

At 6.58 pm the Mayor, Brad Pettitt brought forward item SPT1807-02 for discussion.

**SPT1807-02 POTENTIAL SCHEME AMENDMENT 75 - NEW SUB AREA WHITE GUM VALLEY - PRELIMINARY ENGAGEMENT & INITIATION**

**Meeting Date:** 18 July 2018  
**Responsible Officer:** Manager Strategic Planning  
**Decision Making Authority:** Council  
**Agenda Attachments:** 1. Schedule of submissions  
 2. Previous report 28 March 2018 SPT1803-2

**OFFICER'S RECOMMENDATION**

Council:

1. Note the submissions received during the engagement on the potential scheme amendment provisions.
2. Pursuant to regulation 35(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, adopt the following amendment No. 75 to City of Fremantle Local Planning Scheme No. 4:
  - a) Insert the following into Schedule 8 Local Planning Areas (development requirements), Local Planning Area 6 – White Gum Valley after 6.2 Matters to be considered in applying specific and general height requirements

<b>6.3</b>	<b>SPECIFIC DEVELOPMENT CONTROLS FOR SUB AREAS</b>	
Sub Area 6.3.2	[Map to shows 119 Hope Street, White Gum Valley only, to be completed prior to advertising]	
	<b>LOCAL PLANNING AREA 6 – WHITE GUM VALLEY Local Planning Sub-Area 6.3.2</b>	
	Additional development standards In applying Additional Development Standards within sub area 6.3.2, clause 6.2 'Matters to be considered in applying general and specific height requirements' of Local Planning Area 6 does not apply. Additional development standards shall be in accordance with the criteria and standards set out in the table below.	
	Requirements (criteria) to be met in order for additional development standards to apply	Additional development standards
	Housing Diversity a) Diversity of housing typologies is to be demonstrated with: i. a minimum of 30% of proposed dwellings having a floor area less than 120m <sup>2</sup> ; and ii. a maximum of 40% of proposed dwellings having a floor area more than 140m <sup>2</sup> .	Density a) Residential density code R60. b) Notwithstanding the minimum site area requirements of clause 5.1.1 and Table 1 of the Residential Design
	Sustainability	

<p>b) The proposed development provides 1+ star in excess of the current energy efficiency requirement of the National Construction Code.</p> <p>c) Each single or grouped dwelling provides a minimum 1.5Kw photovoltaic solar panel system.</p> <p>Open Space</p> <p>d) A minimum of 60% open space being provided and supported by a detailed Waterwise landscaping plan.</p> <p>Trees and Landscaping</p> <p>e) At least 25% of the site area shall be landscaped with Waterwise plantings and permeable surfaces.</p> <p>f) A minimum 3m dimension and 9m<sup>2</sup> deep planting zone will be provided for each single house or grouped dwelling with a 400L approved tree planted in the area prior to occupancy of the development.</p> <p>Community</p> <p>g) Landscaping treatment of street verges, including the creation of communal use recreation spaces and the provision of vehicle parking for visitor and public use.</p> <p>h) Where there are three or more dwellings on a site communal open space that is accessible to all residents of a development site and with a minimum dimension of 3m of usable and effective open space is to be provided.</p> <p>Built Form</p> <p>i) Dwellings adjacent to the street are to be provided with direct access from the street, and are to include habitable room windows and porches overlooking the street.</p> <p>Car Movement and Parking</p> <p>j) Consolidated site access points being provided to encourage coordination of access to adjoining properties and minimise the number and width of crossovers required to service future development with a maximum of:</p> <p style="padding-left: 20px;">i. Two reduced width one way access points per development site; or</p> <p style="padding-left: 20px;">ii. One consolidated two way access point per development site.</p> <p>k) Parking area surface treatments to be water permeable.</p> <p>l) No garages will be permitted fronting the street.</p> <p>Local Development Plan</p> <p>m) A local development plan is required to be prepared</p>	<p>Codes, development approval may be granted for the development of grouped dwellings with a reduced minimum site area per dwelling as per the housing diversity requirements.</p> <p>c) Multiple dwellings will not be permitted in the sub area.</p>
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	<p>prior to the approval of any proposed development, addressing the following specific built form considerations:</p> <ul style="list-style-type: none"> <li>i. Vehicle and pedestrian access and egress.</li> <li>ii. Building setbacks, including boundary walls and rear setbacks.</li> <li>iii. Solar access.</li> <li>iv. Garage and carport location.</li> <li>v. On-street parking provision.</li> <li>vi. Communal open space provision.</li> <li>vii. Fencing and retaining walls.</li> <li>viii. Private open space location and treatments.</li> <li>ix. The interface with existing development on adjoining lots.</li> </ul>	
<p>Note: Where the above criteria are not met: The residential density code as shown on the Scheme Map applies. The height requirements in 6.1 of Local Planning Area 6 above apply.</p>		

3. In its opinion, the amendment is a complex amendment for the following reason: it is an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality.
4. Authorise the Mayor and Chief Executive Officer execute the relevant scheme amendment documentation.
5. Authorise the amendment be submitted to the Environmental Protection Authority for determination of whether an environmental review is required.
6. Subject to the Environmental Protection Authority determining that an environmental review is not required, pursuant to regulation 37 of the Planning and Development (Local Planning Schemes) Regulations 2015 the scheme amendment be referred to the Western Australian Planning Commission and the Commission be informed that the City of Fremantle has resolved to proceed to advertise the amendment.

**COMMITTEE RECOMMENDATION ITEM STP1807-02**

(Amended officer's recommendation)

**Moved: Mayor, Brad Pettitt**

**Seconded: Cr Andrew Sullivan**

Council:

1. Note the submissions received during the engagement on the potential scheme amendment provisions.
2. Pursuant to regulation 35(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, adopt the following amendment No. 75 to City of Fremantle Local Planning Scheme No. 4:

- a) Insert the following into Schedule 8 Local Planning Areas (development requirements), Local Planning Area 6 – White Gum Valley after 6.2 Matters to be considered in applying specific and general height requirements

<b>6.3</b>	<b>SPECIFIC DEVELOPMENT CONTROLS FOR SUB AREAS</b>	
Sub Area 6.3.2	[Map to shows 119 Hope Street, White Gum Valley only, to be completed prior to advertising]	
	<b>LOCAL PLANNING AREA 6 – WHITE GUM VALLEY Local Planning Sub-Area 6.3.2</b>	
	Additional development standards In applying Additional Development Standards within sub area 6.3.2, clause 6.2 'Matters to be considered in applying general and specific height requirements' of Local Planning Area 6 does not apply. Additional development standards shall be in accordance with the criteria and standards set out in the table below.	
	<b>Requirements (criteria) to be met in order for additional development standards to apply</b>	<b>Additional development standards</b>
	<p><b>Housing Diversity</b></p> <p>a) Diversity of housing typologies is to be demonstrated with:</p> <p>i. a minimum of 30% of proposed dwellings having a floor area less than 120m<sup>2</sup>; and</p> <p>ii. a maximum of 40% of proposed dwellings having a floor area more than 140m<sup>2</sup>.</p> <p>iii. <i>A maximum of 30% of all proposed dwellings may be multiple dwellings. The floor area provisions in (i) and (ii) above shall apply to the total number of dwellings proposed in a development, inclusive of any multiple dwelling types.</i></p> <p><b>Sustainability</b></p> <p>b) The proposed development provides 1+ star in excess of the current energy efficiency requirement of the National Construction Code.</p> <p>c) Each single or grouped dwelling provides a minimum 1.5Kw photovoltaic solar panel system.</p> <p><b>Open Space</b></p> <p>d) A minimum of 60% open space being provided and supported by a detailed Waterwise landscaping plan.</p> <p><b>Trees and Landscaping</b></p> <p>e) At least 25% of the site area shall be landscaped with Waterwise plantings and permeable surfaces.</p> <p>f) A minimum 3m dimension and 9m<sup>2</sup> deep planting zone will be provided for each single house or grouped dwelling with a 400L approved tree planted in the area prior to occupancy of the development.</p> <p><b>Community</b></p>	<p><b>Density</b></p> <p>a) Residential density code R60.</p> <p>b) Notwithstanding the minimum site area requirements of clause 5.1.1 and Table 1 of the Residential Design Codes, development approval may be granted for the development of grouped dwellings with a reduced minimum site area per dwelling as per the housing diversity requirements.</p> <p>c) <i>The maximum height of any building or part of building containing multiple dwellings shall not exceed 3 storeys and have a maximum external wall height of 9m and maximum overall height of 12m.</i></p> <p>d) <i>The minimum setback of any part of a building containing</i></p>

<p>g) Landscaping treatment of street verges, including the creation of communal use recreation spaces and the provision of vehicle parking for visitor and public use.</p> <p>h) Where there are three or more dwellings on a site communal open space that is accessible to all residents of a development site and with a minimum dimension of 3m of usable and effective open space is to be provided.</p> <p><b>Built Form</b></p> <p>i) Dwellings adjacent to the street are to be provided with direct access from the street, and are to include habitable room windows and porches overlooking the street.</p> <p><b>Car Movement and Parking</b></p> <p>j) Consolidated site access points being provided to encourage coordination of access to adjoining properties and minimise the number and width of crossovers required to service future development with a maximum of:</p> <p>i. Two reduced width one way access points per development site; or</p> <p>ii. One consolidated two way access point per development site.</p> <p>k) Parking area surface treatments to be water permeable.</p> <p>l) No garages will be permitted fronting the street.</p> <p><b>Local Development Plan</b></p> <p>m) A local development plan is required to be prepared prior to the approval of any proposed development, addressing the following specific built form considerations:</p> <p>i. Vehicle and pedestrian access and egress.</p> <p>ii. Building setbacks, including boundary walls and rear setbacks.</p> <p>iii. Solar access.</p> <p>iv. Garage and carport location.</p> <p>v. On-street parking provision.</p> <p>vi. Communal open space provision.</p> <p>vii. Fencing and retaining walls.</p> <p>viii. Private open space location and treatments.</p> <p>ix. The interface with existing development on adjoining lots.</p>	<p><i>multiple dwellings exceeding 2 storeys in height from any boundary shall be 10m.</i></p>
<p>Note: Where the above criteria are not met: The residential density code as shown on the Scheme Map applies. The height requirements in 6.1 of Local Planning Area 6 above apply.</p>	

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4. Authorise the Mayor and Chief Executive Officer execute the relevant scheme amendment documentation.
5. Authorise the amendment be submitted to the Environmental Protection Authority for determination of whether an environmental review is required.
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**AMENDMENT 1**

**Moved: Cr Jenny Archibald**

**Seconded: Cr Ingrid Waltham**

**To move the original officer's recommendation.**

**Amendment carried: 6/5**

**For**

**Cr Ingrid Waltham, Cr Doug Thompson, Cr Bryn Jones, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright**

**Against**

**Mayor, Brad Pettitt, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang**

**Reason for change:**

The officer's recommendation provides a better solution to increase density in this area, and ensures multiple and 3 storey dwellings are not permitted.

**AMENDMENT 2**

**Moved: Cr Sam Wainwright**

**Seconded: Cr Ingrid Waltham**

**To amend part c) of the 'Additional development standards' section of the officer's recommendation, as follows;**

- c) Multiple dwellings will **not** be permitted in the sub area **up to a maximum of 2 storeys.**

**Amendment carried: 9/2**

**For**

**Mayor, Brad Pettitt, Cr Ingrid Waltham, Cr Doug Thompson, Cr Bryn Jones,  
Cr Hannah Fitzhardinge, Cr Rachel Pemberton, Cr Adin Lang,  
Cr Jenny Archibald, Cr Sam Wainwright**

**Against**

**Cr Jon Strachan, Cr Andrew Sullivan**

**Reason for change:**

To ensure the standard for multiple dwellings is clearly outlined.

**COUNCIL DECISION ITEM STP1807-02**  
**(Amended officer’s recommendation)**

**Moved: Mayor, Brad Pettitt**

**Seconded: Cr Andrew Sullivan**

**Council:**

1. Note the submissions received during the engagement on the potential scheme amendment provisions.
2. Pursuant to regulation 35(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, adopt the following amendment No. 75 to City of Fremantle Local Planning Scheme No. 4:
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	<b>LOCAL PLANNING AREA 6 – WHITE GUM VALLEY</b>	<b>Local Planning</b>
	<b>Sub-Area 6.3.2</b>	
	<b>Additional development standards</b>	
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	<b>Requirements (criteria) to be met in order for additional development standards to apply</b>	<b>Additional development standards</b>
	<b>Housing Diversity</b>	<b>Density</b>
	<ol style="list-style-type: none"> <li>a) Diversity of housing typologies is to be demonstrated with:                             <ol style="list-style-type: none"> <li>i. a minimum of 30% of proposed dwellings having a floor area less than 120m<sup>2</sup>; and</li> <li>ii. a maximum of 40% of proposed dwellings having a floor area more than 140m<sup>2</sup>.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>a) Residential density code R60.</li> <li>b) Notwithstanding the minimum site area requirements of clause 5.1.1 and Table 1 of the Residential Design Codes, development approval may be</li> </ol>
	<b>Sustainability</b>	
	<ol style="list-style-type: none"> <li>b) The proposed development provides 1+ star in excess of the current energy efficiency requirement of the National Construction Code.</li> </ol>	

<p><b>c) Each single or grouped dwelling provides a minimum 1.5Kw photovoltaic solar panel system.</b></p> <p><b>Open Space</b></p> <p><b>d) A minimum of 60% open space being provided and supported by a detailed Waterwise landscaping plan.</b></p> <p><b>Trees and Landscaping</b></p> <p><b>e) At least 25% of the site area shall be landscaped with Waterwise plantings and permeable surfaces.</b></p> <p><b>f) A minimum 3m dimension and 9m<sup>2</sup> deep planting zone will be provided for each single house or grouped dwelling with a 400L approved tree planted in the area prior to occupancy of the development.</b></p> <p><b>Community</b></p> <p><b>g) Landscaping treatment of street verges, including the creation of communal use recreation spaces and the provision of vehicle parking for visitor and public use.</b></p> <p><b>h) Where there are three or more dwellings on a site communal open space that is accessible to all residents of a development site and with a minimum dimension of 3m of usable and effective open space is to be provided.</b></p> <p><b>Built Form</b></p> <p><b>i) Dwellings adjacent to the street are to be provided with direct access from the street, and are to include habitable room windows and porches overlooking the street.</b></p> <p><b>Car Movement and Parking</b></p> <p><b>j) Consolidated site access points being provided to encourage coordination of access to adjoining properties and minimise the number and width of crossovers required to service future development with a maximum of:</b></p> <p style="padding-left: 20px;"><b>i. Two reduced width one way access points per development site; or</b></p> <p style="padding-left: 20px;"><b>ii. One consolidated two way access point per development site.</b></p> <p><b>k) Parking area surface treatments to be water permeable.</b></p> <p><b>l) No garages will be permitted fronting the street.</b></p> <p><b>Local Development Plan</b></p>	<p><b>granted for the development of grouped dwellings with a reduced minimum site area per dwelling as per the housing diversity requirements.</b></p> <p><b><i>c) Multiple dwellings will be permitted in the sub area up to a maximum of 2 stories.</i></b></p>
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- m) A local development plan is required to be prepared prior to the approval of any proposed development, addressing the following specific built form considerations:**
- i. Vehicle and pedestrian access and egress.**
  - ii. Building setbacks, including boundary walls and rear setbacks.**
  - iii. Solar access.**
  - iv. Garage and carport location.**
  - v. On-street parking provision.**
  - vi. Communal open space provision.**
  - vii. Fencing and retaining walls.**
  - viii. Private open space location and treatments.**
  - ix. The interface with existing development on adjoining lots.**

**Note: Where the above criteria are not met:  
The residential density code as shown on the Scheme Map applies.  
The height requirements in 6.1 of Local Planning Area 6 above apply.**

- 3. In its opinion, the amendment is a complex amendment for the following reason: it is an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality.**
- 4. Authorise the Mayor and Chief Executive Officer execute the relevant scheme amendment documentation.**
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**Carried: 11/0**

**Mayor, Brad Pettitt, Cr Ingrid Waltham, Cr Doug Thompson, Cr Bryn Jones, Cr Jon Strachan,  
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright**