required in government housing developments is incentivised. Furthermore, by requiring that this housing component is designed to Livable Housing Australia's Platinum standard, it is guaranteed to be suitable for those with disabilities, or those who wish to age in place.

2.7.3. Additional Commercial Uses

In recognition of the potential dwelling yield derived from the proposed development, and the representative resident cohort, additional commercial uses are proposed for 396 High Street, Fremantle to facilitate a semblance of

allied health services tailored for the support of the residents. It is also considered that a café and an incidental office for the operation of rental accommodation on 396 High Street, Fremantle are warranted.

These additional uses will not be allocated a Mixed Use or Commercial zoning that purport to provide other retail or commercial services. Rather, these selected additional uses will be controlled by assigning them to 396 (Lots 1, 2 and 3) High Street, Fremantle on the corner of High and Carrington Streets. The estimated nett lettable areas for these uses would be approximately:

- consulting rooms: 240m²
- café: 40m²
- manager's office 40m².

With reference to the City of Fremantle Local Planning Scheme, such uses are defined as follows:

consulting rooms means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

restaurant/café means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*.

office means premises used for the administration, clerical, technical, professional or similar businesses activities.

Limited floorspace and restricted site access will ensure that these uses will not impact other retail or commercial centres. There is no intention to pursue a convenience store, lunch bar, liquor store, fast food outlet, medical centre, nor restricted premises.

Noting the recommended limitation on proposed commercial uses and nett lettable area, State Planning Policy 4.2 – Activity Centres (SPP4.2), is not applicable to the proposal. SPP 4.2 is intended to ensure planning and decision-making considers the distribution, function, broad land use, access, and urban form of activity centres. In doing so, it encourages commercial development to be focused within and around activity centres and aims to maximise access to those services by different modes of transport. The proposed composition and floorspace limitation of 320m² is deliberate, so as not to undermine the primacy of existing nearby activity centres (Hilton, Stammers, and Willagee).

2.7.4. Special Control Area 5.7 – “The Freo Alternative”

In February 2019, the City of Fremantle Local Planning Scheme was amended to include Special Control Area 5.7 to enable small infill development in designated areas across the local government area. This gives the City discretion to grant development approval for additional grouped and / or multiple dwellings on a lot with a density coding of R35 or less, where the lot is 600m² or greater in area.

However, in view of the proposed increase in density, it is considered that these provisions are no longer required. Accordingly, this scheme amendment removes the application of Special Control Area 5.7 from the subject site.

2.7.5. Internal Open Space

The placement of internal open space protects mature remnant eucalypt trees and provides a link from Carrington Street in the east, to Holland Park in the west. The open space area is estimated at 1,600m² to be designated as internal private open space for the enjoyment of residents. Refer to Figure 4: Concept Subdivision Plan below.

As this is a scheme amendment and not a structure plan, the provision of public open space will not be determined until the time of subdivision and/or development. However, it is anticipated that a 10% cash-in-lieu payment would be made to the City at the time of subdivision and / or development, per State Planning Policy 3.6 – Infrastructure Contributions, which could be used for the provision or improvement of public open space in the vicinity.

2.7.6. Concept Subdivision Plan

A consideration of the overall development is coordinated internal access. At this stage it is proposed to create an access laneway through Lot 252 along the line of trees, then east to Carrington Street over Lots 2 and 3. The laneway and open space will also provide a pedestrian link through to Holland Park. Refer Figure 4: Concept Subdivision Plan below.

Access to Lots 1, 2 and 3 is supplemented by an existing left-in and left-out crossover to Carrington Street.

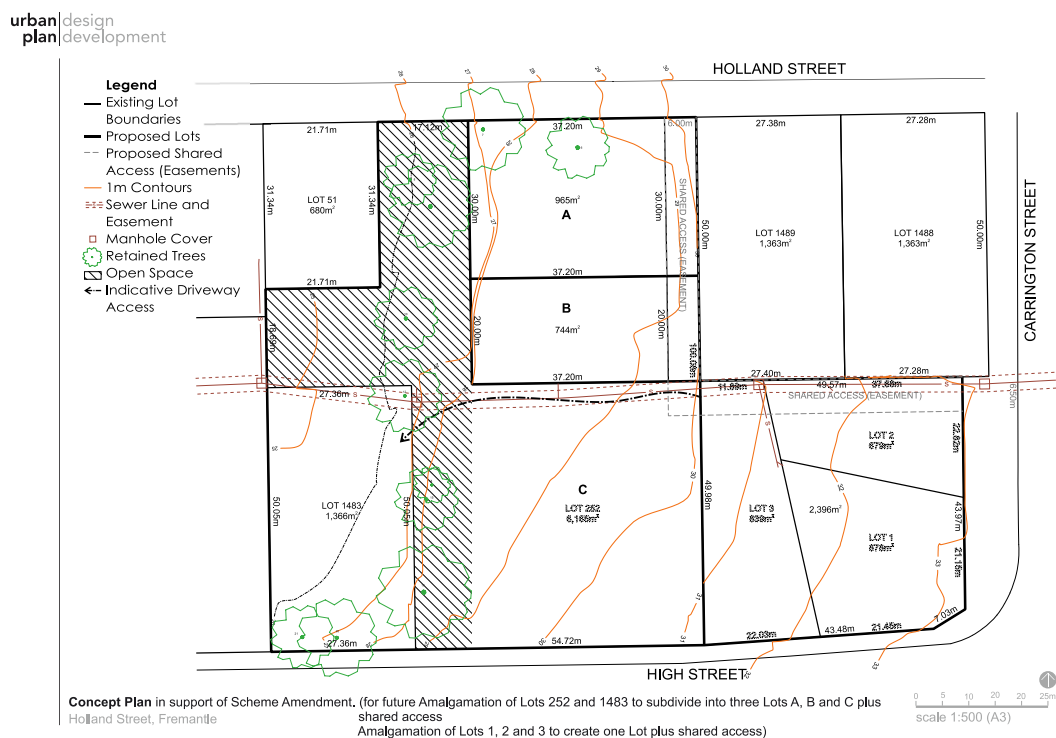


Figure 4: Concept Subdivision Plan

2.8. Local Planning Area, Sub-area 6

The amendment proposes to insert into Schedule 7, Local Planning Area 2, a new Sub-area 6.

Proposed Local Planning Area 2, Sub-area 6 establishes:

- development intent
- building heights
- pedestrian and vehicular access arrangements
- dwelling diversity
- indicative subdivision arrangementlocation of private open space
- requirements for additional supporting studies (acoustics and traffic impact).

2.9. Stage One Development

Prior to completion of this amendment, DevelopmentWA wish to undertake a stage one development of single storey grouped dwellings fronting Holland Street. This first stage of development would be sited within Lot 252 and would conform to the existing R30 residential density coding.

3. Planning Context

3.1. State Planning Framework

The state strategic planning and policy framework that applies to the subject site includes:

- State Planning Strategy 2050
- Perth and Peel @3.5million Central Sub-Regional Planning Framework
- State Planning Policy 3.6 – Infrastructure Contributions
- State Planning Policy 4.2 – Activity Centres
- State Planning Policy 5.4 – Road and Rail Transport Noise
- State Planning Policy 7.3 – Residential Design Codes, Volumes 1 and 2
- Development Control Policy 2.3 – Public Open Space in Residential Areas
- Position Statement – Expenditure of Cash in Lieu of Public Open Space

The essential objective of the state strategic planning framework is to consolidate urban form, with particular emphasis on existing centres and transport corridors.

3.1.1. State Planning Strategy 2050

The State Planning Strategy is the lead strategic planning document within State government, providing a strategic basis for the integration and coordination of land-use planning and development across state, regional and local jurisdictions. The Strategy is used to guide, shape and inform the

hierarchy of State, regional and local planning tools, instruments and decisions within the Western Australian planning system.

The Strategy proposes that diversity, liveability, connectedness and collaboration are central to achieving the vision of sustained growth and prosperity, and establishes principles, strategic goals and directions that are important to the land use planning and development of the State.

The concept for the site embodies the principles of diversity, liveability and connectedness. In particular, the development of a range of dwelling types will support increased choice and access for a demographic cohort that is not well catered for at present. The redevelopment will also seek to protect and conserve existing mature trees and will incorporate design measures that improve local amenity and enhance overall liveability. Finally, the site's location close to high-frequency bus services and dual use paths will enhance the connectedness of any future development.

3.1.2. Perth and Peel @3.5million

The Perth and Peel @3.5million Central Sub-regional Planning Framework identifies urban corridors alongside high-frequency public transit routes that should be the focus for investigating increased residential densities, with potential for mixed land uses where appropriate. The subject site is located near the Marmion Street corridor, which is a designated urban corridor within walking distance (approximately 250 metres) of the site, which provides access to services and high-frequency public transport.

3.1.3. State Planning Policy 3.6 – Infrastructure Contributions

This policy states that infrastructure contributions may be required in any development setting and imposed through the subdivision and development process. Where residential development is proposed, land for public open space is a standard requirement. This must be provided at a rate of 10% of the gross subdivisible area, or alternatively, a cash-in-lieu contribution may be made in accordance with WAPC policies and the *Planning and Development Act 2005*. In this instance, it is anticipated that a cash-in-lieu payment would be made.

3.1.4. State Planning Policy 4.2 – Activity Centres

This policy states that any amendment to a planning instrument that will result in new land being capable of accommodating Category A or B activity centre uses outside of activity centres (regardless of land size) is considered "out-of-centre" development. Restaurant/café is a Category A activity centre use, while office is a Category B activity centre use. While the inclusion of these uses in an out-of-centre development triggers the requirement for a Net Benefit Test to be undertaken, it is considered that this is not necessary in this instance, due to the incidental nature of these uses and the highly constrained floorspace limits that would be applied.

3.1.5. State Planning Policy 5.4 – Road and Rail Noise

This policy notes that it is generally acceptable to provide a continuous wall along the property boundary where development backs onto a strategic freight route, from which access is not permitted. In the first instance, the existing

High Street acoustic wall constructed by Main Roads as part of the High Street upgrade abates noise exposure. To supplement this the Concept Plan (refer to Figure 3 above) indicates inward-facing apartments on Lots 1483 and 252 to optimise solar access and act as a noise barrier to High Street. More stringent building construction standards may be considered at a later stage in the planning process for inward-facing apartments, in accordance with the quiet house design principles set out in the Department of Planning, Lands and Heritage's Road and Rail Noise Guidelines.

3.1.6. State Planning Policy 7.3 – Residential Design Codes

The Residential Design Codes Volumes 1 and 2 will guide the built form of any future development, whether single, grouped, or multiple dwellings. The northern extent of the subject site will be limited to two storeys to interface with existing development, both within the subject site and on the northern side of Holland Street. Building setback and separation requirements set out in the Residential Design Codes will address the interface between buildings with a height differential within the remainder of the subject site.

3.1.7. Development Control Policy 2.3 – Public Open Space in Residential Areas and Position Statement – Expenditure of Cash in Lieu of Public Open Space

As noted in section 3.1.3. above, the Commission's normal requirement in residential areas is that, where practicable, 10 percent of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown as a Reserve for Recreation.

However, a cash payment can be made by the subdivider in lieu of providing land for open space. In certain circumstance the use of these provisions should be encouraged, including where:

- the land area is such that a 10 percent contribution would be too small to be of practical use
- there may be sufficient public open space already in the locality
- public open space is planned in another location by way of a town planning scheme or local structure plan.

In this instance, it is considered that the subdivision of the subject site would meet at least two of these circumstances.

The Position Statement builds on Development Control Policy 2.3 by providing guidance on the requirements for the use of cash-in-lieu funds for POS and encourages the use of cash-in-lieu funds for the provision and betterment of open spaces for the community.

3.2. Local Planning Framework

The local strategic planning and policy framework that applies to the subject site includes:

- Fremantle Planning Strategy 2001
- Draft Fremantle Local Planning Strategy
- City of Fremantle Local Planning Scheme No.4

- LPP 2.9 – Residential Streetscape Policy
- LPP 2.10 – Landscaping of Development and Existing Vegetation on Development Sites
- LPP 2.24 – Waste Management Plans for New Development
- One Planet Action Plan 2020-2025
- Greening Fremantle: Strategy 2020
- City of Fremantle Urban Forest Plan.

3.2.1. Fremantle Planning Strategy 2001

The Fremantle Planning Strategy 2001 designates a number of planning areas, with the site being within the Fremantle Planning Area. The relevant strategies for this Planning Area promote higher densities, particularly if composed of mixed use development:

- Provide a mix of medium density residential development with some higher density residential development within mixed use areas to provide for a variety of dwelling types and sizes.
- Ensure residential redevelopment is compatible with the heritage character and scale of the built environment, streetscapes and urban spaces of the area and the amenity of adjoining properties, including the Fremantle Port.
- Secure areas of public open space and preserve significant landforms.
- Provide safe access and movement for pedestrians and cyclists.

3.2.2. Draft Fremantle Local Planning Strategy

The draft Local Planning Strategy mirrors the Fremantle Planning Strategy 2001 and introduces a focus on development along transit corridors, where this site is located, as key urban intensification areas.

3.2.3. Local Planning Scheme No. 4

Local Planning Area 2 – Fremantle

The City of Fremantle Local Planning Scheme No.4 sets out Local Planning Areas to enhance and guide locally desired streetscape and built form character. Local Planning Area 2 – Fremantle specifies that in granting consent to the maximum heights prescribed, Council shall be satisfied of all of the following:

- that the proposal is consistent with predominant height patterns of adjoining properties and the locality generally
- the proposal would not be detrimental to the amenity of the area
- the proposal would be consistent, if applicable, with conservation objectives for the site and locality generally

- any other relevant matter outlined in Council's local planning policies.

The Scheme notes that Council may impose a lesser height in the event that the proposal does not satisfy any one or all of the above requirements.

In considering this guidance relative to the proposed design, a two-storey height restriction is applied on Holland Street, replicating the existing streetscape. Thereafter, the height of buildings gradually increases to five storeys at High Street. The proposed four to five-storey built form along High Street provides the opportunity to screen and buffer the interior of the site from traffic and noise exposure.

In terms of implications for amenity, conservation of existing trees can be catered for in the design.

3.2.3. Local Planning Policy 2.9 – Residential Streetscape Policy:

The provisions of this policy apply to all residential development assessed under Part 5 of the Residential Design Codes of Western Australia and address matters such as setbacks and building orientation, height and scale.

Development on Holland Street would be restricted to two storeys, ensuring consistency with the prevailing streetscape and the provisions of LPP 2.9.

3.2.4. Local Planning Policy 2.24 – Waste Management Plans for New Development:

This policy would apply at the development application stage; however, access and bin collection have been contemplated, as these would be restricted by the lot layout and lack of direct access to High Street. The requirement for a minimum six-metre-wide laneway commencing in Holland Street, running through Lot 252, and passing through Lots 1 and 3 High Street, would allow access for waste disposal purposes for those lots with limited street frontage. This avoids a waste truck from having to manoeuvre within the site. A minimum width of six metres would provide sufficient space for a side-arm waste truck to operate safely.

3.2.5. One Planet Action Plan 2020-2025

The City of Fremantle uses the One Planet Living® Framework to set the agenda for sustainability throughout the organisation and improve the environment and quality of life for its community.

The City's One Planet Action Plan 2020-2025 sets out key operational services, programs and activities to create a more sustainable future. It is based on the ten One Planet Living guiding principles of sustainability to drive better social, cultural, environmental, natural resource and economic outcomes. The vision is for a more sustainable way of living and working, meeting needs within planetary limits. The ten principles are as follows:



This amendment acknowledges the One Planet Living principles created by Bioregional. The City has also committed to Net Zero targets to reduce greenhouse gas emissions to avoid climate change, targeting net zero 2050 and 43% emissions reduction by 2030. A number of sustainability measures have been incorporated into the concept for the site, to create better places to live, including:

- Retention of large native trees on-site
- Passive solar orientation of housing
- Inclusion of significant open space
- Natural connections for flora and fauna to the adjacent Holland Park
- Diversity and affordability of housing.

3.2.6. Greening Fremantle: Strategy 2020

The Greening Fremantle: Strategy 2020 identifies the need to combat the urban heat island effect by greening the city, particularly with tree cover to provide shade and an evapotranspiration cooling effect. It sets an objective to encourage the retention of vegetation on private

land, which this amendment is consistent with in its intent to retain the mature native trees on-site.

Other mitigating actions identified in the Strategy include reducing the amount of hard surfaces under the sun's influence and to reduce the heat absorption properties of those surfaces. It is intended that the future development would incorporate undercroft parking, rather than at-grade parking, which will significantly reduce the amount of hard surfacing on-site.

3.2.7. City of Fremantle Urban Forest Plan

The City's Urban Forest Plan builds on the Greening Fremantle: Strategy 2020 and sets a core objective of working towards increasing the amount of tree cover in the city to 20% and encouraging landowners to retain vegetation.

This amendment is consistent with the Urban Forest Plan, insofar as it will ensure the retention of the existing mature native trees on-site and will increase the amount of green space in the locality, which will increase and improve local biodiversity and help to combat the urban heat island effect.

3.3. Summary of Strategic Framework

This proposal is consistent with both state and local strategic and policy frameworks

and represents an opportunity to create a development incorporating a mixture of housing typologies compatible with the scale and form of those adjacent, providing local services on-site, and with access to a variety of transport options.

4. Conclusion

The proposed amendment represents the opportunity for a high-quality, diverse residential mix of grouped and multiple dwellings offering complementary commercial tenancies. This is in response to changing household composition and housing market demands and will enable a variety of unit sizes graduating from two storeys fronting Holland Street to five storeys on High Street, with the potential for an additional two storeys where a higher percentage of social / and affordable housing is provided.

PLANNING AND DEVELOPMENT ACT 2005

CITY OF FREMANTLE

LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 76

Resolved that the local government, pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

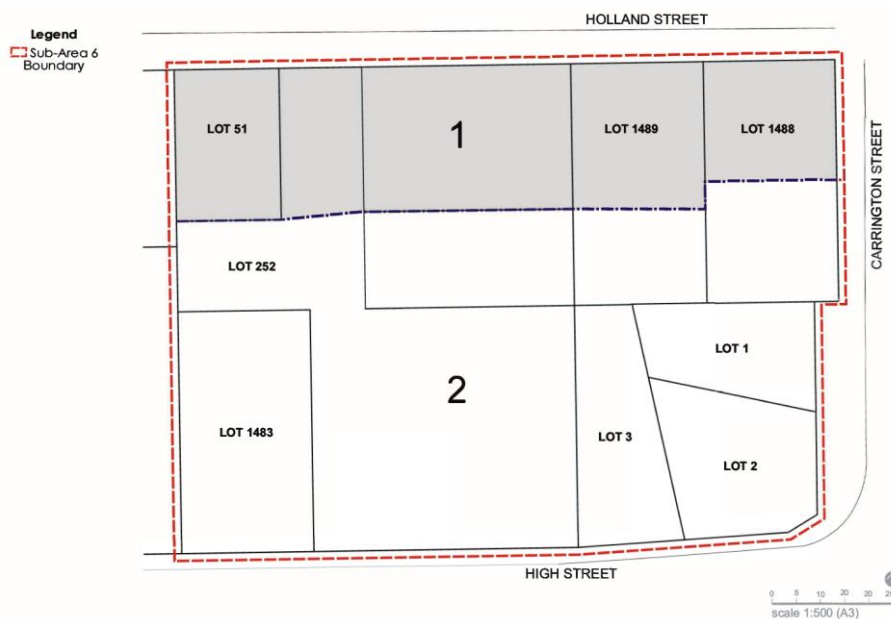
1. Amending the density coding of Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle from R30 to R160.
2. Amending clause 6.2, schedule 2 – Additional Uses by inserting the following:

4	396 (Lots 1, 2 and 3 on Plan 31414 Certificates of Title 37/349A and 45/96A) High Street, Fremantle	Consulting Rooms, Office, Restaurant/Café	3. The additional uses are 'D' uses. 4. Any uses of Consulting Rooms, Office and/or Restaurant/Café shall not exceed a combined gross nett lettable area of 320 square metres and shall be restricted to the ground level only.
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3. Amending clause 6.7, schedule 7 – Local Planning Areas (Development Requirements) by inserting the following:

Local Planning Area 2 – Fremantle

Sub Area 6



Building Height

- (a) Clause 2.2 “Matters to be considered in applying general and specific height controls” does not apply to Sub Area 6.
- (b) Permitted building heights shall be in accordance with the requirements set out in the table below –

Area	Permitted Building Height
1	As defined by Volume 1, Part B, Table 3, category B of the R-Codes
2	Single houses and grouped dwellings as defined by Volume 1, Part C, Table C of the R-Codes, with a minimum of two storeys. Multiple dwellings as defined by Volume 2, Part 2, Tables 2.1 and 2.2 of the R-Codes, with a minimum of three storeys.

- (c) An additional two storeys may be permitted within Area 2, subject to:
- (i) the provision of at least 15% social and / or affordable housing within the development, designed and constructed to Platinum standard, as defined in Livable Housing Australia’s Livable Housing Design Guidelines
 - (ii) the development being of distinctive architecture befitting its location and exceptional design quality meeting, at the highest possible standard, the principles of good design listed under Schedule A – Supplemental Provisions to the deemed provisions Clause 78B Advisory Committee (6)(c) of this Scheme, and including, but not limited to:
 - the development demonstrating a selection of high-quality building materials, sustainable building measures and building longevity
 - the design addressing the relationship of taller components to lower levels (podium)
 - the impact of the development on distant views of the site
 - the roofscape aspect of the design.

Other Development Standards

- (d) At the time of subdivision and/or development, a high amenity, east-west pedestrian link with a minimum width of 6 metres shall be provided between Carrington Street and Holland Park.
- (e) Communal open space shall retain the north-south spine of remnant trees and connect with the east-west pedestrian link from Carrington Street to Holland Park.
- (f) Development abutting the communal open space shall be set back to the tree canopy dripline, so as to not compromise the integrity or wellbeing of the remnant trees.
- (g) Development shall demonstrate housing diversity by providing a range of dwelling sizes that cater for different household types. The proportion of each dwelling size shall be evidenced by local demographics, market demand, and neighbourhood character, ensuring inclusivity and meeting the varied needs of residents.

- (h) At the time of subdivision and/or development, an acoustic assessment prepared by a suitably qualified acoustic engineer shall be provided to the satisfaction of the local government to determine road noise levels and any mitigation measures necessary, in accordance with State Planning Policy 5.4 – Road and Rail Noise.

Vehicle access

- (i) At the time of subdivision and/or development, provision shall be made for a minimum six-metre-wide laneway between Holland Street and Carrington Street, across Lot 252 Holland Street and the northern extent of Lots 1 and 3 High Street.
 - (j) At the time of subdivision and/or development, a Traffic Impact Assessment undertaken by a suitably qualified traffic engineer shall be provided to the satisfaction of the local government.
- 4. Deleting Special Control Area SCA 5.7 from Lot 1488, 103 Carrington Street, Lots 1, 2, and 3, 396 High Street, Lot 1483, 386 High Street, Lot 51, 167 Holland Street, Lot 252, 169 Holland Street, and Lots 1-4 on Strata Plan 65266, 171 Holland Street, Fremantle.
 - 5. Amending the Scheme Map accordingly.

COUNCIL ADOPTION

This Complex Amendment was adopted by resolution of the Council of the City of Fremantle at the Ordinary Meeting of the Council held on the XX day of May 2024.

.....
MAYOR
.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Fremantle at the Ordinary Meeting of the Council held on the XX day of May 2024.

.....
MAYOR
.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support, subject to modifications, by resolution of the City of Fremantle at the Ordinary Meeting of the Council held on the **XX** day of **XXXX** 202**X** and the Common Seal of the City of Fremantle was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
**DELEGATED UNDER S.16 OF
THE P&D ACT 2005**

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....



EXISTING SCHEME MAP

ADOPTION
 ADOPTED by resolution of the City of Fremantle at the
 Ordinary Meeting of the Council held on the day of
 2024.



PROPOSED SCHEME AMENDMENT MAP

FINAL APPROVAL
 This section to be completed at Final Approval stage after the Minister has approved the amendment.
 ADOPTED BY FINAL RESOLUTION by the City of Fremantle at the Ordinary Meeting of the Council
 held on the day of 2024. The common seal of the City of Fremantle was hereunto affixed
 by the authority of a resolution of the Council in the presence of:

- LEGEND
- REGION SCHEME RESERVES
- PARKS AND RECREATION - RESTRICTED
 - PRIMARY REGIONAL ROADS
 - PUBLIC PURPOSES
- LOCAL SCHEME ZONES
- RESIDENTIAL
- LOCAL SCHEME RESERVES
- RECREATION AND OPEN SPACE
- OTHER
- R30 R CODES
 - SCA SCA - Development Areas
 - SCA 5.7 SCA 5.7 Special Control Area - General
 - SCA Scheme Area Boundary
 - SCA Local Government Boundary
 - A4 Additional Uses



C2405-8 PLANNING INFORMATION REPORT - MAY 2024
**1. SCHEDULE OF APPLICATIONS DETERMINED UNDER DELEGATED
AUTHORITY**

**Attachment 1 – Schedule of applications determined under delegated
authority**

ATTACHMENT 1- Schedule of Delegated Applications

1. SOUTH TERRACE, NO. 74 (LOT 1376, 1380, 1693 & L074), FREMANTLE - ADDITIONS AND ALTERATIONS TO EXISTING MARKET – (JL DA0059/24)
2. BROMLEY ROAD, NO. 74 (LOT 2), HILTON – TWO STOREY GROUPED DWELLING (ED DA0065/24)
3. BLINCO STREET, NO. 24 (LOT 1), FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE (ED DA0075/24)
4. HUGHES STREET, NO. 1 (LOT 17), HILTON - ADDITIONS TO EXISTING SINGLE HOUSE – (JD DA0073/24)
5. NOEL STREET, NO. 36 (LOT 112) - ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE – (JD DA0079/24)
6. RENNIE CRESCENT, NO. 34 (LOT 1 ON STRPLAN 31425), HILTON – SINGLE STOREY ADDITIONS TO EXISTING GROUPED DWELLING – (GB - DA0078)
7. SHEPHERD STREET, NO. 75A (STRATA LOT 1 ON STRPLAN 37391 BEACONSFIELD – CHANGE OF USE TO HOME BUSINESS – (GB- DA0074/24)
8. ROSE STREET, NO. 6 (LOT 21), SOUTH FREMANTLE – ADDITION (CARPORT) TO EXISTING SINGLE HOUSE – (GB - DA0081/24)
9. MARKET STREET, UNIT 17, NO. 83 (LOT 52 ON STRPLAN 9737) FREMANTLE – INTERNAL ALTERATIONS AND ADDITIONS (INCLUDING SIGNAGE) TO EXISTING BUILDING – (GB - DA0083/24)
10. STEVENS STREET, NO 46 (LOT 446), FREMANTLE – ADDITION (CARPORT) TO EXISTING SINGLE HOUSE – (GB – DA0087/24)
11. PARMELIA STREET, NO. 12 (LOT 5), SOUTH FREMANTLE – VARIATION TO PREVIOUS APPROVAL DA0027/24 (ADDITIONS – CARPORT AND OUTBUILDING TO EXISTING SINGLE HOUSE) – (GB - VA0010/24)
12. MCCABE STREET, UNITS 1-55/NO. 11 (STRPLAN 75075), NORTH FREMANTLE – ADDITIONS (GLAZING) TO EXISTING BALCONIES (UNITS 1, 4, 7, 10, 13 AND 15) - (GB – DA0096/24).
13. MURPHY STREET, UNIT 8/NO. 8 (STRATA PLAN 76486), O’CONNOR – ADDITIONS (INTERNAL MEZZANINE) TO EXISTING INDUSTRY UNIT – (GB -DA0102/24)
14. WARDLE ROAD, NO. 10C (LOT 3032), BEACONSFIELD – SINGLE STOREY SINGLE HOUSE – (GB - DA0006/24)
15. MARMION, NO. 71 (LOT 1112), FREMANTLE – ADDITION (CARPORT) TO EXISTING SINGLE HOUSE – (GB - DA0001/24)
16. HOWSON STREET, NO. 8 (LOT 12), HILTON – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE – (GB - DA0019/24)
17. HULBERT STREET, NO. 22 (LOT 116) SOUTH FREMANTLE – ADDITIONS (SWIMMING POOL AND DECK) AT EXISTING SINGLE HOUSE – (GB - DA0033/24)
18. ADELAIDE STREET, NO. 36-38 (LOT 52), FREMANTLE – ALTERATIONS TO ENTRY AND SIGNAGE TO EXISTING BUILDING - (GB - DA0037/24)
19. GRIGG PLACE, NO. 11 (STRPLAN LOT 1), HILTON – ADDITIONS (PATIO) TO EXISTING GROUPED DWELLING - (GB - DA0039/24)

20. DOURO ROAD, NO. 48 (LOT 1 ON STRPLAN 23157) – ADDITION AND ALTERATIONS TO EXISTING GROUPED DWELLING – (GB - DA044/24)
21. GRIGG PLACE, NO. 19A (STRPLAN LOT 2), HILTON – ADDITIONS AND ALTERATIONS TO EXISTING GROUPED DWELLING – (GB - DA0046/24)
22. THE TERRACE, NO. 1 (LOT 2095) FREMANTLE – REMOVAL PATIO AND CONSERVATION WORKS TO EXISTING BUILDING – (GB - DA0401/23)
23. LEFROY ROAD, NO. 93A (LOT 2 ON STRPLAN 85816), BEACONSFIELD – SINGLE STOREY GROUPED DWELLING – (GB - DA0052/24)
24. BELMONT STREET, NO. 3 (LOT 2 ON STRPLAN LOT 35862), SOUTH FREMANTLE – ADDITIONS (FRONT GATE) AND EXTERNAL PAINTING TO EXISTING GROUPED DWELLING (GB - DA0055/24)
25. COOKE STREET, NO. 3A (LOT 2 ON STRPLAN 60415), HILTON – ADDITIONS (CARPORT) TO EXISTING GROUPED DWELLING – (GB - DA0057/24)
26. HIGH STREET, NO. 99 (LOT 10), FREMANTLE – MAINTENANCE TO EXISTING COMMERCIAL BUILDING - (GB -DA0060/24)
27. WILLIAM STREET, NO. 23 (LOT 200), FREMANTLE – ADDITION (AWNING SIGNAGE) TO EXISTING HOTEL- (GB - DA0063/24)
28. HINES, NO. 40 (LOT 1610), HILTON – CARPORT ADDITION TO EXISTING DWELLING (SINGLE HOUSE) – (GB - DA0352/23)
29. THOMPSON ROAD, NO. 96 (LOT 22), NORTH FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE (GB - DA0356/23)
30. WATKINS STREET, NO. 105 (LOT 70), WHITE GUM VALLEY – ADDITION (CARPORT) TO EXISTING SINGLE HOUSE – (GB D- A0365/23)
31. ARUNDEL STREET, NO. 1 (LOT 5 AND LOT 3), FREMANTLE – ADDITION (DECK) AND RETROSPECTIVE APPROVAL FOR ADDITION (FENCE) TO EXISTING SINGLE HOUSE – (GB - DA0372/23)
32. NICHOLAS CRESCENT, 13 (LOT 1277), HILTON – CONVERSION OF OUTBUILDING TO ANCILLARY DWELLING AND ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE – (GB - DA0378/23)
33. HAMPTON ROAD, NO. 169 (LOT 48), FREMANTLE – ANCILLARY DWELLING ADDITION AND ALTERATIONS TO EXISTING DWELLING (SINGLE HOUSE) (GB - DA0739/23)
34. RUSSELL STREET, NO. 13 (STRPLN LOT 9718), FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING DWELLING (GROUPED DWELLING) - (GB - DA0380/23)
35. SOUTH STREET, NO. 273 (LOT 888), HILTON – CHANGE OF USE (SHOP) – (GB - DA0386/23)
36. YORK STREET, NO.70 (LOT 149), BEACONSFIELD – ADDITIONS (CARPORT) TO EXISTING SINGLE HOUSE – (GB - DA0378/23)
37. MOUAT STREET NO.5 (LOT 1 ON STRPLAN 25827), FREMANTLE – REPAIRS AND MAINTENANCE TO EXISTING BUILDING (BED AND BREAKFAST) – (GB - DA0390/23)
38. SNOOK CRESCENT, NO. 81 (LOT 390), HILTON – OUTBUILDING ADDITION TO EXISTING SINGLE HOUSE – (GB - DA0398/23)
39. SHEEDY STREET, NO. 5 (LOT 45), SOUTH FREMANTLE – ALTERATIONS AND ADDITIONS TO EXISTING DWELLING (SINGLE HOUSE) – (GB - DA0399/23)

40. THOMPSON ROAD, No. 8 (LOT 497) NORTH FREMANTLE – SECTION 40 (CLUB PREMISES) – (GB - LL0004/24)
41. NICHOLAS CRESCENT, 13 (LOT 1277), HILTON – CONVERSION OF OUTBUILDING TO ANCILLARY DWELLING AND ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE – (GB - DA0378/23)
42. AINSLIE ROAD, NO.4 (LOT 28), NORTH FREMANTLE - VARIATION TO PREVIOUS PLANNING APPROVAL DA0255/22 (SECOND STOREY ADDITION AND ALTERATIONS TO EXISTING SINGLE HOUSE)– (JL VA0001/24)
43. RUSSELL STREET, NO. 28 (LOT 123), FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE (ED DA0020/24)
44. CANTONMENT STREET, NOS. 48-68, FREMANTLE – EXTERNAL SCREEN ADDITION TO EXISTING BUILDING (ED DA0026/24)
45. TYDEMAN ROAD, NO. 44 (MULTIPLE LOTS), NORTH FREMANTLE – UNAUTHORISED ADDITIONS TO EXISTING TAVERN (ED DA0298/23)
46. PEEL ROAD, NO. 57A (LOT 1), O’CONNOR - EXTENSION TO TERM OF PLANNING APPROVAL FOR DA0123/19 (CHANGE OF USE FROM 'SERVICE - OTHER' (TRANSPORT DEPOT) TO 'WAREHOUSE' AND ADDITIONS AND ALTERATION TO BUILDING) (ED ET01/24)
47. SOUTH TERRACE, NO. 254 (LOT 48), SOUTH FREMANTLE - ADDITIONS AND ALTERATIONS TO EXISTING DWELLING AND ADDITION OF NEW SINGLE STOREY GROUPED DWELLING (ED DA0394/23)
48. SIMPER CRESCENT, NO. 1 (LOT 2), WHITE GUM VALLEY – VARIATION TO DA0293/22 (GARAGE AND ANCILLARY DWELLING ADDITION TO EXISTING SINGLE HOUSE) (ED DA0293/22)
49. THOMPSON ROAD, NO. 13 (LOT 651), NORTH FREMANTLE - VARIATION TO PREVIOUS PLANNING APPROVAL FOR DA0116/23 (FRONT FENCE ADDITION) (ED VA0006/24)
50. SCOTT STREET, NO. 14 (LOT 1), SOUTH FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING GROUPED DWELLING (ED DA0094/24)
51. 124-126 HIGH STREET FREMANTLE WA 6160, (LOT 558) – SECTION 40 (RESTAURANT) – (JD LL0001/24)
52. MEWS ROAD, NO. 16 (LOT 1894), FREMANTLE - ADDITION TO EXISTING BOAT STORAGE FACILITY – (JD DA0363/23)
53. SCOTT STREET, NO. 12 (LOT 31), SOUTH FREMANTLE - RETROSPECTIVE APPROVAL FOR UNAUTHORISED STUDIO ADDITION TO EXISTING SINGLE HOUSE – (JD DA0091/24)



**C2405-9 ADVERTISING OF THE PROPOSED DIFFERENTIAL RATE FOR THE
2024/25 FINANCIAL YEAR**

**Attachment 1 – Objects and Reasons for Differential Rates for the 2024/25
financial year**

Objects and Reasons

In accordance with Sections 6.33 and 6.36 of the Local Government Act 1995 and Council's intention to continue levying differential general rates for the 2024-25 financial year on rateable properties within the City, the City is required to publish its Objects and Reasons for implementing differential general rates.

Rates and Minimum Charges

The City of Fremantle will apply differential general rates and minimum payments for the 2024-25 financial year as summarised in the following table:

Rate Category	Rate in the \$	Minimum Payment
Residential Improved	0.083489	\$1,738
Commercial and Industrial General	0.113216	\$1,738
Vacant Commercial and Industrial	0.166978	\$1,738
City Centre Commercial	0.113216	\$1,738
Vacant Residential Land	0.144207	\$1,685
Residential Short-Term Accommodation	0.113176	\$1,738

Why do we have differential rates?

The rates you pay are a proportionate share of what is needed by the City to provide local services and facilities. To levy rates that are more equitable across different types of properties the City has implemented differential rates which reflect the costs associated with service delivery across the different rating categories.

Objectives of the differential rates

The Gross Rental Value or GRV represents the gross annual rental that a property might reasonably be expected to earn annually if it were rented, including rates, taxes, insurance and other outgoings. GRVs are provided to the City by Landgate to calculate rates, service charges and levies to be paid by property owners.

Residential Improved

- ◇ A differential general rate of 8.3489 cents in the dollar applies to Improved Residential Land with a minimum payment amount of \$1,738.
- ◇ The residential improved differential general rate applies to land that is used for residential purposes under the Local Planning Scheme No. 4 however may be located in any zone and is valued on a Gross Rental Value basis (GRV).
- ◇ This rate is set on the basis that all ratepayers make a reasonable contribution to the cost of local government services and facilities available to residents. It is the City's benchmark by which all other GRV rate properties are assessed.

Commercial and Industrial General

- ◇ A differential general rate of 11.3216 cents in the dollar applies to Improved Commercial and Industrial Land with a minimum payment amount of \$1,738.
- ◇ The commercial and industrial differential general rate applies to all commercial and industrial properties that are zoned under the Local Planning Scheme No. 4 for commercial and industrial purposes and which are not specifically covered by any other differential rate and is valued on a Gross Rental Value basis (GRV).
- ◇ The object of this rate is to ensure that a reasonable contribution is made towards the higher costs of services and facilities associated with these properties such as increased maintenance requirements, transport links, costs associated with economic development initiatives and marketing.

Vacant Commercial and Industrial

- ◇ A differential general rate of 16.6978 cents in the dollar applies to Vacant Commercial and Industrial Land with a minimum payment amount of \$1,738.
- ◇ The vacant commercial and industrial land differential general rate applies to vacant land that is zoned under the Local Planning Scheme No. 4 for commercial and industrial purposes and is valued on a Gross Rental Value basis (GRV).
- ◇ The city considers the development of vacant commercial and industrial rateable land in the best interests of the community therefore has set a rate higher than that which applies to developed commercial and industrial properties.

City Centre Commercial

- ◇ A differential general rate of 11.3216 cents in the dollar applies to City Centre Commercial Land with a minimum payment amount of \$1,738.
- ◇ The City Centre Commercial differential general rate applies to all properties other than residential located within the boundaries of the City Centre zone and the abutting Metropolitan Regional reserves ([refer map](#)) being areas bounded by Parry Street, Norfolk Street and including those properties located in Fremantle Fishing Boat and Challenger Harbours and on Victoria Quay.
- ◇ The object of this rate is to ensure that a reasonable contribution is made towards the higher costs of services and facilities associated with these properties such as increased maintenance requirements and transport links.

Vacant Residential Land

- ◇ A differential general rate of 14.4207 cents in the dollar applies to Vacant Residential Land with a minimum payment amount of \$1,685.
- ◇ The vacant residential land differential general rate applies to vacant land that is zoned under the Local Planning Scheme No. 4 for residential purposes.
- ◇ The City considers the development of all vacant rateable land to be in the best interests of the community as it will improve increase the vibrancy of the City and neighbourhood centres.

Residential Short-Term Accommodation

- ◇ A differential general rate of 11.3176 cents in the dollar applies to Improved Residential Land with a minimum payment amount of \$1,738.
- ◇ The residential short term accommodation differential general rate applies to land zoned residential where a purpose for which the land is held or used is to offer home short stay lodging primarily for tourism experiences and includes the following dwellings in accordance with the [Short Stay Accommodation Local Law](#) or otherwise approved under Local Planning Scheme No. 4 for short stay accommodation.
 - a) One-bedroom dwelling used primarily for short stay accommodation
 - b) Dwellings with two or more bedrooms used for short stay accommodation
- ◇ The object of this rate is to ensure the owners of residential land wholly or partly used for the commercial purpose of short stay accommodation contribute to costs associated with economic development initiatives and marketing.

Specified Area Rates

A Specified Area Rate (SAR) is an additional rate charge that is applied separately to designated areas within the City. This covers additional maintenance or service costs for a higher standard above what would ordinarily be provided by the City.

The City of Fremantle will apply Specified Area Rates for the 2024-25 financial year as summarised in the following table:

Specified Area Rates	Rate in the \$	Minimum Payment
CBD Security Levy	0.001456	N/A
Leighton Maintenance	0.006299	N/A

CBD Security Levy

To fund a safety and security strategy for a specified area of the Fremantle CBD that is applicable to all properties Bounded by Parry Street, South Terrace, Suffolk Street, Fishing Boat Harbour (West of Mews Road) and along the coast to Bathers Beach, Fleet Street, Phillimore Street and Elder Place.

Leighton Maintenance

To fund the above normal costs associated with maintaining the higher standard of landscaping of the Leighton Residential Area and is applicable to all properties within the Leighton Beach area and that as this time are located on Port Beach Road, Leighton Beach Boulevard and Freeman Loop.

Useful Links

[WALGA - About Local Government Rates in Western Australia | WALGA](#)

[Local Government Rates Rebate \(communities.wa.gov.au\)](#)

[CBD Map](#)

[Leighton Map](#)

[LOCAL GOVERNMENT ACT 1995](#)