Metro Inner Development Assessment Panel Agenda

Meeting Date and Time: Thursday, 9 July 2026; 1:00pm
Meeting Number: MIDAP/140
Meeting Venue: 140 William Street, Perth

A live stream will be available at the time of the meeting, via the following link:
MIDAP/140 - 9 July 2026 - Town of East Fremantle

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Noting of Minutes

PART B – TOWN OF EAST FREMANTLE

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
   3.1 Lot 418 (No. 91) & Lot 419 (No. 93) Canning Highway, Lot 81 (No. 70) St Peters Road & Lot 423 King Street, East Fremantle - Nine Grouped Dwellings – DAP/26/03098
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. Meeting Closure

Please note, presentations for each item will be invited prior to the items noted on the agenda and the presentation details will be contained within the related information documentation

DAP Members
Dale Page (Presiding Member)
Clayton Higham (Deputy Presiding Member)
Peter Lee
Cr Cliff Collinson (Part B – Town of East Fremantle)
Cr Andrew White (Part B – Town of East Fremantle)

DAP Secretariat
Kristen Gray
Ashlee Kelly

PART A – INTRODUCTION

1. **Opening of Meeting, Welcome and Acknowledgement**

2. **Apologies**

3. **Noting of Minutes**

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1. Declarations of Due Consideration

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3. Form 1 DAP Applications

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4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Part B – Item 3.1 – Lot 418 (No. 91) & Lot 419 (No. 93) Canning Highway, Lot 81 (No. 70) St Peters Road & Lot 423 King Street, East Fremantle – Nine Grouped Dwellings

Form 1 – Responsible Authority Report
(Regulation 12)

DAP Name:	Metro Inner DAP
Local Government Area:	Town of East Fremantle
Applicant:	Built Form Projects (Phillip Gnech)
Owner:	Robert Turner and Simon Neville
Value of Development:	$11,250,000
Responsible Authority:	Town of East Fremantle
Authorising Officer:	Executive Manager Regulatory Services Fraser Henderson
LG Reference:	P012/26
DAP File No:	DAP/26/03098
Application Received Date:	9 April 2026
Report Due Date:	26 June 2026
Application Statutory Process Timeframe:	90 Days
Attachment(s):	1. Location and Staged Development Plan 2. Site Photographs 3. Development Plans and Elevations date stamp received 9 April 2026 4. Schedule of Submissions 5. Applicant's Response to Submissions received on 17 June 2026 6. Schedule of Referral Responses from Statutory/Public Authorities 7. Independent Design Advice Report dated 30 March 2026 8. Trees to be Retained Plan dated 14 May 2026 9. Planning Assessment under R-Codes - Part C and Part D - Vol 1 – (R60) 10. Local Planning Scheme No. 3 – Cl. 5.10.1 – Schedule 13 – Additional Site and Development Requirements – ASR1 https://www.wa.gov.au/system/files/2025-12/east_fremantle3_schemetext.pdf (page 72)

Responsible Authority Recommendation

That the Metro Inner Development Assessment Panel resolves to:

1. Refuse DAP Application reference DAP/26/03098 and accompanying plans (Attachment 3 date stamped received 9 April 2026) having due regard for the Planning and Development Act, 2005 and the Town of East Fremantle Local Planning Scheme No. 3, State Planning Policy No. 7.0 – Design of the Built

Environment and State Planning Policy 7.3 – Residential Design Codes of WA – Part C and Part D – Vol 1.

Reasons for Refusal

A. As the proposed development under the provisions of Local Planning Scheme No. 3:

   i) exceeds the maximum building height and setback requirements prescribed under Cl. 5.10.1 – Schedule 13 – ASR1 – Figures 1 and 2, and as those provisions are not discretionary, with no variation mechanism provided under Local Planning Scheme No. 3, there is no power to grant approval. Accordingly, the application is incapable of approval; and

   ii) would have an adverse impact on the character and amenity of the surrounding area for the reason that it conflicts with:

      a) Cl. 4.2 – Objectives of the Zones – Mixed Use - as the proposed development is not considered to be sympathetic to the desired future character of the Mixed Use zone; and

      b) Cl. 5.8.10 – Development in the Mixed Use zone - as no development is to be approved in a Mixed Use zone where it would prejudice the character or amenity of the locality by reason of the nature of the resultant activities, the building design or the impact of traffic or car parking.

B. The proposal does not achieve an appropriate design response under State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0) and is not supported as the design is insufficiently resolved, with fundamental deficiencies that cannot be addressed through conditions, resulting in an outcome that does not achieve an appropriate standard of design quality in accordance with the objectives and against multiple design principles of SPP 7.0 for the following reasons:

   i) as the architectural expression is inwardly focussed and fails to demonstrate an appropriate response to the locality, resulting in a design that is incongruous with the established heritage character;
   ii) as it lacks a coherent site-wide and contextual response, resulting in an incongruous built form and poor streetscape outcome;
   iii) it demonstrates inadequate landscape provision, limited architectural articulation, and unresolved built form relationships; and
   iv) key aspects of functionality, sustainability, amenity, and access are insufficiently developed or supported by required information, leading to a design that does not achieve a suitable standard of liveability, environmental performance, or integration with the surrounding context.

C. The proposal does not achieve the deemed to comply provisions or satisfy the design principles in relation to State Planning Policy 7.3 – Residential Design Codes of WA in respect to the following:

i) Non-compliance with Clause C2.3.4 and C2.3.5 – visitor parking number – as no visitor parking on-site has been provided (2 bays required; nil proposed); and

ii) Non-compliance with Clause C1.2.1 and C1.2.2 – soft landscaping across the site and in the front setback area – C1.2.1 - 15% soft landscaping for the lot area required; less than 15% proposed for Units 1 to 8 and soft landscaping in the front setback area – C1.2.2 - 30% required; less than 30% proposed for Units 1 to 8.

Details: Nine (9) Grouped Dwellings

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban Abuts 'Primary Regional Roads' Reservation (Canning Hwy and Stirling Hwy)
Local Planning Scheme	Local Planning Scheme No. 3 (LPS 3)
Local Planning Scheme - Zone/Reserve	Mixed Use – Cl. 5.10.1 – Schedule 13 – ASR1 Additional Site and Development Requirements
Structure Plan/Precinct Plan	N/A
Structure Plan/Precinct Plan - Land Use Designation	N/A
Use Class and permissibility:	Permitted Use – 'P'
Lot Size:	• Total site area (incl. road widening) - 3,845.9m² • Stage 1 site area: grouped dwellings - 1,573m² • Stage 2 site area: future development - 2,137.6m² • Road widening reserve - 135.3m² • Site area (excl. road widening) - 3,710.6m²
Existing Land Use:	Service commercial and single house
State Heritage Register	No
Local Heritage	☒ N/A ☐ Heritage List ☐ Heritage Area
Design Review	☐ N/A ☐ Local Design Review Panel ☐ State Design Review Panel ☒ Other
Bushfire Prone Area	No
Swan River Trust Area	No

Proposal:

The development application comprises:

- Full demolition of the existing commercial building, original single house and associated outbuildings/sea containers;
- Removal of all trees and vegetation with the exception of the large Ficus tree in the north-east corner of the site;
- Construction of nine (9) attached grouped dwellings (townhouses) where seven are three storeys and two are two storeys with basement parking for 18 cars; and

- Access for occupants and vehicles is via St Peters Road and gates to the rear of the grouped dwellings.

Proposed Land Use	Grouped Dwelling
Proposed Net Lettable Area	N/A
Proposed No. Storeys	2 and 3 storeys
Proposed No. Dwellings	9

Background:

Site Context and History

The subject site comprises four lots with a combined area of 3,845.9m², reducing to 3,710.6 m² excluding current road widening requirements. It is bounded by Canning Highway to the north, Stirling Highway to the east, St Peters Road to the south, and Sewell Street to the west. The land is located within the Plympton precinct and adjoins Residential R20 lots to the south. To the west, it is opposite the Tradewinds Hotel accommodation wing and a commercial building associated with the Hotel site on the corner of Sewell Street and Canning Highway (refer to Attachment 1 and 2).

Two main buildings remain on the site, both identified as Category C heritage properties following the 2014/15 review of the Town's Local Heritage Survey.

- No. 91 Canning Highway contains a series of interconnected single-storey brick buildings, including mid-20th century shopfronts and awnings dating from the c1950s, with some earlier components from c1926. A fertilizer dispersal equipment business currently operates from part of these buildings.

- No. 93 Canning Highway is a c1896 Federation Bungalow in a very poor and long deteriorated condition.

The balance of the land is vacant and contains the likes of sea containers, sheds, and several mature trees and shrubs, including those within the adjoining Stirling Highway and St Peters road reserves. A dual-use path with connection to the river runs alongside the eastern boundary adjacent to Stirling Highway.

The site is subject to multiple constraints, including sewer easements/manhole requiring potential pipe relocation or upgrades at the developer's cost. It is also affected by a 'Primary Regional Roads' reservation under the Metropolitan Region Scheme for both Canning and Stirling Highway. Extensive consultation with Main Roads WA has occurred due to future widening and potential intersection upgrades at the Canning and Stirling Highway junction for a past development application.

Scheme Amendment 14

In 2016 the landowners approached the Town seeking a Scheme Amendment to enable multiple dwelling development on the site, as at that time, the Mixed Use zoning under LPS 3 prohibited multiple dwellings.

In early 2017, Council considered Amendment 14 to LPS 3, proposing a Special Control Area to guide high density mixed use redevelopment. While the Amendment was advertised, it received significant community opposition, particularly in relation to building heights of 9 to 10 storeys. Subsequent urban design testing led to revised

controls reducing the scale to approximately 7 to 8 storeys, which Council supported in April 2018.

In August 2019 the amended proposal was forwarded to the WAPC. The Department of Planning, Lands and Heritage (DPLH) made substantial revisions, reinstating the original 10 storey envelope and introducing options for even greater height on the northern portion of the site (up to ~20 storeys). The WAPC endorsed these changes, and the Minister required readvertising given the significant departure from the Council endorsed version.

In early 2019, the Minister's Schedule of Modifications was advertised, receiving strong community opposition (219 submissions opposing the Minister's changes), with most submissions favouring Council's earlier position, including retention of treed open space. Council raised concerns regarding drafting inconsistencies, the reintroduction of a larger building envelope, and provisions allowing additional building height, and subsequently sought reinstatement of a fixed height framework, reduced scale along St Peters Road, and removal of discretionary height increases.

In March 2020, the WAPC advised that the Minister had modified the Amendment and noted that additional height provisions would only apply if Council accepted the ceding of land for public open space. Later in 2020, the Town was notified of a pre-lodgement proposal for the site under the Part 17B Significant Development pathway, which it reviewed prior to consideration by the State Design Review Panel, ahead of final approval of the Scheme Amendment.

At the first SDRP meeting the applicant presented a 20 storey design enabled by the additional height clause, confirming the Town's concern that, without a clear height cap, the Amendment allowed approval of heights far exceeding the intended built form. The Town raised this with the Minister and requested that all height discretion be removed. In response, in January 2021 the Minister for Planning introduced a final modification establishing a height cap of 76.5m AHD, effectively allowing a 19 to 20 storey building using a building envelope that also capped setbacks from the boundary. Amendment 14 was subsequently gazetted on 5 February 2021.

A Significant Development application in accordance with the Scheme Amendment provisions was subsequently submitted by the same applicant as the subject application. On 11 May 2023 the WAPC granted development approval for a mixed use development of ~95 apartments, a large commercial tenancy and basement parking in three multi-storey buildings (of 20, 12 and 4 storeys). This approval lapsed on 11 May 2026.

Legislation and Policy:

<u>Legislation</u>

Planning and Development Act 2005
Planning and Development (Development Assessment Panels) Regulations 2011
Planning and Development (Local Planning Schemes) Regulations 2015
Metropolitan Region Scheme (MRS)
Local Planning Scheme No. 3 (LPS 3)
LPS 3 Schedule 12 – Fremantle Port Buffer – Area 2 Guidelines

State Government Policies

State Planning Policy 7.3 – Residential Design Codes – Part C and Part D – Vol 1
State Planning Policy 7.0 – Design of the Built Environment
State Planning Policy 5.4 – Road and Rail Noise

Structure Plans/Activity Centre Plans

N/A

Local Policies

Local Planning Strategy 2022
Local Planning Policy 3.1.3 – Town Centre Redevelopment Guidelines
Local Heritage Survey

Consultation:

Public Consultation

Advertising was undertaken from 28 April to 26 May 2026, comprising a 29-day period in accordance with the statutory requirements of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

The application was advertised by the following means:

- Letters to nearby owners and occupiers;
- Two on-site signs, located on each corner frontage of Sewell Street and St Peters Road; and
- Publication on the Town's website under the "Consultations" page.

In response, ten (10) submissions were received. While generally supporting the construction of additional dwellings, submitters raised a number of concerns which are summarised in the table below along with an Officer response.

Full copies of the submissions, together with responses from the Town, are provided in Attachment 4. The Town provided all submissions to the applicant, whose responses are included in Attachment 5.

Summary of Matters / Issue Raised	Officer Comments
Built form design and heritage of the area Concerns relate to the proposal's inconsistency with local heritage character, including its design, streetscape integration, and perceived precedent for increased density and loss of historic identity, with a request for redesign to better reflect the area's character.	Comments noted. Supported for the following reasons. • Proposal fails to demonstrate a clear, context-responsive design aligned with SPP 7.0. • Poor integration with the Plympton precinct's heritage character and scale. • Excessive bulk, height, and weak transitions; inadequate response to surrounding properties. • Landscaping, amenity, and sustainability outcomes are underdeveloped. • Lacks a comprehensive master plan for the broader site. • Has some merit (appropriate typology, reasonable layouts) but requires major redesign. • Not supported in current form; issues are fundamental and cannot be resolved by conditions.

	• Further detailed comments are provided in the Planning Assessment section of the RAR.
Demolition of Dwelling (Lot 419 No. 93 Canning Hwy) There is strong objection to the demolition of the Category C heritage dwelling, with calls to retain and adaptively reuse the façade within the redevelopment. Retention is seen as important to maintaining local character and enhancing community identity.	Comments noted. Not supported for the following reasons. • Subject properties are not heritage listed and are located outside a designated heritage area; reclassified as Category C under the 2014/15 review of the Local Heritage Survey (limited significance, preference only for retention). • Previous heritage impact assessments identified poor condition and reduced heritage value. • Heritage Council indicated no objection to Amendment 14 (on the understanding that demolition was proposed) nor was there any requirement for retention under the WAPC approval for a multi-storey mixed use development which proposed demolition. • Statutory approvals (Amendment 14 and WAPC) did not require retention, only a photographic record prior to demolition. • Additional historical associations with Roy Corbett and EFFC are noted but were not identified in earlier assessments and are not considered to warrant reassessment or retention. • Reassessment for inclusion in the Heritage List under LPS 3 is not supported, noting Plympton is not a designated heritage area. • Retention is not considered necessary; however, a photographic archival record is recommended, with potential for interpretive or design measures to acknowledge the site's history, subject to qualified evidence. • The road widening requirements, shown on the applicant's plans, for the intersection indicate that, should widening be required, it would encroach into the front portion of the existing dwelling and result in a direct impact on that part of the property. • The Town notes the cultural value attributed to the site by the EFFC. However, the Place Record for the property does not provide any evidence of the historical or cultural associations with the EFFC.
East Fremantle Football Club History The place is significant for both its association with the early development of East Fremantle and its strong historical connection to the East Fremantle Football Club (EFFC), particularly through its use as a key administrative and social hub under Roy Corbett from the 1950s. In recognition of this, the Club supports retaining the façade and integrating the site's history into future redevelopment.	Comments noted. Not supported for the following reasons. • The Town notes the additional information provided outlining the role of Roy Corbett's residence in supporting the administrative, social, and fundraising functions of the EFFC during the 1950s and 1960s. This material contributes to an understanding of the site's historical and social associations at a local level. • Notwithstanding this, the subject property has previously been considered through a formal heritage impact assessment process, where the Heritage Council had no objection to Amendment 14 proceeding with the knowledge that demolition of the buildings was to occur and similarly the Council and the WAPC did not oppose the demolition of the buildings in the determination of the Significant Development application for the previous multi-storey mixed use development. • These determinations were made having regard to the relevant heritage criteria, including the historical and social values outlined in the Place Record form, the inHerit references and the Heritage Impact Assessment. • It is also noted that the historical associations now raised were not identified or submitted by the EFFC or other stakeholders during earlier stages of strategic and statutory planning, including Council's consideration of the previous development application and Amendment 14 when submissions were invited. • Proposed road widening, as indicated on the applicant's plan, at the intersection would potentially impact the front portion of the dwelling.

	• On this basis, the Town considers there is no current statutory basis to require retention of the place or its façade.
Visitor Parking, Traffic Impacts (including Stage 2), and Dual-Use Pathway Concerns were raised regarding the lack of visitor parking, increased traffic and congestion on surrounding roads, and uncertainty around access arrangements for future development stages. Submitters also requested additional on-site (visitor) parking, alternative access arrangements, and a broader review of traffic impacts in the area. Calling for traffic treatments at the Sewell Street and St Peters Road intersection.	Comments noted. Supported in part for the following reasons. • The proposal does not provide the required two visitor parking bays, and this is not supported. Given existing and increasing pressure on on-street parking, the absence of visitor parking would exacerbate parking demand, reduce amenity, and raise potential safety concerns. Reliance on nearby public parking is not acceptable due to competing uses. If the application is approved, a condition requiring compliance with R-Code visitor parking provisions should be applied. • The applicant's Traffic Impact Assessment concludes that the development will generate low traffic volumes (7 vehicles AM peak, 8 vehicles PM peak and 74 daily trips). • The site is well supported by public transport and provides adequate resident parking and safe access. Overall, the 9 grouped dwellings are not expected to negatively impact everyday traffic operations or road safety. • However, supporting technical documentation, particularly traffic assessments, should adopt a whole-of-site approach that accounts for both Stage 1 and anticipated future development. This will ensure that any cumulative impacts are appropriately identified and that future applications are required to demonstrate that additional development can be accommodated without resulting in unacceptable impacts on the surrounding road network or residential environment. • The outcomes of a cumulative Traffic Impact Assessment, together with the findings of the Town's "Low Cost Urban Road Safety Program", will inform whether any intersection upgrades or traffic management measures are warranted. Any identified works would be prioritised and implemented through the Town's capital works and road safety programs, subject to further assessment, funding, and delivery sequencing. • Notwithstanding the above comments, an overall traffic management review of the Plympton precinct does not form part of this development proposal and is not being considered as part of the current application. Any broader traffic assessment for the precinct would need to be undertaken independently of this proposal. • The dual-use pathway is located outside the development site, and no change to this infrastructure is proposed.
Removal of Trees Concerns were raised regarding the removal of mature trees, limited retention opportunities, and insufficient landscaping detail and provision. Submitters emphasised the importance of retaining and replanting trees to support biodiversity and local amenity.	Comments noted. Supported for the following reasons: • Trees outside the Stage 1 development area should be retained, as their removal is unnecessary for Stage 1 to proceed. • Removing them would result in premature loss of established canopy, despite no confirmed need tied to Stage 2. • Stage 2 is uncertain and conceptual, so tree removal based on a speculative future design is unjustified. • Retaining the trees preserves flexibility, as future designs may allow their integration. • Established trees provide significant environmental benefits (e.g., cooling, habitat, amenity) that cannot be quickly replaced. • Therefore, all existing trees outside the Stage 1 footprint should be kept, with their protection secured through a development approval condition and reflected in building permit plans (refer to plan in Attachment 8). This is discussed in further detail in the Planning Assessment section of the RAR.
Bike Storage	Comment noted. Not supported for the following reasons:

Concerns were raised that the basement bike storage is impractical and may be unusable when car bays are occupied, with a request to redesign the layout to ensure safe and functional access for both vehicles and bicycles.	• Bicycle parking is not required to be provided under the R60 code for Grouped Dwellings. • Bicycle storage exceeds standard requirements. Residents have the potential to store bikes in multiple locations within the buildings and in the front courtyards with access from St Peters Road. • Notwithstanding there being no provision for bicycle parking, the allocation of this storage space is commended, it is therefore not considered a matter that requires revision of the plans in respect to this application.
Basement Access – Amenity Impacts (Light and Noise) Concerns were raised regarding headlight glare and noise from basement vehicle access impacting nearby residences. Submitters requested design and acoustic mitigation measures to minimise light spill and noise intrusion.	Comments noted. Supported for the following reasons. • The potential for headlight intrusion from the basement ramp is acknowledged, particularly where the ramp alignment may result in direct line-of-sight toward opposing residential properties. While transient in nature, repeated headlight glare has the potential to impact residential amenity, particularly in relation to habitable rooms such as bedrooms. This type of impact is typically managed through design measures consistent with the principles of controlling obtrusive light. • To address this, it is recommended that the development incorporate appropriate physical and design mitigation measures at the ramp exit. This may include the installation of opaque or louvred screening, extension of ramp side walls, and use of materials or finishes that limit reflective glare. Consideration should also be given to ramp alignment, exit geometry, and landscaping treatments, where feasible, to reduce direct light projection toward surrounding properties. • In addition, a detailed lighting spill and glare assessment should be prepared at the detailed design / building permit plans stage to demonstrate that impacts to adjoining residential properties are minimised and consistent with accepted lighting control principles. Any final mitigation requirements can then be refined and implemented through a development approval condition to ensure that residential amenity is appropriately protected.
Road Treatments	Comments noted. • The concerns raised regarding the King Street / St Peters Road intersection are noted. The Town is currently undertaking a Town-wide “Low Cost Urban Road Safety Program” in collaboration with external traffic engineering consultants, which is identifying and prioritising targeted safety improvements across the local road network. Intersections of this nature are being assessed as part of that program using an evidence based methodology.
Privacy and Overlooking Notes landscaping reduces overlooking but seeks controls to ensure balconies remain non-habitable and do not create future privacy impacts.	Comments noted. Not supported for the following reasons. • It is considered there are no visual privacy issues in relation to overlooking St Peters Road and the opposing properties to the south of St Peters Road. • Visual privacy concerns are not relevant in the front setback area of the proposed development. There are no balconies on the upper storey of the proposed grouped dwellings, only windows from bedrooms and lounge areas. • The required visual privacy setback to bedrooms is 3m and the required visual privacy setback to habitable rooms other than bedrooms is 4.5m in accordance with the R-Codes - Vol 1 - Part C deemed to comply clause 3.10 C3.10.1. From the windows to the street these setback distances are achieved.
Overshadowing caused by Stage 2 apartment tower	Comments noted. Not supported for the following reasons. • Figures 1 and 2 in Schedule 13 (Cl. 5.10.1 - ASR1) provide diagrammatic building envelope controls within which a building

Concern is raised about potential long term impacts of the future apartment tower, particularly overshadowing and reduced natural light to surrounding properties and the proposed townhouses.	must be constructed. The controls regulate the extent of overshadowing generated by development at a specific height. • The figures outline a building envelope or angular plane that limits building height and bulk relative to boundaries, ensuring that overshadowing of adjoining properties is minimised and reasonable solar access is maintained according to the requirements of the R-Codes. • In practice, these figures illustrate how development must be set back or "stepped / sloped away" to prevent excessive shadowing, particularly during critical times such as mid-winter, when solar access is most affected.
Construction Management Submitters raised concerns regarding construction management, primarily relating to potential impacts such as noise, dust, traffic disruption, site access, and the overall coordination of works during the construction period.	Comments noted. Supported. • A condition addressing the construction management and construction traffic and parking issues raised is recommended to be applied should the application be approved.
Integrity Concerns were raised regarding the accuracy of claimed river views and potential future impacts from Stage 2 development, including overshadowing and loss of outlook. Submitters also expressed distrust based on past developments and sought strict approval conditions and oversight.	Comments noted. • The matters raised in regard to future development impacts on views are not considered planning considerations in respect to this application. • Should the DAP be of the view to support the application conditions of approval are recommended.

<u>Referrals/Consultation with Government/Service Agencies</u>

The application was referred to the State government instrumentalities listed below, however, not all agencies have responded. Should any further responses be received prior to determination, they will be forwarded to the DAP Secretariat.

Notwithstanding no objections to the development proposal, there were a number of important remarks received. Where provided, agency comments have been incorporated into the recommended conditions of approval and advice notes. A summary of responses is outlined below, with full details included in Attachment 6.

- Main Roads WA (MRWA)
- Department of Water and Environmental Regulation (DWER)
- Water Corporation
- Fremantle Ports
- Telstra
- Western Power
- Atco Gas
- NBN

Government Referral Agencies Conditions and Advice

Dept. Water and Environmental Regulation

Notwithstanding no objection to the proposal, DWER identified the potential for site contamination and has recommended conditions to address this risk.

Lots 418 and 419 were classified as *"report not substantiated*" under the *Contaminated Sites Act 2003* (2021). Lot 418 has a history of potentially contaminating uses (service station and automotive), with underground storage tanks still present. Limited 2008 soil testing found lead above residential but below commercial thresholds, and no groundwater investigation has been undertaken. Lot 419's past use is unclear but may also involve automotive activities, and it has not been investigated.

Due to these uncertainties, DWER cannot confirm the site's suitability for the proposed development. It requires further soil and groundwater investigations, and remediation, if necessary, prior to any works on the site, redevelopment or subdivision, verified by an accredited auditor. Nearby lots, Lot 81 St Peters Road and Lot 423 King Street have no contamination records, and no acid sulfate soil risk has been identified.

Main Roads WA

The proposal is supported subject to conditions ensuring:

- Site consolidation and access - lots must be amalgamated.
- Future road upgrades protected - land for Canning Highway widening is to be ceded, with no development or earthworks within reserved areas.
- Infrastructure management - stormwater discharge must not exceed pre-development levels.
- Noise mitigation - a compliant Noise Management Plan must be implemented, certified, and notification included on the certificate of title.
- Public realm and design - redundant crossovers removed and anti-graffiti treatment applied to highway facing walls.
- Construction controls - Traffic Management Plan required during works.
- Advice Notes - the site is affected by future road reservations; upgrades are not yet programmed; permits are required for works in road reserves; and Main Roads standards apply.

Justification for the conditions is provided in Attachment 6 alongside the recommended condition.

Water Corporation

The proposed development can be adequately serviced by existing wastewater infrastructure, with only a minimal increase in flow that does not require any downstream upgrades. Sewer servicing can be achieved via gravity connections to the existing network.

For water supply, additional infrastructure is required to meet fire flow standards, including the construction of approximately 96 metres of DN100 main connecting existing mains along King Street, St Peters Road and Sewell Street. These upgrade works are to be funded by the proponent.

The development will also need approval from the Water Corporation's Building Services section before works begin, and applicable infrastructure contributions and fees may be required prior to approval.

Fremantle Port Authority

No objection. However, the Fremantle Port Authority recommends full compliance with the Port Buffer Area requirements of the Town's *Local Planning Policy 3.1.1 - Residential Design Guidelines*) LPP 3.1.1 to mitigate potential impacts due to Port operations including noise, odour and risk. Notwithstanding LPP 3.1.1 does not apply to the site, the Town notes the site is within a Port buffer zone and has included the requirements as a recommended condition of approval.

Atco Gas

No objection. Advice notes have been included within the recommended set of potential conditions and advice notes.

Western Power

Advice received on 5 June 2026 indicating assessment is in progress. No advice provided at time of RAR finalisation.

Telstra

No advice provided.

NBN

No advice provided.

Other Advice

Independent Design Advice Report

In the absence of a Town of East Fremantle, Design Review Panel and associated local planning policy relating to design of the built environment, the Town's administration commissioned an independent Design Advice Report dated 30 April 2026 (refer to Attachment 7).

The assessment was undertaken following the principles outlined in State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0) and indicated *no* support for the proposal. A summary of the Report's recommendations is provided below.

- *Context and Character* - Provide an integrated masterplan showing Stage 1 and 2 and stronger local character analysis, expressed through a sensitive, contemporary suburban design. Improve the street interface by revising fencing, enhancing landscaping and visibility and relocating bin storage out of view.

- *Landscape Quality* - Increase deep soil and vegetation to meet R-Codes, reduce hard paving, align species and maintenance with design constraints, and soften the street interface by replacing solid planters.

- *Built Form and Scale* - Refine the architectural form to reduce apparent height, improve transitions between building scales, document the roof design more clearly, and use the roof form to enhance local character.

- *Functionality and Build Quality* - Improve layout flexibility and accessibility, identify concealed AC locations, clarify levels and gradients with cross sections, and review bin store placement.

- *Sustainability* - Review the design and sustainability approach against prior comments, and ensure all sustainability measures are locked in and verified before the Building Permit stage.

- *Amenity* - Clarify areas and R-Code compliance, improve living area orientation and solar access, enhance outdoor connections, add a stair skylight, and confirm acoustic treatments.

- *Legibility* - Clarify through a masterplan the northern site interface and improve fencing along St Peters Road to allow more landscaping and better visibility to the street.

- *Safety* - Clarify how the upper level planting can be safely accessed and maintained.

- *Community* - Clarify whether there is a public art requirement and if so, provide a strategy. (Note: not required).

- *Aesthetics* - Strengthen the architectural response by grounding it in local character analysis, reducing perceived scale, diversifying materials and textures (including brick detailing), improving fencing on St Peters Road and landscape integration, and enhancing first floor amenity through balcony use of front canopies.

- *Summary* - The proposal shows potential, with appropriate scale and generally well considered planning, but the design is insufficiently resolved. Key issues include a weak response to the local heritage context, unclear integration with future site development, and an architectural approach that lacks strong contextual grounding.

  While contemporary design is appropriate, best practice calls for a sensitive interpretation of traditional forms informed by contextual research.

  In the absence of a comprehensive master plan for Stage 1 and 2, the proposal *cannot be supported as submitted and requires further revision*.

Town of East Fremantle

The Town of East Fremantle Officers made the following comments.

Technical Services

The proposal to place waste bins for collection on the footpath is acceptable. However, as the footpath is approximately 1.8m wide, a clear passing width of at least 1.0m must be maintained at all times to allow pedestrians, including those using

mobility aids, to pass unobstructed. A condition is therefore recommended to be imposed requiring a minimum clear width of 1.0m.

The applicant's site survey shows three street trees on Sewell Street and the demolition plan indicates they are proposed to be removed. However, these trees are located within the road reserve verge area and their removal is subject to approval of the Town under the Town of East Fremantle Public Places and Local Government Property Local Law 2016. The DAP does not have any jurisdiction in this regard. The Town does not support their removal. This position reflects the Town's commitment to preserving tree canopy within the public realm and avoiding further loss of established verge vegetation. For the avoidance of any doubt the retention of these trees is a recommended condition of approval.

The proposal acknowledges that vehicle headlights from the basement ramp could briefly impact nearby residences, particularly if directly aligned with habitable rooms. To minimise this, design measures such as screening, extended walls, non-reflective materials, improved ramp alignment, and landscaping should be incorporated. A detailed lighting assessment will also be required at the design stage to confirm impacts are controlled and compliant.

Traffic concerns identified in several submissions mentioned the King Street / St Peters Road intersection. This will be addressed through the Town's broader road safety program, which is assessing and prioritising upgrades across the network.

It is recommended the proposal must also include a Traffic Impact Assessment that considers cumulative impacts from all stages of development. Outcomes from both the assessment and the Town's program will determine any necessary upgrades or management measures, which will be delivered subject to prioritisation, funding, and staging.

Overall, all supporting technical documents should take a whole of site approach, ensuring cumulative impacts are understood and that future development does not adversely affect the surrounding road network or residential amenity.

Accordingly, conditions and advice notes have been included which address these matters.

Operations

It is acknowledged that the trees located within the Stage 1 development site footprint are proposed to be removed and this is accepted as part of the development outcome.

For the remaining trees (including the street trees within the road reserve), with the exception of the large Ficus tree, removal is proposed. The most significant tree proposed for removal is located outside the subject lot boundary within the adjoining Stirling Highway road reserve. As such, any consideration of its removal falls under the jurisdiction of MRWA and will be subject to separate assessment and approval processes. However, the Town does not support the removal of this tree, noting that it is a substantial and mature specimen that contributes positively to the local streetscape and amenity. Similarly, it is noted that two trees, located near the intersection corner, are also situated outside the subject site boundary within the MRWA Stirling Highway road reserve. Accordingly, any proposal for their removal is subject to MRWA's assessment and approval.

The remaining trees, not within the Stage 1 development footprint, should be retained at this point and not pre-emptively removed, with their condition, significance, and suitability for retention to be formally assessed as part of any future Stage 2 development proposal. This matter is discussed further under the Planning Assessment section. Conditions have been recommended should the application be approved.

Environmental Health

An Acoustic Report has been completed, but final mechanical equipment selections are pending. Before the building permit stage, noise levels must be reassessed once equipment is chosen. Key recommendations include using quiet, variable-speed plant with options such as attenuators, night/quiet modes, acoustic screening, and vibration isolation, ensuring all systems are designed and installed to minimise noise impacts.

It is recommended that a general condition be included to address basement noise and plant noise, with the aim of minimising potential future noise complaints associated with air-conditioning, ventilation systems and basement parking. Mechanical ventilation is required for all bathrooms, the laundry, and the car park. Accordingly, conditions have been recommended.

Standard conditions and/or advice notes are recommended to manage construction noise and dust, including restricting work hours unless an approved noise management plan is in place. Measures must also be implemented to stabilise dust and prevent it from escaping the site and for asbestos removal.

Sustainability

The Sustainable Design Assessment has been reviewed, and the following comments are provided.

It is acknowledged that the applicant is not seeking Green Star certification, however, from the Town's perspective, achieving a more robust sustainability outcome for the development would necessitate the following:

- Strengthen commitments (i.e., move from provision to delivery – e.g. 'solar PV' to 'minimum PV capacity to be installed…').
- While the proposal meets minimum NatHERS requirements, a higher performance (e.g., 7.5 – 8 stars) or inclusion of whole-of-building energy targets / operational energy modelling is encouraged.
- Opportunity to improve glazing performance (e.g. lower U values and better SHGC tuning).
- Water targets would benefit from quantified modelling and stronger integration of WSUD outcomes beyond irrigation.
- Recommended tree canopy targets (%) and shading coverage.
- Lack of construction and embodied carbon consideration (there is no clear strategy for embodied carbon reduction in the report).
- Reference to construction waste management and how it is intended to minimise this on site.

These comments have been included in recommended advice notes for the applicant.

Planning Assessment:

The proposal has been assessed against all the relevant legislative requirements of the Scheme, and State and Local Planning Policies outlined in the Legislation and the Policy section of this report. The following matters have been identified as key considerations for the determination of the application.

Provision	Requirement	Proposal	Assessment
LPS 3 – Cl. 5.10.1 – Schedule 13 – Additional Site and Development Requirements (ASR1) – Figures 1 and 2 **Refer to Attachment 10 for Figures 1 and 2**	**Building height and setback (Figures 1 and 2)** 1. Development is to be contained within the building envelope shown in Figures 1 and 2 of Schedule 13. 2. Non-habitable resident amenities such as roof terraces, gardens and shade structures may project outside the building envelope where suitably integrated with the architecture of the development. 3. Solar collectors, air conditioning units, mechanical plant rooms and lift overruns setback within a 45 degree plane taken from the edge of the building may project outside the building envelope where suitably screened from view and integrated with the architecture of the development.	The applicant's Planning Report states that the portions of the building which exceed the building envelope are indicated as a *"vertical architectural element*" and a *"metal canopy"* which is a weather protection structure attached to the row of grouped dwellings as they face St Peters Rd. Also, that *"Minor projections within the setback include architectural elements such as canopies, blade walls and integrated planter boxes, which provide visual articulation to the streetscape while enhancing landscape integration.* *These elements are limited to architectural features only and do not contain habitable floor area, ensuring compliance with the planning scheme provisions and the approved building envelope."*	Building elements project beyond the building envelope as specified in Figures 1 and 2. The building height limit is 23.5m AHD, and architectural elements extend 0.6m above that limit. Additionally, the front wall along the primary and secondary streets at RL 13.5m exceeds the building envelope by up to 4m (required setback), as it extends to the lot boundary. ASR1 sets fixed, mandatory requirements for building height and setbacks (as per the Figures 1 and 2 building envelope). It does not provide any discretion within the Schedule, or through other provisions of the Scheme, to vary these standards. The Town is of the view that the "*metal canopy*" can be classified as a structure identified under point 2 of the ASR1 provisions.

			However, the Town does not consider the "*vertical architectural element*" or boundary wall/fence to fall within any of the exclusions listed in the ASR1 provisions. Accordingly, these elements are considered by the Town's officers to exceed the building envelope under the provisions of LPS 3. Given the above, it is considered that the exceedance of the building envelope in relation to the *"architectural elements"* and the fence/wall do not fall within any of the specified exceptions. Therefore, the Town is of the opinion that the DAP is not able to approve the development in this form. While not the author of Amendment 14, the Town considers that the intent of ASR1 (Figures 1 and 2) was to control height and prevent buildings from encroaching into the St Peters Road setback area. The Town has not taken legal advice on this matter. However, it is of the view that the interpretation of the exceptions in Schedule 13 is a legal issue. It is recommended that the DAP seek legal

			advice on whether the proposal can be approved in its current form.
LPS 3 – Cl. 4.2 Objectives of Mixed Use zone	"To ensure future development within each of the Mixed Use zones is sympathetic with the desired future character of each area, and that a significant residential component is retained as part of any new development."	The applicant states that the proposal is sensitively designed to suit the Plympton precinct, using refined architecture, quality materials and landscaping to create a contemporary, contextually appropriate development that enhances East Fremantle's character, delivers high residential amenity, and sets a benchmark for future infill development through active streetscapes, integrated landscaping and sustainable design. The design adopts a contemporary architectural approach that avoids imitating heritage styles, instead drawing on the scale, rhythm and material tones of the surrounding area. It references local limestone and red brick in a modern way, creating a clear distinction between new and old. This approach aims to respect the heritage character of the Plympton Ward while supporting high quality infill development.	The Town's assessment of the development is that it would have an adverse impact on the character and amenity of the surrounding area and is unsympathetic with the desired future character of the area. Refer to Assessment comments in relation to State Planning Policy 7.0 and local heritage considerations below.
LPS 3 – Cl. 5.8.10 – Development in the Mixed Use Zone	"…No development is to be approved in a Mixed Use zone where it would prejudice the character or amenity of the locality by reason of the nature of the resultant activities,	Refer to applicant's statement above.	The Town's assessment is that the design of the development would prejudice the character and amenity of the surrounding area by

	the building design or the impact of traffic or car parking."		reason of the nature of the building design. Refer to Assessment comments in relation to State Planning Policy 7.0 and local heritage considerations below.
State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0)	SPP 7.0 aims to improve the overall quality of development in WA by embedding good design as a central planning consideration. It seeks better economic, environmental, social, and cultural outcomes by assessing proposals against 10 design principles (such as context, sustainability, amenity, safety, and landscape quality) and provides a consistent framework to guide high-quality design, rather than relying on prescriptive standards.	Refer to applicant's statement above.	The Town does not have a Design Advice Panel or associated local planning policy but considers design advice a fundamentally important part of assessing proposals. Accordingly, it commissioned an independent Design Advice Report. While the report was provided to the applicant, no acknowledgement has been received, and they have not engaged further with the Town regarding the advice or potential amendments to the proposal. A summary of the recommendations of the Design Advice Report has been provided above. Detailed discussion in relation to conformity with SPP 7.0 is provided in the Planning Assessment section of the RAR.
State Planning Policy 7.3 – Residential Design Codes of WA	<u>Deemed to Comply clause C1.2.1</u> <u>15% soft landscaping per site</u> U1 - 27.6m^2	U1 - 25.0m^2 - 13.6% U2 - 15.1m^2 - 9.9% U3 - 15.9m^2 - 10.4% U4 - 14.4m^2 - 9.4% U5 - 14.8m^2 - 9.7%	Not supported. U1-U8 do not achieve the deemed to comply soft landscaping for each

Part C – Vol (SPP 7.3)	U2 - 22.9m^2 U3 - 22.9m^2 U4 - 22.9m^2 U5 - 22.9m^2 U6 - 22.9m^2 U7 - 23.0m^2 U8 - 23.0m^2 U9 - 27.5m^2	U6 - 15.4m^2 - 10.1% U7 - 15.6m^2 - 10.2% U8 - 14.8m^2 - 9.7% U9 - 34.5m^2 - 18.8%	lot apart from U9. Given that the total site area available for the development is much larger than what is allocated, it is considered that only a redesign will enable compliance with the minimum deemed to comply areas for soft landscaping. Also, it is considered that the design principles in relation to this clause cannot be met. A significant number of trees are being removed across all the lots that are part of Stage 1 and Stage 2 (see Attachment 3 page 2 for vegetation removal). The Town considers that meeting the deemed to comply areas for soft landscaping is critical to ensuring that landscaping is appropriate for the development.
	<u>Deemed to comply clause C1.2.2 30% soft landscaping of the primary street setback area</u> U1 - 23.00m^2 – 6.9m^2 U2 - 21.94m^2 - 6.6m^2 U3 - 22.00m^2 – 6.6m^2 U4 - 21.58m^2 - 6.5m^2 U5 - 21.77m^2 - 6.5m^2 U6 - 22.00m^2 - 6.6m^2 U7 - 22.30m^2 – 6.7m^2 U8 - 21.99m^2 - 6.6m^2 U9 - 22.97m^2 - 6.9m^2	U1 - 3.9m^2 - 16.8% U2 - 5.1m^2 - 23.0% U3 - 5.7m^2 - 25.9% U4 - 5.1m^2 - 23.8% U5 - 5.2m^2 - 24.0% U6 - 5.0m^2 - 22.9% U7 - 5.5m^2 - 24.8% U8 - 5.1m^2 - 23.1% U9 -7.0m^2 - 30.5%	Not supported. U1-U8 do not achieve the deemed to comply requirement for soft landscaping in the front setback area (except for U9). Site area available for the development is much larger than that allocated. It is considered that only a redesign will enable compliance with the minimum deemed to comply areas for soft landscaping.

			Also, it is considered that the design principles in relation to this clause cannot be met. A significant number of trees are being removed across all lots that are part of the Stage 1 and Stage 2 development proposal (see Attachment 3 page 2 for vegetation removal). The Town considers that meeting the deemed to comply areas for soft landscaping is critical to ensuring that landscaping is appropriate for the development.
	<u>Deemed to comply clause C2.3.4</u> <u>2 visitor car parking bays are to be provided on site in accordance with Table 2.3a</u>	No visitor parking is provided.	Not supported. There is no visitor parking provided on site.
	<u>Deemed to comply clause 2.3.5</u> <u>Visitor car parking spaces to be:</u> (i) marked and clearly signposted as dedicated for visitor use only; (ii) located on common property; and (iii) connected to building entries via a continuous path of travel.	No visitor parking is provided.	As there is no visitor parking provided on site this clause cannot be achieved.
Local Planning Strategy 2022 (LPS)	The LPS identifies this section of Canning Highway (Planning Area C) as a key urban corridor for consolidation, supporting higher density and mixed use development with	Nine (9) grouped dwellings are proposed.	The Canning Hwy mixed use zone serves as a transition between the Town Centre and surrounding residential neighbourhoods and is expected to

	improved built form and transport oriented outcomes, while managing constraints such as heritage, traffic, noise and major road infrastructure.		contribute approximately 120 additional dwellings by 2036 in line with State government dwelling targets. The proposal is considered to contribute to the dwelling target and therefore aligned with the LPS.
Fremantle Port Buffer Area 2 Guidelines (Schedule 12 of LPS 3)	The Guidelines require developments to include appropriate design measures to address potential impacts such as noise, odour, and safety.	Fremantle Port Authority recommends full compliance with the Port Buffer Area requirements of the Town's *Local Planning Policy 3.1.1 - Residential Design Guidelines*) LPP 3.1.1 to mitigate potential impacts due to Port operations including noise, odour and risk.	Any proposal that may accommodate more than 20 people must be referred to Fremantle Ports for assessment to ensure these impacts are managed appropriately. Final assessment in relation to noise mitigation will be undertaken by the Town regarding any development conditions imposed as requested by Fremantle Ports. This will be assessed for compliance with the Acoustic Report and Noise Management Plan at Building Permit stage. Construction measures in relation to LPP 3.1.1 have been included as conditions of approval as requested by Fremantle Port Authority.
Local Planning Policy 3.1.3– Town Centre Redevelopment Guidelines (LPP 3.1.3)	LPP 3.1.3 sets the development framework for the East Fremantle Town Centre, aiming to create a walkable, mixed use urban village with quality	Nine (9) additional grouped dwellings are proposed.	Under the Building Heights Plan of LPP 3.1.3 the 3D building envelope and other conditions apply as per Schedule 13 (ASR1 overlay –

	public spaces, diverse housing and active streets. It emphasises strong pedestrian links, sensitive built form, especially near the Town Hall, and development that supports long term economic vitality.		Figures 1 and 2) of LPS 3. Notwithstanding non-compliance with the ASR1 provisions, the proposal is considered to be in alignment with the LPP 3.1.3 which encourages residential development in the Town Centre Redevelopment Guideline area.
State Planning Policy 5.4 – Road and Rail Noise (SPP 5.4)	SPP 5.4 protects residential amenity by managing road and rail noise near major transport corridors. It requires noise assessments and mitigation for sensitive developments, ensures compatible land use, and promotes best practice design solutions, with guidelines detailing assessment methods, trigger distances, mitigation measures, and title notifications.	The development application includes an Acoustic Report and Noise Management Plan due to its proximity to Canning and Stirling Highway. The assessment was conducted in accordance with SPP 5.4, focusing on traffic noise from Canning and Stirling Highway. The applicable criteria set limits of 55 dB(A) during the day and 50 dB(A) at night for external areas, and 40 dB(A) in living areas (day) and 35 dB(A) in sleeping areas (night) for internal spaces. The assessment found that predicted future traffic noise levels would exceed the external noise criteria. As a result, specific construction measures would be required to achieve compliance with the SPP 5.4, and a notification should be placed on the property title.	The assessment confirms that future traffic noise from Canning and Stirling Highway exceeds external noise criteria, requiring specified construction measures and notification on the certificate of title to meet the Policy's external and internal acoustic standards. However, compliance with the Guidelines under SPP 5.4 is cannot be demonstrated through construction measures until Building Permit Certification stage is reached. As such, conditions of approval and advice notes in relation to this matter are recommended to be applied should the application be approved.
Local Heritage Survey	Lot 418 and 419 Both lots rated Category C under the Local Heritage Survey.	Proposed for demolition.	Both places are not heritage listed under LPS 3 or located within a heritage

			area. Earlier assessments for the previous Significant Development application were undertaken on the misunderstanding that Lots 418 and 419 were Category B heritage listed sites, they were however, reclassified as Category C under the updated Local Heritage Survey in 2014/15, indicating only some local significance and a preference, but not a requirement, for retention. The earlier Heritage Impact Assessment found that both places were in poor condition with the heritage value being diminished by surrounding development. At the time of Amendment 14 which allowed for demolition of the places, the Heritage Council advice was "*no objection to the proposal*" with the comment that the Town may wish to consider the potential impact of future development on the local heritage values of these places and how it may be addressed. The heritage classification does not require preservation. The East Fremantle Council has previously supported demolition through Amendment 14 and

			subsequently through its submission on the Significant Development application for a mixed use development on the site. Furthermore, the WAPC approval of the Significant Development application for mixed use did not require retention of the dwelling, instead requiring only a photographic record prior to demolition. Accordingly, further reassessment or retention is not considered necessary. However, due to the local significance noted, a condition is recommended to prepare a photographic archival record before demolition.

<u>Planning Assessment</u>

The proposal has been assessed in accordance with Clause 67 (2) of the *Deemed Provisions – Matters to be Considered* by the local government relevant to this application, which are listed below:

- the aims and provisions of LPS 3 (including any planning codes that are read, with or without modifications, into LPS 3);
- any approved State Planning Policy;
- any Local Planning Strategy;
- any Local Planning Policy for the Scheme area;
- the compatibility of the development within its setting – including desired future character and the relationship of the development to adjoining land and surrounding land;
- the amenity of the locality environment, character and social impacts;
- the effect of the development on the …landscaping provisions and preservation of vegetation;
- adequacy of access/egress and manoeuvring on the site;
- traffic generated, capacity of the roads and safety;
- availability and adequacy of public transport, utilities, waste collection, pedestrian and cyclist facilities and aged and universal access;

- the impact on the community as a whole; and
- any other planning considerations the local government considers appropriate.

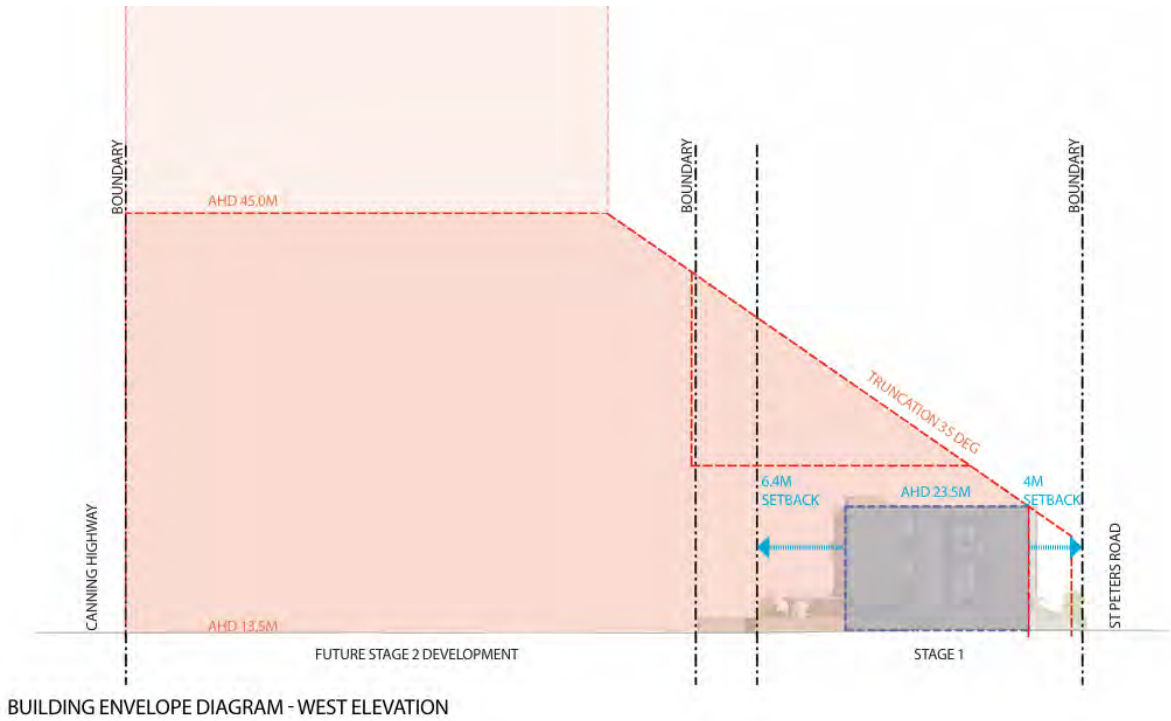
The following matters are considered key considerations in the Town's recommendation for refusal.

<u>LPS 3 – Cl. 5.10.1 – Schedule 13 – ASR1 – Building Height and Setback Controls</u>

The provisions of Cl. 5.10.1 – ASR1 require that development must stay within the building envelope defined in Figures 1 and 2, with limited projections allowed for integrated amenities and screened services that remain set back within a 45-degree height plane and street setback, and which complement the building's design.

While the Town considers the "*metal canopy*" can be considered compliant under ASR1 provisions, it does not accept the "*vertical architectural element*" or the boundary fence/wall as exempt, meaning it considers both building elements exceed the building envelope of Figures 1 and 2 (refer to Attachment 10) in respect to non-compliance with the building height and setback as illustrated below in an extract from the applicant's development plans and elevations.

Figure 1 - Building Envelope Diagram – West Elevation (extract from applicant's development application)



While the Town was not the final author of Amendment 14, nor of the specific ASR1 provisions in respect to building height, it initially endorsed other building height and setback provisions for Schedule 13 which were intended to prevent any encroachment into the St Peters Road setback area beyond 4m and endorsed a height limit of two storeys on St Peters Road.

With regard to building height, the "*vertical architectural elements*" have been assessed as projecting beyond the building envelope. The maximum height limit is 23.5m AHD, and these elements extend 0.6m above that limit. Additionally, the partly solid front fence/wall which is 1.8m – 2.2m high on the Sewell St/Peters Rd frontage

and up to 2.7m high facing Stirling Hwy, exceeds the building envelope setback by up to 4m as it is located on the lot boundaries.

This non-compliance with the provisions of LPS 3 – Cl. 5.10.1 cannot be supported by the Town, (with the exception of the metal canopy element) as it considers there is no mechanism within LPS 3 to exercise discretion (Cl. 5.10.2) in regard to these elements and accordingly, this matter has been included as a reason for refusal. Furthermore, the Town has concerns regarding the built form and scale of the boundary fence/wall (as outlined in the Design Advice Report) which has also been referenced as a reason for refusal.

If the DAP holds a similar view, and is therefore uncertain whether it has the authority to approve the proposal under LPS 3, it is recommended that legal advice be sought to determine the appropriate position.

LPS 3 – Cl. 4.2 and Cl. 5.8.10 – Objectives and Development in a Mixed Use Zone

The proposal is considered inconsistent with Clause 4.2 and Clause 5.8.10 of LPS 3, as it fails to demonstrate a development that is sympathetic to the desired future character of the Mixed Use zone or that preserves the amenity of the locality. The independent Design Advice Report identifies that the proposal lacks a cohesive and context responsive design approach, resulting in a built form that is poorly integrated with the established heritage character of the Plympton precinct. The development's excessive scale, vertical emphasis, and unresolved transitions, does not adequately demonstrate an effective interface management with adjoining lower scale and heritage properties. In addition, landscaping, finishes, prominent fencing and lack of visitor parking are considered to detract from the character and residential amenity of the area. Accordingly, it is considered the proposal is likely to prejudice the character and amenity of the locality and cannot be supported. These matters are discussed further in the following section.

State Planning Policy 7.0 – Consultant Design Advice and Local Heritage Considerations

The independent Design Advice Report (refer to Attachment 7) was commissioned in response to concerns, that while the proposal addresses some elements of SPP 7.0, it does not demonstrate a clear and cohesive design response aligned with the policy's overarching principles. This is considered a significant planning issue given the site's location within the Plympton precinct, a culturally and historically significant area that demands a high standard of contextual integration and design quality.

The Plympton precinct is characterised by a strong and coherent heritage identity reinforced by protected and contributory properties. The precinct contains ~224 heritage listed properties. In this context, new development is required to demonstrate a high level of responsiveness to the established character, scale and grain of the area, ensuring that redevelopment enhances rather than diminishes heritage values and residential amenity.

The Town concurs with the consultant's assessment that the proposal lacks a coordinated and context responsive design approach. It is considered poorly integrated with its surroundings and does not demonstrate a sufficient understanding of the locality's heritage character. The design appears largely 'self-referential' or inwardly focussed, drawing on an architectural expression more akin to 1970s design conventions, rather than being informed by a rigorous analysis of the established

built form, scale, proportions and materiality of the precinct. While contemporary design is supported in principle, it is considered it must be grounded in a careful and informed interpretation of the local context, which has not been achieved in this instance.

Concerns are also raised regarding the proposal's excessive scale, strong vertical emphasis and visually bulky form, as well as unresolved and abrupt transitions between the two and three storey elements. It is considered the development does not adequately demonstrate an effective interface management with adjoining lower scale and heritage properties. Typical design measures such as stepping of upper levels, façade articulation and sensitive boundary treatments have not been convincingly applied, resulting in intrusive street interfaces and diminished streetscape outcomes.

Landscaping is considered inadequately resolved, with insufficient tree retention, an overreliance on hard paving, and unclear planting and maintenance strategies despite the availability of deep soil. This contributes to a harsh and unengaging streetscape edge. In addition, dwelling layouts and technical detailing are considered underdeveloped, with shortcomings in liveability, flexibility, service placement, waste bin storage, and clarity of access and circulation.

Furthermore, it is considered the proposal also demonstrates insufficient commitment to sustainability, with unclear compliance relating to solar access, thermal performance, low-carbon construction and EV charging. Internal amenity is also compromised, with poor solar access and outlook, limited daylighting, and unresolved acoustic mitigation for highway noise. Vegetation outcomes are similarly weak.

A key limitation is the absence of a comprehensive master plan for the entire site, resulting in limited consideration of how the development will interface with both the surrounding heritage context and future development on the remainder of the site.

Notwithstanding the above concerns, the proposal is acknowledged as having some merit and demonstrates potential to make a positive contribution to the local sense of place if suitably resolved. The use of a terraced townhouse typology is considered appropriate for the site and consistent with built forms within the broader locality. The internal planning is generally logical and exhibits a degree of spatial generosity, which is supported in principle.

However, in its current form, the proposal is *not* supported. The design remains insufficiently resolved due to fundamental deficiencies and does not adequately satisfy the objectives and design principles of SPP 7.0, particularly in its requirement for development to positively respond to its context and contribute to a high quality built environment.

Overall, a more context responsive design approach is required, including reduced perceived scale, finer horizontal articulation, more varied and appropriate material selection, improved fencing permeability, clearer landscaping resolution, and architectural refinements to enhance amenity and alignment with the established character of the area. The Town is of the view this cannot be addressed through conditions of development approval and has therefore recommended refusal on the basis of the above comments.

R-Codes Assessment

The R-Code assessment for the proposed development has been undertaken having regard to a R60 density code. This approach has been adopted as the provisions of Schedule 13 (ASR1) specify that cl. 5.3.4 of LPS 3, which ordinarily prescribes density for a Mixed Use zone through the allocation of a maximum R40 code, does not apply to land affected by the ASR1 overlay.

In the absence of a prescribed coding framework under LPS 3, the applicable density for assessment purposes has instead been derived practically by reference to the R-Codes - Part D - Vol 1 and Table D - Part C - Site Area Requirements. On this basis, it is considered the development yield aligns most closely with a R60 density code, which has been used as the relevant benchmark to assess compliance with the R-Codes and to inform the planning evaluation of the proposal.

When assessed against these development standards, the proposal generally complies with the R-Codes – Part C and D – Vol 1 for a R60 dwelling density, with the exercise of discretion sought for the provisions listed in the table below. The full assessment as undertaken in accordance with the DPLH template is available at Attachment 9.

The non-compliant R-Codes provisions necessitating the exercise of discretion, as outlined below, are considered to be relatively minor in nature with two exceptions (i.e., visitor parking and soft landscaping). It is considered that most of these variations appropriately satisfy the relevant Design Principles of the R-Codes and will not result in any undue adverse impacts. Furthermore, where necessary, compliance may be readily achieved through the application of appropriate conditions of development approval.

However, visitor parking and soft landscaping are *not* supported in their current form and discussed further below.

Non-compliant R-Code provisions necessitating the exercise of discretion for approval	
Supportable **(achieves Design Principles or condition applied)**	**Not Supportable** **(does not achieve Design Principles)**
C1.1.1- Primary garden area (Units 2-8)	C1.2.1- Soft landscaping of the primary street (Units 1- 8)
C1.2.3 - Communal street and communal open space (lighting) (condition)	C1.2.2 - Soft landscaping per site (Units 1-8)
C1.4.1 – Stormwater (condition)	C2.3.4 - Visitor parking number
C2.2.3 - Openable window for bathrooms on external wall (Units 1 & 9) (condition)	C2.3.5 - Visitor parking design and location
C2.2.4 - Orientation of major openings	
C2.3.3 - Car parking design and dimensions (condition)	
C3.5.2 - Retaining walls and fill behind street setback (condition)	
C3.6.3 - Front door weather protection	
C3.6.7 - Fence or wall within primary and secondary street (including pillars)	
C3.6.7 - Driveway dimension requirements (condition)	

C3.7.11 - Communal street requirements	
C10.2 - Visual privacy rear (courtyards of adjacent units)	

Soft Landscaping

Units 1 to 8 (with Unit 9 being the only exception) do not achieve the deemed to comply soft landscaping requirements (15% of lot area) as per clause C1.2.1 as indicated in the Table below. Further, it is considered that the design principles in relation to this clause cannot be met.

The total site area that is available for the development is much larger than what is allocated. It is considered that only a redesign, utilising more available land, will enable the minimum deemed to comply areas for soft landscaping to be achieved.

A significant number of trees are being removed across all the lots that are part of this development, being Stage 1, and the adjacent proposed development that is indicated as Stage 2 (see Attachment 3, page 2 for vegetation removal). The Town considers that meeting the deemed to comply areas for soft landscaping across the whole site is critical to ensuring that landscaping is sufficient for development at the given density.

Calculations for C1.2.1

Unit	**Surface Area of Lot (m^2)**	**15% Soft Landscaping - Deemed to Comply (m^2)**	**Actual Soft Landscaping – Lot (m^2)**	***Actual Soft Landscaping - Lot (%)***	***Surplus / Deficit - Amount (%)***
1	183.95	27.6	25.0	*13.6*	*Deficit – 1.4*
2	152.46	22.9	15.1	*9.9*	*Deficit – 5.1*
3	152.59	22.9	15.9	*10.4*	*Deficit- 4.6*
4	152.70	22.9	14.4	*9.4*	*Deficit – 5.6*
5	152.83	22.9	14.8	*9.7*	*Deficit – 5.3*
6	152.95	22.9	15.4	*10.1*	*Deficit – 4.9*
7	153.07	23.0	15.6	*10.2*	*Deficit -4.8*
8	153.19	23.0	14.8	*9.7*	*Deficit – 5.3*
9	183.23	27.5	34.5	*18.8*	*Surplus- 3.8*

Units 1 to 8 (with Unit 9 being the only exception) do not achieve the deemed to comply soft landscaping requirements (30% of the front setback area) as per clause C1.2.2 and as shown in the Table below. It is considered that the design principles in relation to this clause cannot be met.

As mentioned, the site area available for the development is much larger than what is allocated to the grouped dwelling development, as such it is considered that only a redesign will enable the minimum deemed to comply areas for soft landscaping to be achieved. Additionally, it is considered that the design principles in relation to this clause cannot be met. The Town considers, that given the available land area for the proposal can be increased, the deemed to comply areas for soft landscaping in the front setback area should be achieved to ensure that soft landscaping meets the minimum standards for the proposed density of development.

Calculations for C1.2.2

Unit	Front Setback Area (m^2)	30% Soft Landscaping in Front Setback Area - Deemed to Comply (m^2)	Actual Soft Landscaping - Front Setback Area (m^2)	Actual Soft Landscaping - Front Setback Area (%)	*Surplus / Deficit Amount (%)*
1	23.00	6.9	3.9	16.8	*Deficit -13.2*
2	21.94	6.6	5.1	23.0	*Deficit – 7.0*
3	22.00	6.6	5.7	25.9	*Deficit – 4.1*
4	21.58	6.5	5.1	23.8	*Deficit – 6.2*
5	21.77	6.5	5.2	24.0	*Deficit – 6.0*
6	22.00	6.6	5.0	22.9	*Deficit – 7.1*
7	22.30	6.7	5.5	24.8	*Deficit – 5.2*
8	21.99	6.6	5.1	23.1	*Deficit – 6.9*
9	22.97	6.9	7.0	30.5	*Surplus - 0.5*

It is noted that the design shows soft landscaping being included in planter boxes along the upper storey windows at the front and rear of units 1 to 7. In accordance with the R-Codes' definition of *soft landscaping* being; *any landscaped area with a minimum soil depth of 300mm that contains in-ground planting and excludes removable planter boxes/pots and permeable paving areas,* the Town considers that the planter boxes *do not* to satisfy the definition.

<u>Resident Visitor Parking</u>

No residential visitor parking is proposed to be provided. Under the R-Code assessment two (2) bays are required. In the Town's view residential visitor parking is warranted in this location due to longstanding and well documented pressure on on-street parking. The surrounding area was developed in an era preceding car ownership, resulting in limited capacity, and little or no provision for on-site parking on many residential properties in surrounding streets.

Over time, this shortfall has been exacerbated by a steady increase in vehicle ownership per household, increasing the pressure for kerbside spaces. With few opportunities for nearby residents or visitors to park within property boundaries, demand is increasing for on-street parking. In this context, no visitor parking is considered to unreasonably compound existing conditions, leading to amenity impacts, and potential road safety issues. Providing on-site visitor parking is therefore considered a necessary and reasonable response to prevailing and anticipated parking demand, especially where adequate land is available on the whole site.

The applicant has indicated that on-street parking bays could be used to accommodate this demand. However, these public bays also serve patrons and guests of the Tradewinds Hotel opposite the site on Sewell Street, as well as the commercial tenancy located on the adjacent corner. As such, they cannot be relied upon for the exclusive use of residents' visitors. This arrangement is considered unacceptable.

As such this non-compliance is a recommended reason for refusal of the application. However, should the DAP be of the view to approve the application, it is recommended a condition of approval in relation to compliance with the visitor parking provisions of the R-Codes be applied.

Recommended Conditions of Development Approval

While refusal is recommended, the following comments are provided to support non-standard conditions should the DAP resolve to approve the application.

Retention of Trees and Landscaping Provisions

The development provides specific landscaped areas across the site for each individual grouped dwelling and the development exceeds the minimum tree planting requirement, providing 20 small trees compared to the required 18. However, a total of ~236m² of soft landscape area is required for the 1,573m² site and the proposal indicates ~192m².

Furthermore, it is the applicant's intention to remove all existing vegetation with the exception of the large Ficus tree in the north-east corner of the site. These trees are identified in Attachment 3 – Demolition Plan Drawing DA0-03. The Town's Operation's section has made the following comments in relation to the extent of tree removal, given some trees do not require removal to facilitate the development proposal outlined as Stage 1, the subject of this application.

Retention of Established Trees External to the Stage 1 Development Area

It is the Town's view that the established trees located outside the Stage 1 development footprint should be retained, as the Town's view is that their removal is neither necessary nor justified to facilitate the development of Stage 1. The proposed Stage 1 works can proceed in full without encroaching upon or being constrained by these trees and their removal would mean a premature loss of established canopy.

Further, there is no certainty that Stage 2 will progress in its currently conceptual form, or at all. It is therefore considered unreasonable to remove existing trees based on a future development outcome that is speculative and not approved. If, and when Stage 2 is formally progressed, any tree removal can be appropriately considered at that time, informed by a detailed design. Importantly, the eventual design of Stage 2 may enable the retention of some or all of the established trees through a design that allows for their retention. Removing the trees now would eliminate this opportunity.

From a sustainability and urban environmental perspective, retaining canopy for as long as possible is strongly supported. Established trees provide immediate and irreplaceable benefits, including urban cooling, biodiversity habitat, visual amenity, and contribution to local character. These benefits cannot be readily replicated through new planting in the short to medium term. Retaining the trees helps limit environmental impacts, provides shade and cooling effects.

Retaining all established trees outside the Stage 1 development area is considered the most appropriate outcome. With appropriate measures, Stage 1 can proceed without unnecessary loss of the trees, while any assessment of tree removal can be deferred until Stage 2 is clearly defined and can be properly evaluated on its own merits.

Conditions of development approval are therefore considered necessary to ensure that the trees located outside the Stage 1 development proposal area, including trees within the road reserve are retained. These trees (as indicated in Attachment 8) should be retained and indicated as such on the building permit application plans

and/or a separate tree retention plan to be approved by the Town prior to the building permit application being submitted.

Amalgamation and Staged Development

If the application is approved there are a number of conditions recommended to be applied which are considered necessary to ensure, that in the long term, the development is planned, assessed and delivered as a single, coordinated proposal and that all applicable standards, such as plot ratio, building height and setback, access and parking, are applied holistically across the entire site in accordance with the intent of the Town's LPS 3 – Cl. 5.10.1 – Schedule 13 - ASR 1 provisions.

In relation to this the amalgamation of all lots is required so that the development is assessed and implemented as a single integrated proposal rather than fragmented across multiple titles. The subsequent re-subdivision requirement then ensures that the approved Stage 1 grouped dwellings are created on appropriately configured lots, consistent with the approved development and capable of supporting orderly staging and separate land tenure.

This approach is considered to avoid the potential for intensified outcomes that could arise if individual lots were developed or subdivided in isolation. Similarly, the restriction on attributing standalone development potential to any future subdivided lots ensures that the overall development yield and form remain consistent with what would be permissible for a single integrated development.

Collectively, these conditions are considered to maintain orderly and proper planning outcomes, protect amenity, and ensure that any future subdivision does not undermine or exceed the strategic planning framework established for the site and the provisions of LPS 3.

Potential Site Contamination

The Department of Water and Environmental Regulation (DWER) have advised that Lot 418 and Lot 419 were classified as *"report not substantiated"* under the Contaminated Sites Act 2003 on 28 October 2021.

Lot 418 has a history of potentially contaminating uses, including a former service station and automotive activities. Although fuel pumps were removed in 1974, underground storage tanks remain on the site. A limited 2008 soil investigation identified elevated lead concentrations at one location, below commercial/industrial thresholds but above residential guidelines. The investigation was constrained by existing infrastructure and did not include groundwater testing, leaving uncertainties about the extent of contamination.

The historical use of Lot 419 is unclear but may also involve automotive activities, and no investigation has been conducted there. Due to these uncertainties, the Department cannot confirm the site's suitability for more sensitive uses such as residential development, public open space, or basement parking. Further site assessment is recommended in line with relevant guidelines, particularly if infrastructure is removed or if land use changes to a more sensitive purpose.

Nearby lots (Lot 81 St Peters Road and Lot 423 King Street) have no recorded contamination concerns, however, DWER holds no records for these sites.

In summary, historical land use at Lot 419 is uncertain. No soil or groundwater investigations have been conducted to confirm the presence or absence of contamination. Given this lack of investigation and the resulting uncertainty regarding the site's contamination status, DWER is unable to determine whether the land is suitable for the proposed development, including residential, commercial, public open space, and basement parking uses.

Accordingly, the Town considers it necessary for conditions in relation to this matter to be imposed and a notification placed on the certificate of title, in addition to the other notifications considered necessary, as outlined below.

<u>Fremantle Inner Harbour Buffer Definition Study - Area 2 Guidelines (as incorporated in LPP 3.1.1)</u>

These guidelines require developments to include appropriate design measures to address potential impacts such as noise, odour, and safety.

In relation to this planning consideration, any proposal that may accommodate more than 20 people must be referred to Fremantle Ports for assessment to ensure these impacts are managed appropriately. In respect to compliance with the Buffer Guidelines and SPP 5.4, Fremantle Ports has provided comment that it recommends full compliance with the Port Buffer Area requirements of the Town's *Local Planning Policy 3.1.1 - Residential Design Guidelines* to mitigate potential impacts due to Port operations including noise, odour and risk.

In relation to the reasoning for these requirements, a notification on the certificate of title is considered acceptable.

Notifications on Certificate of Title

SPP 5.4 and the Fremantle Port Buffer Zone Guidelines aim to protect residents from excessive road and rail noise by requiring noise sensitive developments near major transport routes to assess and mitigate noise impacts and any potential amenity impacts associated with the operations of a working port. A notification on the title is therefore recommended.

The proposal will be required to comply with SPP 5.4 and it is recommended conditions of development approval be imposed to ensure compliance with this Policy. The applicant's Acoustic Report recommends a notification on the title, to alert future residents to the potential for excessive road and rail noise and this is supported by Main Roads WA and the Town.

Construction Materials and Finishes

Given that the proposal has not satisfactorily addressed the design principles set out in State Planning Policy 7.0, and is in a highly visible location, it is important that, should the development be approved in its current form, the quality of materials and finishes is of the highest possible standard. This is necessary to mitigate potential visual and built form impacts and to ensure the long-term presentation of the building remains appropriate within its context. In particular, the site's proximity to the river and coastal environment presents increased exposure to weathering and corrosion, making durability and ease of maintenance critical considerations. Without a high standard of construction and finishes, there is a risk that the development will

deteriorate over time, resulting in an unsightly appearance that is inconsistent with the established character of the surrounding area.

It is therefore considered the development should be constructed with the same or higher quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives and as outlined in the development application documentation date stamped received on 9 April 2026, with particular attention to the quality and design of the building materials used in the render and architectural detail treatments. A condition of approval to address this matter is therefore included and recommended.

Boundary Fence/Wall

The Design Advice Report indicates that further clarification is required regarding the proposed high, predominantly solid street walls and planters, which contribute to a 'fortress-like' character, as well as the intended function and integration of the rear gates within a comprehensive site masterplan.

The fencing treatment along St Peters Road should be reviewed and refined to allow for increased landscaping and improved visual connectivity to that landscaping. On this point it is considered the street front fencing should align with the Deemed to Comply requirements of the R-Codes.

It is noted that, due to level changes across the site, there is a need to address amenity impacts associated with the Stirling Highway elevation. This elevation incorporates a large blank wall facing the dual-use pathway, which is for the most part 2.7m high. It is considered this façade may be susceptible to vandalism and should therefore be treated in a manner that deters such activity, while also enhancing its visual appeal. MRWA has recommended the same.

It is requested that a condition of approval is applied which would require a review of the fencing treatment to St Peters Road to enable more landscaping and better visual awareness of that landscaping, prior to the submission of a building permit application.

Conditions which address these fencing matters and require compliance with standards applicable to front fences in the Town's residential areas are therefore recommended to be applied.

Lighting

It is noted a lighting plan was not submitted as part of the development application nor were these details outlined on the plans, therefore an assessment under the R-Codes was not possible. It is recommended a lighting plan be required and approved to ensure compliance with the R-Codes requirements.

Transport Impact Assessment

The Transport Impact Assessment (TIA), prepared in accordance with WAPC Transport Assessment Guidelines, concludes that the development is expected to generate approximately 7 vehicle trips in the AM peak, 8 in the PM peak, and 74 trips daily, supported by 18 on-site parking bays (two per dwelling).

The site is well served by public transport, with multiple bus routes within 100 metres. A swept path analysis confirms vehicles can safely access the basement parking, with

traffic management measures recommended to minimise collision risk. Crash history in the area is low, with five incidents recorded over five years. Overall, the development, in itself, is not expected to adversely affect traffic operations or road safety in the surrounding area.

The Town, in general, supports this assessment, however, there are several safety issues which have been identified and in order to ensure these matters are addressed it is considered necessary to recommend the DAP impose conditions of development approval. These are discussed below.

The proposal recommends installing flashing warning lights at the ramp entrance and basement level to alert drivers of approaching vehicles, improving safety and awareness. It also includes signage and pavement markings to enhance traffic flow, including a holding line to prevent inbound vehicles from blocking exits. Convex mirrors are proposed to improve visibility around blind corners, with one shown at the basement ramp. The Town supports these measures and requires their implementation to be secured via a development approval condition.

Submitters have cited potential headlight glare from the basement ramp may intermittently impact adjoining dwellings, particularly habitable rooms, and should therefore be mitigated through appropriate design measures such as screening, wall extensions, and careful ramp alignment. A detailed lighting spill and glare assessment at building permit stage is also recommended to ensure impacts are minimised and residential amenity is protected.

Also, the Town's Technical Services section has recommended a Traffic Impact Assessment that considers cumulative traffic generation, including future Stage 2 development. Given that Stage 2 of the development previously proposed ~95 apartments and a commercial tenancy with ~180 basement vehicle bays, a broader assessment will ensure that the wider impacts on the local network are appropriately understood, and any required mitigation measures are identified.

These matters have been addressed through recommended conditions of approval.

Dilapidation Reports

A condition requiring dilapidation reports for surrounding properties is considered essential. Considerable earthworks on the site will be undertaken should the project proceed. The possibility of impacts on the surrounding properties which are mostly in the range of 100+ years of age is a valid concern. The Town believes dilapidation reports must be required for these properties given the heritage value, their age and proximity to the site. It is the Town's view that this will also be a matter of significant concern for nearby landowners which should be formally acknowledged through the application of an appropriate condition of development approval. The properties considered to be the most vulnerable in this regard are listed in the relevant condition.

Footpaths and Crossovers

The Town's Technical Services section has recommended that upgrades to surrounding infrastructure be incorporated as part of the development works, including the improvement of adjoining footpaths to the satisfaction of the Town. In particular, this would involve the footpaths along the Sewell Street and Canning

Highway frontages being upgraded to align with the standard of adjoining footpaths within the Plympton precinct. This requirement is considered needed, given the proposed Stage 2 development and the need to ensure appropriate connectivity between the surrounding footpath network and the proposed open space areas.

Also, given the applicant's arguments for no visitor parking to be provided and the walkability of the area, an upgrade to these footpaths is considered important to promote walking /cycling and to provide easily trafficked and safe surfaces and entries to the development for pedestrians/cyclists in both Stage 1 and 2 development proposals.

Also, prior to occupation of the development, vehicle crossovers no longer connected with an internal driveway to the development site must be removed and the verge, path and kerb reinstated.

Conditions to address these matters are therefore recommended.

Acoustic and Noise Management

The development application includes a Noise Management Plan and an Acoustic Report due to its proximity to Canning and Stirling Highway. The assessment was conducted in accordance with SPP 5.4, focusing on traffic noise from Canning and Stirling Highway.

The assessment found that predicted future traffic noise levels would exceed the external noise criteria. As a result, specific construction measures would be required to achieve compliance with the Policy, and a notification must be placed on the property title.

It is expected the main noise from the proposed development will come from air-conditioning systems and mechanical plant, including condenser units and car park ventilation and vehicle movements in accessing the basement. These must comply with the *Environmental Protection (Noise) Regulations 1997.*
The final air-conditioning design is not yet confirmed, but a detailed acoustic assessment will need to be completed to ensure compliance. The applicant states that meeting noise requirements is expected to be straightforward, with only minimal mitigation needed. Similarly, the basement car park ventilation system and surfaces should be designed (e.g. fan selection and possible silencers) to meet noise limits.

Accordingly, a number of conditions are recommended which requires the development to meet road and rail noise standards (SPP 5.4) through an approved Noise Management Plan and Acoustic Report, including further assessment of outdoor noise impacts and proper referencing of modelling methods, with ongoing implementation. Also, a condition is recommended requiring all mechanical services to be designed and installed so that noise emissions comply with statutory limits, ensuring they do not adversely affect nearby sensitive land uses.

Waste Management Plan

The applicant's Waste Management Plan (WMP) states that it provides adequately sized bin storage areas within each grouped dwelling to accommodate refuse, recycling and FOGO waste based on estimated generation volumes. Each dwelling will be serviced by one 140L refuse bin and one 240L recycling bin collected fortnightly, and one 240L FOGO bin collected weekly. Waste will be collected by the

Town via kerb-side collection from St Peters Road, with residents responsible for managing waste within the development.

While this collection method is supported by Technical Services Officers, when waste bins presented for collection must be positioned so as not to obstruct the public footpath. At all times during bin presentation, a minimum unobstructed pedestrian path of 1.0m is required to be maintained along the footpath to enable safe and convenient access for all users, including persons with mobility aids.

The Town's Environmental Health and Sustainability Officers have reviewed the WMP and have no objection to the plan. A condition ensuring compliance with the plan is considered necessary. Advice notes have been recommended regarding recycling information and containers for change opportunities.

Standard Recommended Conditions of Development Approval

In addition to the recommended conditions discussed above, many of the conditions relate to operational matters that would typically be applied to a development proposal of this nature and scale, and which concern such matters as conformity with plans, materials and finishes, waste, graffiti, traffic, verge trees, parking, fencing, landscaping, the construction phase, and matters to be addressed on completion of the development. The Town considers these conditions are essential to ensure an orderly and proper planning outcome for the site. The conditions are listed in the alternate recommendation section of the RAR.

Conclusion:

Notwithstanding the potential legal question as to whether the DAP has discretion to approve a development that exceeds the prescribed building envelope under LPS 3 Cl. 5.10.1 – Schedule 13 – ASR1, (and related Cl. 5.10.2) it is considered the proposal presents significant built form deficiencies and non-compliance with two provisions of the R-Codes.

Furthermore, the Town is of the view that the development conflicts with the objectives and development requirements of a Mixed Use zone and for the same reasons does not satisfy the design quality objectives or principles of State Planning Policy 7.0. It fails to respond appropriately to its context and established character, resulting in a built form that does not positively contribute to the streetscape or broader public realm. The interface with the Plympton precinct is inappropriate and is likely to detract from local character and amenity, with the design presenting as generic rather than place responsive. In addition, the proposal does not adequately activate the St Peters Road frontage or deliver a comfortable human scale environment, and it lacks meaningful connectivity between the private and public realms.

Accordingly, the application is not supported in its current form and refusal is considered warranted. While the proposal generally aligns with applicable planning controls, it remains insufficiently resolved, with fundamental design shortcomings that cannot be addressed through conditions. As a result, the Town is of the view that the development cannot achieve an acceptable standard of design quality when assessed against the objectives and multiple design principles of SPP 7.0.

Although the proposal demonstrates general compliance with the R-Codes and relevant local and State planning policies, being broadly consistent with the development standards for grouped dwellings at R60 (aside from visitor parking and soft landscaping), this level of compliance alone does not justify support.

It is also noted that Stage 1 is being assessed independently of any future Stage 2 development, which limits the ability to fully evaluate the ultimate built form, overall development outcome, and cumulative impacts on the Plympton precinct at this prominent location.

Should the DAP, however, form a view to approve the application, it is recommended that conditions of approval be imposed to address the issues identified above.

Alternative to the RAR Recommendation

Notwithstanding the above discussion, the proposal is considered capable of being determined differently to the Officer's recommendation. Overall, the development generally satisfies the deemed-to-comply requirements and/or relevant design principles of State Planning Policy 7.3 (Residential Design Codes – Volume 1, Parts C and D), and achieves an acceptable outcome in terms of the technical assessment under the R-Codes. However, the Town does not support the absence of visitor parking nor the less than minimum provision of soft landscaping, as identified in the Planning Assessment

The proposal is otherwise broadly consistent with the wider strategic planning framework at both State and local levels (except for SPP 7.0), and aligns with the intent and objectives of the Local Planning Strategy and applicable local planning policies but not fully with the provisions of LPS 3.

While the Town maintains that the proposal does not satisfactorily address the design quality requirements of SPP 7.0, nor achieve compliance with two provisions of the R-Codes or objectives and amenity provisions of LPS 3, it is acknowledged that these matters do not necessarily preclude approval. Should the DAP form the view that it has the discretion to approve the application under the provisions of LPS 3 – Cl. 5.10.1 – Schedule 13 – ASR1, it may determine the application accordingly, notwithstanding the Town's concerns.

In summary, the DAP would be exercising discretion in relation to the following:

- Exceedance of the building envelope as specified in LPS 3 – Cl. 5.10.1 – Schedule 13 – ASR 1 – Figure 1 and 2;
- Conflict with LPS 3 – Cl. 4.2 – Objectives of the Mixed Use zone;
- Conflict with LPS 3 – Cl. 5.8.10 – Development in a Mixed Use zone; and
- Non-compliance with the R-Code provisions listed below:
  - C1.1.1 – Primary garden area (Units 2-8)
  - C1.2.1 – Soft landscaping of the primary street (Units 1-8)
  - C1.2.2 – Soft landscaping per site (Units 1-8)
  - C1.2.3 – Communal street and communal open space (lighting) (condition)
  - C1.4.1 – Stormwater (condition)
  - C2.2.3 – Openable window for bathrooms on external wall (Units 1 & 9) (condition)

- C2.2.4 – Orientation of major openings
- C2.3.3 – Car parking design and dimensions (condition)
- C2.3.4 and C2.3.5 – Visitor parking number and design and location
- C3.5.2 – Retaining walls and fill behind street setback (condition)
- C3.6.3 – Front door weather protection
- C3.6.7 – Fence or wall within primary and secondary street (including pillars)
- C3.6.7 – Driveway dimension requirements (condition)
- C3.7.11 – Communal street requirements
- C10.2 – Visual privacy rear (courtyards of adjacent unit).

Alternate Recommendation

It is recommended that the Metro Inner Development Assessment Panel resolves to:

Approve DAP Application reference DAP/26/03098 and accompanying plans (Attachment 3 date stamped received 9 April 2026) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 10.3 of the Town of East Fremantle Local Planning Scheme No. 3, subject to the following conditions:

Conditions

Amalgamation and Staged Subdivision

1. Prior to the lodgement of any subdivision application or the issue of a building permit for Stage 1, all lots subject to this approval being Lot 418 and Lot 419 Canning Highway, Lot 81 St Peters Road and Lot 423 King Street, East Fremantle are to be amalgamated into a single lot, to the satisfaction of the Town of East Fremantle.

2. Following amalgamation, the land is to be re-subdivided in accordance with a subdivision application approved by the Western Australian Planning Commission, to:
    a) create lots consistent with the approved Stage 1 development comprising nine (9) grouped dwellings; and
    b) provide for any balance lot(s) to accommodate future Stage 2 development.

3. The design and configuration of the re-subdivision is to:
    a) reflect the approved development plans;
    b) ensure each Stage 1 grouped dwelling is located on its own individual lot (or survey-strata lot), capable of separate title; and
    c) provide all necessary access, services and infrastructure to enable independent occupation of Stage 1.

4. No dwelling within Stage 1 is to be occupied until the subdivision creating the relevant lots has been approved and is capable of being issued with titles, to the satisfaction of the Town of East Fremantle.

Land Use

5. The approval of Stage 1 of the development, and any future subdivision of the land arising from this approval, shall not be taken to confer any standalone development potential on any resultant lot. All development standards and provisions of the Town of East Fremantle, Local Planning Scheme No. 3 – Cl. 5.10.1 – Schedule 13 – ASR1, including but not limited to plot ratio, building height, building setbacks parking and access shall be calculated and applied to the original parent site (i.e., lots identified as subject to the provisions of ASR1) as though the site were developed as a single integrated development, unless otherwise approved by the Town of East Fremantle.

6. Any future subdivision of the land shall be consistent with this approval and shall not result in development outcomes that exceed or conflict with the development standards that would apply if the land were developed as a single site under the Town of East Fremantle, Local Planning Scheme No. 3 as identified as ASR1 on the Local Planning Scheme No. 3 Scheme Map.

Road Widening

7. The applicant/owner shall cede to the Crown, free of cost and free of all encumbrances, that portion of land required for the widening of Canning Highway, as shown on the approved plan.

8. No part of the development is to be located within the land requirement for the future road widening of Canning Highway. This includes but is not limited to car parking, building anchors, retaining walls and associated infrastructure services.

Notifications

9. The landowner shall lodge a Notification under Section 70A pursuant to the *Transfer of Land Act, 1893* on the Certificate of Title for the site. This notification shall be sufficient to alert prospective landowners of the land to the following:

    (a) the location of the land/dwellings/premises within Area 2 of the Fremantle Port Buffer Zone where noise, odour, light spill and other factors might arise from the normal operations of a 24 hour working Port. The notification is to state as follows: '*This lot is in close proximity to Fremantle Port and may be adversely affected by virtue of odour, noise, dust and/or light emissions from that land use'*.

    (b) the land/dwellings/premises is situated in the vicinity of a transport corridor and is affected by transport noise. The Notification is to state as follows: '*The lot/s are situated in the vicinity of a transport corridor and are currently affected or may in the future be affected by transport* noise."; and

    (c) the subject land has been classified under the Contaminated Sites Act 2003 as '*report not substantiated*'. The land has been previously used for activities with the potential to cause contamination, including a service station. Underground storage tanks may remain in situ. There is a risk of residual soil and/or groundwater contamination. Detailed

site investigation is recommended prior to any works on-site or redevelopment. The notification is to state as follows: *"Notification is hereby given that the land is subject to potential contamination. The contamination status of the land remains uncertain due to limited investigation, including the absence of groundwater assessment. Any person dealing with the land should make their own enquiries regarding the contamination status of the site and its suitability for intended use."*

10. Prior to the issue of a demolition permit for the structures on Lot 419 a photographic archival record of the place is to be prepared by a suitably qualified heritage consultant, to the satisfaction of the Town of East Fremantle and the cost of producing this archival record is to be borne by the applicant.

11. This decision constitutes planning approval only and is valid for a period of two 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.

Contamination

12. Prior to the commencement of any works on Lots 418 and 419 Canning Highway, East Fremantle, the applicant shall undertake a detailed site contamination assessment in accordance with the Department of Water and Environmental Regulation's Contaminated Sites Guidelines and the National Environment Protection (Assessment of Site Contamination) Measure prior to the commencement of development or any works on the site, to determine if remediation is required.

13. If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to any works on site commencing in relation to the development approval at Lot 418 to the satisfaction of the Town of East 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.

Materials and Finishes

14. Prior to the submission of a building permit application, the applicant shall provide final details, including a sample board and written confirmation of the construction materials, colours and finishes for all external elements of the building, including the facades facing Canning Highway and Stirling Highway and all boundary walls. The development shall be constructed using high-quality, durable materials and finishes and to a level of detailing consistent with the elevations and perspectives date stamped received 9 April 2026.

15. At building permit application stage, the building permit plans are to indicate that the bathroom windows on the external walls of Unit 1 (west facing) and Unit 9 (east facing) have openable windows as required under the Residential Design Codes of WA.

16. All boundary walls shall be finished to the same standard as the remainder of the development, to the satisfaction of the Town of East Fremantle, and these finishes implemented prior to occupation.

17. An anti-graffiti coating is to be applied to the wall adjoining/facing the Stirling Highway road reserve to the satisfaction of the Town of East Fremantle and to the specifications of Main Roads (refer to advice notes for MRWA specifications).

18. The building is to be kept clean and free of graffiti and vandalism at all times and any such graffiti or vandalism to be remedied within 24 hours to the satisfaction of the Town of East Fremantle.

19. Any proposed external fixtures including, but not limited to television and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and located or screened to minimise any visual and noise impact on the residents of the neighbouring properties and public realm, with details of the location and screening of such plant and services being submitted to, and approved by, the Town of East Fremantle prior to the submission of the relevant building permit application.

Landscaping and Tree Retention

20. No street tree is to be removed without the prior approval of the Town of East Fremantle. During construction, the verge trees are to be protected with cages around the trunks, to the satisfaction of the Town, to ensure that they are not damaged by surrounding works, vehicles, or materials.

21. The trees indicated on the tree retention plan are to be retained and protected throughout the duration of the development of Stage 1 and are to be subject to tree protection measures in accordance with AS 4970–2009 *Protection of Trees on Development Sites,* (where applicable) to the satisfaction of the Town of East Fremantle. These measures shall be maintained for the duration of construction, and no excavation, storage of materials, vehicle movement, grade changes, or construction activities shall occur within the Tree Protection Zones of retained trees unless otherwise approved in writing by the Town of East Fremantle. No retained tree shall be removed, lopped, or damaged without the prior written consent of the Town of East Fremantle.

22. Prior to the submission of a building permit application, a detailed landscaping plan is to be submitted to indicate all landscape areas as shown in the Landscape Concept Report received on 9 April 2026, to the satisfaction of the Town of East Fremantle.

23. All landscaped areas are to be implemented in accordance with the approved landscaping plan, with planting, reticulation and mulching completed prior to occupation, and thereafter maintained for the duration of the development to the satisfaction of the Town of East Fremantle.

24. Prior to the submission of a building permit application the submission of a tree retention and tree protection plan indicating the trees to be retained

outside the Stage 1 development approval site (as shown in Attachment 9 dated 14 May 2026) is to be approved by the Town of East Fremantle.

Fencing / Boundary Wall

25. Prior to the submission of a building permit application a revised fencing/wall plan is to be submitted which demonstrates boundary walls/fencing that have more visual interest and diversity along the street frontages of the site. The specific details of the design, dimensions and construction materials of this fence/wall is to be to the satisfaction of and approved by the Town of East Fremantle.

Parking and Vehicle Access

26. The minimum number and allocation of car parking is to be provided as follows:
    a) 18 resident car parking bays; and
    b) 2 resident visitor car parking bays.

27. All parking bays, manoeuvring and circulation areas are to comply with Australian Standards AS/NZS2890.1:2004 Amendment 1 and AS2890.2:2018 to the satisfaction of the Town of East Fremantle.

28. Prior to the occupation of any dwellings, the development shall be provided with resident visitor parking bays in accordance with the minimum requirements of the R-Codes of WA, as amended, applicable to a R60 density code. The visitor parking bays shall be:

    a) constructed, line-marked and drained to the satisfaction of the Town of East Fremantle;
    b) clearly designated and permanently available for visitor parking purposes only;
    c) located and designed to ensure safe vehicle access, manoeuvring and sightlines;
    d) retained for the life of the development, unless otherwise approved in writing by the Town of East Fremantle; and
    e) the visitor parking bays shall not be converted to any other use, including resident parking or storage, without the prior written approval of the Town of East Fremantle.

29. Prior to the occupation of the development, the installation of:
    (a) flashing warning light(s) near the car park ramp entrance and at the basement level of the car park;
    (b) signs and pavement markings to denote the holding line for inbound vehicles; and
    (c) convex mirrors to be positioned on the basement level near the bottom of the car park ramp.

30. Prior to the occupation of the development, the applicant shall supply certification of compliance by an architect or engineer confirming that the constructed design of the basement car park, vehicle access ways, and ramp complies with Australian Standards AS2890.1 and AS2890.3 and is consistent with the approved plans, to the satisfaction of the Town of East Fremantle.

Traffic Management

31. The submission of a revised Traffic Impact Assessment (TIA), for approval by the Town of East Fremantle, prior to the submission of a building permit application, that addresses the subject development proposal and the cumulative traffic generation, including the future Stage 2 development. The TIA is to address the broader impacts of both stages of development on the local network and identify any required mitigation measures.

32. Prior to the issue of a building permit application, a Traffic Management Plan (for construction) must be submitted and approved by Main Roads WA. The Traffic Management Plan must detail how traffic shall be managed at all times and must be implemented and maintained throughout the construction of this development.

Waste Management

33. Waste bins presented for collection must be positioned so as not to obstruct the public footpath. At all times during bin presentation, a minimum unobstructed pedestrian path of 1.0m in width shall be maintained along the footpath to enable safe and convenient access for all users, including persons with mobility aids, to the satisfaction of the Town of East Fremantle.

34. The approved Waste Management Plan dated 2 February 2026 shall be implemented and adhered to at all times by the owners and/or operators of the development, to the satisfaction of the Town of East Fremantle.

Lighting

35. Prior to the submission of a building permit application, a detailed lighting plan for the development shall be prepared and submitted, incorporating assessment and mitigation of headlight glare. The plan shall demonstrate the following:
    a) compliance with the relevant requirements of the Residential Design Codes of WA; and
    b) a comprehensive lighting spill and glare assessment confirming that impacts on adjoining residential properties are minimised and in accordance with accepted lighting control principles, including specific confirmation that headlight glare is effectively controlled and compliant with those principles.

Roads, Footpaths and Crossovers

36. Drainage grates in the driveway and suitable sightlines are to be provided to the basement vehicle parking area and indicated on building permit plans to the satisfaction of the Town of East Fremantle.

37. Prior to the occupation of the development, the portion of the road verge adjacent to the development site shall be made good and any redundant crossovers removed and kerbing reinstated, to the satisfaction of the Town of East Fremantle.

38. The Sewell Street footpath (eastern side between Canning Hwy and St Peters Rd) and the Canning Highway footpath along the frontage of the site to be upgraded, to the satisfaction of the Town of East Fremantle, prior to occupation of the building.

39. All infrastructure in the road reserves adjacent to the development site shall be protected from damage for the duration of the construction of the development and reinstated to the same or better condition that existed prior to the commencement of the development. An infrastructure bond may apply as per the Town of East Fremantle's fees and charges and is to be paid prior to the issuing of the building permit by the Town.

40. Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point, car parking bay or similar) is to be removed, modified, or relocated then such works must be approved by the Town of East Fremantle and if approved, the total cost and associated fees are to be borne by the applicant. The Town of East Fremantle must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

Dilapidation

41. Prior to the issue of a building permit, a dilapidation report prepared by a suitably qualified professional shall be submitted to the Town of East Fremantle for approval, and the owners of the adjoining properties listed below detailing the current condition and status of all buildings (both internal and external together with surrounding paved areas), including ancillary structures located on these properties:
    - 9 King, East Fremantle
    - 11 King Street, East Fremantle
    - 1 Sewell Street, East Fremantle
    - 10 Sewell Street, East Fremantle
    - 12 Sewell Street, East Fremantle
    - 83 Canning Highway, East Fremantle

    If access for undertaking the dilapidation survey is denied by a surrounding owner, the applicant must demonstrate in writing to the satisfaction of the Town of East Fremantle, that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Construction Management

42. This plan is to address the following matters during the construction/development period:

    a) Noise, vibration, air and dust management;
    b) Contact details of essential site personnel, construction periods and construction operating hours;
    c) Traffic management, including footpath closures and proposed signage;
    d) Parking management for all trades, contractors and visitors to site;

e) Public safety and amenity (traffic control and pedestrian management);
f) Site access/egress management;
g) Scaffolding management plan;
h) Management plan for the loading and unloading of vehicles;
i) Heavy construction machinery and deliveries;
j) Bulk earthwork operations;
k) Stormwater and sand/sediment control;
l) Street tree management and protection;
m) Protection of footpath;
n) Details of all concrete pours and requirements relating to piling methods or associated works;
o) Temporary fencing;
p) Temporary toilets;
q) Dilapidation of Town infrastructure and nearby properties;
r) Hoardings and gantries;
s) Construction waste management plan; and
t) Any other relevant matters.

The requirements of this plan are to be observed at all times during the construction process.

Acoustic and Noise Management

43. The proposed development is to comply with the requirements of State Planning Policy 5.4 – Road and Rail Noise, the Noise Management Plan dated January 2026 and the Acoustic Report prepared by RAD Architecture updated 2 February 2026. Confirmation of achievement of the requirements of this condition by a suitably qualified acoustic engineer is to be included with the building permit application, with the following amendments:

    a) assessment of Noise predictions for outdoor living areas and recommended treatments for achieving the State Planning Policy 5.4 – Road and Rail Noise outdoor noise target for these areas; and
    b) the specific Department for Environment, Food and Rural Affairs (DEFRA) publication used for the noise modelling must be fully cited in the noise report.

    The amended Noise Management Plan shall be to the satisfaction of the Town of East Fremantle and must be implemented at all times.

44. Design and install all mechanical service systems, including air-conditioners, ventilation systems, underground parking 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 suitably qualified acoustic engineer to assist the applicant to address the potential noise impacts on noise sensitive receivers.

45. To address this, it is recommended that the development incorporate appropriate physical and design mitigation measures at the ramp exit. This may include the installation of opaque or louvred screening, extension of ramp side walls, and use of materials or finishes that limit reflective glare. Consideration should also be given to ramp alignment, exit geometry, and

landscaping treatments, where feasible, to reduce direct light projection toward surrounding properties.

Construction

46. Prior to the submission of the relevant building permit application, the applicant shall submit a geotechnical engineering report certifying that the land is physically capable of accommodating the development and will do no harm or cause damage to adjacent properties and assets to the satisfaction of the Town of East Fremantle.

47. Prior to the submission of the relevant building permit application, a Stormwater Management Plan shall be submitted to and approved by the Town of East Fremantle, and thereafter implemented.

48. Stormwater discharge shall not exceed pre-development discharge to Canning Highway and Stirling Highway road reserves and the widened road reservation.

49. No earthworks are to encroach onto the Canning Highway and Stirling Highway road reserves.

50. With regard to the plans submitted with respect to the building permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for the Town of East Fremantle's attention.

51. The works are to be constructed in conformity with the drawings and written information date stamped received 9 April 2026 accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with the further approval of the Town of East Fremantle.

52. All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots and not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.

53. The proposed use is not to be commenced until all conditions attached to this development approval have been finalised to the satisfaction of the Town of East Fremantle.

Clearance of Conditions of Approval

54. A covering letter and a copy of the final working drawings (prepared for submission of an application for a building permit) and all associated reports and information that address the conditions of approval are to be submitted to, and cleared by, the Town of East Fremantle and where applicable conditions cleared prior to the submission of the building permit application.

Advice Notes

This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development.

i. The applicant is advised of following advice from the Water Corporation:
   a) the proposal will require approval by the Water Corporation's Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued; and
   b) to meet fire flow requirements, approximately 96m of DN100 main will need to be constructed. This will connect from the existing DN150CI main at the corner of King Street and Peters Road to tie into the existing DN100 P-16 main on the corner of Sewell Street and St Peters Road, as shown in the plan below. Please note the costs associated with these upgrades are borne by the proponent.

ii. The applicant is advised of the following advice from Main Roads WA:
   a) The property is affected by land reserved in the Metropolitan Region Scheme and this land will be required for road purposes in the future.
   b) The upgrading/widening of Canning Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.
   c) Prior to undertaking works within the Canning Highway and Stirling Highway Road Reserves, a Working on Roads permit must be obtained from Main Roads.
   d) Application forms and supporting information about the procedure to undertake works within the Canning Highway and Stirling Highway Road Reserves can be found on the Main Roads website > Technical & Commercial > Working on Roads.
   e) The applicant is advised that in relation to the Main Roads graffiti condition specifications for the anti-graffiti coating can be found on the Main Roads website > Technical & Commercial > Specifications > 900 Series – Miscellaneous > Specification 908.

iii. In relation to the above "Contamination" Conditions 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 "Contamination" Conditions. A current list of accredited auditors is available from www.dwer.wa.gov.au.

iv. Any removal of asbestos onsite is to comply with the following:
   Under ten (10) square meters of bonded (non-friable) asbestos can be removed without a license. Friable asbestos and/or any volume of asbestos over 10 square meters must be removed by a licensed person or business for asbestos removal. All asbestos removal is to be carried out in accordance with the *Health (Asbestos) Regulations 1992*, *Environmental Protection (Controlled Waste) Regulations 2001 and* the *Work Health and Safety Act 2020*.

v. The applicant must seek approval of the Town of East Fremantle that confirms the design of any crossover is to the specifications and satisfaction of the Town of East Fremantle.

vi. In relation to the retention and protection of trees the applicant is advised that tree protection measures in accordance with AS 4970–2009 *Protection of Trees on Development Sites,* (where applicable) to the satisfaction of the Town of East Fremantle are required to be followed.

vii. In relation to Environmental Health matters, the applicant is advised of the following:
   a) work on construction sites shall be limited to between 7am and 7pm on any day which is not a Sunday or Public Holiday. If work is to be done outside these hours a noise management plan must be submitted and approved by the Chief Executive Officer, Town of East Fremantle prior to work commencing. Effective measures shall be taken to stabilize sand/dust and ensure no particulates escape from the property by wind or water.
   b) once the mechanical equipment has been selected, the noise levels shall be reviewed prior to Building Permit application;
   c) all exhaust fans shall be located inside the ceiling void and shall be axial fan type, allowing the incorporation of an attenuator if required;
   d) all fans shall be variable speed drive so that maximum speed is only occurring when necessary, with demand;
   e) air-conditioning shall have a 'night' / 'quiet' mode option, in case required for prior to 7.00am operation, subject to final detailed analysis;
   f) all plant shall be selected for quiet operation;
   g) where manufacturer attenuation kits are available for plant, these shall be considered;
   h) acoustic screening to be considered around plant; and
   i) all plant is to be appropriately vibration isolated to 95% isolation efficiency.

   For further information regarding these matters, please contact the Town's Environmental Health Services.

viii. In relation to the Waste Management Plan the following advice notes are provided:
   a) the waste management plan should be updated to reflect the changes to the bulk verge collection which is now changing to a verge valet system. Additional information can be obtained at. On-demand valet bulk verge collections FAQs » Town of East Fremantle; and
   b) consideration for a Containers for Change bin collection service for the complex (can be requested through Fremantle Recycling Centre / containers for change) to improve recycling.

ix. The applicant is advised that, to achieve a more robust sustainability outcome for the development, the following is recommended:
   a) Strengthen commitments (i.e., move from provision to delivery – e.g. 'solar PV' to 'minimum PV capacity to be installed…').

b) While the proposal meets minimum NatHERS requirements, a higher performance (e.g., 7.5 – 8 stars) or inclusion of whole-of-building energy targets / operational energy modelling could be encouraged.
c) Opportunity to improve glazing performance (e.g. lower U values and better SHGC tuning).
d) Water targets would benefit from quantified modelling and stronger integration of WSUD outcomes beyond irrigation.
e) Recommended tree canopy targets (%) and shading coverage.
f) Lack of construction and embodied carbon consideration (there is no clear strategy for embodied carbon reduction in the report).
g) Reference to construction waste management and how it is intended to minimise this on site.

x. A demolition permit from the Town of East Fremantle is required prior to demolition works occurring. All works are required to comply with relevant statutory provisions.

xi. In the event that that dewatering is required at the site during construction the applicant is to prepare a Dewatering Management Plan with advice provided by the Department of Biodiversity, Conservation and Attractions and the Town of East Fremantle.

xii. All downpipes from guttering are required to discharge into drains that empty into a soak-well on-site. Each soak-well must be located at least 1.8m from any building and lot boundary.

xiii. The existing verge levels at the front property boundary and verge assets shall not be altered without prior approval of the Town of East Fremantle.

xiv. Atco Gas
a) Anyone proposing to carry out construction or excavation works must contact 'Before You Dig Australia' (www.byda.com.au) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html;
b) Proposed construction and excavation works need to be managed in accordance with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&M-PR24 https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html; and
c) If the disconnection and/or removal of an ATCO gas service is required, a request can be submitted via the online ATCO portal found here.

Attachment 1 – Location Plan

Note: Approximate land areas indicated.

Staged Development Proposal

Attachment 2 - Site Photographs

Facing west along St Peters Rd	Facing north-west from St Peters Rd	Facing north into the site	Corner of Sewell St and St Peters Rd
Facing east from Sewell St	Facing north from St Peters Rd	Established trees on-site	Facing north along Sewell St to Canning Hwy

Attachment 3 – Plans and Elevations

ARCHITECTURAL DRAWING LIST

SHEET NUMBER	SHEET NAME	REV	DATE	Drawn By
DA0-01	COVER PAGE	A	18/02/2026	SP
DA0-02	SURVEY PLAN	B	18/02/2026	SP
DA0-03	DEMOLITION PLAN	B	18/02/2026	SP
DA0-04	PROPOSED STAGING PLAN	A	18/02/2026	SP
DA0-05	PROPOSED STAGE 1 LOT AREAS	A	18/02/2026	SP
DA0-06	SITE PLAN	C	18/02/2026	SP
DA1-01	BASEMENT PLAN	G	18/02/2026	SP
DA1-02	GROUND PLAN	E	30/01/2026	SP
DA1-03	LEVEL 1 PLAN	F	18/02/2026	SP
DA1-04	LEVEL 2 PLAN	F	18/02/2026	SP
DA1-05	ROOF PLAN	D	18/02/2026	SP
DA2-01	ELEVATIONS - WEST & SOUTH	B	30/01/2026	SP
DA2-02	ELEVATIONS - EAST & NORTH	B	30/01/2026	SP
DA2-03	MATERIAL PALETTE	B	18/02/2026	SP
DA3-01	SECTIONS - 1 & 2	B	18/02/2026	SP
DA4-01	RENDERS-PAGE 1	B	18/02/2026	SP
DA4-02	RENDERS-PAGE 2	B	18/02/2026	SP
DA4-03	RENDERS-PAGE 3	B	18/02/2026	SP
DA4-04	RENDERS-PAGE 4	B	18/02/2026	SP
DA4-05	RENDERS-PAGE 5	B	18/02/2026	SP
DA5-01	DEVELOPMENT SUMMARY - PLOT RATIO	B	18/02/2026	SP

TOTAL DRAWINGS: 21

TOWNHOUSE DEVELOPMENT

91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)

ARCHITECTURAL DRAWINGS

DEVELOPMENT APPLICATION ISSUE

RAD architecture

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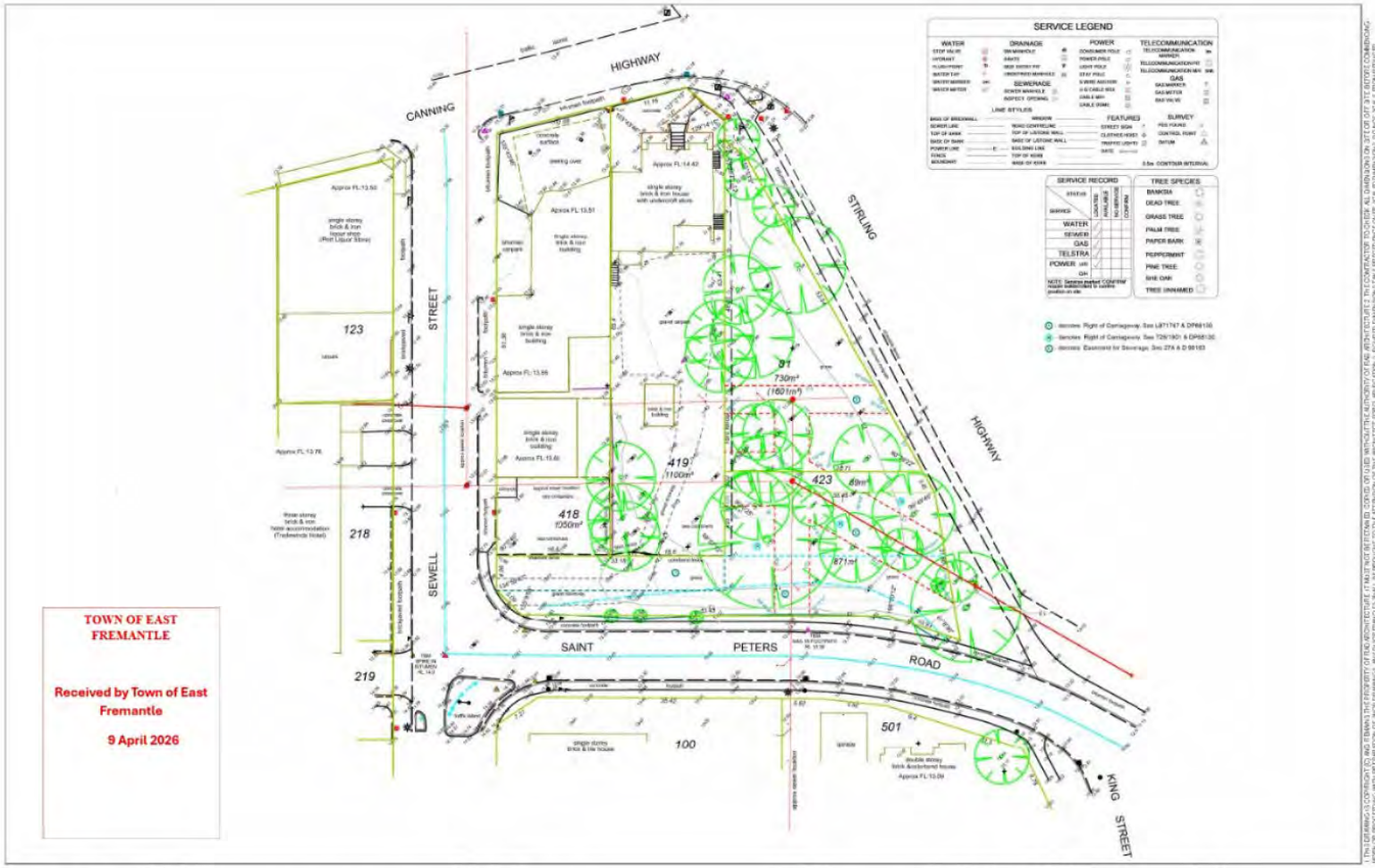
9 April 2026



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	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA0-02	REV: B		
				DRAWN BY	SP		

DD/MM/YY	REV	DESCRIPTION	CHECKED
18/02/2026	B	ISSUE FOR DA	
19/12/2025	A	ISSUE FOR REVIEW	

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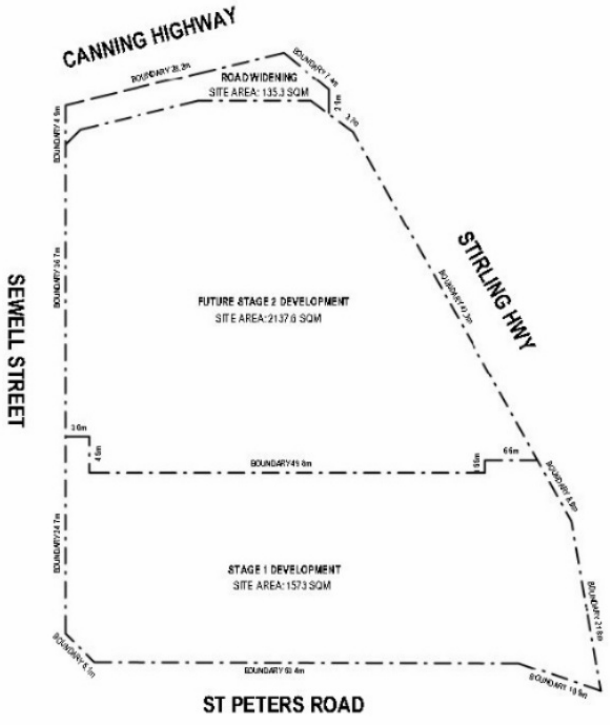

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	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA0-04 / REV: A
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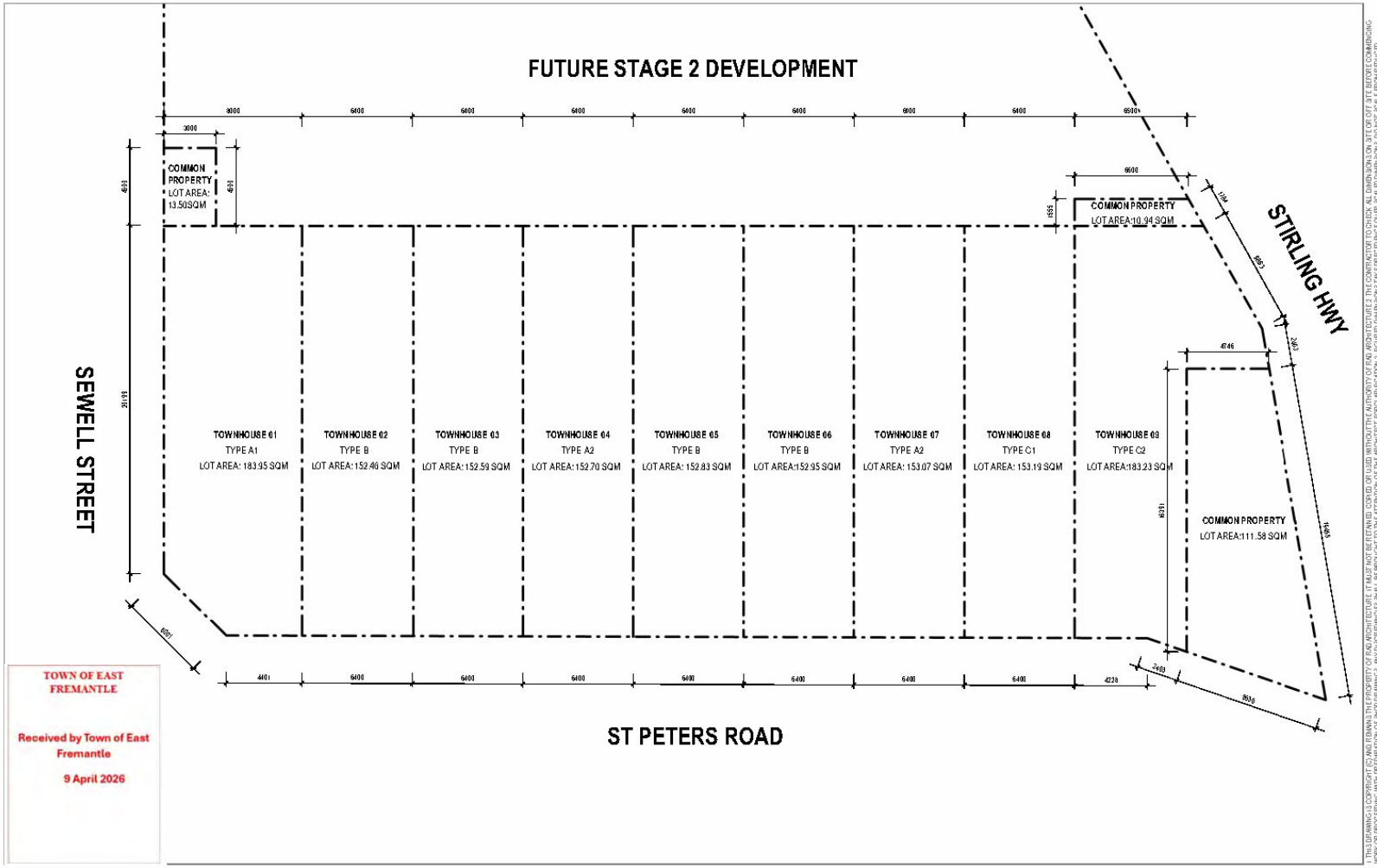

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	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA0-05	REV: A
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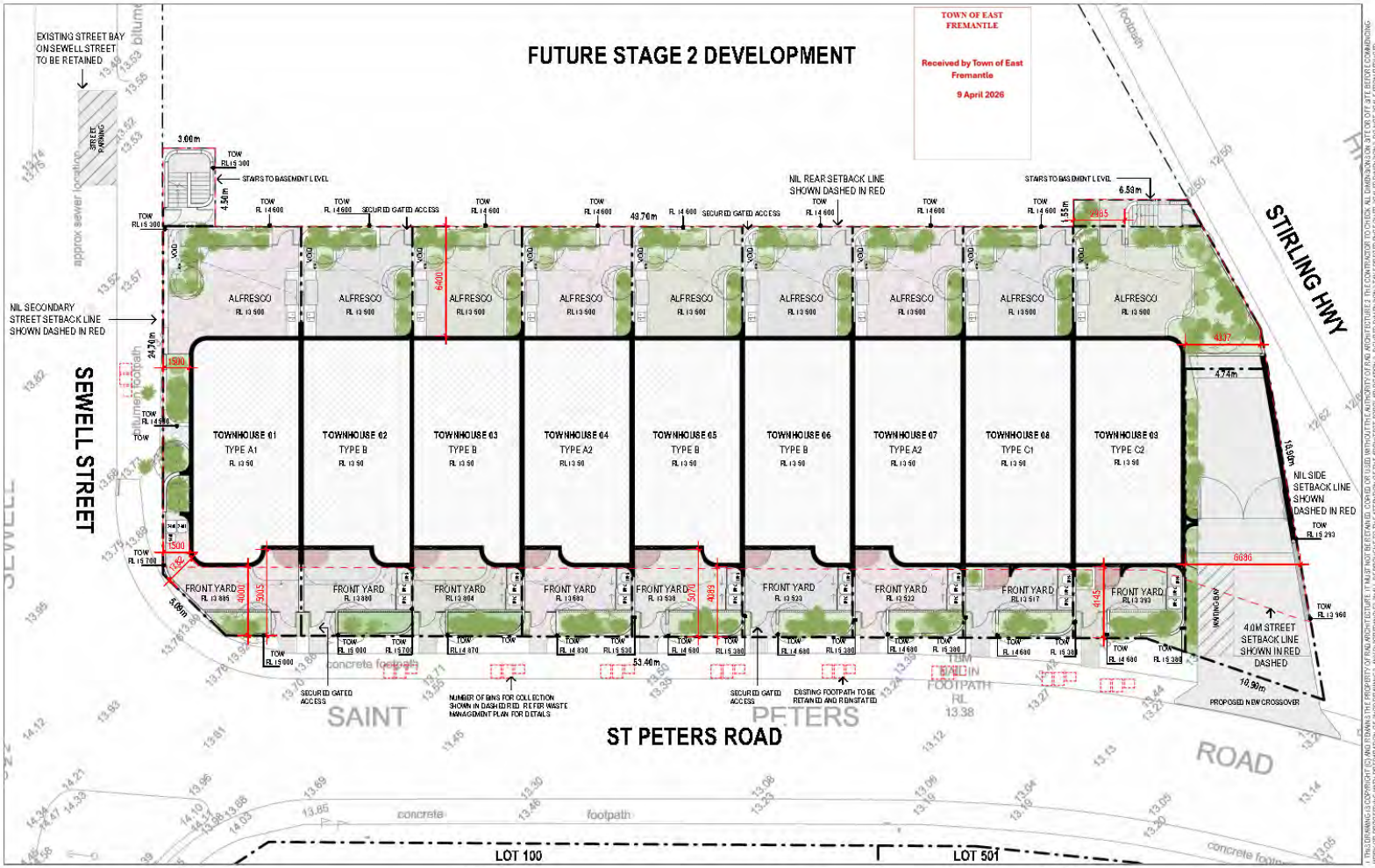
FUTURE STAGE 2 DEVELOPMENT
TOWN OF EAST FREMANTLE
Received by Town of East Fremantle
9 April 2026
EXISTING STREET BAY ON SEWELL STREET TO BE RETAINED
STAIRS TO BASEMENT LEVEL
NIL REAR SETBACK LINE SHOWN DASHED IN RED
NIL SECONDARY STREET SETBACK LINE SHOWN DASHED IN RED
NIL SIDE SETBACK LINE SHOWN DASHED IN RED
4.0M STREET SETBACK LINE SHOWN IN RED DASHED
SEWELL STREET
STIRLING HWY
ST PETERS ROAD
SAINT PETERS ROAD
ALFRESCO
TOWNHOUSE 01 TYPE A1
TOWNHOUSE 02 TYPE B
TOWNHOUSE 03 TYPE B
TOWNHOUSE 04 TYPE A2
TOWNHOUSE 05 TYPE B
TOWNHOUSE 06 TYPE B
TOWNHOUSE 07 TYPE A2
TOWNHOUSE 08 TYPE C1
TOWNHOUSE 09 TYPE C2
FRONT YARD
SECURED GATED ACCESS
NUMBER OF BINS FOR COLLECTION SHOWN IN DASHED RED. REFER WASTE MANAGEMENT PLAN FOR DETAILS
EXISTING FOOTPATH TO BE RETAINED AND REINSTATED
PROPOSED NEW CROSSOVER
LOT 100
LOT 501
concrete footpath
RAD architecture
PROJECT NAME
TOWNHOUSE DEVELOPMENT
91-99 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)
CLIENT
SARACEN PROPERTIES
DRAWING NAME
SITE PLAN
DEVELOPMENT APPLICATION ISSUE
SCALE
1 : 200 (A3)
PROJECT No
25-10
DRAWING No
DA0-06
REV
C
DRAWN BY
SP
18/02/2026 C ISSUE FOR DA
09/02/2026 B ISSUE FOR REVIEW
30/01/2026 A ISSUE FOR CONSULTANT
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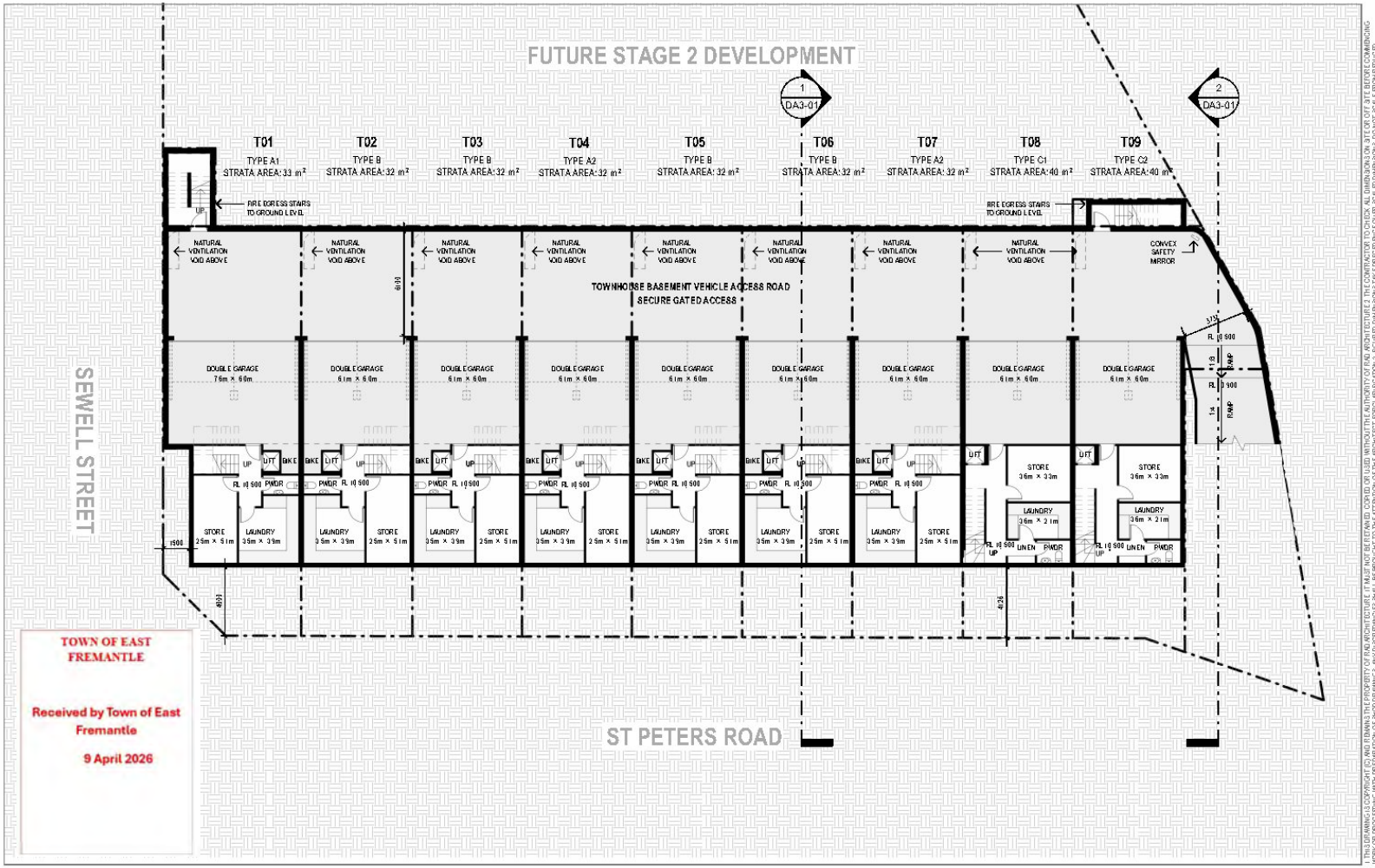

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09/02/2026	F	ISSUE FOR REVIEW	
30/01/2026	E	ISSUE FOR CONSULTANT	
15/12/2025	D	ISSUE FOR CONSULTANT	
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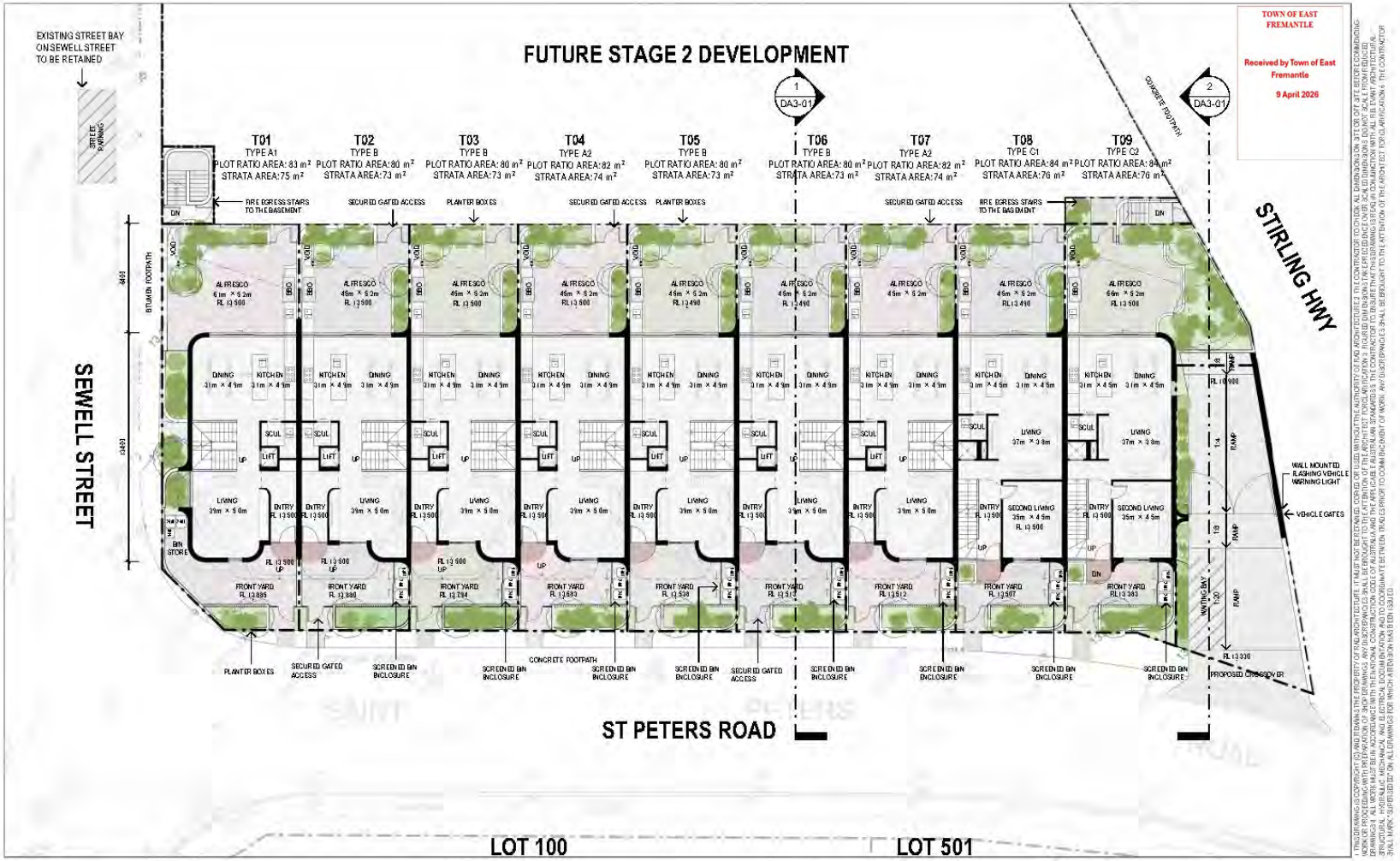
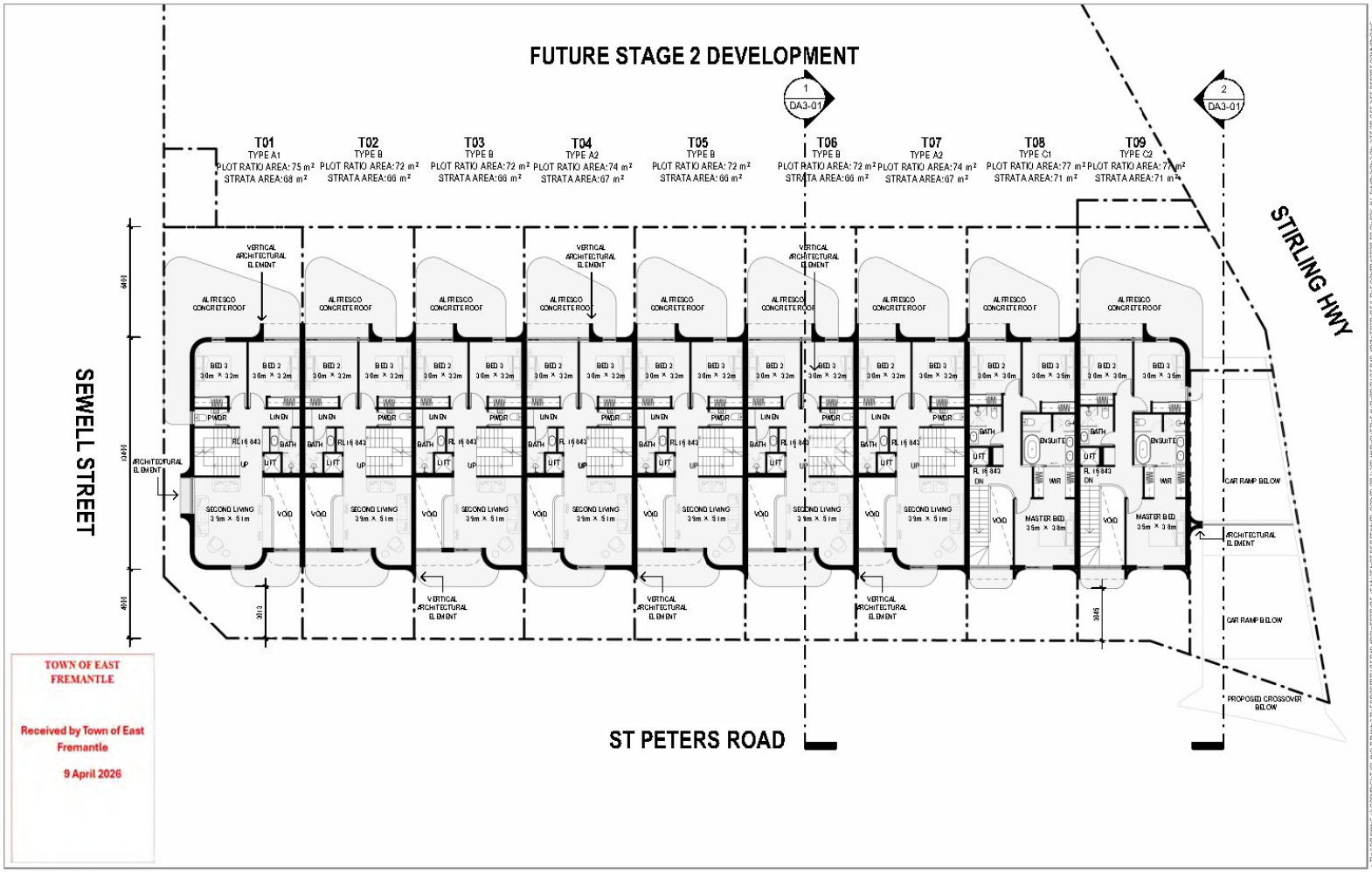


RAD architecture	PROJECT NAME: TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	DRAWING NAME: GROUND PLAN	SCALE 1 : 200 (A3)		
	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA1-02	REV: E
				DRAWN BY	SP

DD/MM/YY	REV	DESCRIPTION	CHECKED
30/01/2026	E	ISSUE FOR DA	
15/12/2025	D	ISSUE FOR CONSULTANT	
12/12/2025	C	ISSUE FOR REVIEW	
26/11/2025	B	ISSUE FOR REVIEW	
10/11/2025	A	ISSUE FOR REVIEW	



RAD architecture	PROJECT NAME: TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	DRAWING NAME: LEVEL 1 PLAN	SCALE 1 : 200 (A3)		
	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA1-03	REV: F
				DRAWN BY	SP

DD/MM/YY	REV	DESCRIPTION	CHECKED
18/02/2026	F	ISSUE FOR DA	
30/01/2026	E	ISSUE FOR CONSULTANT	
15/12/2025	D	ISSUE FOR CONSULTANT	
12/12/2025	C	ISSUE FOR REVIEW	
26/11/2025	B	ISSUE FOR REVIEW	
10/11/2025	A	ISSUE FOR REVIEW	

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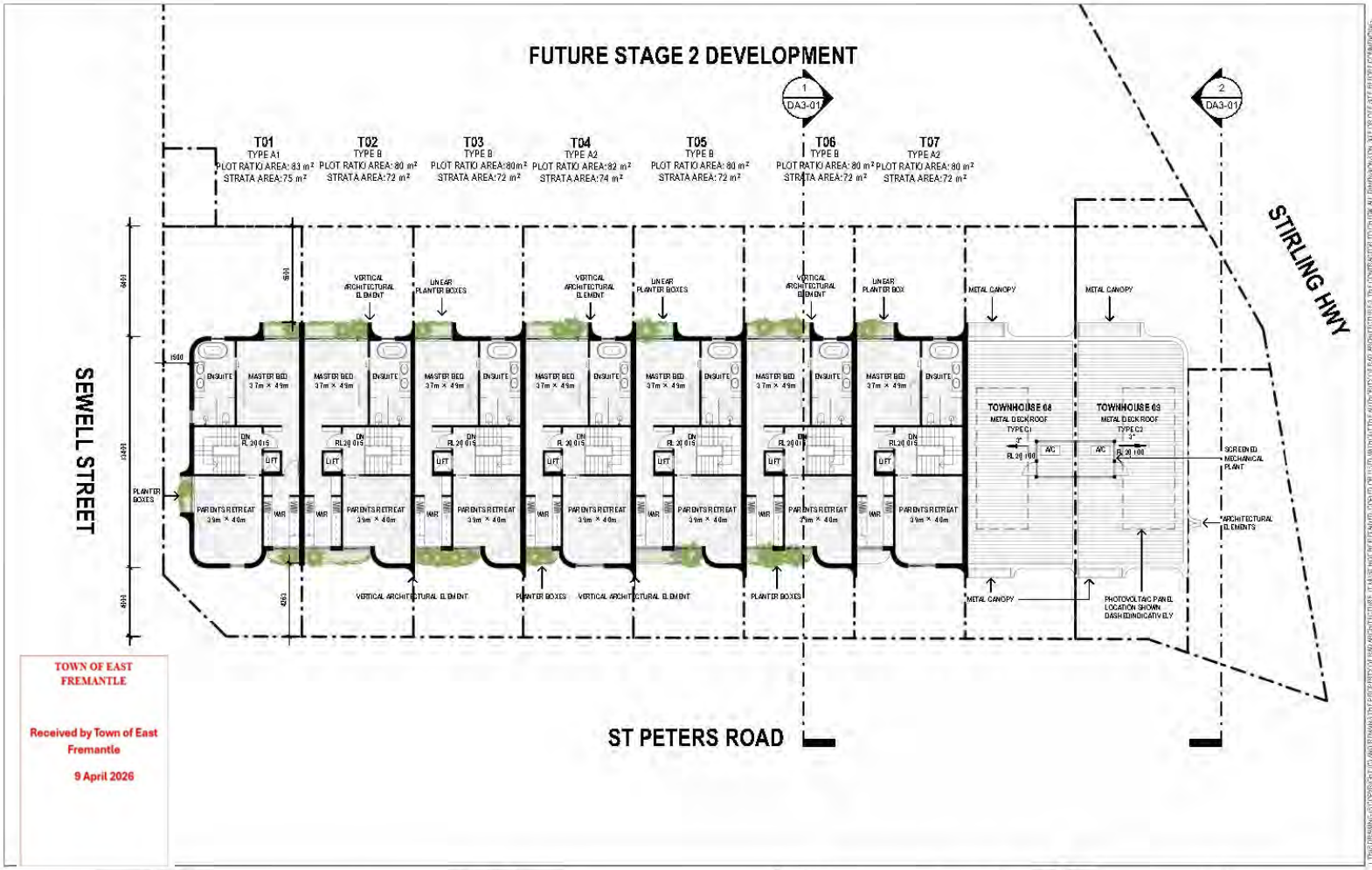
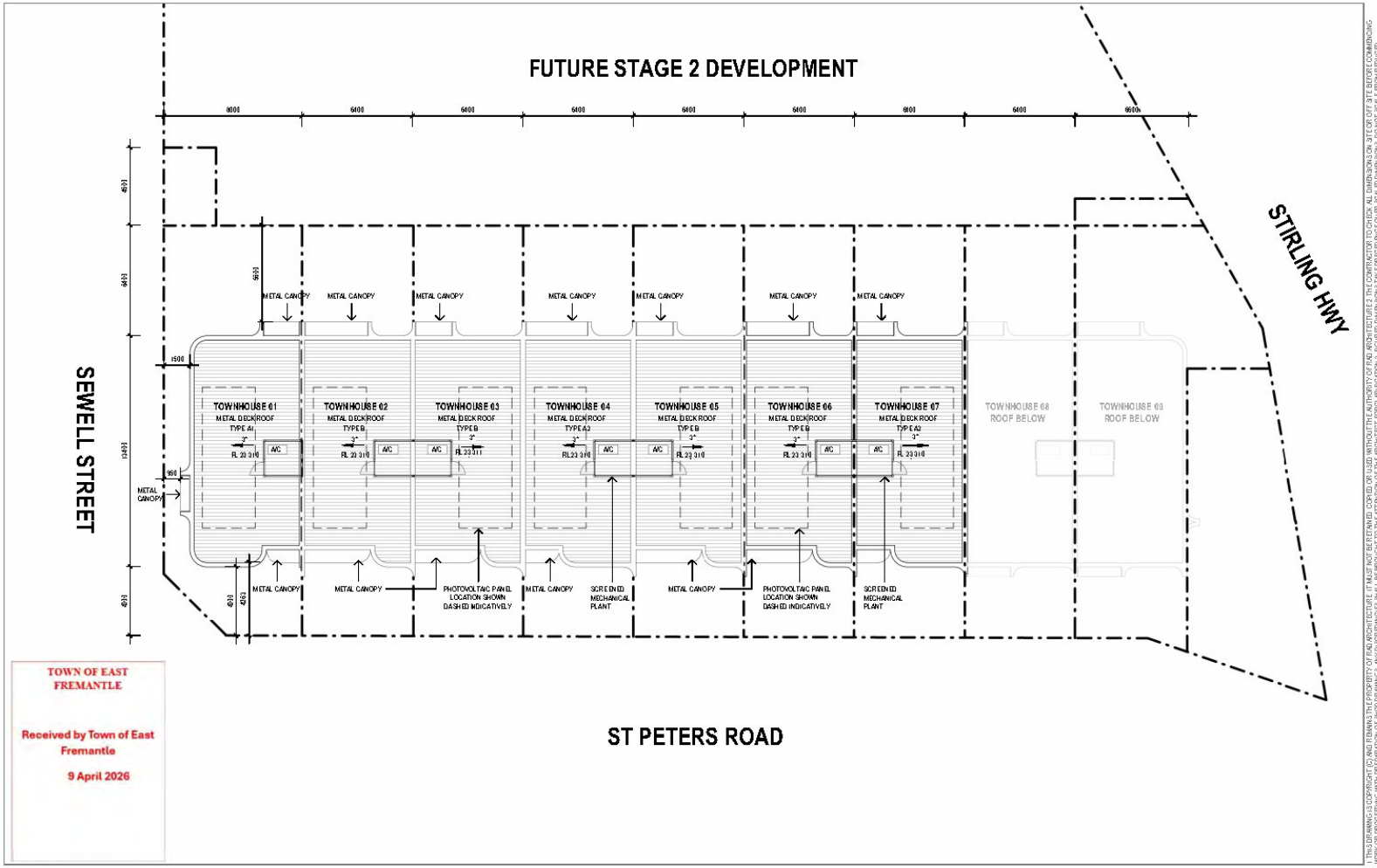


TOWN OF EAST FREMANTLE

Received by Town of East Fremantle

9 April 2026

RAD architecture	PROJECT NAME: TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	DRAWING NAME: LEVEL 2 PLAN	SCALE 1 : 200 (A3)			18/02/2026	F	ISSUE FOR DA
						30/01/2026	E	ISSUE FOR CONSULTANT
	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA1-04	REV: F	15/12/2025	D	ISSUE FOR CONSULTANT
						12/12/2025	C	ISSUE FOR REVIEW
						26/11/2025	B	ISSUE FOR REVIEW
						10/11/2025	A	ISSUE FOR REVIEW
				DRAWN BY	SP	DD/MM/YY	REV	DESCRIPTION / CHECKED



TOWN OF EAST FREMANTLE

Received by Town of East Fremantle

9 April 2026

RAD architecture	PROJECT NAME: TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	DRAWING NAME: ROOF PLAN	SCALE 1 : 200 (A3)		
	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA1-05	REV: D
				DRAWN BY	SP

DD/MM/YY	REV	DESCRIPTION	CHECKED
18/02/2026	D	ISSUE FOR DA	
30/01/2026	C	ISSUE FOR CONSULTANT	
12/12/2025	B	ISSUE FOR REVIEW	
26/11/2025	A	ISSUE FOR REVIEW	

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TOWN OF EAST FREMANTLE

Received by Town of East Fremantle

9 April 2026

WALL FINISHES LEGEND

AL 01	ALUMINIUM PANEL WALL CHAMPAGNE POWDERCOAT FINISH
AL 02	ALUMINIUM FENCE CHAMPAGNE POWDERCOAT FINISH
AL 03	ALUMINIUM METAL PLANTER CHAMPAGNE POWDERCOAT FINISH
AL 04	ALUMINIUM METAL CANOPY CHAMPAGNE POWDERCOAT FINISH
AL 05	ALUMINIUM METAL EXTERIOR DOOR CHAMPAGNE POWDERCOAT FINISH
PC 01	ALUMINIUM FRAMED WINDOW SUITE CHAMPAGNE POWDERCOAT FINISH CLEAR GLAZING
PC 01a	ALUMINIUM FRAMED WINDOW SUITE CHAMPAGNE POWDERCOAT FINISH SPANDREL GLAZING
PC 02	ALUMINIUM FRAMED DOOR SUITE JARRAH LOOK FINISH DOOR PANEL
PC 03	ALUMINIUM FRAMED GLAZING DOOR SUITE CHAMPAGNE POWDERCOAT FINISH
BK 01	BRICKWORK BIDGE TEXTURE RENDER FINISH
CO 01	IN STU CONCRETE
S 01	STEEL COLUMN CHAMPAGNE POWDERCOAT FINISH

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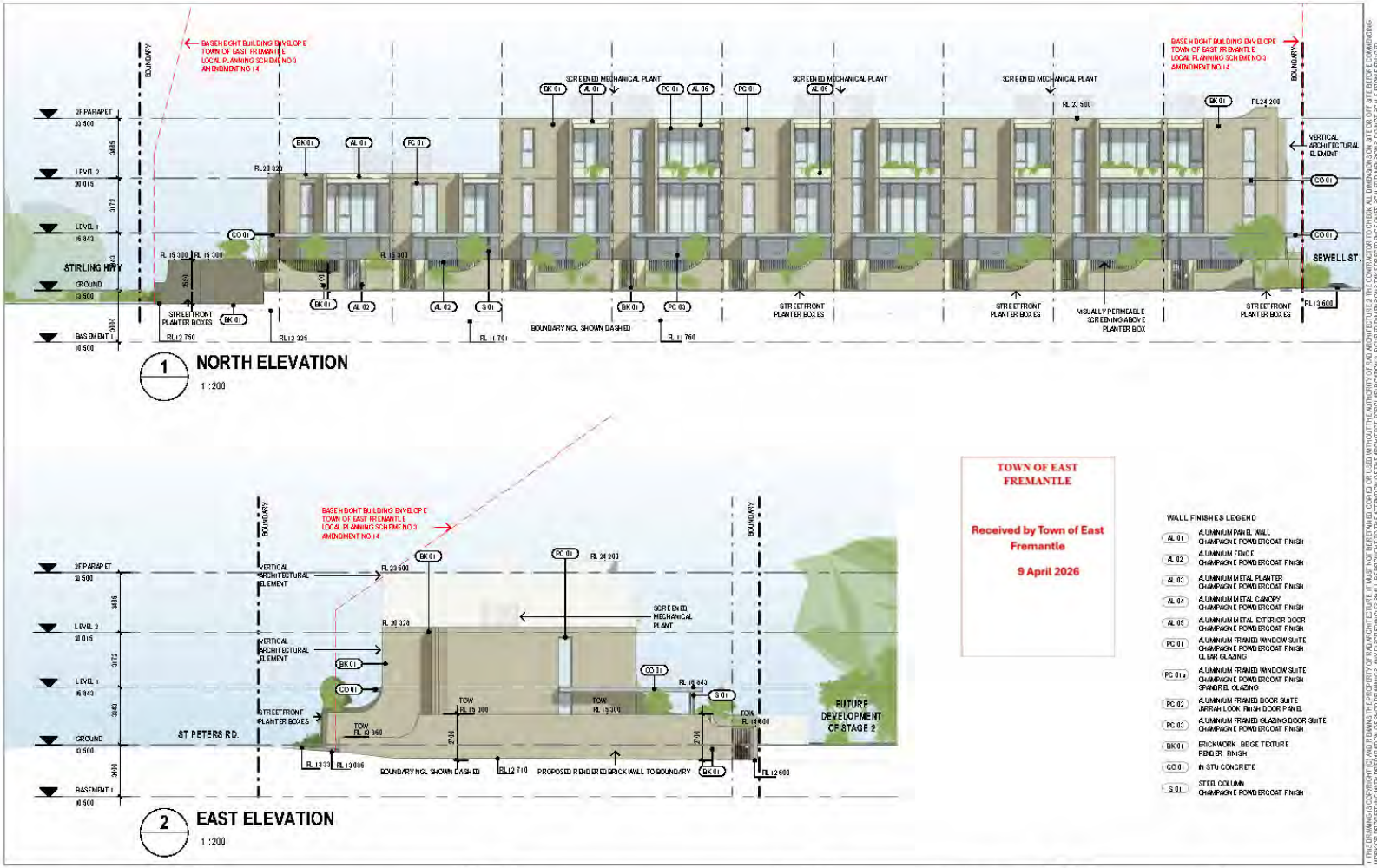
RAD architecture

PROJECT NAME: TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	DRAWING NAME: ELEVATIONS - WEST & SOUTH	SCALE 1 : 200 (A3)		
CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA2-01	REV: B
			DRAWN BY	SP

DD/MM/YY	REV	DESCRIPTION	CHECKED
30/01/2026	B	ISSUE FOR DA	
12/12/2025	A	ISSUE FOR REVIEW	



RAD architecture	PROJECT NAME: TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE(STAGE 1)	DRAWING NAME: ELEVATIONS - EAST & NORTH	SCALE 1 : 200 (A3)		
	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA2-02	REV: B
				DRAWN BY	SP

DD/MM/YY	REV	DESCRIPTION	CHECKED
30/01/2026	B	ISSUE FOR DA	
12/12/2025	A	ISSUE FOR REVIEW	

Material Schedule

Material Keynotes	Description	Image
PC-01	Clear Glazing	
PC-01s	Spandrel Glazing	
PC-02	Aluminum Framed Door Suite - Jarrah Look Finish Door Panel	
PC-03	Aluminum Framed Door Suite - Champagne Powercoat Finish	
BK-01	Backwall - Beige Texture Reader Finish	
CO-01	In-Situ Concrete	

TOWN OF EAST FREMANTLE

Received by Town of East Fremantle

9 April 2026

Material Schedule

Material Keynotes	Description	Image
AL-01	Aluminum Panel Wall - Champagne Powercoat Finish	
AL-02	Aluminum Fence - Champagne Powercoat Finish	
AL-03	Aluminum Metal Planer - Champagne Powercoat Finish	
AL-04	Aluminum Metal Canopy - Champagne Powercoat Finish	
AL-05	Aluminum Metal Exterior Door - Champagne Powercoat Finish	

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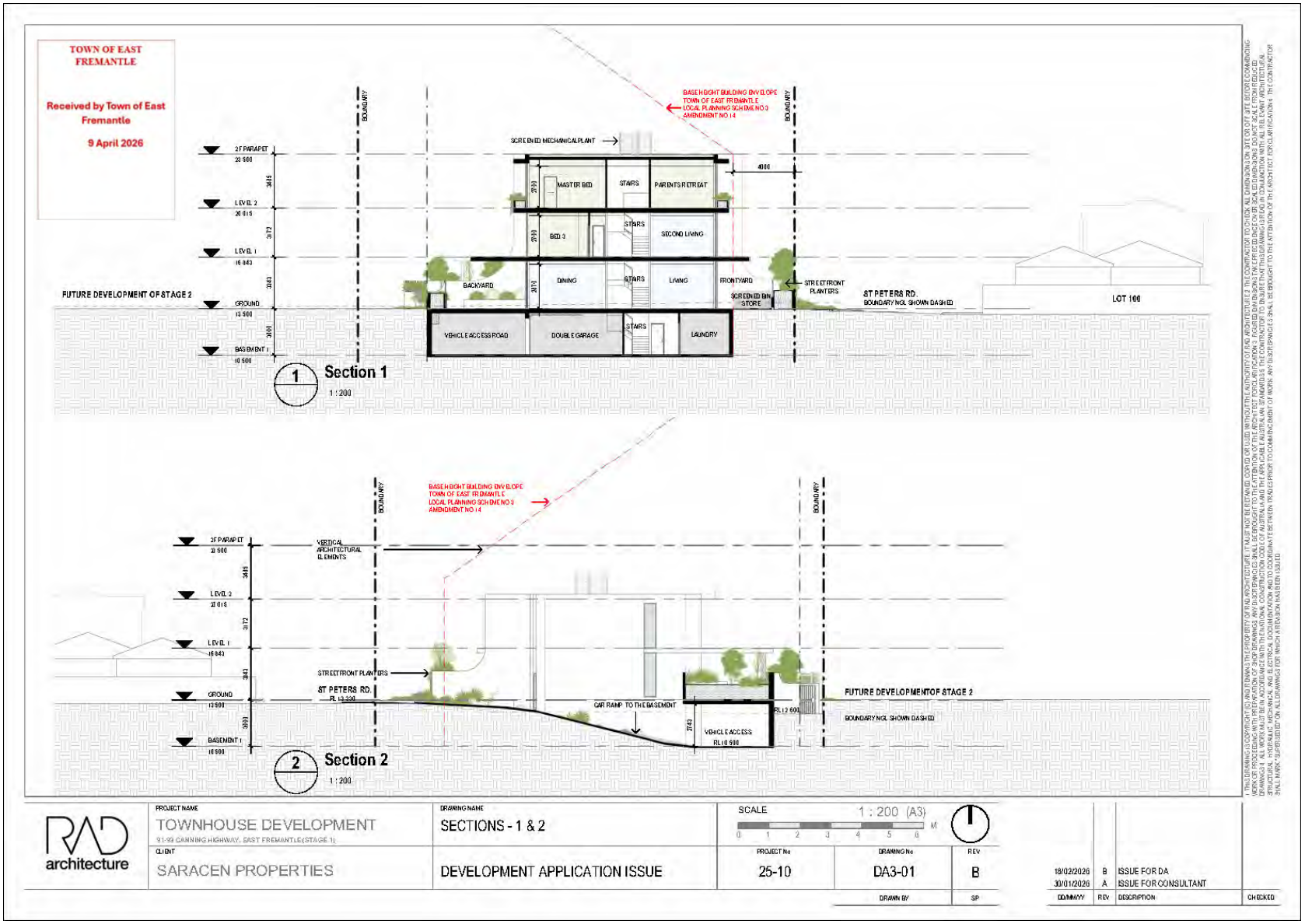
RAD architecture	PROJECT NAME: TOWNHOUSE DEVELOPMENT (91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1))	DRAWING NAME: MATERIAL PALETTE	SCALE (A3)				
	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA2-03	REV: B	18/02/2026 B ISSUE FOR DA 30/01/2026 A ISSUE FOR CONSULTANT	
				DRAWN BY: SP		DD/MM/YY REV DESCRIPTION	CHECKED


TOWN OF EAST FREMANTLE
Received by Town of East Fremantle
9 April 2026
BASE HEIGHT BUILDING ENVELOPE
TOWN OF EAST FREMANTLE
LOCAL PLANNING SCHEME NO 3
AMENDMENT NO 14
SCREENED MECHANICAL PLANT
2F PARAPET
LEVEL 2
LEVEL 1
GROUND
BASEMENT 1
MASTER BED
STAIRS
PARENTS RETREAT
BED 3
SECOND LIVING
BACKYARD
DINING
LIVING
FRONTYARD
STREETFRONT PLANTERS
SCREENED BIN STORE
VEHICLE ACCESS ROAD
DOUBLE GARAGE
LAUNDRY
FUTURE DEVELOPMENT OF STAGE 2
ST PETERS RD.
BOUNDARY NGL SHOWN DASHED
LOT 100
BOUNDARY
1 Section 1
1 : 200
VERTICAL ARCHITECTURAL ELEMENTS
CAR RAMP TO THE BASEMENT
VEHICLE ACCESS
2 Section 2
1 : 200
RAD architecture
PROJECT NAME
TOWNHOUSE DEVELOPMENT
91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)
CLIENT
SARACEN PROPERTIES
DRAWING NAME
SECTIONS - 1 & 2
DEVELOPMENT APPLICATION ISSUE
SCALE
1 : 200 (A3)
PROJECT No
25-10
DRAWING No
DA3-01
REV
B
DRAWN BY
SP
18/02/2026 B ISSUE FOR DA
30/01/2026 A ISSUE FOR CONSULTANT
DD/MM/YY REV DESCRIPTION CHECKED

ELEVATION PERSPECTIVE FROM ST PETERS ROAD

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RAD architecture

PROJECT NAME	DRAWING NAME	SCALE (A3) M		
TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	RENDERS-PAGE 1			
CLIENT		PROJECT No	DRAWING No	REV
SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	25-10	DA4-01	B
			DRAWN BY	SP

DD/MM/YY	REV	DESCRIPTION	CHECKED
18/02/2026	B	ISSUE FOR DA	
09/02/2026	A	ISSUE FOR REVIEW	

ELEVATION PERSPECTIVE FROM ST PETERS ROAD (ADJACENT TO SEWELL STREET INTERSECTION)

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RAD architecture

PROJECT NAME	DRAWING NAME	SCALE (A3)		
TOWNHOUSE DEVELOPMENT 91-99 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	RENDERS-PAGE 2	M		
CLIENT		PROJECT No	DRAWING No	REV
SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	25-10	DA4-02	B
			DRAWN BY	SP

DD/MM/YY	REV	DESCRIPTION	CHECKED
18/02/2026	B	ISSUE FOR DA	
09/02/2026	A	ISSUE FOR REVIEW	

ELEVATION PERSPECTIVE FROM ST PETERS ROAD (ADJACENT TO KING STREET INTERSECTION)

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RAD architecture

PROJECT NAME	DRAWING NAME	SCALE (A3) M		
TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	RENDERS-PAGE 3			
CLIENT		PROJECT No	DRAWING No	REV
SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	25-10	DA4-03	B
			DRAWN BY	SP

DD/MM/YY	REV	DESCRIPTION	CHECKED
18/02/2026	B	ISSUE FOR DA	
09/02/2026	A	ISSUE FOR REVIEW	

ELEVATION PERSPECTIVE FROM FUTURE STAGE 2 PUBLIC OPEN SPACE

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RAD architecture	PROJECT NAME TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	DRAWING NAME RENDERS-PAGE 4	SCALE (A3) M					
	CLIENT SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No 25-10	DRAWING No DA4-04	REV B	18/02/2026	B	ISSUE FOR DA
						09/02/2026	A	ISSUE FOR REVIEW
				DRAWN BY	SP	DD/MM/YY	REV	DESCRIPTION / CHECKED

ELEVATION PERSPECTIVE FROM SEWELL STREET

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RAD architecture	PROJECT NAME: TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	DRAWING NAME: RENDERS-PAGE 5	SCALE (A3) M		
	CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10	DRAWING No: DA4-05	REV: B
				DRAWN BY	SP

DD/MM/YY	REV	DESCRIPTION	CHECKED
18/02/2026	B	ISSUE FOR DA	
09/02/2026	A	ISSUE FOR REVIEW	

DEVELOPMENT SUMMARY - STAGE 1

		TYPE	TYPE DESCRIPTION	SITE AREA (m^2)*	PLOT RATIO AREA(m^2)	PLOT RATIO
STAGE 1	TOWNHOUSE 01	TYPE A1	3F+BASEMENT	1573	241	
	TOWNHOUSE 02	TYPE B	3F+BASEMENT		232	
	TOWNHOUSE 03	TYPE B	3F+BASEMENT		232	
	TOWNHOUSE 04	TYPE A2	3F+BASEMENT		238	
	TOWNHOUSE 05	TYPE B	3F+BASEMENT		232	
	TOWNHOUSE 06	TYPE B	3F+BASEMENT		232	
	TOWNHOUSE 07	TYPE A2	3F+BASEMENT		238	
	TOWNHOUSE 08	TYPE C1	2F+BASEMENT		161	
	TOWNHOUSE 09	TYPE C2	2F+BASEMENT		161	
					1967	
STAGE 2	FUTURE DEVELOPMENT (STAGE 2)			**2272.9**	**9569.5**	
COMBINED				**3845.9**	**11536.5**	**3. 0**

*SITE AREA: THE TOTAL SITE AREA INCLUDES ROAD WIDENING FOR PLOT RATIO CALCULATION PURPOSES.

TOWN OF EAST FREMANTLE

Received by Town of East Fremantle

9 April 2026

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RAD architecture

PROJECT NAME	DRAWING NAME	SCALE (A3)
TOWNHOUSE DEVELOPMENT 91-93 CANNING HIGHWAY, EAST FREMANTLE (STAGE 1)	DEVELOPMENT SUMMARY - PLOT RATIO	M
CLIENT: SARACEN PROPERTIES	DEVELOPMENT APPLICATION ISSUE	PROJECT No: 25-10 · DRAWING No: DA5-01 · REV: B
		DRAWN BY: SP

SUMMARY	REV	DESCRIPTION	CHECKED
18/02/2026	B	ISSUE FOR DA	
09/02/2026	A	ISSUE FOR REVIEW	

Attachment 4 – Schedule of Submissions

Development Application Advertised 28 April to 26 May 2026

No.	Submission	Officer Response
1.	<u>The design of the townhouses is not in keeping with the Plympton Precinct</u> The design and visual aesthetics of the nine townhouses do not currently reflect any alignment, look/feel or sympathy for the historic Plympton ward, East Fremantle - these townhouses visually compromise the area, and would also benefit from a greater setback and more planting within the street setback area. Although the architect's drawings include a series of photographs of the materials and design features from neighbouring streets, the subsequent drawings in my opinion are not in keeping with our proud heritage area. Modern curves, a monochrome colour palette and concrete on mass are <u>not</u> part of the Plympton ward. The developer/architect would do well to draw inspiration from the Tradewinds Hotel next to the site, with this beautiful heritage building (with more modern recent additions) setting the tone for the look/feel of East Fremantle's Plympton ward from Canning Hwy. Any insistence by the Town of East Fremantle (ToEF) and the Planning Commission to ensure the developer rethinks the visual presentation of this development so that it is more in keeping with the area is greatly appreciated. <u>Demolition of the heritage house on Lot 432 should be excluded.</u>	<u>The design of the townhouses is not in keeping with the Plympton Precinct</u> Comments noted. Supported for the following reasons. • Proposal fails to demonstrate a clear, context-responsive design aligned with SPP 7.0. • Poor integration with the Plympton precinct's heritage character and scale. • Excessive bulk, height, and weak transitions; inadequate response to surrounding scale of surrounding properties. • Landscaping, amenity, and sustainability outcomes are underdeveloped. • Lacks a comprehensive master plan for the broader site. • Has some merit (appropriate typology, reasonable layouts) but requires major redesign. • Not supported in current form; issues are fundamental and cannot be resolved by conditions. • Further detailed comments are provided in the Planning Assessment section of the RAR. <u>Demolition of the heritage house on Lot 419 should not be allowed</u> Comments noted. Not supported for the following reasons. • Subject properties are not heritage listed and are located outside a designated heritage area; reclassified as Category C under the 2014/15 review of the Local Heritage Survey (limited significance, preference only for retention). • Previous heritage impact assessments identified poor condition and reduced heritage value. • Heritage Council indicated no objection to Amendment 14 (on the understanding that demolition was proposed) nor was there any requirement for retention under the WAPC approval for a multi-storey mixed use development which proposed demolition. • Statutory approvals (Amendment 14 and WAPC) did not require retention, only a photographic record prior to demolition.

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	I wish to voice my concern at the intent of the developer to demolish the heritage house on the site (Lot 432) at 93 Canning Hwy, facing onto Canning Hwy) as part of Stage 1 of this project. This house has been acknowledged to hold cultural heritage significance by the ToEF, and the home is also listed on InHerit. Although the home is not listed on the State Heritage Register (Class C), my bricklayer who is a member and volunteer at the East Fremantle Football Club, tells me the home has a connection to the Club. He tells me the home was the original administration office and social club for the East Fremantle Football Club from the time back to when the ground opened in East Fremantle in 1953. This cultural connection to one of WA's oldest football clubs and the East Fremantle community more broadly is significant, and presents an opportunity to celebrate our cultural identity as part of any future redevelopment. East Fremantle residents living in the Plympton precinct are very proud to showcase one of Western Australia's most intact historic working-class areas, largely developed between the 1890 -1910 gold-rush era, with the majority of properties falling within a protected local heritage area. With homes in the Plympton ward specifically categorised under the Town's Planning Scheme, owners are not permitted to change the façade of their homes in order to conserve these historical streetscapes – and I do not believe there is a compelling reason why this home should be an exception. 93 Canning Hwy is in this precinct, and this home has been a familiar reference point for all who travel through the Canning Hwy/Stirling Hwy intersection. Indeed, this home (once restored and incorporated into any future Stage 2 development) has the potential to act as a gateway into the Plympton precinct, showcasing the	• Additional historical associations with Roy Corbett and EFFC are noted but were not identified in earlier assessments and are not considered to warrant reassessment or retention. • Reassessment for inclusion in the Heritage List under LPS 3 is not supported, noting Plympton is not a designated heritage area. • The road widening requirements shown on the applicant's plans for the intersection indicate that, should widening be required, it would encroach into the front portion of the existing dwelling and result in a direct impact on that part of the property. • Retention is not considered necessary; however, a photographic archival record is recommended, with potential for interpretive or design measures to acknowledge the site's history. <u>There is more than one significant tree the developers want to remove</u> Comments noted. Supported for the following reasons. • Trees outside the Stage 1 development area should be retained, as their removal is unnecessary for Stage 1 to proceed. • Removing them would result in premature loss of established canopy, despite no confirmed need tied to Stage 2. • Stage 2 is uncertain and conceptual, so tree removal based on a speculative future design is unjustified. • Retaining the trees preserves flexibility, as future designs may allow their integration. • Established trees provide significant environmental benefits (cooling, habitat, amenity) that cannot be quickly replaced. • Therefore, all existing trees outside the Stage 1 footprint should be kept, with their protection secured through a development approval condition and reflected in building permit plans. <u>Visitor Parking</u> Comments noted. Supported for the following reasons. • No visitor parking proposed, despite 2 bays required under R-Codes. • Area has significant, long standing on-street parking pressure due to limited historic provision and rising car ownership. • Lack of visitor parking would worsen congestion, amenity, and safety issues.

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	heritage of our area to passers-by waiting at the busy Canning Hwy/Stirling Hwy intersection, inviting them to come and discover our special heritage pocket and shopping precinct on George Street. Perhaps the home's facade and internal walls could form part of a cafe at the bottom of the future 'Stage 2' development – this is an opportunity to celebrate East Fremantle's heritage and integrate local East Fremantle stories into what would otherwise be another 'boring' apartment building. People who live in apartments also want to be connected to the heritage of the area in which they live. This heritage connection is an opportunity for this building to have a point of difference to other infill apartment buildings along Canning Hwy. I encourage the owners/developers/architects of this project to 'flip their thinking' about this little house - rather than consider this building to be worthless and only good for demolition, the community (and future apartment owners) will appreciate a building which values its heritage and tells the story of how the area has evolved, and their place within it. <u>There is more than one significant tree the developers want to remove</u> There are a number of established trees that are going to be removed as part of this development. The developers only intend to keeping the Moreton Bay Fig tree (which won't impact Stage 1 of the project), but there are at least 10 established, beautiful and significant gum trees on Lot 423 alone (with others on lots 419, overlooking 418) which are going to be removed as part of Stage 1. The development application alludes to 'replanting some' those trees in the communal area between the two intended staged developments, but then there's no further	• On-street bays cannot be relied on for exclusive use as they are shared with nearby businesses (e.g. Tradewinds Hotel and adjacent commercial tenancy). • On-site visitor parking is considered necessary and reasonable. • Condition recommended to enforce compliance if the application is approved. <u>Traffic from development and on King Street</u> Comments noted. Supported in part for the following reasons. • Applicant has not indicated vehicle access for Stage 2 would be through basement parking area. • Access arrangements for Stage 2 would be referred to Main Roads WA . • A Stage 2 development application would be subject to a Traffic Impact Assessment. • The applicant's Traffic Impact Assessment concludes that the development will generate low traffic volumes (7 vehicles AM peak, 8 vehicles PM peak, 74 daily trips). • The site is well supported by public transport, and provides adequate resident parking and safe access. Overall, it is not expected to negatively impact traffic operations or road safety. • While the applicant's assessment indicates low traffic generation and no significant impact on traffic operations or safety, supporting documentation should adopt a whole-of-site approach. • Stage 2 access arrangements are unclear and will require referral to Main Roads WA. A condition is recommended for a comprehensive Traffic Impact Assessment prior to building permit stage, addressing cumulative impacts of both Stage 1 and future Stage 2 development. • Broader traffic management for the Plympton precinct is outside the scope of this application. Findings from cumulative assessments and the Town's road safety program will inform any required upgrades or traffic measures, subject to further planning and funding. • An overall traffic management review of the Plympton precinct does not form part of this development proposal and is not being considered as part of the current application. Any broader traffic assessment for the precinct would need to be undertaken independently of this proposal.

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	mention of this in any other architectural or landscaping paperwork provided for comment. This is very concerning, as it appears no forethought as to how these trees can be incorporated into the project has been considered. There also appears to be minimal plantings along St Peter's Road for this development (townhouse facades). There is very little green space left in East Fremantle, and any stipulation by the Planning Commission and the Town of East Fremantle to ensure that the developer integrates/keeps/maintains/re-plants the maximum number of existing trees across all lots is appreciated. This will help reduce noise and support the existing wildlife in the area. <u>Visitor Parking and speed will be an issue for all adjacent streets</u> These nine townhouses include an 18 basement car park for owners (two each), though no visitor bays - which means visitor parking on the street will contribute to the already clogged streets of Plympton. This is unacceptable for the community. Parking is already at a premium in the area and traffic is getting worse at the intersection of King Street and Saint Peter's Road, with several 'near misses' occurring between pedestrians and cars in light of increased traffic and speed by 'non-locals' due to the Fremantle bridge closure. Please ensure the development has visitor bays to be used by those in this planned strata development of townhouses. We simply cannot cope with any more cars parked on our streets in the Plympton ward. It is also unclear as to whether the entrance to these underground 18 bays for the townhouses will also be the	<u>Inaccessible Bike Storage</u> Comment noted. Not supported for the following reasons. • Bicycle parking is not required to be provided under the R60 Code for Grouped Dwellings. It is therefore not considered a relevant matter in respect to this application. • Bicycle storage exceeds standard requirements. Residents have the potential to store bikes in multiple locations within the residences and in the front courtyards with access from St Peters Road. • Notwithstanding the provision of the bicycle parking, which is commended, it is therefore not considered a relevant matter in respect to this application. <u>Access to dual-use pathway</u> Comment noted. • The dual-use pathway along Stirling Highway, including connections across Canning Highway to the river, is located outside the Stage 1 development site. As such, it is not part of the current development proposal and will remain unchanged. <u>Integrity</u> Comments noted. • The matters raised are not considered planning considerations in respect to this application. • The matters raised in regard to future development impacts on views are not considered planning considerations in respect to this application. • Should the DAP be of the view to support the application conditions of approval are recommended.

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	entrance for parking for what will eventuate as Stage 2 by the developers. I wish to clearly state outright that there is NO WAY St Peter's Road can cope with parking bays for an apartment tower. This has become evident in light of the increased traffic, increased safety risks and great vehicle/pedestrian interactions along St Peter's Road with the closure of Fremantle Bridge. As such it is greatly appreciated that the Planning Commission and the Town of East Fremantle makes clear to the developers now at Stage 1 of this development that St Peter's Road can only service traffic for the townhouses and their visitors, <u>not</u> any future Stage 2 development. Car parking for any Stage 2 development must be on Canning Hwy or the very northern end of Sewell Street. King Street is already taking the load of the traffic in Plympton over Sewell Street, with its one-way access near the Trade Winds hotel, and Stage 1 of this development adds to the pressure of traffic already impacting King Street. An overall traffic management review of the Plympton Ward is long overdue by the ToEF to address this issue as well as local speed, and in the opinion of residents to whom I have spoken, traffic should be spread across the Plympton ward, not just King and East Streets taking the majority of the load of north-south traffic. It is difficult to get out of your driveway on King Street currently, given the increased traffic and speed of cars due to the Fremantle bridge closure and the incline of King Street at the northern end of the street (near this development). These townhouses will contribute to traffic	

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	volume, parking, load and noise for the surrounding area and it is imperative that the ToEF considers and implements measures to mitigate the additional traffic caused from this and Stage 2 of the site's development. <u>The townhouses feature inaccessible bike storage and safe public transport connectivity factors</u> Seven of the nine townhouses have a small area in the basement for bike storage, though it is clear given how small the basement carpark is, that owners won't be able to get their bikes in and out of that space when there is a car parked in the allocated bay - completely defeating the purpose of the bike bay. The basement needs to be big enough to enable cars to easily reverse park into each bay safely, and for bikes to come and go out of their allocated space when a car is parked in front, which doesn't currently appear to be the case. Please ensure the design of these townhouses is fit-for-purpose. It is also not clear in the design as to whether there will be charging facilities available for electric vehicles (and rooftop solar for that matter, though it may not be economical if the townhouses end up predominantly in shadow). Safe access to the northern side of Canning Hwy to the river and Stirling Bridge should also be a consideration for this development, as well as the development underway on the corner of Canning Hwy and East Street, East Fremantle. The closest train station from this site is in fact North Fremantle train station, and although the upgraded intersection at Canning/Stirling Hwy has made a difference, there will be many new residents unable to easily cross Canning Hwy (especially those with prams living on the corner of East Street and Canning Hwy). It would be fantastic if the State Planning Commission	

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	would consider installing a pedestrian tunnel under Canning Hwy to the river, something that both these new developments and the community more generally can access. A tunnel would mean that families using prams can easily and safely access the river (as opposed to a footbridge), and many of our elderly residents living on Riverside Road would also be able to safely get up to the George Street shopping precinct without having to drive (using a buggy/walking frame or walking, depending on their ability). <u>Integrity</u> The development application refers to the 'river views' that the townhouses will have from the top floor northern windows. I have a genuine concerns about this development if the plan is to sell these townhouses using this 'river views' claim, knowing full well that these townhouses will eventually be completely in shadow from an apartment building intended to be built as Stage 2 on the northern side of the lots. Once Stage 2 of the development is complete, these townhouses will likely have very little light entering the primary living spaces, dependent upon the height of Stage 2's development. The northern primary garden space will also predominantly be in shadow, making it very difficult for anything to grow. There have been several concerns raised by Plympton homeowners regarding the actions of developers installing something different to what has been proposed, commented on by the community, and subsequently endorsed by the ToEF Council. I encourage the ToEF to be clear with the Planning Commission as to whether or not the developer of this project has a good track record in	

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	the suburb, and that prior actions by this developer not in keeping with what has been approved by Council be considered and mitigated as part of this development application. <u>In conclusion</u> Change is inevitable, and I look forward to welcoming new residents to our community as part of this development, East Fremantle is a wonderful place to live. I do hope that the Planning Commission and the Town of East Fremantle uses instruments at their disposal to optimise the aesthetic, cultural heritage, sustainability, safety, speed and parking concerns raised in this submission as part of the approval process, in order to preserve the culturally significant heritage we who live in the Plympton ward of East Fremantle are so proud and work so hard to preserve.	
2.	<u>Background</u> The East Fremantle Football Club is proud to have been part of the local community since the creation of the suburb at the turn of the 20th century. When the club started in 1898, *Old Easts* as we were known then, trained and played at Fremantle oval. It wasn't until the newly redeveloped oval in East Fremantle was opened on 25 April 1953 that games were played at our current ground, on the corner of Moss and Marmion Streets. As you can imagine, the facilities at the ground at that time, just after the war, were nothing like they are today. In fact, not only were the player facilities very simple, but there was no infrastructure available for the	Comments noted. Not supported for the following reasons. <u>East Fremantle Football Club Historical Background</u> • The Town notes the additional information provided outlining the role of Roy Corbett's residence in supporting the administrative, social, and fundraising functions of the EFFC during the 1950s and 1960s. This material contributes to an understanding of the site's historical and social associations at a local level. <u>Historical Significance of the Property to EFFC</u> • It is also noted that the historical associations now raised were not identified or submitted by the EFFC or other stakeholders during earlier stages of strategic and statutory planning, including Council's consideration of the previous redevelopment proposal and Amendment 14.

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	Club's administration and social club. To this end, long-time East Fremantle Junior Council representative Roy Corbett stepped in, and obtained a liquor licence at his home in order to facilitate post-game celebrations for all the East Fremantle players, their families and their partners. The Club's administration office was also run out of Roy's home, with a sign in the front yard clearly stating to all passing traffic on Canning Highway *'East Fremantle Football Club Administration and Social Club'*. Roy Corbett's home, where our proud Club gathered for more than a decade, was 93 Canning Hwy East Fremantle. I write to you to ensure the Town of East Fremantle and the State Planning Commission is made aware of the significance of this Plympton house to our Club's history when considering the above development application as it has been slated for demolition. Roy Corbett went on to become the President of our Club, serving in the role from 1956 to 1959, all the while continuing to run the administration and the social club out of his home. Roy rose to prominence as a dedicated senior administrator, founding the East Fremantle under-16s in 1952. He joined the EFFC Committee in 1953 when we moved to our East Fremantle ground and was Vice President of the Junior Council from 1954-1955. On top of this, Roy is most celebrated at the club for his strategic acumen, where in 1957 he recruited prominent South Fremantle footballer Steve Marsh which resulted in a Premiership victory for East Fremantle that year, following a long drought. 1957 was a busy year for Roy, because he	<u>Cultural Heritage Value of the Site and opposition to Demolition</u> • The subject property has previously been considered through a formal heritage impact assessment process and this information was not included in the relevant heritage criteria, including historical, social, and associative values outlined in the Place Record form. • Retention is not considered necessary; however, a photographic archival record is recommended, with potential for interpretive or design measures to acknowledge the site's history, subject to qualified evidence. • The road widening requirements, shown on the applicant's plans, for the intersection indicate that, should widening be required, it would encroach into the front portion of the existing dwelling and result in a direct impact on that part of the property. • On this basis, the Town considers there is no current statutory basis to require retention of the building or its façade.

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	also oversaw the formalisation of the paperwork to create EFFC Social Club, realising this was a necessary step ahead of formally obtaining a liquor licence[1]. He also founded with his friend and colleague Alan Trott, the East Fremantle Football Club's *Businessman's Association*[2] and the *100 Club*, a body of 100 supporters dedicated to the task of raising money[3]. It wasn't until 1965 that the amalgamation of the EFFC and the EFFC Social Club was proposed, once facilities at the ground made this possible[4]. <u>Recognition of the significance of 93 Canning Hwy East Fremantle</u> The home has cultural heritage significance not only as a demonstration of the establishment of the suburb of East Fremantle in the early 20th century[5], but it has a significant cultural connection to the establishment of the East Fremantle Football Club at its new ground close by in 1953. The place was the administration and hub of the Club's social and fundraising activities throughout the 1950's and 1960's. Many members of our *Past Players and Officials Association* fondly remember attending post-match events, fundraising planning sessions or administrative strategy meetings at the house. <u>Opportunity to celebrate the EFFC's connection as part of a future development</u> The East Fremantle Football Club would welcome the opportunity to engage with the	

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	owners/developers/architects of the property to celebrate this cultural connection to our Club and the broader East Fremantle community, as they turn their minds to 'Stage 2' of the development. This would mean however that the façade/front portion of the property facing Canning Highway is not demolished as part of 'Stage 1'. The opportunity to incorporate the façade of the house and tell the story of its connection to the EFFC as part of any 'Stage 2' future development at the site is something the EFFC would be happy to collaborate on. Indeed, the façade of the house could provide a point of difference for future apartment owners, connecting new residents to our historic, local club and the East Fremantle community more broadly. We would encourage those living in the apartments to appreciate the unique heritage architecture of the Plympton ward, join our club, celebrate our local traditions, connect with our member base and enjoy the fantastic new facilities at Good Grocer Park.	
3.	I write as a directly affected nearby resident to the proposed development at the corner of King Street and St Peters Road, East Fremantle. I would like to acknowledge that the current proposal is a significant improvement on earlier concepts that were previously discussed for the site. Earlier proposals of approximately 4 - 6 storeys along the St Peters Road raised significant concerns regarding scale and neighbourhood character. In comparison, the revised proposal for predominantly 2 - 3 storey townhouses is a	Comments noted. Supported in part for the following reasons. <u>Basement Vehicle Access, Noise and Headlight Impacts</u> • Concern for headlight glare acknowledged. Potential amenity impacts from basement ramp headlights can be mitigated through design measures (e.g., screening, ramp design, landscaping). A detailed lighting assessment is recommended at building permit stage, with conditions to ensure compliance. • Potential noise impacts from plant equipment and basement operations are considered addressed through recommended conditions of approval.

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	more moderate and responsive design. The proposal has several positive aspects, including the reduced scale, the stepped building form, the 4 metre setback along St Peters Road, the inclusion of substantial landscaping and planter boxes, and the incorporation of sustainability initiatives including solar panels. Notwithstanding these improvements, I remain concerned about impacts on residential amenity and local traffic safety, particularly those associated with the proposed basement vehicle access. Basement Vehicle Access: My primary concern relates to the proposed underground car park access and the likely impact of vehicle headlights shining directly toward homes opposite the development, including bedroom windows within our home. As vehicles ascend and exit the basement ramp onto St Peters Road, headlights are likely to project directly across the street toward existing residences, particularly during evening and early morning hours. Due to the position of our home opposite the access point, this will create regular light intrusion into my children's bedrooms. While vehicle access is necessary for the development, I believe additional mitigation measures should be required as part of any approval to minimise impacts on surrounding residents. I request that the DAP require consideration of specific design responses including, for example: • installation of opaque or louvred screening above the ramp exit; • increased landscaping or deep planting adjacent to the	• The intersection of Sewell Street and St Peters Road is being assessed as part of the Town's broader "Low Cost Urban Road Safety Program", which prioritises improvements across the network. <u>Privacy and Overlooking Controls</u> • There are no visual privacy issues in relation to overlooking St Peters Road and the neighbouring properties to the south of St Peters Road. Visual privacy concerns are not relevant in the front setback area of the proposed development. • There are no balconies on the upper storey of the proposed terrace houses only windows from bedrooms and lounge areas. The required visual privacy setback to bedrooms is 3m and the required visual privacy setback to habitable rooms other than bedrooms is 4.5m in accordance with the Residential Design Codes - Vol 1 - Part C deemed to comply clause 3.10 C3.10.1. From the windows to the street these setback distances are achieved. <u>Traffic Safety and Intersection Management</u> • While the applicant's assessment indicates low traffic generation and no significant impact on traffic operations or safety, supporting documentation should adopt a whole-of-site approach. • Broader traffic management for the Plympton precinct is outside the scope of this application. Findings from cumulative assessments and the Town's road safety program will inform any required upgrades or traffic measures, subject to further planning and funding. <u>Cumulative Impacts of Future Development (Stage 2)</u> • Stage 2 access arrangements are unclear and will require referral to Main Roads WA. A condition is recommended for a comprehensive Traffic Impact Assessment prior to building permit stage, addressing cumulative impacts of both Stage 1 and future Stage 2 development. <u>Parking and Streetscape Impacts</u> • The proposal lacks a clear, context-responsive design aligned with SPP 7.0 and does not integrate well with the Plympton precinct's heritage character and scale. • Landscaping, amenity, and sustainability considerations are insufficiently developed, and there is no comprehensive master plan for the broader site.

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	basement access; • ramp wall treatments designed to deflect or contain headlight glare; • low-level, sensor-controlled lighting rather than permanently illuminated lighting; • consideration of ramp angles to minimise direct light projection toward surrounding homes; and • preparation of a lighting spill and residential amenity assessment prior to final approval. In addition to headlight impacts, basement access areas can generate concentrated noise impacts associated with vehicle acceleration, tyre noise, garage door operation and reverberation within enclosed ramp areas, particularly at night-time. Accordingly, I also request that acoustic mitigation measures be considered, including: • acoustic treatment to basement ramp walls and ceilings; • low-noise garage door systems; • acoustic screening adjacent to the ramp exit; and • appropriate management of mechanical ventilation and service equipment associated with the basement. Privacy and overlooking: I acknowledge that the landscaping treatment on the St Peters road balconies reduces the potential impacts of overlooking and other privacy concerns, can the development controls please ensure that balconies facing St Peters Road remain non-habitable landscape elements, with limits on any future balcony modifications. Traffic Safety and Intersection Management: A further significant concern relates to traffic safety at the intersection of King Street and St Peters Road. This intersection already experiences frequent near misses under existing traffic conditions. Additional vehicle	<u>Construction Management Impacts</u> • Conditions addressing construction and construction parking and traffic management impacts is recommended.

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	movements associated with the proposed development, together with future Stage 2 development, are likely to further increase traffic volumes. I ask that traffic impacts should be considered cumulatively, rather than solely in relation to the initial Stage 1 proposal and that the DAP require further investigation of traffic management and intersection safety measures, including consideration of: • conversion of the King Street / St Peters Road intersection into a roundabout or mini-roundabout; • raised intersection treatments or other traffic-calming infrastructure; • pedestrian refuge or crossing improvements; • speed reduction measures; • review of any on-street parking arrangements near the intersection; and • a cumulative traffic impact assessment incorporating future Stage 2 development potential. Future Development and Cumulative Impacts: While the current Stage 1 proposal is more moderate than earlier concepts, the application identifies future Stage 2 development potential. I remain concerned about the cumulative impacts that future development may have on traffic, parking, neighbourhood character and residential amenity. I respectfully request that approval of Stage 1 not prejudice the detailed future assessment of cumulative impacts associated with later development stages. Parking and Streetscape Impacts: Although the proposal provides basement parking for residents, developments of this nature frequently generate additional on-street parking associated with visitors, deliveries and service	

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	vehicles. Increased parking pressure near intersections can further reduce visibility and contribute to traffic safety issues. I request that consideration be given to potential overflow parking impacts on surrounding streets and whether additional parking management measures may be required. Construction Management: Given the close proximity of surrounding homes to the site, I also request that appropriate construction management conditions be imposed to minimise impacts associated with construction traffic, contractor parking, dust, vibration and noise during the construction period. Because the site is constrained, it should be recognised that construction impacts will be significant for nearby residents for an extended period. Overall, I acknowledge that the revised proposal is a substantial improvement on earlier higher scale concepts and incorporates several positive design elements. However, I request that the DAP carefully consider the unresolved impacts associated with basement vehicle access, traffic safety and cumulative future development before determining the application.	
4.	I wish to voice my concern at the intent of the developer to demolish the heritage house on the site (Lot 432 facing onto Canning Hwy) as part of Stage 1 of this project. This house has been acknowledged as significant by the ToEF and the Heritage Council of WA. There appears to be a significant history to this house through the East Fremantle Football Club. It used to be the meeting place after the matches in the 1950s, I understand, being the nearest place to the ground where there was a liquor licence in place. In view of the	Comments noted. Not supported for the following reasons. <u>Demolition of Heritage House (Lot 419 Canning Highway)</u> • Subject properties are not heritage listed and are located outside a designated heritage area; reclassified as Category C under the 2014/15 review of the Local Heritage Survey (limited significance, preference only for retention). • Previous heritage impact assessments identified poor condition and reduced heritage value. • Heritage Council indicated no objection to Amendment 14 (on the understanding that demolition was proposed) nor was there any requirement for retention under the WAPC approval for a multi-storey mixed use development which proposed demolition.

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	significant development of the East Fremantle Football Club over recent years, it would be really nice to have an historical link nearby. Surely this building could be restored and kept as an historical asset to the area.	• Statutory approvals (Amendment 14 and WAPC) did not require retention, only a photographic record prior to demolition. • Additional historical associations with Roy Corbett and EFFC are noted but were not identified in earlier assessments (i.e. no reference in the Place Record) and are not considered to warrant reassessment or retention. • Reassessment for inclusion in the Heritage List under LPS 3 is not supported, noting Plympton is not a designated heritage area. • Proposed road widening, as indicated on the applicant's plan, at the intersection would potentially impact the front portion of the dwelling. • Retention is not considered necessary; however, a photographic archival record is recommended. <u>Recognition of Heritage Significance</u> • Notwithstanding this, the subject property has previously been considered through a formal heritage impact assessment process, where the Heritage Council had no objection to Amendment 14 proceeding with the knowledge that demolition of the buildings was to occur and similarly the Council and the WAPC did not oppose the demolition of the buildings in the determination of the Significant Development application for the previous multi-storey mixed use development. <u>Historical Association with East Fremantle Football Club</u> • The Town notes the additional information provided outlining the role of Roy Corbett's residence in supporting the administrative, social, and fundraising functions of the EFFC during the 1950s and 1960s. This material contributes to an understanding of the site's historical and social associations at a local level. • It is also noted that the historical associations now raised were not identified or submitted by the EFFC or other stakeholders during earlier stages of strategic and statutory planning, including Council's consideration of the previous development application and Amendment 14 when submissions were invited. These associations are not referenced in the Place Record prepared by the Town's heritage consultant's in 2014/15.
5.	The design is not in keeping with the Plympton. Very modern designs not in keeping with the area.	Comments noted. Supported in part for the following reasons. <u>Architectural Design Not in Keeping with Area Character</u>

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	Demolition of the heritage house on Lot 432 should not be allowed. This is a heritage building and should not be demolished. There is more than one significant tree the developers want to remove. So many trees being removed reduced bird life in the area. Visitor Parking will be an issue for all adjacent streets Parking currently is a nightmare, these buildings never have enough parking and no parking will be allowed in front of these units, causing overflow into King and Sewell streets. Questions about the integrity of the developer. The application refers to the 'river views' that the townhouses will have from the top floor northern windows. I have a genuine concern as to the honesty of the developer to be selling these townhouses using this claim, knowing full well that these townhouses will eventually be completely in shadow from an apartment building intended to be built as Stage 2 on the northern side of the lots. It is 'buyer beware' for anyone wishing to buy these townhouses - they will be cold inside and out (no light in the primary living spaces despite) and in shadow for most of the year, with the northern primary garden space also predominantly in shadow, and very difficult for anything to grow. I am concerned that the developer involved is the same developer as what was proposed for the Old George, nearby on the corner of Duke and George Streets. The water tower/tanks that have been built recently on Duke St look to be much larger than what the ToEF communicated and approved for construction, and I am concerned this is	• The proposal does not demonstrate a clear or context responsive design in line with SPP 7.0 and integrates poorly with the heritage character and scale of the Plympton precinct. It presents excessive bulk and height, with inadequate transitions to surrounding properties. Key elements such as landscaping, amenity, sustainability, and overall master planning are insufficiently developed. <u>Demolition of Heritage House (Lot 432)</u> • The subject property is not heritage listed, sits outside a designated heritage area, and is classified as Category C, indicating limited significance with only a preference for retention. Previous heritage assessments found the buildings in poor condition and supported demolition, consistent with earlier approvals (Amendment 14 and WAPC), which did not require retention beyond photographic recording. • While additional historical associations have been noted, they are not considered sufficient to justify reassessment or heritage listing under LPS 3. Retention is therefore not necessary; however, a photographic archival record is considered appropriate. • Proposed road widening, as indicated on the applicant's plan, at the intersection would potentially impact the front portion of the dwelling <u>Loss of Significant Trees and Impact on Birdlife</u> • Trees outside the Stage 1 development footprint should be retained, as their removal is unnecessary and based on uncertain future (Stage 2) plans. Premature clearing would result in avoidable loss of established canopy and associated environmental benefits, while limiting future design flexibility. All such trees should therefore be protected through conditions of approval and documented in building permit plans or a tree retention plan, as shown in Attachment 8, with further detail provided in the RAR. <u>Visitor Parking and On-Street Parking Pressures</u> • The comments are noted and supported in part, specifically in relation to visitor parking. While the development provides on-site resident parking and is expected to generate relatively low traffic volumes, it is acknowledged that additional demand from visitors may increase pressure on surrounding streets. Accordingly, it is recommended that a condition be applied requiring the preparation of a comprehensive Traffic Impact Assessment at building permit stage, which considers visitor parking demand and the cumulative impacts of future

No.	Submission	Officer Response
	a developer that does what it likes and asks for forgiveness later. For this reason, I ask the ToEF to please reflect on how successful this developer has been from a community perspective and factor in their treatment of conditions when recommending conditions for this proposal. I do not think they can be trusted, and don't have the community's interests at heart.	Stage 2 development, to ensure any potential overflow parking and associated impacts are appropriately managed. <u>Traffic and Parking Impacts on Surrounding Streets</u> • Stage 2 access arrangements are unclear and will require referral to Main Roads WA. A condition is recommended for a comprehensive Traffic Impact Assessment prior to building permit stage, addressing cumulative impacts of both Stage 1 and future Stage 2 development. • While the applicant's assessment indicates low traffic generation and no significant impact on traffic operations or safety, supporting documentation should adopt a whole-of-site approach. • Broader traffic management for the Plympton precinct is outside the scope of this application. Findings from cumulative assessments and the Town's road safety program will inform any required upgrades or traffic measures, subject to further planning and funding. <u>Solar Access and Overshadowing Impacts</u> • Figures 1 and 2 of Schedule 13 (Cl. 5.10.1 - ASR1) establish diagrammatic building envelope controls that regulate overshadowing at a given height. These controls define an angular plane that limits building height and bulk relative to boundaries, ensuring adjoining properties retain reasonable solar access in accordance with the R-Codes. The provisions require development to be appropriately set back or stepped to minimise excessive shadowing, particularly during critical periods such as mid-winter when solar access is most affected. <u>Marketing Claims (River Views and Overshadowing)</u> • Addressed in above response and not considered a relevant planning consideration in respect to this application. <u>Concerns Regarding Developer Conduct and Credibility</u> • The matters raised are not considered planning considerations in respect to this application.
6.	While I understand the need for development and increased housing density, I believe this proposal raises several significant issues relating to neighbourhood character, heritage preservation, environmental impact,	Comments noted. Supported in part for the following reasons. <u>Design and Density Not Consistent with Local Character</u>

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	traffic management, and overall liveability. Firstly, the design of the proposed townhouses is disappointing and does not reflect the established look and feel of Plympton. The development appears generic and out of character with the surrounding streetscape and existing architectural identity of the area. Thoughtful design should complement and enhance the local character, not disregard it. I am also deeply concerned about the apparent intention to demolish the heritage house on Canning Highway as part of a future Stage 2 development involving a proposed 20-storey apartment tower. This heritage building contributes to the history and identity of the area and should not simply be removed. Instead, the façade and architectural features of the existing house could be meaningfully integrated into the tower's design, preserving and celebrating the heritage of the site while still allowing redevelopment to occur. The proposed loss of mature trees is another major concern. It appears that the only tree intended to be retained is the Moreton Bay Fig, while at least ten significant and beautiful gum trees are proposed to be removed as part of the townhouse development. These trees are an important part of the local environment, streetscape, wildlife habitat, and community character. Mature trees take decades to replace, and their removal will have lasting environmental and visual impacts. Traffic and parking impacts also appear to have been inadequately addressed. Although each of the nine townhouses includes two underground car bays, there are	• The proposal does not demonstrate a clear or context responsive design in line with SPP 7.0 and integrates poorly with the heritage character and scale of the Plympton precinct. It presents excessive bulk and height, with inadequate transitions to surrounding properties. Key elements such as landscaping, amenity, sustainability, and overall master planning are insufficiently developed. • The proposed density of development is considered to align with the recommendations of the Local Planning Strategy and the Mixed Use zone. <u>Demolition and Retention of Heritage House</u> • The subject sites are not heritage listed nor located within a heritage area, and were reclassified from Category B to Category C in the Local Heritage Survey (2014/15), indicating only some local significance and a preference, rather than a requirement, for retention. • Earlier heritage assessments identified the buildings as being in poor condition, with diminished heritage value due to surrounding development. Both the Heritage Council and Council previously raised no objection to demolition through Amendment 14 (despite knowledge of proposed demolition) and the Significant Development application, and the WAPC approval did not require retention, only a photographic record prior to demolition. • Proposed road widening, as indicated on the applicant's plan, at the intersection would potentially impact the front portion of the dwelling • Accordingly, retention or further reassessment is not considered necessary; however, a condition is recommended requiring a photographic archival record prior to demolition. <u>Tree Removal and Environmental Impacts</u> • The removal of trees outside the Stage 1 development area is considered unnecessary and unjustified, particularly given the uncertainty of any future Stage 2 development. Retention of these trees will avoid the premature loss of established canopy, preserve environmental benefits such as cooling, habitat, and amenity, and maintain flexibility for future design outcomes that may incorporate them. • Accordingly, it is recommended that all trees outside the Stage 1 footprint be retained, with their protection secured through a condition of development approval and clearly identified in building permit documentation and/or a tree retention plan, as referenced in Attachment 8. <u>Traffic and Parking Impacts (Including Visitor Parking)</u>

No.	Submission	Officer Response
	no visitor parking bays proposed whatsoever. This will inevitably place additional pressure on already congested local streets. Furthermore, the Town must carefully review traffic management and vehicle flow impacts associated with this and future developments, as Plympton streets will bear much of the increased traffic generated by both the townhouse project and the proposed future tower development. In addition, the practicality of the bicycle parking provision is questionable. Seven of the nine townhouses include bicycle bays located behind parked cars in the underground garage. Based on the plans, it does not appear realistic or functional for residents to easily access or remove bicycles when vehicles are parked in front of them. This undermines the purpose of encouraging alternative transport options. Finally, I am concerned about the long-term amenity impacts of the future apartment tower on the townhouse development itself. Once a 20-storey tower is constructed on Canning Highway, it is likely these townhouses will sit predominantly in shadow for large portions of the day, significantly reducing natural light and impacting the liveability of the development and surrounding area. I respectfully ask the Council to carefully reconsider these aspects of the proposal and ensure that any development appropriately balances increased density with heritage preservation, environmental protection, traffic management, and the character and liveability of Plympton.	• The comments are noted. While vehicle access arrangements for a potential Stage 2 development have not yet been confirmed and would require referral to Main Roads WA, it is recommended that a condition of approval require the preparation of a comprehensive Traffic Impact Assessment prior to the building permit stage. • This assessment should adopt a whole-of-site approach, addressing both the current proposal and the cumulative impacts of future development. • The applicant's assessment indicates that traffic generation will be relatively low and, given the site's access to public transport and adequate on-site resident parking provision, the development is not expected to adversely affect traffic operations or road safety. • Broader traffic management issues for the Plympton precinct fall outside the scope of this application and would be considered separately, with any identified upgrades or mitigation measures informed by further assessment and implemented through the Town's capital works and road safety programs, subject to funding and prioritisation. • Visitor parking should be provided in accordance with R-Codes requirements. A condition addressing this matter is recommended. <u>Bicycle Parking</u> • The provision of the bicycle parking is commended, however it is not considered a relevant matter in respect to this application as bicycle parking is not a requirement under the R60 provisions of the R-Codes. • There are numerous places for bicycles to be stored, including the front courtyard areas with access from St Peters Road. <u>Future Stage 2 Development and Overshadowing Impacts</u> • Figures 1 and 2 in Schedule 13 (Cl. 5.10.1 - ASR1) provide diagrammatic building envelope controls within which a building must be constructed. The controls regulate the extent of overshadowing generated by development at a specific height. • The figures outline a building envelope or angular plane that limits building height and bulk relative to boundaries, ensuring that overshadowing of adjoining properties is minimised and reasonable solar access is maintained according to the requirements of the R-Codes. • In practice, these figures illustrate how development must be set back or "stepped away" to prevent excessive shadowing, particularly during critical times such as mid-winter, when solar access is most affected.

No.	Submission	Officer Response
7.	I understand the need for additional housing and urban development, however I have several concerns about this proposal and its impact on the character, environment and liveability of Plympton. The townhouse design feels out of place within the existing streetscape and lacks consideration for the established character of the area. Developments of this scale should complement the surrounding neighbourhood rather than appear disconnected from it. The future removal of the heritage property on Canning Highway as part of the proposed Stage 2 tower development is also very concerning. This building contributes to the identity and history of the area and should be retained or meaningfully incorporated into any future design rather than demolished entirely. The planned removal of numerous mature gum trees is another significant issue. These trees provide environmental value, visual appeal and habitat for wildlife and their loss will noticeably change the character of the area for many years to come. Traffic and parking impacts also appear to be underestimated. While resident parking has been included, there is no visitor parking provided which will place additional strain on nearby streets. I also question the practicality of the proposed bicycle storage arrangements, as several bicycle bays appear difficult to access once vehicles are parked in the garage.	Comments noted. Supported in part for the following reasons. <u>Design and Density Not Consistent with Local Character</u> • The proposal does not demonstrate a clear or context responsive design in line with SPP 7.0 and integrates poorly with the heritage character and scale of the Plympton precinct. It presents excessive bulk and height, with inadequate transitions to surrounding properties. Key elements such as landscaping, amenity, sustainability, and overall master planning are insufficiently developed. • The proposed density of development is considered to align with the recommendations of the Local Planning Strategy and the Mixed Use zone. <u>Demolition and Retention of Heritage House</u> • The subject sites are not heritage listed nor located within a heritage area, and were reclassified from Category B to Category C in the Local Heritage Survey (2014/15), indicating only some local significance and a preference, rather than a requirement, for retention. • Earlier heritage assessments identified the buildings as being in poor condition, with diminished heritage value due to surrounding development. • Both the Heritage Council and Council previously raised no objection to demolition through Amendment 14 (with knowledge of proposed demolition) and the Significant Development application, and the WAPC approval did not require retention, only a photographic record prior to demolition. • Proposed road widening, as indicated on the applicant's plan, at the intersection would potentially impact the front portion of the dwelling. • Accordingly, retention or further reassessment is not considered necessary; however, a condition is recommended requiring a photographic record prior to demolition. <u>Tree Removal and Environmental Impacts</u> • The removal of trees outside the Stage 1 development area is considered unnecessary and unjustified, particularly given the uncertainty of any future Stage 2 development. Retention of these trees will avoid the premature loss of established canopy, preserve environmental benefits such as cooling, habitat, and amenity, and maintain flexibility for future design outcomes that may incorporate them.

No.	Submission	Officer Response
	Finally, I am concerned about the long-term impacts of the proposed future tower, particularly overshadowing and reduced natural light affecting both the townhouses and surrounding properties. I ask Council to carefully reconsider the proposal and ensure redevelopment appropriately balances increased density with environmental considerations, traffic management and the overall character and heritage of Plympton.	• Accordingly, it is recommended that all trees outside the Stage 1 footprint be retained, with their protection secured through a condition of development approval and clearly identified in building permit documentation or a tree retention plan, as referenced in Attachment 8. <u>Traffic and Parking Impacts (Including Visitor Parking)</u> • The comments are noted. While vehicle access arrangements for a potential Stage 2 development have not yet been confirmed and would require referral to Main Roads WA, it is recommended that a condition of approval require the preparation of a comprehensive Traffic Impact Assessment prior to the building permit stage. • This assessment should adopt a whole-of-site approach, addressing both the current proposal and the cumulative impacts of future development. The applicant's assessment indicates that traffic generation will be relatively low and, given the site's access to public transport and adequate on-site resident parking provision, the development is not expected to adversely affect traffic operations or road safety. • Broader traffic management issues for the Plympton precinct fall outside the scope of this application and would be considered separately, with any identified upgrades or mitigation measures informed by further assessment and implemented through the Town's capital works and road safety programs, subject to funding and prioritisation. • Visitor parking should be provided in accordance with R-Codes requirements. A condition addressing this matter is recommended. <u>Bicycle Parking</u> • The provision of the bicycle parking is commended, however it is not considered a relevant matter in respect to this application as bicycle parking is not a requirement under the R60 provisions of the R-Codes. • There are numerous places for bicycles to be stored, including the front courtyard areas with access from St Peters Road. <u>Future Stage 2 Development and Overshadowing Impacts</u> • Figures 1 and 2 in Schedule 13 (Cl. 5.10.1 - ASR1) provide diagrammatic building envelope controls within which a building must be constructed. The controls regulate the extent of overshadowing generated by development at a specific height.

No.	Submission	Officer Response
		• The figures outline a building envelope or angular plane that limits building height and bulk relative to boundaries, ensuring that overshadowing of adjoining properties is minimised and reasonable solar access is maintained according to the requirements of the R-Codes. • In practice, these figures illustrate how development must be set back or “stepped away” to prevent excessive shadowing, particularly during critical times such as mid-winter, when solar access is most affected.
8.	While I am all for increasing house density. This is one of the few places with fully established trees including a Morton bay fig tree. Does the development protect some of the old trees along with increased house density. If the development can build the required building with protecting the Morton bay fig tree I am all for it. I am all for increasing house density but not at the expense of trees older than our grandparents planted. A smart man plants a tree he will never sit under. But a smarter man tries to protect a tree already established.	Comments noted. Supported for the following reasons. • The removal of trees outside the Stage 1 development area is considered unnecessary and unjustified, particularly given the uncertainty of any future Stage 2 development. Retention of these trees will avoid the premature loss of established canopy, preserve environmental benefits such as cooling, habitat, and amenity, and maintain flexibility for future design outcomes that may incorporate them. • Accordingly, it is recommended that all trees outside the Stage 1 footprint be retained, with their protection secured through a condition of development approval and clearly identified in building permit documentation or a tree retention plan, as referenced in Attachment 8.
9.	My concern is that apart from the destruction of what makes this part of East Fremantle unique is the number of cars. It is already difficult to get these areas as it is with cars parked in both sides of the road and numerous near collisions Also, once small rise buildings are approved so will higher rise buildings and the issues are compounded. As we have seen with the ugly mansions along Preston Point Road - that replace the beautiful California bungalows - once the "feel" and historical aspect of an area that makes it unique is gone - it is lost forever.	Comments noted. Not supported in part for the following reasons. <u>Loss of Neighbourhood Character and Local Identity</u> • Local Planning Strategy 2022 supports additional residential dwellings for this site under Planning Area C – urban consolidation in an urban (transport) corridor in a Mixed Use zone. This density of development is considered appropriate. <u>Incompatibility with Heritage Character of Area</u> • The subject sites are not heritage listed nor located within a heritage area, and were reclassified from Category B to Category C in the Local Heritage Survey (2014/15), indicating only some local significance and a preference, rather than a requirement, for retention. Earlier heritage assessments identified the buildings as being in poor condition, with diminished heritage value due to surrounding development. Both the Heritage Council and Council previously raised no objection to demolition through Amendment 14 (with the knowledge that

No.	Submission	Officer Response
		demolition was proposed) and the Significant Development application, and the WAPC approval did not require retention, only a photographic record prior to demolition. • Proposed road widening, as indicated on the applicant's plan, at the intersection would potentially impact the front portion of the dwelling. • Accordingly, retention or further reassessment is not considered necessary; however, a condition is recommended requiring a photographic archival record prior to demolition. <u>Visitor Parking, Traffic Congestion and On-Street Parking Issues</u> • The proposal does not provide the two visitor parking bays required under the R-Codes. Given the area's established on-street parking pressures, limited historical provision, and increasing car ownership, the absence of visitor parking is likely to exacerbate congestion, amenity, and safety issues. • On-street parking cannot be relied upon due to shared demand with nearby businesses, and on-site visitor parking is therefore considered necessary and reasonable. A condition is recommended to ensure compliance with the R-Codes if the application is approved. • The applicant's assessment indicates the development will generate relatively low traffic volumes and, supported by public transport access and with adequate parking provision provided, is not expected to adversely affect traffic operations or road safety. Broader traffic management issues within the Plympton precinct are outside the scope of this application and would need to be addressed separately. • The Town is currently undertaking a Town-wide "Low Cost Urban Road Safety Program" in collaboration with external traffic engineering consultants, which is identifying and prioritising targeted safety improvements across the local road network. Intersections of this nature are being assessed as part of that program using an evidence-based methodology.

No.	Submission	Officer Response
10.	This house is of historical significance to East Fremantle.	Comments noted. Not supported for the following reasons. • It is assumed that demolition of the dwelling on Lot 419 is not supported by the submitter, but prior heritage impact assessment has determined the dwelling to be in poor condition with diminished heritage value. • Council has previously supported demolition through Amendment 14 and subsequently through its submission on the Significant Development application. • At that time, the Heritage Council raised no objection to the Amendment, noting that it contemplated demolition. Furthermore, the WAPC approval for the multi-storey mixed-use development did not require retention of the dwelling, instead requiring only a photographic record prior to demolition. Accordingly, further reassessment or retention is not considered necessary. • Proposed road widening, as indicated on the applicant's plan, at the intersection would potentially impact the front portion of the dwelling.

Attachment 5 – Applicant's Response to Submissions

No.	Submission	Applicant Response
1	<u>The design of the townhouses are not in keeping with the Plympton Precinct</u> The design and visual aesthetics of the nine townhouses do not currently reflect any alignment, look/feel or sympathy for the historic Plympton ward, East Fremantle - these townhouses visually compromise the area, and would also benefit from a greater setback and more planting within the street setback area. Although the architect's drawings include a series of photographs of the materials and design features from neighbouring streets, the subsequent drawings in my opinion are not in keeping with our proud heritage area. Modern curves, a monochrome colour palette and concrete on mass are <u>not</u> part of the Plympton ward. The developer/architect would do well to draw inspiration from the Tradewinds Hotel next to the site, with this beautiful heritage building (with more modern recent additions) setting the tone for the look/feel of East Fremantle's Plympton ward from Canning Hwy. Any insistence by the Town of East Fremantle (ToEF) and the Planning Commission to ensure the developer rethinks the visual presentation of this development so that it is more in keeping with the area is greatly appreciated. <u>Demolition of the heritage house on Lot 432 should be excluded</u> I wish to voice my concern at the intent of the developer to demolish the heritage house on the site (Lot 432 at 93 Canning Hwy, facing onto Canning Hwy) as part of Stage 1 of this project. This house has been acknowledged to hold cultural heritage significance by the ToEF, and the home is also listed on InHerit. Although the home is not listed on the State Heritage Register (Class C), my bricklayer who is a member and volunteer at the East Fremantle Football Club, tells me the home has a connection to the Club. He tells me the home was the original	Applicant response to the items raised in submission no 1: • <u>Design Character</u> In line with best practice approaches for new built form within existing heritage precincts, the design seeks to avoid direct imitation of historical design styles and elements, instead proposing a contemporary design response which respects and reflects the established rhythm, scale and tonality of the local area. The proposed material palette for the townhouses draws extensively on the local area and directly references the limestone and red brickwork found across the Plympton Ward. The proposed design reinterprets these materials, echoing the colours and tones found within the surrounding built form context. The architectural language for the development is purposefully contemporary, avoiding historical reproductions or imitations and instead providing an architectural approach which is clearly distinguishable from the surrounding heritage context. This distinction between old and new is crucial in respecting and protecting the established heritage character of the broader Plympton Ward while also allowing for the delivery of much needed high quality, infill developments within the local area. • <u>Existing Structures</u> This proposal (Stage one of a two stage development across the site) seeks to develop a portion of the overall subject site in-line with the approved Local Planning Scheme Amendment No. 14 which guides development across this site and was approved by the Town of East Fremantle in 2021. This scheme amendment allows for development across the site up to a maximum plot ratio of 3.0:1 and a maximum building height of 76.5m AHD (equivalent to approximately 19 stories above ground). At the time this scheme amendment was prepared, a comprehensive assessment process was conducted, including a review of all heritage matters relating to the site. This review and assessment resulted in no statutory requirement for the conservation of this existing residence. It is also important to note that road widening requirements

	administration office and social club for the East Fremantle Football Club from the time back to when the ground opened in East Fremantle in 1953. This cultural connection to one of WA's oldest football clubs and the East Fremantle community more broadly is significant, and presents an opportunity to celebrate our cultural identity as part of any future redevelopment. East Fremantle residents living in the Plympton precinct are very proud to showcase one of Western Australia's most intact historic working-class areas, largely developed between the 1890 -1910 gold-rush era, with the majority of properties falling within a protected local heritage area. With homes in the Plympton ward specifically categorised under the Town's Planning Scheme, owners are not permitted to change the façade of their homes in order to conserve these historical streetscapes – and I do not believe there is a compelling reason why this home should be an exception. 93 Canning Hwy is in this precinct, and this home has been a familiar reference point for all who travel through the Canning Hwy/Stirling Hwy intersection. Indeed, this home (once restored and incorporated into any future Stage 2 development) has the potential to act as a gateway into the Plympton precinct, showcasing the heritage of our area to passers-by waiting at the busy Canning Hwy/Stirling Hwy intersection, inviting them to come and discover our special heritage pocket and shopping precinct on George Street. Perhaps the home's facade and internal walls could form part of a cafe at the bottom of the future 'Stage 2' development – this is an opportunity to celebrate East Fremantle's heritage and integrate local East Fremantle stories into what would otherwise be another 'boring' apartment building. People who live in apartments also want to be connected to the heritage of the area in which they live. This heritage connection is an opportunity for this building to have a point of difference to other infill apartment buildings along Canning Hwy. I encourage the owners/developers/architects of this project to 'flip their thinking' about this little house - rather than consider this building to be worthless and only good for demolition, the community (and future	by Main Roads WA to the Canning Highway and Stirling Highway intersection in front of the existing residence have a direct impact on the ability to retain the existing building, with a portion of the house located within the proposed road widening zone. The applicant also notes that all existing structures on the site were previously approved for removal within a prior development application for the site which was approved in 2023. • <u>Existing Trees</u> A key driver behind the overall site planning and site arrangement has been the clients decision to retain and preserve the existing Morten Bay Fig tree located on the Northeast corner of the site. This existing tree is the largest existing tree located on the site and will feature prominently in the future public open space design of stage two. Other existing trees on the site are required to be cleared to facilitate successful development of the site including areas for future built form elements and future basement parking areas. It should also be noted that the existing Eucalyptus Wandoo (white gums) while beautiful, present an ongoing safety hazard due to their propensity to shed heavy branches without warning. Both stage one and the future stage two components of this development will propose numerous replacement trees, with the first stage proposing 20 trees across the 9 total townhouses, over and above the 18 trees required. • <u>Visitor Parking & Traffic</u> The site is already equipped with two existing verge bays fronting Sewell Street which can be utilized for short term visitor parking. Each townhouse is proposed to have two car bays, exceeding the design guideline minimums of a single car bay per townhouse while also ensuring that all resident vehicles are concealed from view. Parking to the future stage two portion of the development will be accessed from Sewell Street at a suitable distance away from intersections with both Canning Highway and St Peters Road. Traffic issues relating to the temporary closure of the Fremantle Traffic Bridge Closure have not been reviewed as part of this application given that the bridge is scheduled to be reopened well before the competition of stage one of this development.

	apartment owners) will appreciate a building which values its heritage and tells the story of how the area has evolved, and their place within it. <u>There is more than one significant tree the developers want to remove</u> There are a number of established trees that are going to be removed as part of this development. The developers only intend on keeping the Moreton Bay Fig tree (which won't impact Stage 1 of the project), but there are at least 10 established, beautiful and significant gum trees on Lot 423 alone (with others on lots 419, overlooking 418) which are going to be removed as part of Stage 1. The development application alludes to 'replanting some' those trees in the communal area between the two intended staged developments, but then there's no further mention of this in any other architectural or landscaping paperwork provided for comment. This is very concerning, as it appears no forethought as to how these trees can be incorporated into the project has been considered. There also appears to be minimal plantings along St Peter's Road for this development (townhouse facades). There is very little green space left in East Fremantle, and any stipulation by the Planning Commission and the Town of East Fremantle to ensure that the developer integrates/keeps/maintains/re-plants the maximum number of existing trees across all lots is appreciated. This will help reduce noise and support the existing wildlife in the area. <u>Visitor Parking and speed will be an issue for all adjacent streets</u> These nine townhouses include an 18 basement car park for owners (two each), though no visitor bays - which means visitor parking on the street will contribute to the already clogged streets of Plympton. This is unacceptable for the community. Parking is already at a premium in the area and traffic is getting worse at the intersection of King St and Saint Peter's Road, with several 'near misses' occurring between pedestrians and cars in light of increased traffic and speed by 'non-locals' due to the Fremantle bridge closure. Please ensure the	• <u>Bicycle Storage, Car parking & Sustainability</u> Nominated bike storage areas shown in the plans for seven of the nine townhouses are indicative only and provided in excess of standard storage areas required under the residential design codes. Residents have a number of options available for bicycle storage including on side walls/ceilings of double garages, within the oversized basement storerooms afforded each townhouse and also within the secure, front courtyard spaces which are accessed directly from St Peters Road. All vehicle garages have been designed with adequate space for entry/exit. Rooftop solar has been proposed on the rooftop of each townhouse. • <u>Solar Impact of Stage Two</u> The future stage two development will consist of a slender built form envelope which is required in order to meet the overshadowing provisions included within the approved scheme amendment. This slender built form envelope will have a negligible overshadowing impact on the stage one townhouses, with all townhouses designed in accordance with the Residential Design Codes in terms of orientation and access to solar amenity and natural cross ventilation.

	development has visitor bays to be used by those in this planned Strata development of townhouses. We simply cannot cope with any more cars parked on our streets in the Plympton ward. It is also unclear as to whether the entrance to these underground 18 bays for the townhouses will also be the entrance for parking for what will eventuate as Stage 2 by the developers. I wish to clearly state outright that there is NO WAY St Peter's Road can cope with parking bays for an apartment tower. This has become evident in light of the increased traffic, increased safety risks and great vehicle/pedestrian interactions along St Peter's Road with the closure of Fremantle Bridge. As such it is greatly appreciated that the Planning Commission and the Town of East Fremantle makes clear to the developers now at Stage 1 of this development that St Peter's Road can only service traffic for the townhouses and their visitors, <u>not</u> any future Stage 2 development. Car parking for any Stage 2 development must be on Canning Hwy or the very northern end of Sewell St. King Street is already taking the load of the traffic in Plympton over Sewell St, with its one-way access near the Trade Winds hotel, and Stage 1 of this development adds to the pressure of traffic already impacting King St. An overall traffic management review of the Plympton Ward is long overdue by the ToEF to address this issue as well as local speed, and in the opinion of residents to whom I have spoken, traffic should be spread across the Plympton ward, not just King and East Streets taking the majority of the load of north-south traffic. It is difficult to get out of your driveway on King St currently, given the increased traffic and speed of cars due to the Fremantle bridge closure and the incline of King street at the northern end of the street (near this development). These townhouses will contribute to traffic volume, parking, load and noise for the surrounding area and it is imperative that the ToEF considers and implements measures to mitigate the	

	additional traffic caused from this and Stage 2 of the site's development. <u>The townhouses feature inaccessible bike storage and safe public transport connectivity factors</u> Seven of the nine townhouses have a small area in the basement for bike storage, though it is clear given how small the basement carpark is, that owners won't be able to get their bikes in and out of that space when there is a car parked in the allocated bay - completely defeating the purpose of the bike bay. The basement needs to be big enough to enable cars to easily reverse park into each bay safely, and for bikes to come and go out of their allocated space when a car is parked in front, which doesn't currently appear to be the case. Please ensure the design of these townhouses is fit-for-purpose. It is also not clear in the design as to whether there will be charging facilities available for electric vehicles (and rooftop solar for that matter, though it may not be economical if the townhouses end up predominantly in shadow). Safe access to the northern side of Canning Hwy to the river and Stirling Bridge should also be a consideration for this development, as well as the development underway on the corner of Canning Hwy and East Street, East Fremantle. The closest train station from this site is in fact North Fremantle train station, and although the upgraded intersection at Canning/Stirling Hwy has made a difference, there will be many new residents unable to easily cross Canning Hwy (especially those with prams living on the corner of East St and Canning Hwy). It would be fantastic if the State Planning Commission would consider installing a pedestrian tunnel under Canning Hwy to the river, something that both these new developments and the community more generally can access. A tunnel would mean that families using prams can easily and safely access the river (as opposed to a footbridge), and many of our elderly residents living on Riverside road would also be able to safely get up to the George Street shopping precinct without having to drive (using a buggy/walking frame or walking, depending on their ability).	

	<u>Integrity</u> The development application refers to the 'river views' that the townhouses will have from the top floor northern windows. I have a genuine concerns about this development if the plan is to sell these townhouses using this 'river views' claim, knowing full well that these townhouses will eventually be completely in shadow from an apartment building intended to be built as Stage 2 on the northern side of the lots. Once Stage 2 of the development is complete, these townhouses will likely have very little light entering the primary living spaces, dependent upon the height of Stage 2's development. The northern primary garden space will also predominantly be in shadow, making it very difficult for anything to grow. There have been several concerns raised by Plympton homeowners regarding the actions of developers installing something different to what has been proposed, commented on by the community, and subsequently endorsed by the ToEF Council. I encourage the ToEF to be clear with the Planning Commission as to whether or not the developer of this project has a good track record in the suburb, and that prior actions by this developer not in keeping with what has been approved by Council be considered and mitigated as part of this development application. <u>In conclusion</u> Change is inevitable, and I look forward to welcoming new residents to our community as part of this development, East Fremantle is a wonderful place to live. I do hope that the Planning Commission and the Town of East Fremantle uses instruments at their disposal to optimise the aesthetic, cultural heritage, sustainability, safety, speed and parking concerns raised in this submission as part of the approval process, in order to preserve the culturally significant heritage we who live in the Plympton ward of East Fremantle are so proud and work so hard to preserve.	
2	<u>Background</u>	Applicant response to the items raised in submission no 2:

	The East Fremantle Football Club is proud to have been part of the local community since the creation of the suburb at the turn of the 20th century. When the club started in 1898, *Old Easts* as we were known then, trained and played at Fremantle oval. It wasn't until the newly redeveloped oval in East Fremantle was opened on 25 April 1953 that games were played at our current ground, on the corner of Moss and Marmion Streets. As you can imagine, the facilities at the ground at that time, just after the war, were nothing like they are today. In fact, not only were the player facilities very simple, but there was no infrastructure available for the Club's administration and social club. To this end, long-time East Fremantle Junior Council representative Roy Corbett stepped in, and obtained a liquor licence at his home in order to facilitate post-game celebrations for all the East Fremantle players, their families and their partners. The Club's administration office was also run out of Roy's home, with a sign in the front yard clearly stating to all passing traffic on Canning Highway *'East Fremantle Football Club Administration and Social Club'*. Roy Corbett's home, where our proud Club gathered for more than a decade, was 93 Canning Hwy East Fremantle. I write to you to ensure the Town of East Fremantle and the State Planning Commission is made aware of the significance of this Plympton house to our Club's history when considering the above development application as it has been slated for demolition. Roy Corbett went on to become the President of our Club, serving in the role from 1956 to 1959, all the while continuing to run the administration and the social club out of his home. Roy rose to prominence as a dedicated senior administrator, founding the East Fremantle under-16s in 1952. He joined the EFFC Committee in 1953 when we moved to our East Fremantle ground and was Vice President of the Junior Council from 1954-1955. On top of this,	• <u>Existing Structures</u> This proposal (Stage one of a two stage development across the site) seeks to develop a portion of the overall subject site in-line with the approved Local Planning Scheme Amendment No. 14 which guides development across this site and was approved by the Town of East Fremantle in 2021. This scheme amendment allows for development across the site up to a maximum plot ratio of 3.0:1 and a maximum building height of 76.5m AHD (equivalent to approximately 19 stories above ground). At the time this scheme amendment was prepared, a comprehensive assessment process was conducted, including a review of all heritage matters relating to the site. This review and assessment resulted in no statutory requirement for the conservation of this existing residence. It is also important to note that road widening requirements by Main Roads WA to the Canning Highway and Stirling Highway intersection in front of the existing residence have a direct impact on the ability to retain the existing building, with a portion of the house located within the proposed road widening zone. The applicant also notes that all existing structures on the site were previously approved for removal within a prior development application for the site which was approved in 2023.

	Roy is most celebrated at the club for his strategic acumen, where in 1957 he recruited prominent South Fremantle footballer Steve Marsh which resulted in a Premiership victory for East Fremantle that year, following a long drought. 1957 was a busy year for Roy, because he also oversaw the formalisation of the paperwork to create EFFC Social Club, realising this was a necessary step ahead of formally obtaining a liquor licence[1]. He also founded with his friend and colleague Alan Trott, the East Fremantle Football Club's *Businessman's Association*[2] and the *100 Club*, a body of 100 supporters dedicated to the task of raising money[3]. It wasn't until 1965 that the amalgamation of the EFFC and the EFFC Social Club was proposed, once facilities at the ground made this possible[4]. <u>Recognition of the significance of 93 Canning Hwy East Fremantle</u> The home has cultural heritage significance not only as a demonstration of the establishment of the suburb of East Fremantle in the early 20th century[5], but it has a significant cultural connection to the establishment of the East Fremantle Football Club at its new ground close by in 1953. The place was the administration and hub of the Club's social and fundraising activities throughout the 1950's and 1960's. Many members of our *Past Players and Officials Association* fondly remember attending post-match events, fundraising planning sessions or administrative strategy meetings at the house. <u>Opportunity to celebrate the EFFC's connection as part of a future development</u> The East Fremantle Football Club would welcome the opportunity to engage with the owners/developers/architects of the property to celebrate this cultural connection to our Club and the broader East Fremantle community, as they turn their minds to 'Stage 2' of the development.	

	This would mean however that the façade/front portion of the property facing Canning Highway is not demolished as part of 'Stage 1'. The opportunity to incorporate the façade of the house and tell the story of its connection to the EFFC as part of any 'Stage 2' future development at the site is something the EFFC would be happy to collaborate on. Indeed, the façade of the house could provide a point of difference for future apartment owners, connecting new residents to our historic, local club and the East Fremantle community more broadly. We would encourage those living in the apartments to appreciate the unique heritage architecture of the Plympton ward, join our club, celebrate our local traditions, connect with our member base and enjoy the fantastic new facilities at Good Grocer Park.	
3	I write as a directly affected nearby resident to the proposed development at the corner of King Street and St Peters Road, East Fremantle. I would like to acknowledge that the current proposal is a significant improvement on earlier concepts that were previously discussed for the site. Earlier proposals of approximately 4–6 storeys along the St Peters Road raised significant concerns regarding scale and neighbourhood character. In comparison, the revised proposal for predominantly 2–3 storey townhouses is a more moderate and responsive design. The proposal has several positive aspects, including the reduced scale, the stepped building form, the 4 metre setback along St Peters Road, the inclusion of substantial landscaping and planter boxes, and the incorporation of sustainability initiatives including solar panels. Notwithstanding these improvements, I remain concerned about	Applicant response to the items raised in submission No. 3: • <u>Vehicle Basement Access</u> The vehicle access point to the development has been designed to be as discreetly as possible and will only be utilised by the nine townhouses comprising stage one of the development, with a separate vehicle access point to be used for the stage two development. The proposal follows best practice urban design approaches by consolidating all vehicle access into a single access point. This consolidation has allowed for the St Peters Road ground plane to be both fully activated and heavily landscaped, providing a softer edge to the development and better overall development outcomes. The vehicle access ramp from the basement will be framed by existing trees to the east and has been designed to have a 6m portion of non-ramping, flat driveway prior to the start of the ramp. This flat section will ensure that cars are level as the approach the property boundary when exiting the development,

	impacts on residential amenity and local traffic safety, particularly those associated with the proposed basement vehicle access. Basement Vehicle Access: My primary concern relates to the proposed underground car park access and the likely impact of vehicle headlights shining directly toward homes opposite the development, including bedroom windows within our home. As vehicles ascend and exit the basement ramp onto St Peters Road, headlights are likely to project directly across the street toward existing residences, particularly during evening and early morning hours. Due to the position of our home opposite the access point, this will create regular light intrusion into my children's bedrooms. While vehicle access is necessary for the development, I believe additional mitigation measures should be required as part of any approval to minimise impacts on surrounding residents. I request that the DAP require consideration of specific design responses including, for example: • installation of opaque or louvred screening above the ramp exit; • increased landscaping or deep planting adjacent to the basement access; • ramp wall treatments designed to deflect or contain headlight glare; • low-level, sensor-controlled lighting rather than permanently illuminated lighting; • consideration of ramp angles to minimise direct light projection toward surrounding homes; and • preparation of a lighting spill and residential amenity assessment prior to final approval. In addition to headlight impacts, basement access areas can generate concentrated noise impacts associated with vehicle acceleration, tyre noise, garage door operation and reverberation within enclosed ramp areas, particularly at night-time. Accordingly, I also request that acoustic mitigation measures be considered, including: • acoustic treatment to basement ramp walls and ceilings;	increasing vehicle and pedestrian safety while also mitigating impacts associated with vehicle headlights and noise. • <u>Privacy and Overlooking</u> All privacy and overlooking within the proposal has been designed to comply with the residential design guidelines. The proposal does not have any balconies facing St Peters Road. • <u>Traffic Safety</u> Parking to the future stage two portion of the development will be accessed from Sewell Street at a suitable distance away from intersections with both Canning Highway and St Peters Road. An additional Transport Impact Statement and associated data collection will be undertaken as part of the future Stage Two application. • <u>Construction Management Plan</u> Following the development approval, a construction management plan for this stage one development will be included as part of the Building Permit submission for this development.

	• low-noise garage door systems; • acoustic screening adjacent to the ramp exit; and • appropriate management of mechanical ventilation and service equipment associated with the basement. Privacy and overlooking: I acknowledge that the landscaping treatment on the St Peters road balconies reduces the potential impacts of overlooking and other privacy concerns, can the development controls please ensure that balconies facing St Peters Road remain non-habitable landscape elements, with limits on any future balcony modifications. Traffic Safety and Intersection Management: A further significant concern relates to traffic safety at the intersection of King Street and St Peters Road. This intersection already experiences frequent near misses under existing traffic conditions. Additional vehicle movements associated with the proposed development, together with future Stage 2 development, are likely to further increase traffic volumes. I ask that traffic impacts should be considered cumulatively, rather than solely in relation to the initial Stage 1 proposal and that the DAP require further investigation of traffic management and intersection safety measures, including consideration of: • conversion of the King Street / St Peters Road intersection into a roundabout or mini-roundabout; • raised intersection treatments or other traffic-calming infrastructure; • pedestrian refuge or crossing improvements; • speed reduction measures; • review of any on-street parking arrangements near the intersection; and • a cumulative traffic impact assessment incorporating future Stage 2 development potential. Future Development and Cumulative Impacts: While the current Stage 1 proposal is more moderate than earlier concepts, the application identifies future Stage 2 development potential. I remain concerned about the cumulative impacts that future development may have on	

	traffic, parking, neighbourhood character and residential amenity. I respectfully request that approval of Stage 1 not prejudice the detailed future assessment of cumulative impacts associated with later development stages. Parking and Streetscape Impacts: Although the proposal provides basement parking for residents, developments of this nature frequently generate additional on-street parking associated with visitors, deliveries and service vehicles. Increased parking pressure near intersections can further reduce visibility and contribute to traffic safety issues. I request that consideration be given to potential overflow parking impacts on surrounding streets and whether additional parking management measures may be required. Construction Management: Given the close proximity of surrounding homes to the site, I also request that appropriate construction management conditions be imposed to minimise impacts associated with construction traffic, contractor parking, dust, vibration and noise during the construction period. Because the site is constrained, it should be recognised that construction impacts will be significant for nearby residents for an extended period. Overall, I acknowledge that the revised proposal is a substantial improvement on earlier higher scale concepts and incorporates several positive design elements. However, I request that the DAP carefully consider the unresolved impacts associated with basement vehicle access, traffic safety and cumulative future development before determining the application.	
4	I wish to voice my concern at the intent of the developer to demolish the heritage house on the site (Lot 432 facing onto Canning Hwy) as part of Stage 1 of this project. This house has been acknowledged as significant by the ToEF and the Heritage Council of WA.	Applicant response to the items raised in submission No. 4: ● <u>Existing Structures</u> This proposal (Stage one of a two stage development across the site) seeks to develop a portion of the overall subject site in-line with the approved Local Planning Scheme Amendment No. 14 which guides

	There appears to be a significant history to this house through the East Fremantle Football Club. It used to be the meeting place after the matches in the 1950s, I understand, being the nearest place to the ground where there was a liquor licence in place. In view of the significant development of the East Fremantle Football Club over recent years, it would be really nice to have an historical link nearby. Surely this building could be restored and kept as an historical asset to the area.	development across this site and was approved by the Town of East Fremantle in 2021. This scheme amendment allows for development across the site up to a maximum plot ratio of 3.0:1 and a maximum building height of 76.5m AHD (equivalent to approximately 19 stories above ground). At the time this scheme amendment was prepared, a comprehensive assessment process was conducted, including a review of all heritage matters relating to the site. This review and assessment resulted in no statutory requirement for the conservation of this existing residence. It is also important to note that road widening requirements by Main Roads WA to the Canning Highway and Stirling Highway intersection in front of the existing residence have a direct impact on the ability to retain the existing building, with a portion of the house located within the proposed road widening zone. The applicant also notes that all existing structures on the site were previously approved for removal within a prior development application for the site which was approved in 2023.
5	The design is not in keeping with the Plympton Very modern designs not in keeping with the area Demolition of the heritage house on Lot 432 should not be allowed. This is a heritage building and should not be demolished There is more than one significant tree the developers want to remove So many trees being been removed reduced bird life in the area Visitor Parking will be an issue for all adjacent streets Parking currently is a nightmare, these buildings never have enough parking and no parking will be allowed in front of these units, causing overflow into King and Sewell streets Questions about the integrity of the developer The application refers to the 'river views' that the townhouses will have from the top floor northern windows. I have a genuine concern as to the honesty of the developer to be selling these townhouses using this claim, knowing full well that these townhouses will eventually be completely in shadow from an apartment building intended to be built as Stage 2 on the northern side of the lots. It is 'buyer beware' for anyone wishing to buy these townhouses - they will be cold inside and	Applicant response to the items raised in submission No. 5: • <u>Design Character</u> In line with best practice approaches for new built form within existing heritage precincts, the design seeks to avoid direct imitation of historical design styles and elements, instead proposing a contemporary design response which respects and reflects the established rhythm, scale and tonality of the local area. The proposed material palette for the townhouses draws extensively on the local area and directly references the limestone and red brickwork found across the Plympton Ward. The proposed design reinterprets these materials, echoing the colours and tones found within the surrounding built form context. The architectural language for the development is purposefully contemporary, avoiding historical reproductions or imitations and instead providing an architectural approach which is clearly distinguishable from the surrounding heritage context. This distinction between old and new is crucial in respecting and protecting the established heritage character of the broader Plympton Ward while also allowing for the delivery of much needed high quality, infill developments within the local area.

	out (no light in the primary living spaces despite) and in shadow for most of the year, with the northern primary garden space also predominantly in shadow, and very difficult for anything to grow. I am concerned that the developer involved is the same developer as what was proposed for the Old George, nearby on the corner of Duke and George Streets. The water tower/tanks that have been built recently on Duke St look to be much larger than what the ToEF communicated and approved for construction, and I am concerned this is a developer that does what it likes and asks for forgiveness later. For this reason, I ask the ToEF to please reflect on how successful this developer has been from a community perspective and factor in their treatment of conditions when recommending conditions for this proposal. I do not think they can be trusted, and don't have the community's interests at heart.	• <u>Existing Structures</u> This proposal (Stage one of a two stage development across the site) seeks to develop a portion of the overall subject site in-line with the approved Local Planning Scheme Amendment No. 14 which guides development across this site and was approved by the Town of East Fremantle in 2021. This scheme amendment allows for development across the site up to a maximum plot ratio of 3.0:1 and a maximum building height of 76.5m AHD (equivalent to approximately 19 stories above ground). At the time this scheme amendment was prepared, a comprehensive assessment process was conducted, including a review of all heritage matters relating to the site. This review and assessment resulted in no statutory requirement for the conservation of this existing residence. It is also important to note that road widening requirements by Main Roads WA to the Canning Highway and Stirling Highway intersection in front of the existing residence have a direct impact on the ability to retain the existing building, with a portion of the house located within the proposed road widening zone. The applicant also notes that all existing structures on the site were previously approved for removal within a prior development application for the site which was approved in 2023. • <u>Existing Trees</u> A key driver behind the overall site planning and site arrangement has been the clients decision to retain and preserve the existing Morten Bay Fig tree located on the Northeast corner of the site. This existing tree is the largest existing tree located on the site and will feature prominently in the future public open space design of stage two. Other existing trees on the site are required to be cleared to facilitate successful development of the site including areas for future built form elements and future basement parking areas. It should also be noted that the existing Eucalyptus Wandoo (white gums) while beautiful, present an ongoing safety hazard due to their propensity to shed heavy branches without warning. Both stage one and the future stage two components of this development will propose numerous replacement trees, with the first stage proposing 20 trees across the 9 total townhouses, over and above the 18 trees required.

		• <u>Visitor Parking & Traffic</u> The site is already equipped with two existing verge bays fronting Sewell Street which can be utilized for short term visitor parking. Each townhouse is proposed to have two car bays, exceeding the design guideline minimums of a single car bay per townhouse while also ensuring that all resident vehicles are concealed from view. Parking to the future stage two portion of the development will be accessed from Sewell Street at a suitable distance away from intersections with both Canning Highway and St Peters Road. Traffic issues relating to the temporary closure of the Fremantle Traffic Bridge Closure have not been reviewed as part of this application given that the bridge is scheduled to be reopened well before the competition of stage one of this development. • <u>Solar Impact of Stage Two</u> The future stage two development will consist of a slender built form envelope which is required in order to meet the overshadowing provisions included within the approved scheme amendment. This slender built form envelope will have a negligible overshadowing impact on the stage one townhouses, with all townhouses designed in accordance with the Residential Design Codes in terms of orientation and access to solar amenity and natural cross ventilation.
6	While I understand the need for development and increased housing density, I believe this proposal raises several significant issues relating to neighbourhood character, heritage preservation, environmental impact, traffic management, and overall liveability. Firstly, the design of the proposed townhouses is disappointing and does not reflect the established look and feel of Plympton. The development appears generic and out of character with the surrounding streetscape and existing architectural identity of the area. Thoughtful design should complement and enhance the local character, not disregard it. I am also deeply concerned about the apparent intention to demolish the heritage house on Canning Highway as part of a future Stage 2	Applicant response to the items raised in submission No. 6: • <u>Design Character</u> In line with best practice approaches for new built form within existing heritage precincts, the design seeks to avoid direct imitation of historical design styles and elements, instead proposing a contemporary design response which respects and reflects the established rhythm, scale and tonality of the local area. The proposed material palette for the townhouses draws extensively on the local area and directly references the limestone and red brickwork found across the Plympton Ward. The proposed design reinterprets these materials, echoing the colours and tones found within the surrounding built form context. The architectural language for the development is purposefully contemporary, avoiding historical reproductions or imitations and instead providing an architectural approach which is clearly distinguishable from the

	development involving a proposed 20-storey apartment tower. This heritage building contributes to the history and identity of the area and should not simply be removed. Instead, the façade and architectural features of the existing house could be meaningfully integrated into the tower's design, preserving and celebrating the heritage of the site while still allowing redevelopment to occur. The proposed loss of mature trees is another major concern. It appears that the only tree intended to be retained is the Moreton Bay Fig, while at least ten significant and beautiful gum trees are proposed to be removed as part of the townhouse development. These trees are an important part of the local environment, streetscape, wildlife habitat, and community character. Mature trees take decades to replace, and their removal will have lasting environmental and visual impacts. Traffic and parking impacts also appear to have been inadequately addressed. Although each of the nine townhouses includes two underground car bays, there are no visitor parking bays proposed whatsoever. This will inevitably place additional pressure on already congested local streets. Furthermore, the Town must carefully review traffic management and vehicle flow impacts associated with this and future developments, as Plympton streets will bear much of the increased traffic generated by both the townhouse project and the proposed future tower development. In addition, the practicality of the bicycle parking provision is questionable. Seven of the nine townhouses include bicycle bays located behind parked cars in the underground garage. Based on the plans, it does not appear realistic or functional for residents to easily access or remove bicycles when vehicles are parked in front of them. This undermines the purpose of encouraging alternative transport options. Finally, I am concerned about the long-term amenity impacts of the future apartment tower on the townhouse development itself. Once a 20-storey tower is constructed on Canning Highway, it is likely these	surrounding heritage context. This distinction between old and new is crucial in respecting and protecting the established heritage character of the broader Plympton Ward while also allowing for the delivery of much needed high quality, infill developments within the local area. • <u>Existing Structures</u> This proposal (Stage one of a two stage development across the site) seeks to develop a portion of the overall subject site in-line with the approved Local Planning Scheme Amendment No. 14 which guides development across this site and was approved by the Town of East Fremantle in 2021. This scheme amendment allows for development across the site up to a maximum plot ratio of 3.0:1 and a maximum building height of 76.5m AHD (equivalent to approximately 19 stories above ground). At the time this scheme amendment was prepared, a comprehensive assessment process was conducted, including a review of all heritage matters relating to the site. This review and assessment resulted in no statutory requirement for the conservation of this existing residence. It is also important to note that road widening requirements by Main Roads WA to the Canning Highway and Stirling Highway intersection in front of the existing residence have a direct impact on the ability to retain the existing building, with a portion of the house located within the proposed road widening zone. The applicant also notes that all existing structures on the site were previously approved for removal within a prior development application for the site which was approved in 2023. • <u>Existing Trees</u> A key driver behind the overall site planning and site arrangement has been the clients decision to retain and preserve the existing Morten Bay Fig tree located on the Northeast corner of the site. This existing tree is the largest existing tree located on the site and will feature prominently in the future public open space design of stage two. Other existing trees on the site are required to be cleared to facilitate successful development of the site including areas for future built form elements and future basement parking areas. It should also be noted that the existing Eucalyptus Wandoo (white gums) while beautiful, present an ongoing safety hazard due to their propensity to shed heavy branches

	townhouses will sit predominantly in shadow for large portions of the day, significantly reducing natural light and impacting the liveability of the development and surrounding area. I respectfully ask the Council to carefully reconsider these aspects of the proposal and ensure that any development appropriately balances increased density with heritage preservation, environmental protection, traffic management, and the character and liveability of Plympton.	without warning. Both stage one and the future stage two components of this development will propose numerous replacement trees, with the first stage proposing 20 trees across the 9 total townhouses, over and above the 18 trees required. • <u>Visitor Parking & Traffic</u> The site is already equipped with two existing verge bays fronting Sewell Street which can be utilized for short term visitor parking. Each townhouse is proposed to have two car bays, exceeding the design guideline minimums of a single car bay per townhouse while also ensuring that all resident vehicles are concealed from view. Parking to the future stage two portion of the development will be accessed from Sewell Street at a suitable distance away from intersections with both Canning Highway and St Peters Road. Traffic issues relating to the temporary closure of the Fremantle Traffic Bridge Closure have not been reviewed as part of this application given that the bridge is scheduled to be reopened well before the competition of stage one of this development. • <u>Bicycle Storage</u> Nominated bike storage areas shown in the plans for seven of the nine townhouses are indicative only and provided in excess of standard storage areas required under the residential design codes. Residents have a number of options available for bicycle storage including on side walls/ceilings of double garages, within the oversized basement storerooms afforded each townhouse and also within the secure, front courtyard spaces which are accessed directly from St Peters Road. • <u>Solar Impact of Stage Two</u> The future stage two development will consist of a slender built form envelope which is required in order to meet the overshadowing provisions included within the approved scheme amendment. This slender built form envelope will have a negligible overshadowing impact on the stage one townhouses, with all townhouses designed in accordance with the Residential Design Codes in terms of orientation and access to solar amenity and natural cross ventilation.

7	I understand the need for additional housing and urban development, however I have several concerns about this proposal and its impact on the character, environment and liveability of Plympton. The townhouse design feels out of place within the existing streetscape and lacks consideration for the established character of the area. Developments of this scale should complement the surrounding neighbourhood rather than appear disconnected from it. The future removal of the heritage property on Canning Highway as part of the proposed Stage 2 tower development is also very concerning. This building contributes to the identity and history of the area and should be retained or meaningfully incorporated into any future design rather than demolished entirely. The planned removal of numerous mature gum trees is another significant issue. These trees provide environmental value, visual appeal and habitat for wildlife and their loss will noticeably change the character of the area for many years to come. Traffic and parking impacts also appear to be underestimated. While resident parking has been included, there is no visitor parking provided which will place additional strain on nearby streets. I also question the practicality of the proposed bicycle storage arrangements, as several bicycle bays appear difficult to access once vehicles are parked in the garage. Finally, I am concerned about the long-term impacts of the proposed future tower, particularly overshadowing and reduced natural light affecting both the townhouses and surrounding properties. I ask Council to carefully reconsider the proposal and ensure redevelopment appropriately balances increased density with	Applicant response to the items raised in submission No. 7: • <u>Design Character</u> In line with best practice approaches for new built form within existing heritage precincts, the design seeks to avoid direct imitation of historical design styles and elements, instead proposing a contemporary design response which respects and reflects the established rhythm, scale and tonality of the local area. The proposed material palette for the townhouses draws extensively on the local area and directly references the limestone and red brickwork found across the Plympton Ward. The proposed design reinterprets these materials, echoing the colours and tones found within the surrounding built form context. The architectural language for the development is purposefully contemporary, avoiding historical reproductions or imitations and instead providing an architectural approach which is clearly distinguishable from the surrounding heritage context. This distinction between old and new is crucial in respecting and protecting the established heritage character of the broader Plympton Ward while also allowing for the delivery of much needed high quality, infill developments within the local area. • <u>Existing Structures</u> This proposal (Stage one of a two stage development across the site) seeks to develop a portion of the overall subject site in-line with the approved Local Planning Scheme Amendment No. 14 which guides development across this site and was approved by the Town of East Fremantle in 2021. This scheme amendment allows for development across the site up to a maximum plot ratio of 3.0:1 and a maximum building height of 76.5m AHD (equivalent to approximately 19 stories above ground). At the time this scheme amendment was prepared, a comprehensive assessment process was conducted, including a review of all heritage matters relating to the site. This review and assessment resulted in no statutory requirement for the conservation of this existing residence. It is also important to note that road widening requirements by Main Roads WA to the Canning Highway and Stirling Highway intersection in front of the existing residence have a direct impact on the ability to retain the existing building, with a portion of the house located within the proposed road widening zone. The applicant also notes that

	environmental considerations, traffic management and the overall character and heritage of Plympton.	all existing structures on the site were previously approved for removal within a prior development application for the site which was approved in 2023. • <u>Existing Trees</u> A key driver behind the overall site planning and site arrangement has been the clients decision to retain and preserve the existing Morten Bay Fig tree located on the Northeast corner of the site. This existing tree is the largest existing tree located on the site and will feature prominently in the future public open space design of stage two. Other existing trees on the site are required to be cleared to facilitate successful development of the site including areas for future built form elements and future basement parking areas. It should also be noted that the existing Eucalyptus Wandoo (white gums) while beautiful, present an ongoing safety hazard due to their propensity to shed heavy branches without warning. Both stage one and the future stage two components of this development will propose numerous replacement trees, with the first stage proposing 20 trees across the 9 total townhouses, over and above the 18 trees required. • <u>Visitor Parking & Traffic</u> The site is already equipped with two existing verge bays fronting Sewell Street which can be utilized for short term visitor parking. Each townhouse is proposed to have two car bays, exceeding the design guideline minimums of a single car bay per townhouse while also ensuring that all resident vehicles are concealed from view. Parking to the future stage two portion of the development will be accessed from Sewell Street at a suitable distance away from intersections with both Canning Highway and St Peters Road. Traffic issues relating to the temporary closure of the Fremantle Traffic Bridge Closure have not been reviewed as part of this application given that the bridge is scheduled to be reopened well before the competition of stage one of this development. • <u>Bicycle Storage</u> Nominated bike storage areas shown in the plans for seven of the nine townhouses are indicative only and provided in excess of standard storage areas required under the residential design codes. Residents

		have a number of options available for bicycle storage including on side walls/ceilings of double garages, within the oversized basement storerooms afforded each townhouse and also within the secure, front courtyard spaces which are accessed directly from St Peters Road. • <u>Solar Impact of Stage Two</u> The future stage two development will consist of a slender built form envelope which is required in order to meet the overshadowing provisions included within the approved scheme amendment. This slender built form envelope will have a negligible overshadowing impact on the stage one townhouses, with all townhouses designed in accordance with the Residential Design Codes in terms of orientation and access to solar amenity and natural cross ventilation.
8	While I am all for increasing house density. This is one of the few places with fully established trees including a Morton bay fig tree. Does the development protect some of the old trees along with increased house density. If the development can build the required building with protecting the Morton bay fig tree I am all for it. I am all for increasing house density but not at the expense of trees older than our grandparents planted . A smart man plants a tree he will never sit under. But a smarter man tries to protect a tree already established.	Applicant response to the items raised in submission No. 8: • <u>Existing Trees</u> A key driver behind the overall site planning and site arrangement has been the clients decision to retain and preserve the existing Morten Bay Fig tree located on the Northeast corner of the site. This existing tree is the largest existing tree located on the site and will feature prominently in the future public open space design of stage two. Other existing trees on the site are required to be cleared to facilitate successful development of the site including areas for future built form elements and future basement parking areas. It should also be noted that the existing Eucalyptus Wandoo (white gums) while beautiful, present an ongoing safety hazard due to their propensity to shed heavy branches without warning. Both stage one and the future stage two components of this development will propose numerous replacement trees, with the first stage proposing 20 trees across the 9 total townhouses, over and above the 18 trees required.
9	My concern is that apart from the destruction of what makes this part of East Fremantle unique is the number of cars . It is already difficult to get these areas as it is with cars parked in both sides of the road and numerous near collisions Also, once small rise buildings are approved so will higher rise buildings and the issues are compounded. As we have seen with the	Applicant response to the items raised in submission No. 9: • <u>Parking & Traffic</u> Each townhouse is proposed to have two car bays, exceeding the design guideline minimums of a single car bay per townhouse while also ensuring that all resident vehicles are concealed from view. Parking to the future stage two portion of the development will be accessed from Sewell Street at a suitable distance away from

	ugly mansions along Preston Point Road - that replace the beautiful California bungalows - once the "feel" and historical aspect of an area that makes it unique is gone - it is lost forever .	intersections with both Canning Highway and St Peters Road. Traffic issues relating to the temporary closure of the Fremantle Traffic Bridge Closure have not been reviewed as part of this application given that the bridge is scheduled to be reopened well before the competition of stage one of this development. • <u>Built Form Scale</u> This proposal (Stage one of a two stage development across the site) seeks to develop a portion of the overall subject site in-line with the approved Local Planning Scheme Amendment No. 14 which guides development across this site and was approved by the Town of East Fremantle in 2021. This scheme amendment provides additional development provisions across the site including a maximum plot ratio of 3.0:1 and a maximum building height of 76.5m AHD (equivalent to approximately 19 stories above ground). Due to this, the site is ideally situated to provide much needed additional housing stock within the local area.
10	This house is of historical significance to East Fremantle.	Applicant response to the items raised in submission No. 10: • <u>Existing Structures</u> This proposal (Stage one of a two stage development across the site) seeks to develop a portion of the overall subject site in-line with the approved Local Planning Scheme Amendment No. 14 which guides development across this site and was approved by the Town of East Fremantle in 2021. This scheme amendment allows for development across the site up to a maximum plot ratio of 3.0:1 and a maximum building height of 76.5m AHD (equivalent to approximately 19 stories above ground). At the time this scheme amendment was prepared, a comprehensive assessment process was conducted, including a review of all heritage matters relating to the site. This review and assessment resulted in no statutory requirement for the conservation of this existing residence. It is also important to note that road widening requirements by Main Roads WA to the Canning Highway and Stirling Highway intersection in front of the existing residence have a direct impact on the ability to retain the existing building, with a portion of the house located within the proposed road widening zone. The applicant also notes that all existing structures on the site were previously approved for removal

		within a prior development application for the site which was approved in 2023.

Attachment 6 – Schedule of Referral Responses from Statutory/Public Authorities

No.	Referral Authority	Advice	Officer Comment
1	Main Roads WA	Main Roads supports the development proposal and recommends that if development approval is granted, the following conditions be imposed: <u>Conditions</u> 1. Prior to occupation of the development, all lots shall be amalgamated and a new Certificate of Title obtained for the amalgamated lot. <u>Justification for Condition</u> To rationalise vehicular access arrangements. 1. Prior to occupation of the development, the land required for Canning Highway road widening, as identified on the development plans, is to be transferred free of cost to the Crown. <u>Justification for Condition</u> This significant development is the nexus for the land to be provided. This land is required to enable orderly and proper planning of Canning Highway to occur. 2. No part of the development is to be located within the land requirement for the future road widening of Canning Highway. <u>Justification for Condition</u> This development must not compromise the ultimate road design. No form of permanent development should encroach upon the identified land requirement. This includes but is not limited to car parking, building anchors, retaining walls and associated infrastructure services. 3. This noise sensitive development adjacent to a major transport corridor must implement measures to ameliorate the impact of transport noise. The development is to comply and implement the Noise Management Plan prepared by Herring Storer Acoustics dated 2 February 2026, Revision 1, with the following amendments:	Provided to applicant and included in recommended conditions of approval/advice notes.

No.	Referral Authority	Advice	Officer Comment
		a. Assessment of Noise predictions for outdoor living areas and recommended treatments for achieving the SPP 5.4 outdoor noise target for these areas. b. The specific Department for Environment, Food and Rural Affairs (DEFRA) publication used for the noise modelling must be fully cited in the noise report. The amended Noise Management Plan shall be to the satisfaction of the Town of East Fremantle and must be implemented at all times. <u>Justification for Condition</u> To ensure the acoustic requirements are implemented in accordance with State Planning Policy 5.4 – Road and Rail Noise. 4. Prior to occupation of the development, certification from a qualified acoustic consultant being submitted, confirming that the recommendations of the approved Noise Management Plan prepared by Herring Storer Acoustics have been implemented is to be provided to the satisfaction of the Town of East Fremantle. <u>Justification for Condition</u> To ensure the acoustic requirements are implemented in accordance with State Planning Policy 5.4 – Road and Rail Noise. 6. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the Certificate(s) of Title of the proposed development. The notification is to state: *"The lot/s are situated in the vicinity of a transport corridor and are currently affected or may in the future be affected by transport noise."* <u>Justification for Condition</u> To ensure the acoustic requirements are implemented in accordance with State Planning Policy 5.4 – Road and Rail Noise. 5. Prior to occupation of the development, the redundant vehicle crossover(s) is to be removed and kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the Town of East Fremantle and to the specifications of the local government.	

No.	Referral Authority	Advice	Officer Comment
		<u>Justification for Condition</u> Public safety and protection of the Primary Regional Road Reservation. 6. Prior to the issue of a building permit, a Traffic Management Plan (for construction) must be submitted and approved by Main Roads. The Traffic Management Plan must detail how traffic shall be managed at all times and must be implemented and maintained throughout the construction of this development. <u>Justification for Condition</u> Protection of the operation and function of the road network. 7. Stormwater discharge shall not exceed pre-development discharge to Canning Highway and Stirling Highway road reserves and the widened road reservation. <u>Justification for Condition</u> To ensure there is sufficient capacity in the Canning Highway and Stirling Highway stormwater network to accommodate its requirements. This is a standard requirement for development adjacent to a State Roads. 8. No earthworks are to encroach onto the Canning Highway and Stirling Highway road reserves. 9. An anti-graffiti coating is to be applied to the wall adjoining the Stirling Highway road reserve to the satisfaction of the Town of East Fremantle and to the specifications of Main Roads. <u>Justification for Condition</u> Protection of the Primary Regional Road Reserve and improved visual amenity. <u>Advice</u> a. The property is affected by land reserved in the Metropolitan Region Scheme and this land will be required for road purposes in the future.	

No.	Referral Authority	Advice	Officer Comment
		b. The upgrading/widening of Canning Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided. c. Prior to undertaking works within the Canning Highway and Stirling Highway Road Reserves, a Working on Roads permit must be obtained from Main Roads. d. Application forms and supporting information about the procedure to undertake works within the Canning Highway and Stirling Highway Road Reserves can be found on the Main Roads website > Technical & Commercial > Working on Roads. e. The applicant is advised that in relation to Condition 10, Main Roads specifications for the anti-graffiti coating can be found on the Main Roads website > Technical & Commercial > Specifications > 900 Series – Miscellaneous > Specification 908.	
2	Fremantle Ports	No objection. The proposal has been reviewed the following comments provided: 1. The existing dwelling is within “Buffer Area 2” under the Town’s LPS Schedule 12. 2. Fremantle Port Authority recommends full compliance with the Port Buffer Area requirements of the Town’s LPP 3.1.1 - Residential Design Guidelines to mitigate potential impacts due to Port operations including noise, odour and risk.	Provided to applicant and included in recommended conditions of approval/advice notes.
3	Water Corporation	<u>Wastewater</u> The Water Corporation has updated the long-term scheme planning for the Fremantle sewer district to include this proposed development. The proposed development can be feasibly serviced via gravity sewer using the existing DN150 sewers. As the increase in flow is minimal, no downstream sewer infrastructure upgrades are required at this stage. <u>Water</u> To meet fire flow requirements, approximately 96m of DN100 main will need to be constructed. This will connect from the existing DN150Cl main at the corner of King Street and St Peters Road to tie into the existing DN100 P-16 main on the corner of Sewell Street and St Peters Road, as shown in the plan below.	Provided to applicant and included in recommended conditions of approval/advice notes.

No.	Referral Authority	Advice	Officer Comment
		<u>Water Upgrade Plan</u> Costs of these upgrades are borne by the proponent. <u>General Comments</u> This proposal will require approval by the Water Corporation's Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.	
4	Dept. Water and Environmental Regulation	Land at Lot 418 and Lot 419 on Plan 1753 (the site), was classified under the *Contaminated Sites Act 2003* (CS Act) as *report not substantiated* on 28 October 2021. Lot 418 was historically used as a service station and other commercial land uses such as automotive industries (e.g. motor vehicle repairs), which are land uses that have the potential to cause contamination, as specified in the guideline 'Assessment and management of contaminated sites' (Department of Water and Environment Regulation, 2021) and has continued to be subject to commercial land use. The department understands that the fuel pumps were removed in 1974, however, underground storage tanks (USTs) remain beneath the northwestern portion of Lot 418. The classification was based on a limited soil investigation in the northern portion of Lot 418 carried out in 2008 in the vicinity of the former fuel dispensers and USTs, to a depth of 3.5 metres below ground level. Lead was found to be present in one location at 0.2 metres below surface level at a concentration below Health Investigation Levels (HILs) for commercial and industrial land, but above the HIL for residential land, as published in the 'National Environment Protection (Assessment of Site Contamination) Measure 1999' (the NEPM). The soil investigations carried out Lot 418 were limited by the presence of infrastructure (such as building and USTs) and no groundwater investigations have been carried out at the site. Historical land use at Lot 419 is unclear, however evidence on file indicates Lot 419 may have been used for automotive industries. No soil or groundwater investigations have been undertaken on Lot 419. The department recommended that further site assessment should be conducted in accordance with department's contaminated sites guidelines and the NEPM when the infrastructure is removed or	Provided to applicant and included in recommended conditions of approval/advice notes.

No.	Referral Authority	Advice	Officer Comment
		replaced, or before there is a change to a more sensitive land use including, but not limited, to residential, recreational (including public open space), primary school or child care centre. Basement parking represents an additional more sensitive element in the development proposal. Lot 81 St Peters Road and Lot 423 King Street, East Fremantle have not been reported to the department as known or suspected contaminated sites and the department holds no records for these sites. Given the uncertainties associated with the current contamination status of the site, the department cannot comment on the suitability of the site for the proposed residential, commercial, public open space and basement parking development. The department recommends that the following contamination condition and advice note are applied to any approval granted by planning authority, consistent with model condition EN9 and advice ENa2 as published in 'Model Subdivision Conditions Schedule' (Department of Planning, Lands and Heritage; WAPC, December 2025). **Condition** a) Prior to commencement of subdivision works on Lots 418 and 419, investigation for soil and groundwater contamination is to be carried out to determine if remediation is required. b) If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works at Lot 418 to the satisfaction of the insert city, shire or authority 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. (Department of Water and Environmental Regulation). **Advice** In relation to Condition [X] 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	

No.	Referral Authority	Advice	Officer Comment
		evidence of compliance with Condition [X]. A current list of accredited auditors is available from www.dwer.wa.gov.au. The site is not located within an area that is mapped as having a risk of encountering acid sulfate soils. The department therefore advises that no specific comment is required in relation to acid sulfate soil management during development.	
4	ATCO Gas	No objection. Provided advice notes.	Provided to applicant and included in advice notes.
5	Western Power	Advice that assessment is in progress (5.6.26). No response received at the time of finalising the RAR.	
6	NBN	No response received.	
7	Telstra	No response received.	

Design Advice Report

Residential development
91-93 Canning Highway, East Fremantle

Independent design advice
30th March 2026

Subject	**East Street Apartments** **91-95 Canning Highway, East Fremantle**	
Date	30th March 2026	
Time	N/A	
Location	N/A	
Design Advisor	Malcolm Mackay - Mackay Urbandesign	
Proponent Team	RAD Architecture	
Declarations		
The design advisor has no conflict of interest.		

Design Quality Evaluation

Principle 1: Context and character. *Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.*

Strengths

a) Some analysis and documentation provided on the physical context.
b) Some evaluation of character within the context undertaken.
c) The building form presents habitable spaces to adjacent streets and a moderately generous landscaped setback for a terraced townhouse typology.

Areas for improvement

d) The lack of any information on the remainder of the site is a major concern –a master plan for the whole site is a critical piece of contextual information and will inform assessment on the appropriateness of the rear interface with the proposed Stage 2 development and open space, as well as any impacts on outlook, overshadow, pedestrian movement and overlooking.
e) The character analysis is limited and, as such, is overly selective with a focus on materials. The locality has a wealth of potential character cues in colours, materials, architectural forms, elements, details, and proportions, almost all of which have been overlooked.
f) Even where materials have been identified in the context, they do not appear in the design.
g) With no clear analysis of the place and how that has informed the architecture, the design appears to be a self-referential outcome rather than being a genuine interpretive response to the place.
h) Whilst the townhouses establish a clear rhythm that broadly relates to the existing rhythms of the locality, the rhythm is expressed through strong vertical elements that are at odds with the gentler suburban forms of the place and is, therefore, more appropriate to an urban context.
i) With self-referential forms executed largely in a homogenous render, the design fails to consider the delicate architectural grain of the place. This has translated into an architecture that will be perceived as bland and alien to the place.
j) The use of solid planters rather than fencing is a heavy-handed interface with St Peters Road, especially as there is a generosity of deep soil in the setback to create a more effective and appealing landscape interface with the street.
k) The placement of bin stores in the front setback is an inappropriate interface to the street.

Recommendations

1. ***Provide a site masterplan that places Stage 1 in the context of the overall design intent.***
2. ***Undertake a more rigorous context and character analysis that identifies the key prevailing character themes of the locality rather than only identifying generic materials.***
3. ***Interpret those character themes in a sensitive and contemporary manner, and with an architectural expression that is more appropriate to a suburban context.***
4. ***Review the fencing treatment to St Peters Road to enable more landscape and better visual awareness of that landscape.***
5. ***Relocate the bin stores so they are not visible from the street interface.***

Principle 2: Landscape quality. *Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context*

Strengths

a) A landscape concept has been prepared by a landscape professional.
b) The planting palette is appropriate to the location and includes visual interest.
c) The concept plans include a suggestion of a hardscape palette.

Areas for improvement

d) Clarify whether any existing trees are removed or retained.
e) The extent of vegetated area falls short of the R-Codes expectations for most dwellings.
f) The front and rear courtyards are both heavily paved and can accommodate a higher percentage of vegetation, especially where advantage can be taken of deep soil.
g) Match tree species to locations on the plans.
h) Clarify how the upper-level planting is maintained noting window opening restrictions in the NCC.
i) The use of solid planters rather than fencing is a heavy-handed interface with St Peters Road, especially as there is a generosity of deep soil in the setback to create a more effective and appealing landscape interface with the street.

Recommendations

1. ***Clarify whether any existing trees are removed or retained.***
2. ***Increase the vegetated areas to at least the R-Code benchmarks.***
3. ***Optimise access to deep soil to achieve greater tree canopy.***
4. ***Show tree species locations on plan.***
5. ***Clarify how upper-level planters can be accessed and safely maintained.***
6. ***Review the fencing treatment to better showcase the landscape.***

Principle 3: Built form and scale. *Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.*

Strengths

a) The use of a townhouse typology is supported.
b) The location of parking in the basement, whilst an expensive solution, is a good design outcome.
c) The height of the development is largely appropriate given the physical and planning context.
d) There is some articulation of the built form to break up the massing.
e) The inclusion of some double-height voids is good.
f) Some articulation has been provided to the western end of the terrace.

Areas for improvement

g) The scale of the building is overly accentuated with the vertical expression and should be further broken down with horizontal and finer-grained architectural elements, changes in material, etc.
h) Include cross sections and a roof plan in the drawing set.
i) The transition from the 3-storey to the 2-storey units is clumsy and could be better accommodated by treating the upper floor of the 3-storey units differently from the two levels below.
j) Consider using a more place-appropriate pitched roof (with better weather protection).

Recommendations

1. ***Review the architectural expression to reduce the vertical expression of the building.***
2. ***Include a roof plan and cross sections.***
3. ***Review how the architectural expression can better manage the transition between* the 3-storey to the 2-storey units.**
4. ***Review the roof type and how it can contribute to a sense of place.***

Principle 4: Functionality and build quality. *Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.*

Strengths

a) The development appears broadly functional and fit for purpose.
b) The units are functional and relatively generous.
c) The inclusion of lifts enables ageing in place.
d) Waste management has been considered.

Areas for improvement

e) The provision of three living areas in most units is bizarre. Consider how to enable greater flexibility of the lower and upper living areas to suit different household needs.
f) Identify AC condenser unit locations (where amenity is not diminished for the residents or neighbours).
g) Review unit layouts to enable Silver Level liveability.
h) Provide cross sections to confirm ramp gradients and clearances.
i) Provide levels on the plans, especially the ground level plan.
j) Whilst the bin stores may be functionally located, they should not be in the front setback.

Recommendations

1. ***Review how to enable greater flexibility of the lower and upper living areas to suit different household needs.***
2. ***Identify discreet AC condenser unit locations.***
3. ***Review unit layouts to enable Silver Level liveability.***
4. ***Provide cross sections to confirm ramp gradients and clearances.***
5. ***Provide levels on the plans, especially the ground level plan.***
6. ***Review the bin store locations.***

Principle 5: Sustainability. *Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.*

Strengths

a) Provision of a sustainability strategy (although not sighted or reviewed).
b) All dwellings are capable of natural cross-ventilation.

Areas for improvement

c) Sustainability 'aspirations' are insufficient. Make commitments on the sustainability initiatives to be delivered.
d) Include PV panels on the roof and confirm output and distribution (shared or individual).
e) Review the extent of exposed glazing and consider shade structures to reduce heat gain.
f) Clarify the use of a light roof colour.
g) Clarify the extent of operable windows.
h) Consider framed construction.
i) Use Low Carbon Concrete.
j) Increase the extent of vegetation and tree canopy, using larger tree species wherever possible.
k) Clarify consistency with the NCC in relation to EV charging.
l) Clarify bike parking.
m) Any approval should include a condition that requires the sustainability initiatives to be verified prior to Building Permit approval.

Recommendations

1. ***Review the design and the sustainability report in the context of the comments above.***
2. ***Ensure that all sustainability measures are verified prior to Building Permit to ensure they are not 'value-engineered' out prior to construction.***

Principle 6: Amenity. *Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.*

Strengths

a) All the units have the capacity for natural cross ventilation and good access to winter sunlight (subject to confirmation via a site master plan of the impact of Stage 2).
b) All habitable rooms have an outlook.
c) There are no overlooking concerns (subject to confirmation via the site master plan of the impact of Stage 2).
d) Resident car parking is under cover.
e) The courtyards are generously sized and include some shade provision.
f) The provision of a lift in each unit is good.

Areas for improvement

g) Clarify room areas and dimensions and confirm against R-Codes metrics.
h) Most of the living areas face south – consider flipping the middle and upper floors of the 3-storey units so the living areas face north (for winter solar gain) over their courtyard.
i) The living area in the two eastern units is internalised and lacks direct outlook.
j) Utilise the front canopies as balconies for the first floor to further articulate the front elevations.
k) Add a skylight over the stairs in the 3-storey units to bring light into the centre of the units and purge heat in summer.
l) Given the proximity to Stirling Highway, clarify acoustic mitigation measures.

Recommendations

1. ***Clarify room and balcony areas and dimensions and confirm against R-Code metrics.***
2. ***Review the orientation and locations of living areas to enable better access to winter solar gain and improve the relationship with the main outdoor living area.***
3. ***Utilise the front canopies as balconies for the first floor.***
4. ***Add a skylight over the stairs in the 3-storey units.***
5. ***Clarify acoustic mitigation measures.***

Principle 7: Legibility. *Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.*

Strengths

a) All the units have entries from the street.
b) The rear entries may provide choice of movement (subject to confirmation via the site master plan of the impact of Stage 2).

c) Car parking is in a logical layout and legible.
d) The use of canopies helps to accentuate the front doors.

Areas for improvement
e) Clarify through a site master plan where the rear entries lead to.
f) The high solid street walls/planters establish a fortress feel that diminishes the arrival experience.

Recommendations
1. ***Clarify, through a site master plan, the northern aspect and interface.***
2. ***Review the fencing treatment to St Peters Road to enable more landscape and better visual awareness of that landscape.***

Principle 8: Safety. *Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.*

Strengths
a) The development provides for some passive surveillance opportunities of the adjacent streets and potentially for whatever is proposed in the Stage 2 development to the north (to be confirmed via a site master plan).
b) There are clear sightlines at the crossover (subject to landscape detail).
c) The 'back-of-house' areas are in a secure basement location.

Areas for improvement
d) Clarify how the upper-level planting can be safely accessed and maintained noting window opening restrictions in the NCC.

Recommendations
1. ***Clarify how the upper-level planting can be safely accessed and maintained.***

Principle 9: Community *Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.*

Strengths
a) The development provides for housing diversity in the locality.

Areas for improvement
Clarify whether there is a public art requirement and if so, what the strategy will be.

Recommendations
1. ***Clarify whether there is a public art requirement and if so, provide a strategy.***

Principle 10: Aesthetics *Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.*

Strengths
a) Window proportions are generally vertical.

Areas for improvement
b) The architecture is overly self-referential and appears alien to the context; refer to the comments under *Principle One - Context and Character*.
c) Break down the scale arising from the vertical expression – use horizontal and finer-grained architectural elements, changes in material, etc: refer to the comments under *Principle Three – Built form and scale.*
d) Break up the homogenous treatment of the walls with changes in material, textures, or colours (that are appropriate to the place).
e) Having identified brick detailing in the local context analysis, use it in the design.
f) Reduce the scale of the street fencing and provide more visual interest and visual permeability to enable the landscape in the setback to contribute to the streetscape.
g) Consider converting the canopies into roofed balconies to provide amenity, solar protection, and interpret the traditional verandas and balconies in the locality.

Recommendations
1. ***Undertake a more comprehensive analysis and evaluation of the locality to identify the prevailing character themes and use the findings to review the architectural treatment. (Refer to comments in Principle One - Context and Character).***

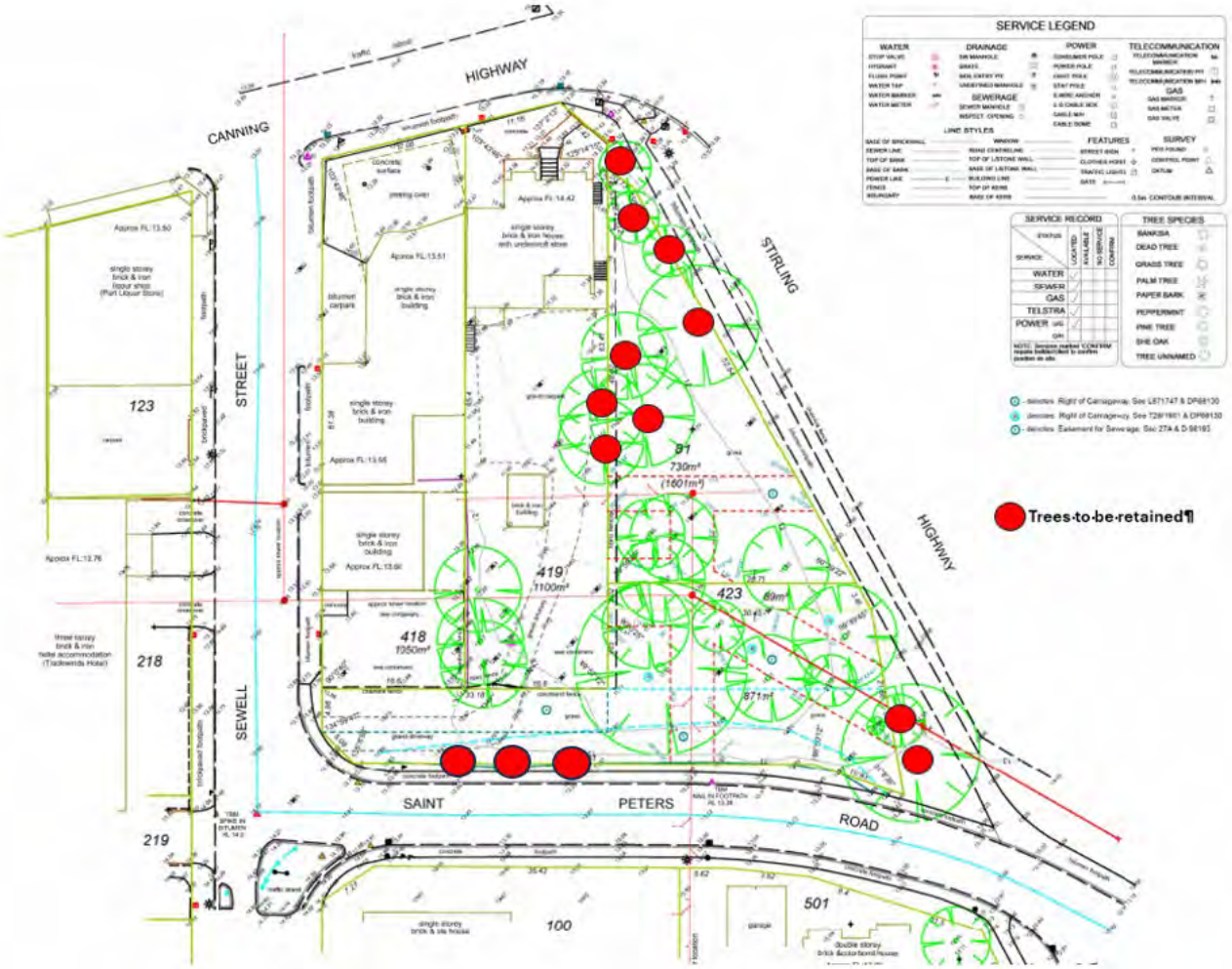
2. ***Break down the scale arising from the vertical expression.***
3. ***Break up the homogenous treatment of the walls with changes in material, textures, colours, etc***
4. ***Introduce brick detailing.***
5. ***Review the fencing treatment to St Peters Road to enable more landscape and better visual awareness of that landscape.***
6. ***Utilise the front canopies as balconies for the first floor.***

Summary and conclusion

Summary and conclusion:	This development has some merit and has the potential to be a positive contribution to the local sense of place. The terraced townhouse form is appropriate, and can be found elsewhere in the broader locality, and the planning of the building is logical and has some generosity. However, at present, the design is insufficiently resolved. The main areas for further improvement lie in the architecture's unsatisfactory relationship to the local sense of place, and a lack of understanding of how the development will interface with future development on the site. Regarding the architectural expression, it should be based on a much more rigorous analysis of the locality. At present, the architecture is a self-referential expression that feels derived from an architectural style of the 1970's rather than an architecture that respects and draws inspiration from its significant heritage context. Whilst there is an argument that contemporary architecture should not mimic traditional details, best heritage practice encourages a sensitive interpretation of traditional forms, elements and details. This approach requires a rigorous analysis of the locality as a starting point. Regarding the lack of understanding of the remainder of the site, the lack of a comprehensive master plan for the whole site is essential. Without this essential information the response to many of the Design Principles cannot be adequately assessed and, therefore, cannot be supported. The Applicant is strongly encouraged to review the design in the context of the advice provided in this report.

Design Review progress			
	Supported		
	Pending further attention		
	Not yet supported		
YTBA	*Yet to be addressed*		
		Independent review 1 27/3/2026	
Principle 1 - **Context and character**			
Principle 2 - **Landscape quality**			
Principle 3 - **Built form and scale**			
Principle 4 - **Functionality and build quality**			
Principle 5 - **Sustainability**			
Principle 6 - **Amenity**			
Principle 7 - **Legibility**			
Principle 8 - **Safety**			
Principle 9 - **Community**			
Principle 10 - **Aesthetics**			

Attachment 8 – Trees to be Retained (dated 14 May 2026)



PART D - LAND

1.1 SITE AREA

DEEMED-TO-COMPLY		YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	COMMENTS / CONDITION OF APPROVAL
C1.1.1	Average & Minimum site area in accordance with Table D	☒	☐	☐	R60 Min 120m^2 Average area 150m^2	9 survey strata lots with additional lot that is common property and access lane to car parking underneath building Units 1-9 greater than 120m^2 Average area 157.3m^2		
C1.1.2	Minimum site area calculated as required for a single house or grouped dwelling	☒	☐	☐	120m^2	Unit 1 – 183.95m^2 Unit 2 – 152.46m^2 Unit 3 – 152.59m^2 Unit 4 – 152.70m^2 Unit 5 – 152.83m^2 Unit 6 – 152.95m^2 Unit 7 – 153.07m^2 Unit 8 – 153.19m^2 Unit 9 – 183.23m^2 Common property 111.58m^2		
C1.1.3	Corner Truncation to a public street, up to a maximum of 20m2 to be added	☐	☐	☒	Not applicable			
	Battle-axe access leg no more than 20% of required site area in Table D	☐	☐	☒	Not applicable			
C1.1.4	Variation approved by the WAPC	☐	☐	☒	Not applicable			
	Existing lot with permanent legal access to a public road	☐	☐	☒	Not applicable			
C1.1.5	R25 & below only			☒	Not applicable			
C1.1.6 R30 - R40 only	Reduced by up to 35% for an accessible dwelling to gold level universal design or a small dwelling	☐	☐	☒	Not applicable			
	Site not less than100m2	☐	☐	☒	Not applicable			
	Where 4 or more dwellings or sites, reduction applied to a maximum 50%	☐	☐	☒	Not applicable			
C1.1.7 R50+	Reduced by up to 35% for an accessible dwelling to gold level universal design or a small dwelling	☐	☐	☒	Not applicable			
	Site not less than100m2	☐	☐	☒	Not applicable			
	Where 4 or more dwellings or sites, small dwelling reduction applied to a maximum 50%	☐	☐	☒	Not applicable			

C1.1.8	For multiple dwellings in areas coded R30 to R60; where a significant existing tree is retained, the average site area may be reduced by 10%. (This reduction is limited to dwellings not already subject to a reduced average site area under C1.1.6 or C1.1.7)	☐	☐	☒	Not applicable			

1.0 THE GARDEN

1.1 PRIVATE OPEN SPACE

DEEMED-TO-COMPLY		YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	COMMENTS / CONDITION OF APPROVAL
C1.1.1	Primary garden area in accordance with Table 1.1a	☐	☒	☐	Unit 1 – 183.95m^2 – 30m^2 1/3 covered area maximum Unit 2 – 152.46m^2 - 25m^2 Unit 3 – 152.59m^2 - 25m^2 Unit 4 – 152.70m^2 – 25m^2 Unit 5 – 152.83m^2 – 25m^2 Unit 6 – 152.95m^2 – 25m^2 Unit 7 – 153.07m^2 – 25m^2 Unit 8 – 153.19m^2 – 25m^2 Unit 9 – 183.23m2 – 25m^2	Unit 1 – 183.95m^2 – 31.72m2 – 27.8m^2/51.3m^2 = 0.54 covered Unit 2 – 152.46m^2 – 23.4m^2 20.4/41.6m^2 = 0.49 Unit 3 – 152.59m^2 - 23.4m2 20.4/41.6m^2 = 0.49 Unit 4 – 152.70m^2 - 23.4m2 20.4/41.6m2 = 0.49 Unit 5 – 152.83m^2 - 23.4m2 20.4/41.6m^2 = 0.49 Unit 6 – 152.95m^2 - 23.4m2 20.4/41.6m^2 = 0.49 Unit 7 – 153.07m^2 - 23.4m2 20.4 m^2/41.6m^2 = 0.49 Unit 8 – 153.19m2 - 23.4m^2 20.4 m^2/41.6m^2 = 0.49 Unit 9 – 183.23m^2 – 34.32m^2 28.3m^2/57.5m^2 = 0.49	Design principles P1.1.1i - the outdoor space is of sufficient size and dimension to be functional and usable for the intended number of dwelling occupants Design principles P1.1.1 ii - the private open space is sited, oriented and designed for occupant amenity, including consideration of solar access and natural ventilation appropriate to the climatic region	Adequate and appropriate private open space for Unit 2 to Unit 8 despite reductions in required minimum areas Appropriate roof cover over private open space for all units
C1.1.2	Splitting of PGA for grouped dwellings	☐	☐	☒	Not applicable			
C1.1.3	Private open space to multiple dwellings (balcony) in accordance with Table 1.1b	☐	☐	☒	Not applicable			
C1.1.4	Balconies to be unscreened for 25%	☐	☐	☒	Not applicable			

1.2 TREES AND LANDSCAPING

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	COMMENTS / CONDITION OF APPROVAL
C1.2.1 – 15% soft landscaping per site	☐	☒	☐	Unit 1 - 27.6m2 Unit 2 - 22.9m2 Unit 3 - 22.9m2 Unit 4 - 22.9m2 Unit 5 - 22.9m2 Unit 6 - 22.9m2 Unit 7 - 23.0m2	Unit 1 - 25.0m2 - 13.6% Unit 2 - 15.1m2 - 9.9% Unit 3 - 15.9m2 - 10.4% Unit 4 - 14.4m2 - 9.4% Unit 5 - 14.8m2 - 9.7% Unit 6 - 15.4m2 - 10.1% Unit 7 - 15.6m2 - 10.2%		Design principles are not achieved for Units 1 to 8. Refer to Planning Assessment section of the RAR for further comments.

				Unit 8 - 23.0m2 Unit 9 - 27.5m2	T8 - 14.8m2 - 9.7% T9 - 34.5m2 - 18.8%		
C1.2.2 – 30% soft landscaping of the primary street setback area	☐	☒	☐	Unit 1 - 23.00m2 – 6.9m2 Unit 2 - 21.94m2 - 6.6m2 Unit 3 - 22.00m2 – 6.6m2 Unit 4 - 21.58m2 - 6.5m2 Unit 5 - 21.77m2 - 6.5m2 Unit 6 - 22.00m2 - 6.6m2 Unit 7 - 22.30m2 – 6.7m2 Unit 8 - 21.99m2 - 6.6m2 Unit 9 - 22.97m2 - 6.9m2	Unit 1 - 3.9m2 - 16.8% Unit 2 - 5.1m2 - 23.0% Unit 3 - 5.7m2 - 25.9% Unit 4 - 5.1m2 - 23.8% Unit 5 - 5.2m2 - 24.0% Unit 6 - 5.0m2 - 22.9% Unit 7 - 5.5m2 - 24.8% Unit 8 - 5.1m2 - 23.1% Unit 9 -7.0m2 - 30.5%		Design principles are not achieved for Unit s 1 to 8. Refer to Planning Assessment section of the RAR for further comments.
C1.2.3 – Communal street and communal open space is landscaped and provided with adequate lighting to footpaths and vehicle access areas	☐	☒	☐		Lighting details are not given and are not indicated on the plans		No lighting is indicated on plans. Condition the provision of lighting to footpaths and vehicle access areas via a lighting plan to be submitted with the building permit application.
C1.2.4 – Minimum trees and deep soil area in accordance with Tables 1.2a & 1.2b.	☒	☐	☐		Small tree in front setback area with 9m2 deep soil area & 1.5m deep planting zone	Design principles P1.2.2 - provision of trees and high quality landscaping contributes to the visual appeal, comfort and amenity of the development, in particular private open space and communal open space and outlook from habitable rooms	
C1.2.5 – Shade trees for uncovered at grade car-parking for grouped and multiple dwellings	☐	☐	☒	Not applicable			
C1.2.6 – reduced landscaping subject to retaining a significant existing tree	☐	☐	☒	Not applicable			
C1.2.7 – Where a significant existing tree is retained on site, tree protection zone is provided in accordance with *AS4970*	☐	☐	☒	Not applicable			
C1.2.8 – Landscaping plan (for multiple dwellings or 5+ dwellings) in accordance with Appendix 3	☒	☐	☐	Provided	Provided		

1.3 COMMUNAL OPEN SPACE – Multiple dwellings only Not applicable

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	COMMENTS / CONDITION OF APPROVAL
C1.3.1 – Minimum communal open space requirements	☐	☐	☒	Not applicable			
C1.3.2 – Communal open space separated or screened sources of noise and odour	☐	☐	☒	Not applicable			
C1.3.3 – Design and orientation of communal open space to minimise impacts of noise, odour, lightspill and overlooking	☐	☐	☒	Not applicable			

1.4 WATER MANAGEMENT AND CONSERVATION

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	COMMENTS / CONDITION OF APPROVAL
C1.4.1 – Stormwater retained on site	☐	☒	☐		Not indicated on plans		Condition will be recommendation that requires a drainage plan to be submitted with the building permit application
C1.4.2 – Notwithstanding C1.4.1, stormwater directed to a district or local stormwater drainage system where required by the decision-maker	☐	☐	☒	Not applicable			

2.0 THE BUILDING

2.1 SIZE AND LAYOUT OF DWELLINGS

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.1.1 – Designated primary living space, for multiple dwellings the primary living space with a minimum dimension of 3.8m	☐	☐	☒	Not applicable			
C2.1.2 – Primary living space to have direct and physical access to primary garden area/private open space (single houses and grouped dwellings)	☒	☐	☐	Kitchen and dining area with a living area is adjacent to the outdoor entertaining area	Kitchen and dining area with a living area (accessible by a short corridor for Units 1 to 7) is adjacent to the outdoor entertaining area		
C2.1.3 – Primary living space to have direct access to private open space (multiple dwellings)	☐	☐	☒	Not applicable			
C2.1.4 – Max depth of single aspect primary living space (multiple dwellings only)	☐	☐	☒	Not applicable			
C2.1.5 – Bedrooms to have a minimum internal floor area of 9m^2 and a minimum dimension of 2.7m (multiple dwellings only)	☐	☐	☒	Not applicable			
C2.1.6 – Minimum ceiling height (multiple dwellings)	☐	☐	☒	Not applicable			
C2.1.7 –Minimum internal dwelling floor area (multiple dwellings)	☐	☐	☒	Not applicable			
C2.1.8 – Dwelling mix (10+ multiple dwellings)	☐	☐	☒	Not applicable			
C2.1.9 – Storage requirements in Table 2.1b	☒	☐	☐	Minimum 4m2 Minimum dimension 1.5m Minimum height 2.1m	Units 1 to 9 greater than 4m2 Units 1 to 9 greater than 1.5m Units 1 to 9 greater than 2.1m		

C2.1.10 – Reduced storage area dimension	☐	☐	☒	Not applicable			
C2.1.11 – Major openings setback a minimum of 3m where facing directly onto car parking and corridors (multiple dwellings)	☐	☐	☒	Not applicable			
C2.1.12 – Separation of noise sources (multiple dwellings)	☐	☐	☒	Not applicable			

2.2 SOLAR ACCESS AND NATURAL VENTILATION

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.2.1 – Openable external window requirements for habitable rooms	☒	☐	☐	Provided	Provided		
C2.2.2 – Courtyard requirements (when proposed as the only source of daylight to a habitable room)	☒	☐	☐	Provided	Provided		
C2.2.3 – Openable window requirements for bathrooms on external walls (excluding boundary walls)	☐	☒	☐		It is not clear that the window on bathrooms of external walls of Unit 1 (west facing) and Unit 9 (east facing) have openable windows		It is not clear that the window on bathrooms of external walls of Unit 1 (west facing) and Unit 9 (east facing) have openable windows – a condition needs to be included that requires that the building permit application plans to have a notation that bathroom windows of Units 1 and 9 are openable
C2.2.4 – Orientation of major openings to primary living spaces (single houses and grouped dwellings)	☐	☒	☐	Maximum depth 2m	Courtyard shading – depth >2m	Design principles P2.2.1 because the development is sited, oriented and designed to optimise winter solar gain whilst limiting summer sunlight into (i) the primary living space and habitable rooms and (ii) private open spaces, including the primary garden area while balancing site constraints, outlook and views of significance.	
C2.2.5 – Percentage of dwellings achieving solar access to major openings to primary living spaces (multiple dwellings)	☐	☐	☒	Not applicable			

2.3 PARKING

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.3.1 – Occupant parking in accordance with Table 2.3a	☒	☐	☐	2 car bays per site	2 car bays per site		

C2.3.2 – Motorcycle/scooter parking (multiple dwellings)	☐	☐	☒	Not applicable			
C2.3.3 – Design of car spaces and manoeuvring areas as per *AS2890.1*	☐	☒	☐	Design of car spaces and manoeuvring areas as per *AS2890.1*	Needs to be confirmed		Needs to be confirmed at building permit application stage
C2.3.4 – Visitor parking in accordance with Table 2.3a	☐	☒	☐	2 car bays for whole site	Visitor parking not provided		Visitor parking not provided
C2.3.5 – Design and location of visitor parking	☐	☒	☐	Not provided	Visitor parking not provided		Visitor parking not provided
C2.3.6 – Bicycle parking in accordance with Table 2.3b	☐	☐	☒	Not applicable			

2.4 WASTE MANAGEMENT

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.4.1 – Space for bin storage	☒	☐	☐	Provided	Provided – 3 bins located in front yard		
C2.4.2 – Waste management plan (multiple dwellings or 5+ grouped dwellings)	☐	☐	☒				
C2.4.3 – Screening of waste storage	☒	☐	☐	Provided	Provided – bins screened from the street		
C2.4.4 – Communal waste storage area requirements	☐	☐	☒	Not applicable			

2.5 UTILITIES

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.5.1 – Service utilities	☒	☐	☐	Service utilities are designed and located such that they are Accessible and can be safely maintained Maintain clear sightlines for vehicle access and Integrated into the design of the development and/or screened from view of the street	Provided		
C2.5.2 – Functional utilities	☒	☐	☐	Functional utilities Are located behind the primary street setback and not visible from the primary street Are designed to integrate with the development and Are located and/or screened so that they are visually	Airconditioning shown but located on roof and screened from the street and the neighbouring properties		

				obtrusive and minimise the impact of noise sources to habitable rooms and private open space both on the development site and the adjoining properties			
C2.5.3 – Solar collectors (where provided)	☒	☐	☐	Solar collectors are on the roof or other parts of the building and prioritise functional performance	Solar panels shown		

2.6 OUTBUILDINGS

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.6.1 – Requirements for outbuildings	☐	☐	☒	Not applicable			
C2.6.2 – Additional outbuilding standards where designed to be compatible with the colour and materials of the dwelling	☐	☐	☒	Not applicable			

2.7 UNIVERSAL DESIGN

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.7.1 – 20% of dwellings to achieve silver level universal design (10 + grouped or multiple dwellings)	☐	☐	☒	Not applicable			
C2.7.2 – Gold level universal design requirements where seeking to apply site area variation in Part D, C1.1.6 or C1.1.7	☐	☐	☒	Not applicable			

2.8 ANCILLARY DWELLINGS

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.8.1 – Ancillary dwelling requirements	☐	☐	☒	Not applicable			

2.9 SMALL DWELLINGS

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)

C2.9.1 – Small dwelling requirements	☐	☐	☒	Not applicable			

2.10 HOUSING ON LOTS LESS THAN 100m²

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.10.1 – Design standards for houses on lots less than 100m²	☐	☐	☒	Not applicable			

3.0 NEIGHBOURLINESS

3.1 SITE COVER

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.1.1 – Site cover in accordance with Table 3.1a *(For single house and grouped dwelling development, refer section 5, C5.1 until 10 April 2026)*	☒	☐	☐	70% site coverage	70% - all units are below the maximum Unit 1 – 110.56m2/183.95m2 x 100 = 60.1% Unit 2 –95.495m2/152.46m2 x 100 = 62.6% Unit 3 –95.495m2/152.59m2 x 100 = 62.6% Unit 4 –95.495m2/152.70m2 x 100= 62.5% Unit 5 –95.495m2/152.83m2 x 100 = 62.5% Unit 6 –95.495m2/152.95m2 x 100 = 62.4% Unit 7 –95.495m2/153.07m2 x 100 = 62.3% Unit 8 –95.495m2/153.19m2 x 100 = 62.3% Unit 9 –103.932m2/183.23m2 x 100 = 56.7%		

3.2 BUILDING HEIGHT

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.2.1 – Building height in accordance with Table 3.2a	☒	☐	☐	11m	Based on maximum height of RL 23.5 and spot heights across the site the maximum height of the building is		R-Codes height provision is not applicable as the building height is specified under the Schedule 13 - ASR1 – Figures

					approximately 12.09m assuming that the lowest spot height from the area where Unit 7 is proposed to be constructed is RL12.41.		1 and 2 overlay. Further comments provided in the Planning Assessment section of the RAR

3.3 STREET SETBACKS

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.3.1 – Setback of buildings in accordance with Table 3.3a	☒	☐	☐	2m	4m		Compliant under the R-Codes. However, the setback to St Peters Road is specified under the Schedule 13 - ASR1 – Figures 1 and 2 overlay. Further comments provided in the Planning Assessment section of the RAR
C3.3.2 – Porch, verandah, balcony projections into the street setback area	☐	☐	☒	Not applicable			
C3.3.3 – Setback from corner truncations	☒	☐	☐	1m	At least 1m		
C3.3.4 – Garages setback from primary street in accordance with Table 3.3b	☐	☐	☒	Not applicable			
C3.3.5 – Setback of carports from a primary street	☐	☐	☒	Not applicable			
C3.3.6 – Setback of garages and carports from a secondary street, right-of way and communal street in accordance with Table 3.3a	☐	☐	☒	Not applicable			

3.4 LOT BOUNDARY SETBACKS

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.4.1 – Buildings set back from lot boundaries in accordance with Table 3.4a	☒	☐	☐	Rear lot boundary – 1.5m – 6.97m height 3m – 10.8m height	Rear boundary – Units 8 & 9 >1.5m Units 1 to 7 >3m		
C3.4.2 – Maximum length for two storey walls	☐	☐	☒	Not applicable			
C3.4.3 – Setback of carports, patios, verandahs or equivalent structure	☐	☐	☒	Not applicable			
C3.4.4 – Maximum height and length of boundary walls in accordance with Table 3.4b	☐	☐	☒	Not applicable			
C3.4.5 – Boundary wall abutting an existing or simultaneously constructed wall	☒	☐	☐	Side boundary – 0m – simultaneous construction – achieves deemed to comply	Side boundary – 0m		
C3.4.6 – Grouped dwellings on the same lot set back as if there is a boundary between them	☐	☐	☒	Not applicable			
C3.4.7 – Multiple dwelling buildings on the same lot set back as though there is a lot boundary	☐	☐	☒	Not applicable			

3.5 SITE WORKS AND RETAINING WALLS

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.5.1 – Retaining walls, fill and excavation in the street setback area max 0.5m, except where necessary to provide for pedestrian universal access and/or vehicle access, drainage works, or natural light to a dwelling	☒	☐	☐	Retaining walls and excavation in the street setback area max 0.5m, except where necessary to provide for pedestrian universal access and/or vehicle access, drainage works or natural light to a dwelling	Wall attached to access lane of underground carpark		
C3.5.2 - Retaining walls and fill behind the street setback in accordance Table 3.5a	☐	☒	☐	Retaining walls and fill within the site and behind the street setback to comply with Table 3.5a	3m+ high retaining wall built up to the boundary	Design principles P3.5.3 - Retaining walls that result in land which can be effectively used for the benefit of residents, do not detrimentally affect the amenity of adjoining properties in the opinion of the decisionmaker, and are designed, engineered and landscaped having due regard to the provisions of element 3.10 Visual Privacy	
C3.5.3 – Excavation behind the street setback line and up to the lot boundary	☒	☐	☐	Excavation within the site is permitted behind the street setback line and may be constructed up to the lot boundary	Excavation is necessary across the site to build the underground carpark		

3.6 STREETSCAPE

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.6.1 – Single houses and grouped dwellings address the street	☒	☐	☐	Single houses and grouped dwellings to address the street in accordance with the following; i. The primary entrance to each dwelling must be readily identifiable from the street ii. Provide at least one major opening on the dwelling frontage with an outlook to the street	All units 1 to 9 address the street with the front door and windows facing the street		

C3.6.2 – Multiple dwelling upper level balconies address the street	☐	☐	☒	Not applicable			
C3.6.3 – Front door protection from the weather	☐	☒	☐	Minimum dimension of 1.2m	Units 1 to 7 greater than 1.2m Units 8 to 9 less than 1.2m	Design principles P3.6.3 – Dwelling and building entries are: i. Accessible and protected from the weather, ii. Well-lit for safety and amenity, without opportunity for concealment, and designed to enable passive surveillance of the entry from within the lot	
C3.6.4 – Ground floor multiple dwellings access to the street	☐	☐	☒	Not applicable			
C3.6.5 – Maximum garage door width	☐	☐	☒	Not applicable			
C3.6.6 – Maximum carport width	☐	☐	☒	Not applicable			
C3.6.7 – Fence or wall within the primary street setback area requirements	☐	☒	☐	1.8m high Visually permeable above 1.2m	<1.8m high Not visually permeable for whole section above 1.2m	Design principles P3.6.1 and design principles P3.6.2 - the street walls and fences in the street setback area contributes positively to streetscape, context and local character and the building design addresses street frontages and provides opportunity for passive surveillance and social interaction	
C3.6.8 – Pillars as part of street fence/wall	☐	☒	☐	Pillars maximum of 1.8m high and 0.45m by 0.45m	Pillar width > 0.45m width	Design principles P3.6.1 and design principles P3.6.2 - the street walls and fences in the street setback area contributes positively to streetscape, context and local character and the building design addresses street frontages and provides opportunity for passive surveillance and social interaction	
C3.6.9 – Secondary street fencing for corner sites	☐	☒	☐	To achieve C3.6.7. and C3.6.8 for a minimum of 50% of street boundary behind primary street setback	Not compliant for 50% of length behind primary street setback area	Design principles P3.6.5 - the height of street walls and fences allows for passive surveillance of the street from the development whilst balancing the need for privacy of private open space and the	

						impact of traffic noise where located on a primary distributor, district distributor or integrator arterial road	

3.7 ACCESS

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.7.1 – Vehicle access hierarchy	☒	☐	☐	Vehicle access to on-site car parking spaces to be provided via the lowest available street in the hierarchy as follows; i. Where available from a right of way or communal street available for lawful use to access the relevant site and which is trafficable and drained from the property boundary to a constructed street	Single communal street provides access to underground car park		
C3.7.2 – One vehicle access per lot	☐	☐	☒				
C3.7.3 – Driveway dimension requirements	☐	☒	☐	Min 3m wide Max 6m wide at street boundary Set back 0.3m from side boundary or street pole Set back 6m from street corner Aligned at right angles to road carriageway Adequately trafficable and drained	3.737m wide >6m at street boundary 0m setback to boundary >6m from street corner Not aligned at right angles Drainage needs to be shown	Design principles P3.7.2 - vehicle access is designed and located to: i. Minimise the number of and width of vehicle access points and the impact on the streetscape, ii. Provide access to the street with the lowest volume of traffic and, iii. Accommodate sloping sites and retaining walls.	Condition requirement for drainage grilles to be provided in the driveway on building permit application plans.
C3.7.4 – Driveways that allow vehicles to exit in forward gear	☒	☐	☐	Provided	Waiting bay is located at the top of the access lane into the underground carpark		
C3.7.5 – Driveway allow passing (when 30m+)	☐	☐	☒	Not applicable			
C3.7.6 – Driveways onto primary distributor or integrator arterial roads	☐	☐	☒	Not applicable			
C3.7.7 - Sightlines	☒	☐	☐	Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences or structures adjoining: ii. A right of way or communal street that intersects a public street	Wall of T9 is more than 1.5m from the communal street that accesses the underground car park for all units		

C3.7.8 – Pedestrian access (grouped and multiple dwellings)	☐	☐	☒	Not applicable			
C3.7.9 – Delineated or separate pedestrian access (10+ grouped and multiple dwellings)	☐	☐	☒	Not applicable			
C3.7.10 – Pedestrian access legs	☐	☐	☒	Not applicable			
C3.7.11 – Communal street or battleaxe leg requirements	☐	☒	☐	0.3m setback either side of driveway	0m on eastern side	Design principles P3.7.2 – Vehicle access is designed and located to: i. Minimise the number and width of vehicle access points and the impact on the streetscape, ii. Provide access to the street with the lowest volume of traffic and, iii. Accommodates sloping sites and retaining walls	
C3.7.12 – Lighting and landscaping of communal streets or battleaxe legs	☐	☒	☐		No lighting indicated		Condition requirement for lighting to be provided in parking area on building permit application plans.
C3.7.13 – Notwithstanding C3.7.11, communal streets to 20 or more lots requirements	☐	☐	☒	Not applicable			

3.8 RETAINING EXISTING DWELLINGS

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.8.1 – Requirements where a dwelling is retained	☐	☐	☒	Not applicable			

3.9 SOLAR ACCESS FOR ADJOINING SITES

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.9.1 – Maximum overshadowing in accordance with Table 3.9a	☒	☐	☐	50%	No overshadowing of adjacent properties – St Peters Road overshadowed		
C3.9.2 – Maximum overshadowing where R40 or greater and has a lot frontage of 7.5m or less	☐	☐	☒	Not applicable			
C3.9.3 – Maximum overshadowing requirements where the adjoining property shares a northern lot boundary with more than one lot	☐	☐	☒	Not applicable			

3.10 VISUAL PRIVACY

DEEMED-TO-COMPLY	YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.10.1 – Visual privacy requirements where adjoining a developed site	☒	☐	☐	All sources of overlooking are oriented, offset or setback in accordance with Table 3.10a so that the cone of vision does not capture major openings and/or active habitable space son adjoining property	Visual privacy setbacks are achieved		
C3.10.2 – Notwithstanding C3.10.1, Visual privacy design solutions	☐	☒	☐	3m from bedroom 2 windows on level 1 Units 2 to 9 – overlooks the alfresco area 3m from master bedroom windows on level 2 Units 2 to 7 – overlooks the alfresco area	Alfresco concrete roof that provides incomplete screening	Design principles P3.10.1 – much of the back yard is screened by the roof of the alfresco area which creates a visual privacy screen, however the solution does not provide complete visual privacy	
C3.10.3 – Offsetting of bedroom and study windows	☐	☐	☒	Not applicable			
C3.10.4 – Overlooking for grouped or multiple dwellings within a lot	☐	☐	☒	Not applicable			
C3.10.5 – Visual privacy where adjoining a vacant or unknown site	☐	☐	☒	Not applicable			
C3.10.6 – Notwithstanding C3.10.5, visual privacy design solutions where adjoining a vacant or unknown site	☐	☐	☒	Not applicable			

Attachment 10 – Local Planning Scheme No. 3 – Clause 5.10.1. – Additional Site and Development Requirements – ASR1 – Figures 1 and 2

https://www.wa.gov.au/system/files/2025-12/east_fremantle3_schemetext.pdf (page 72)

PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

2. Meeting Closure