



## Metro Inner Development Assessment Panel Agenda

**Meeting Date and Time:** Wednesday, 26 June 2024; 9.30am  
**Meeting Number:** MIDAP/20  
**Meeting Venue:** 140 William Street, Perth  
**Public Observing:** Online

A live stream will be available at the time of the meeting, via the following link:  
[MIDAP/20 - 26 June 2024 - City of Fremantle](#)

### PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

### PART B – CITY OF FREMANTLE

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
  - 4.1 Lot 1 (No.59) Blinco Street Fremantle - 12 Grouped Dwellings - DAP/23/02454
5. Section 31 SAT Reconsiderations

### PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. General Business
3. 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*



## **ATTENDANCE**

### **DAP Members**

Clayton Higham (Presiding Member)  
Lee O'Donohue (Deputy Presiding Member)  
Peter Lee (Specialist Member)

#### *Part B – City of Fremantle*

Cr Ingrid Van Dorssen (Local Government Member, City of Fremantle)  
Cr Andrew Sullivan (Local Government Member, City of Fremantle)

### **Minute Secretary**

Tenielle Brownfield (DAP Secretariat)

### **Officers in Attendance**

Ashlee Kelly (DAP Secretariat)



## **PART A – INTRODUCTION**

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

The Presiding Member declares the meeting open and acknowledges the traditional owners and pay respects to Elders past and present of the land on which the meeting is being held.

This meeting is being recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members are reminded to announce their name and title prior to speaking.

### **2. Apologies**

Nil.

### **3. Members on Leave of Absence**

Nil.

### **4. Noting of Minutes**

Signed minutes of previous meetings are available on the [DAP website](#).



## **PART B – CITY OF FREMANTLE**

### **1. Declarations of Due Consideration**

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

### **2. Disclosure of Interests**

Nil.

### **3. Form 1 DAP Applications**

Nil.

### **4. Form 2 DAP Applications**

4.1 Lot 1 (No.59) Blinco Street Fremantle - 12 Grouped Dwellings -  
DAP/23/02454

### **5. Section 31 SAT Reconsiderations**

Nil.

**PART B – ITEM 4.1 - LOT 1 (NO.59) BLINCO STREET,  
FREMANTLE – AMENDMENTS TO DAP 002/23 (12 GROUPED  
DWELLINGS)**

**Form 2 – Responsible Authority Report**  
(Regulation 17)

|                                                 |                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DAP Name:</b>                                | Metro Inner DAP                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Local Government Area:</b>                   | City of Fremantle                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Proposed Amendments:</b>                     | <ul style="list-style-type: none"> <li>- Proposed changes to building façade</li> <li>- Deletion of advice note referencing public open space contribution</li> </ul>                                                                                                                                                                                                                         |
| <b>Applicant:</b>                               | Element                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Owner:</b>                                   | 59 Blinco Pty Ltd ATF 59 Blinco Unit Trust                                                                                                                                                                                                                                                                                                                                                    |
| <b>Value of Amendment:</b>                      | Not specified                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Responsible Authority:</b>                   | City of Fremantle                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Authorising Officer:</b>                     | Chloe Johnston, Manager Development Approvals                                                                                                                                                                                                                                                                                                                                                 |
| <b>LG Reference:</b>                            | DAPV003/24                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>DAP File No:</b>                             | DAP/23/02454                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Date of Original DAP decision:</b>           | 21 June 2023                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Application Received Date:</b>               | 26 April 2024                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Application Statutory Process Timeframe:</b> | 60 Days                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Attachment(s):</b>                           | <ul style="list-style-type: none"> <li>1. Amended Development Plans</li> <li>2. Original Decision Notice and Approved Plans (dated 21 June 2023)</li> <li>3. WAPC Subdivision Approval Decision Letter and Plan (dated 4 July 2023)</li> <li>4. DAC Comments</li> <li>5. Applicant Covering Letter</li> <li>6. City of Fremantle Council Decision and Minutes (Dated 12 June 2024)</li> </ul> |

**Responsible Authority Recommendation**

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/23/02454 as detailed on the DAP Form 2 dated 26 April 2024 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/23/2454 and accompanying plans (DA2-01-RevC; A03-001 RevG; A03-002 RevG; A03-003 RevG dated 26 April 2024) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Fremantle Local Planning Scheme No. 4, subject to the following condition:

## Amended Conditions

1. This approval relates only to the development as indicated on the approved plans dated 26 April 2024. It does not relate to any other development on this lot and must substantially commence within 4 years from the date of this decision letter.

## Details: outline of development application

|                                                   |                                                                                                                                                                                       |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Region Scheme                                     | Metropolitan Region Scheme                                                                                                                                                            |
| Region Scheme Zone/Reserve                        | Urban                                                                                                                                                                                 |
| Local Planning Scheme                             | Local Planning Scheme No.4 (LPS4)                                                                                                                                                     |
| Local Planning Scheme Zone/Reserve                | Development Area - Knutsford Street East<br>Local Structure Plan                                                                                                                      |
| Structure Plan/Precinct Plan                      | Knutsford Street East Local Structure Plan                                                                                                                                            |
| Structure Plan/Precinct Plan Land Use Designation | Precinct 2 – Mixed Use/ Residential R60/100                                                                                                                                           |
| Use Class (proposed) and permissibility:          | Grouped Dwellings = Permitted                                                                                                                                                         |
| Lot Size:                                         | 1175m <sup>2</sup>                                                                                                                                                                    |
| Net Lettable Area (NLA):                          | N/A                                                                                                                                                                                   |
| Number of Dwellings:                              | 12                                                                                                                                                                                    |
| Existing Land Use:                                | Vacant Land                                                                                                                                                                           |
| State Heritage Register                           | No                                                                                                                                                                                    |
| Local Heritage                                    | <input checked="" type="checkbox"/> N/A<br><input type="checkbox"/> Heritage List<br><input type="checkbox"/> Heritage Area                                                           |
| Design Review                                     | <input type="checkbox"/> N/A<br><input checked="" type="checkbox"/> Local Design Review Panel<br><input type="checkbox"/> State Design Review Panel<br><input type="checkbox"/> Other |
| Bushfire Prone Area                               | No                                                                                                                                                                                    |
| Swan River Trust Area                             | No                                                                                                                                                                                    |

## Proposal:

Approval is sought for the following amendment to the previously approved development at Lot 1 (No. 59) Blinco Street, Fremantle under application ref. DAP/23/02454 for;

*‘12 Grouped Dwellings, consisting of four (4) two-storey grouped dwellings and eight (8) three-storey grouped dwellings, with a range of 3 to 4 bedrooms per dwelling’.*

The proposed modifications are as follows;

1. Building façade design changes due to material supply constraints. This includes;

- Removal of bronze balcony portal features and replacement of other bronze metal elements (frames, batten side screens, balustrade on the first floor and infill panels on the second floor).
- Various adjustments to finished ground floor levels of a minor nature as expected during detailed design stage.
- A reselection of new mottled red brick instead of the previous plum coloured brick is proposed to complement the new proposed darker colour of metal elements.

It is acknowledged that the proposed building façade modifications result in a development that looks slightly different to the original plans however, it yet delivers the same product. The aesthetics, functionality and build quality of the approved townhouses are still retained through the modified designs.

3. Proposed deletion of the advice note relating to the Public Open Space contribution, which states:

*'15. The applicant is advised that upon application to subdivide the site, a condition requiring a contribution of public open space may be imposed. In accordance with the structure plan, the City's preference will be for the landowner/applicant to provide cash in lieu to the local government for the sum equivalent to 10 per cent of the land, being that portion of the land that would otherwise be provided as open space to contribute to the upgrade and maintenance needed due to the additional population using the reserves.'*

The amended development plans are included as **Attachment 1**.

### **Background:**

On 30 June 2023 the Metro Inner-South Joint Development Assessment Panel (JDAP), currently Metro Inner JDAP, approved DAP/23/02454. Prior to the original approval issued by JDAP and subsequent subdivision approval granted by the WAPC, the subject site was one lot with a total land area of 1,175m<sup>2</sup> located at Lot 1 (No. 59) Blinco Street, Fremantle. Historically, the subject site and surrounding land has been used for industrial land uses.

In summary, the site is described as follows:

1. Zoned 'Urban' under the MRS and 'Development Zone' under LPS4
2. Is located on a corner site with dual lot frontage to Blinco Street and Montreal Street.
3. Is located within Local Planning Area 2 – Fremantle under LPS4.
4. Is located within Development Area 1 (DA1) - Knutsford Street East Local Structure Plan (KSELSP). The subject site is located within Precinct 2 of the structure plan area, proposed to be Mixed Use Residential R60/100.
5. Is currently a largely vacant site which was being utilised as temporary car parking associated with the adjoining construction site at 76 Knutsford Street, Fremantle.
6. The immediate locality surrounding the subject site is zoned Residential R25 to the north, Parks and Recreation Reserve under the MRS to the east facilitating the Fremantle Public Golf Course and Development Zone to the south and west.

Refer Figure 1 below for site context map.

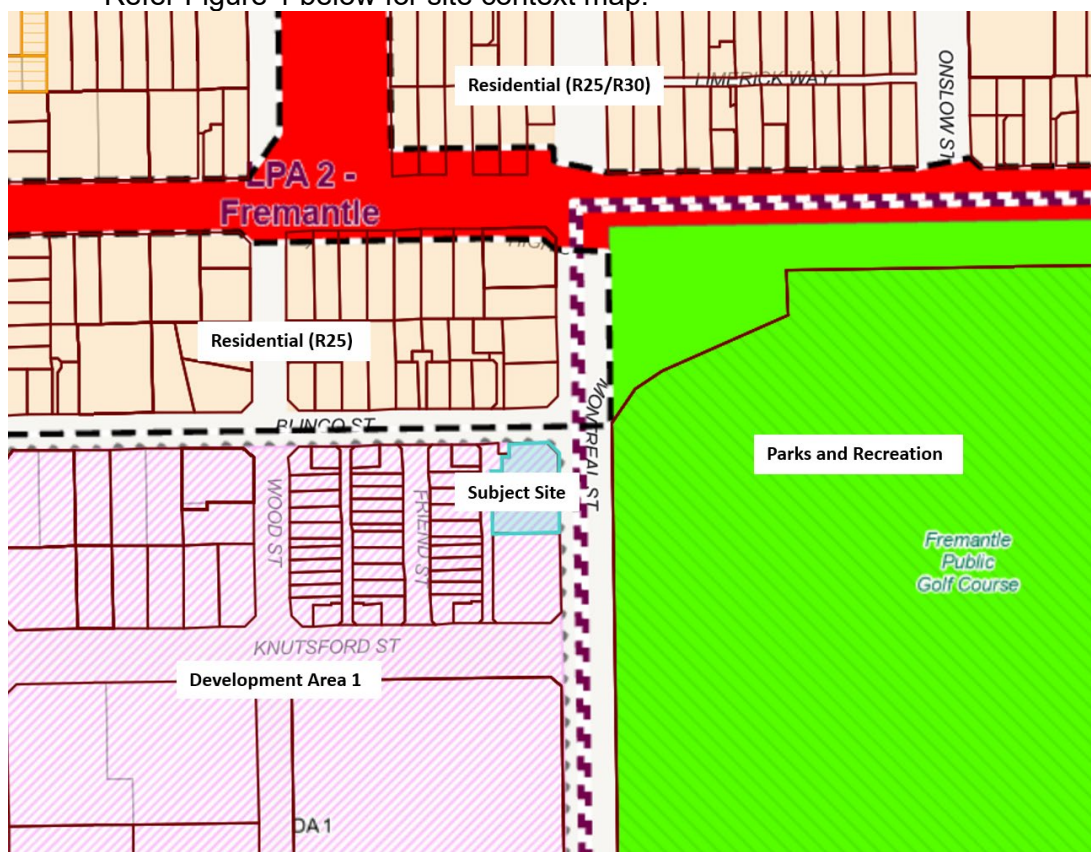


**Figure 1 - Site Context Map**

In accordance with the WAPC Ref.161-23 approval, the subject site is now in the process of being subdivided into 12 survey strata lots, with inclusion of a common property. The new lot layout is depicted in the aerial imagery below.



**Figure 2: New Lot Layout**

This application is seeking amendments to the existing approval, specifically relating to the materiality and design of the façade. This was reviewed by the City's Design Advisory Committee, with feedback and discussion included in the report below. The applicants reasons and justification for the changes include:

- The proposed amendments have been made due to the progression of detailed design and unforeseen significant and fundamental material supply constraints;

- Aesthetics, functionality and build quality of the approved townhouses are still retained through the modified designs; and
- The updated materials complements the light industrial heritage of the area.

Additionally, the applicant is seeking the deletion of Advice Note 15, which sets out the City's preference that cash in lieu of Public Open Space be provided. While this matter is dealt with via subdivision approval, where the condition for a POS contribution was imposed and maintained following a request for reconsideration from the applicant, they have sought to have other works credited as their contribution. Further discussion on the deletion of the advice note request is included below, with a formal position regarding the expenditure of the contribution being sought from Council.

A copy of the original Decision Notice and Approved Plans is provided as **Attachment 2**. The WAPC subdivision approval Decision Letter and Plan is provided as **Attachment 3**.

### **Legislation and Policy:**

#### Legislation

1. *Planning and Development Act 2005*
2. *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations)
3. *Planning and Development (Development Assessment Panels) Regulations 2011* (the DAP Regulations)
4. *City of Fremantle Local Planning Scheme No.4* (LPS4)

#### State Government Policies

1. State Planning Policy 7.0 – Design of the Built Environment (SPP7.0)
2. State Planning Policy 7.3 – Residential Design Codes Volume 1 2024 (R-Codes)

#### Structure Plans/Activity Centre Plans

- Knutsford Street East Local Structure Plan (KSELSP)

#### Local Policies

- Local Planning Policy 1.1 - Amendment and Extension to the Term of Planning Approval Local Planning Policy
- 1.9 – Design Advisory Committee & Principles of Design (LPP1.9)

### **Consultation:**

#### Public Consultation

Due to the nature of the proposed amendment, public consultation was not deemed necessary in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

#### Referrals/consultation with Government/Service Agencies

Not applicable

### Design Review Panel Advice

The amended proposal was presented to the City's Design Advisory Committee (DAC) on 11 December 2023, prior to lodgement of the application to vary the approval. The City's DAC provided comments and recommendations in accordance with SPP7.0 Design of the Built Environment, as detailed below;

- *Changes to architectural elements*

*Due to supply issues, changes to the approved design include the omission of the following on the front elevations facing the streets.*

- *all the bronze metal portal frames surrounding the first and second floor balconies.*
- *all the bronze metal elements (frames, balustrade, horizontal batten side screens on the first-floor balconies and the infill panels above the second-floor openings).*

*To complement the new proposed darker colour of metal elements, the proponent advised the reselection of a mottled red brick instead of the previous more plum coloured brick.*

*The DAC advises that the changes to the architectural and metal elements cumulatively diminish the character and strong identity of the townhouses on the streetscapes and, therefore, are not supported. The proponent advised the project was now on hold. If the supply issue cannot be resolved during the time the project is on hold, the DAC suggests consideration of alternative and similar high quality design solutions.*

- *Paving material in the internal laneway*

*The two rough textured paving types proposed for the internal shared space laneway should be reconsidered as this space is intended for the residents' communal use, including by children who could fall and suffer skin grazes. A suggestion is to reselect to smoother paving types.*

- *Relocation of the shade canopy*

*A positive change on the eastern elevation is the lowering of the second-floor canopy to above opening head height to assist with shading of internal rooms. Consider extending the shade canopy to additionally protect the second-floor balcony from strong summer sun.*

### *Concluding comments*

*The DAC:*

- *Does not support the omission of the bronze portal frame feature or the bronze metal elements on the front streetscape elevations. The DAC suggests resolution of the supply issue while the project is on hold or considering alternative and similar high-quality design solutions*
- *Suggests selection of smoother paving types in the internal laneway*

- *Suggests extending the shade canopy to additionally protect the balcony.*

### **Planning Assessment:**

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

- Façade design changes; and
- Inclusion of verge landscaping in public open space contribution.

### **Façade design changes**

The Grouped Dwellings approved as part of the original application included balconies proposed to be constructed of bronze metal framing, bronze aluminium batten side screening and glazing balustrades. The application seeks to modify the balcony to remove the bronze portal frame features and balustrade and instead the proposed balcony will include frameless glass balustrading. The applicant has advised in their covering letter that the original balcony portals provide no required or additional functionality or amenity to the residents of the townhouses and are a feature only. See below for perspectives illustrating the proposed changes to materials and building façade;



**Figure 3:** *Original Building Façade and Materials - View from corner of Montreal Street and Blinco Street*



**Figure 4:** *Proposed New Building Façade and Materials- View from corner of Montreal Street and Blinco Street*

Prior to the lodgement of the amended application, the modified development plans were presented to the City's DAC. The DAC, as part of their DR1 comments, provided recommendations on the proposal against generally the material changes. The DAC provided the following concluding comments as follows;

- Does not support the omission of the bronze portal frame feature or the bronze metal elements on the front streetscape elevations. The DAC suggests resolution of the supply issue while the project is on hold or considering alternative and similar high-quality design solutions;
- Suggests selection of smoother paving types in the internal laneway; and
- Suggests extending the shade canopy to additionally protect the balcony.

Given the above comments, the DAC is not generally supportive of the proposed material changes. However, Officers consider that the removal of the balcony portal feature does not significantly impact upon the amenity of these dwellings. Each of the townhouses is provided with separate private open spaces, with the ground floor terraces recessed for additional shade and shelter, and the multiple private open spaces offer opportunities for year-round outdoor living. The applicant is proposing to lower the shade canopies on the eastern elevation to assist with shading of internal rooms, together with the addition of aluminium batten screens to fixed windows either side of the balcony doors for further protection from strong summer sun.

The applicant has confirmed in their covering letter that the proposed amendments have been made due to the progression of detailed design and unforeseen significant and fundamental material supply constraints. The previously approved bronze elements on the building façade are replaced with new darker colour of metal elements, and a reselection of new mottled red brick instead of the previous plum coloured brick.

It is considered that the updated materials take into consideration the need to complement the light industrial heritage of the area and provides the townhouses with a collective identity and streetscape within the emerging Knutsford Precinct. Give this, the amended design is considered to be acceptable and supported by the City.

Further to this, Condition 7 of the original development approval required openable window to the ground floor bathrooms on Lots 1 and 7 to be approved prior to the lodgement of a building permit application. The modified plans indicate responsive

changes to the condition of approval requirements which is considered acceptable. Whilst these minor modification may not warrant a formal amendment, it has been included in the application for clarity.

Having regard to SPP7.0, the amendments are considered to be acceptable.

A copy of the DAC comments is provided in **Attachment 4**.

A summary of the materiality changes in the applicant's covering letter provided as **Attachment 5**.

#### Public Open Space Contribution

In accordance with section 153 of the *Planning and Development Act 2005*, the Commission may under section 143(1)(c) impose either of the following conditions on the approval of plan of subdivision of land

- (a) A requirement that a specified portion of the land be set aside and vested in the Crown for parks, recreation grounds or open spaces generally;
- (b) A requirement that the owner of the land make payment to the local government in whose district the land is situated of a sum that represents the value of a specified portion of the land in lieu of a requirement to set aside and vest in the Crown that portion of the land for parks, recreation grounds or open spaces generally.

Under Development Control Policy 2.3 - Planning for Public Open Space in Residential Areas, the Commission's normal requirement in residential areas is that, where practicable, 10% of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown under the provisions of the Act as a Reserve for Recreation. For the subject site, this equates to 177.5m<sup>2</sup>.

In accordance with Section 153 of the *Planning and Development Act 2005*, the WAPC may agree to a cash-in-lieu of public open space where the land area is such that a 10 per cent contribution would be too small to be of practical use and there is already adequate public parkland taking into account the overall objective of parkland provision and distribution. The KSELSP considers the payment of cash-in-lieu within the structure plan are suitable given the immediate locality comprises of significant public open space. In this regard, part 2.4 of the structure plan states that a cash-in-lieu payment is appropriate on the basis that:

- The immediate area is provided with passive and active open space areas;
- Additional open space is planned and allocated in the adjoining Swanbourne Street Structure Plan area; and
- The KSELSP also identifies the potential for a 'green pathway' which will serve to link the existing and proposed open space and residential development areas to be funded through cash-in-lieu. The structure plan is not specific as to where these should be located, however identifies Knutsford Street to be the best opportunity.

Accordingly, the KSELSP requires the provision of cash-in-lieu which would be used for green links, and enhancing existing POS. As such, the following condition was deemed suitable by the WAPC to be imposed as a condition of subdivision approval;

- 7 *The landowner/applicant shall make payment to local government for the sum equivalent to the value of 10 per cent of the land, being that portion of the land that would otherwise be provided as open space, in accordance with Section 153 and 155 of the Planning and Development Act 2005.*

In tandem with this application, the applicant sought a position of Council to apportion the cost of these public landscaping works to the 10 per cent POS contribution that has been imposed on the associated subdivision approval (Ref. WAPC 161-23), dated 4 July 2023. To ensure this is clear, they have requested the deletion of the Advice Note which refers to the City's preference for cash in lieu.

Given the JDAP is not the determining body for this matter, detailed discussion on the Public Open Space contribution is not included in this Responsible Authority Report, and will be part of a separate resolution from Council. However, by way of background, Officers position on the matter can be summarised as follows:

1. It is acknowledged that the proposed modifications to the building façade result in a development that looks slightly different to the original development plans however, it yet delivers the same product. The aesthetics, functionality and build quality of the approved townhouses are still retained through the modified designs.
2. The verge landscaping will not be usable POS nor it can be developed for recreation purposes, and therefore, cannot be considered as 'upgrades to an existing nearby POS' or a suitable contribution to the 10 per cent POS cash-in-lieu requirement.
3. The original development approval for 12 Grouped Dwellings were supported with a number of variations to the outdoor living areas, primary street setback and secondary street setback. The City was supportive of these variations on the basis that the design principles for these elements rely on sufficient landscaping to be provided, which as put forward by the applicant, included landscaping the verge to improve its streetscape presence. The cash-in-lieu contribution will help to balance the shortfall by improving the existing facilities and upgrading the parks to cater to the future increase in demand and usage of these residents of the existing public open spaces.
4. The cash-in-lieu contribution will help to balance the shortfall by improving the existing facilities and upgrading the parks to cater to the future increase in demand and usage of these residents of the existing public open spaces.
5. It is fair and reasonable for POS cash in lieu funds from this development to contribute to the upkeep of existing parks in the locality.
6. The amendment put forward in this application, includes amendments to the front façade, which in the opinion of the Design Advisory Committee reduces the quality of the development. The verge landscaping assists in offsetting this impact.

It is therefore recommended that Advice Note 15 be retained on the approval.

## **Conclusion:**

As per the structure plan requirements, the POS cash-in-lieu should be captured at the subdivision stage. As such, the proposed modification to the purpose of the condition, imposed by the WAPC as part of their decision, cannot be dealt through the proposed amendment to the approved development at the subject site. The SPC also resolved to retain the POS cash-in-lieu for the reasons outlined in the body of this report.

Given this, the City is supportive of the changes proposed to the building façade and materials, and recommends that the modifications to the Condition 7 of the WAPC subdivision approval to be refused as it is not consistent with the objectives and principles of the KSELSP.

DEVELOPMENT  
ASSESSMENT PANEL

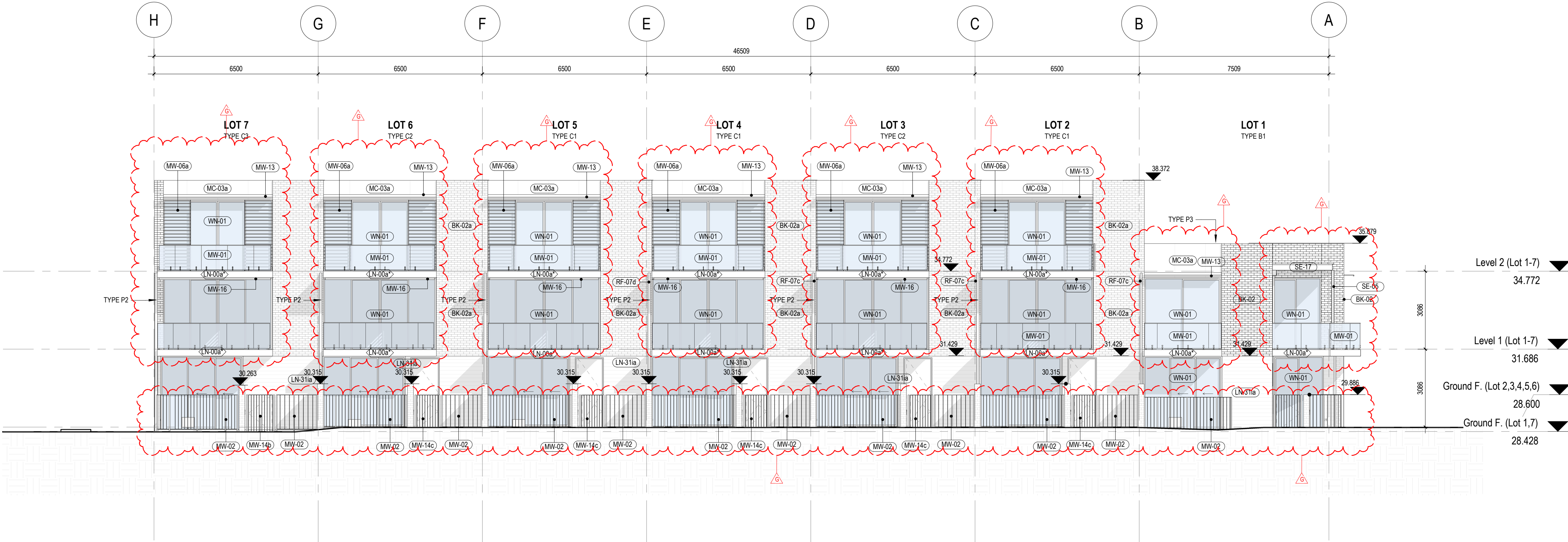
APPROVED

21-Jun-2023

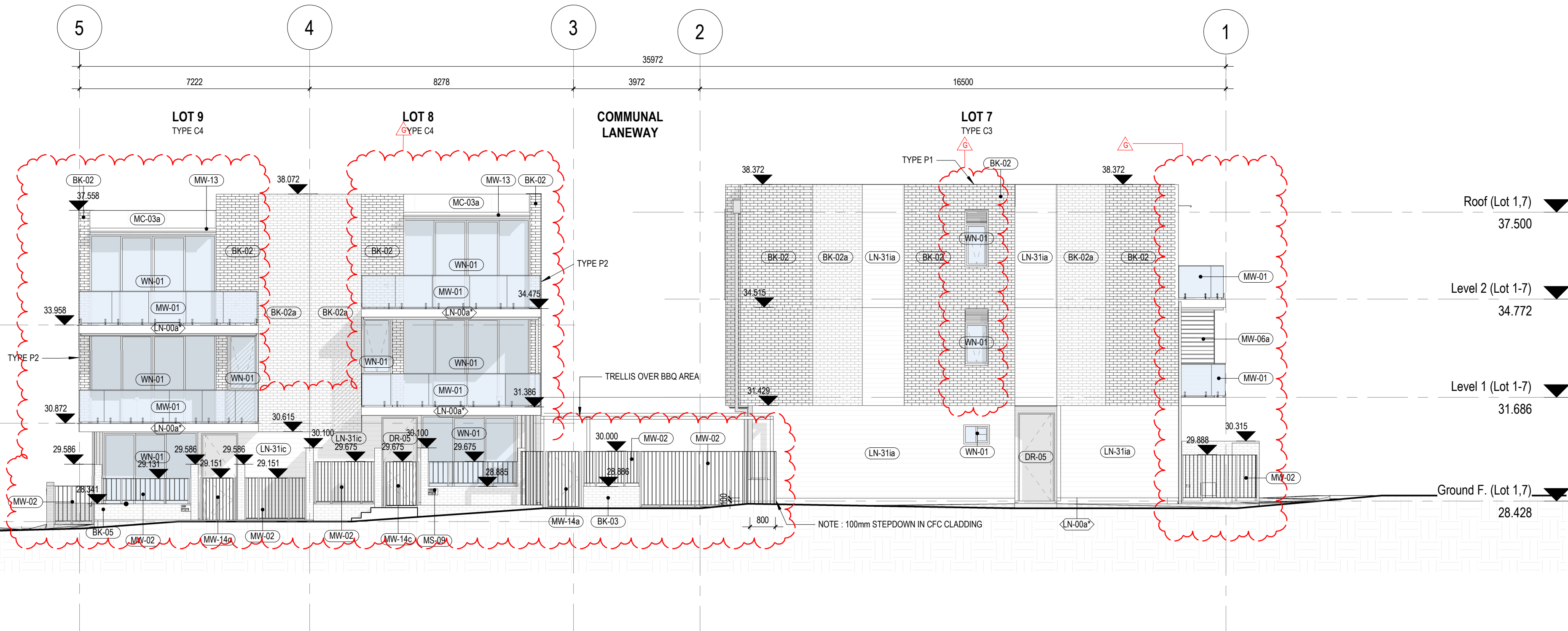


CITY OF FREMANTLE  
These Revised Plans Form Part of  
DAP002/23  
5 May 2023

CITY OF FREMANTLE  
These Plans Form Part of  
DAPV003/24  
26 Apr 2024



1 EAST ELEVATION  
A02-101 1 : 100



2 SOUTH ELEVATION  
A02-101 1 : 100

**SPECIFICATION CODES**  
THE SPECIFICATION CODES SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING SCHEDULES:  
- SPECIFICATION MASTER SCHEDULE  
- INTERIOR FINISHES SCHEDULE  
- INTERIOR APPLIANCES SCHEDULE  
- INTERIOR PLUMBING SCHEDULE  
SPECIFICATION SECTION  
SPECIFICATION SUB-SECTION OR INDIVIDUAL SELECTION  
SELECTION VARIATION

**CITY OF FREMANTLE**  
**These Plans Form Part of**  
**DAPV003/24**  
**26 Apr 2024**

**GENERAL NOTES**  
1. THIS DRAWING IS COPYRIGHT (C) AND REMAINS THE PROPERTY OF HILLAM ARCHITECTS. IT MUST NOT BE RETAINED, COPIED OR USED WITHOUT THE AUTHORITY OF HILLAM ARCHITECTS  
2. THE CONTRACTOR TO CHECK ALL DIMENSIONS ON SITE OR OFF SITE BEFORE COMMENCING WORK OR PROCEEDING WITH PREPARATION OF SHOP DRAWINGS. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION  
3. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE FROM REDUCED DRAWINGS  
4. ALL WORK MUST BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE OF AUSTRALIA AND THE APPLICABLE AUSTRALIAN STANDARDS  
5. THE CONTRACTOR TO ENSURE THAT THIS DRAWING IS READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, STRUCTURAL, HYDRAULIC, MECHANICAL AND ELECTRICAL DOCUMENTATION AND TO COORDINATE BETWEEN TRADES PRIOR TO COMMENCEMENT OF WORK. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION  
6. THE CONTRACTOR SHALL MARK 'SUPERSEDED' ON ALL DRAWINGS FOR WHICH A REVISION HAS BEEN ISSUED

**ABBREVIATIONS**  
LEVELS:  
TOW TOP OF WALL LEVEL (RL)  
RL RELATIVE LEVEL

| SPECIFICATION SCHEDULE |                                                                                                                                                                                                                                                                                       |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CODE                   | DESCRIPTION                                                                                                                                                                                                                                                                           |
| BK-02                  | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 01)                                                                                                                                                                                                                                 |
| BK-02a                 | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 01), INSTALLED IN FLEMISH PATTERN (HIT AND MISS CLOSED) AS SPECIFIED.                                                                                                                                                               |
| BK-03                  | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 02);                                                                                                                                                                                                                                |
| BK-05                  | 110/110 CAVITY FACE BRICK WALL (FINISH 02)                                                                                                                                                                                                                                            |
| DR-05                  | PIVOT DOOR AS DETAILED                                                                                                                                                                                                                                                                |
| LN-00a*                | EXTERIOR RENDER CHARCOAL AS SPECIFIED                                                                                                                                                                                                                                                 |
| LN-31a                 | 16mm COMPRESSED FIRE CEMENT BOARD AS SPECIFIED (HORIZONTAL PATTERN) ON 16mm TOP HATS ON ONE SIDE OF 92mm STEEL STUD. TBA FIRELY NON-COMBUSTIBLE BREATHABLE MEMBRANE. 90mm BRADFORD SOUNDSCREEN (40kg/m3)                                                                              |
| LN-31c                 | 16mm COMPRESSED FIRE CEMENT BOARD AS SPECIFIED (HORIZONTAL PATTERN) ON 16mm TOP HATS ON ONE SIDE OF 150mm STEEL STUD. TBA FIRELY NON-COMBUSTIBLE BREATHABLE MEMBRANE. 90mm BRADFORD SOUNDSCREEN (40kg/m3). 1x13mm PLASTERBOARD (OR 1x13mm MR PLASTERBOARD TO WET AREAS) ON OTHER SIDE |
| MC-03a                 | KINGKLIP 700 COLOMBOND METAL SHEET WALL CLADDING ON 35mm PURRING CHANNELS FIXED TO STRUCTURAL FRAMING/20mm STUDS. TBA FIRELY NON-COMBUSTIBLE BREATHABLE MEMBRANE. 1x9mm FIRE CEMENT BOARD PAINTED AS SPECIFIED (1200mm VERTICAL PATTERN) ON 45mm TOP HATS                             |
| MS-09                  | METAL LETTERBOX POWDERCOATED CHARCOAL WITH BRONZE NUMBER AS SPECIFIED MS-0*                                                                                                                                                                                                           |
| MW-01                  | POWDERCOATED MONUMENT SPIGOTS WITH FRAMELESS GLASS BALUSTRADE                                                                                                                                                                                                                         |
| MW-02                  | POWDERCOATED MONUMENT BALUSTRADE WITH 80mmx8mm VERTICAL ALUMINIUM INELL PLATES                                                                                                                                                                                                        |
| MW-06a                 | POWDERCOATED MONUMENT ALUMINIUM FOLDING SCREEN WALL AS SPECIFIED                                                                                                                                                                                                                      |
| MW-13                  | POWDERCOATED ALUMINIUM HEKA HOOD CANOPY IN MONUMENT FINISH AS SPECIFIED                                                                                                                                                                                                               |
| MW-14a                 | POWDERCOATED CHARCOAL ALUMINIUM GATE 1800mm HIGH AS SPECIFIED                                                                                                                                                                                                                         |
| MW-14b                 | POWDERCOATED CHARCOAL ALUMINIUM GATE 1510mm HIGH AS SPECIFIED                                                                                                                                                                                                                         |
| MW-14c                 | POWDERCOATED CHARCOAL ALUMINIUM GATE 1365mm HIGH AS SPECIFIED                                                                                                                                                                                                                         |
| MW-16                  | EDGE ANGLE TRIM, PAINTED BLACK                                                                                                                                                                                                                                                        |
| RF-07c                 | POWDERCOATED CHARCOAL RAINWATER PIPE/OVERFLOW FROM BALCONY FLOOR DRAINS AS SPECIFIED 100mmx75mm RECTANGULAR                                                                                                                                                                           |
| SE-05                  | SHS STEEL COLUMN MONUMENT POWDERCOATED                                                                                                                                                                                                                                                |
| SE-17                  | UB STEEL BEAM MONUMENT POWDERCOATED                                                                                                                                                                                                                                                   |
| WN-01                  | POWDERCOATED MONUMENT ALUMINIUM FRAME WINDOWS AND GLAZED DOORS GENERALLY                                                                                                                                                                                                              |

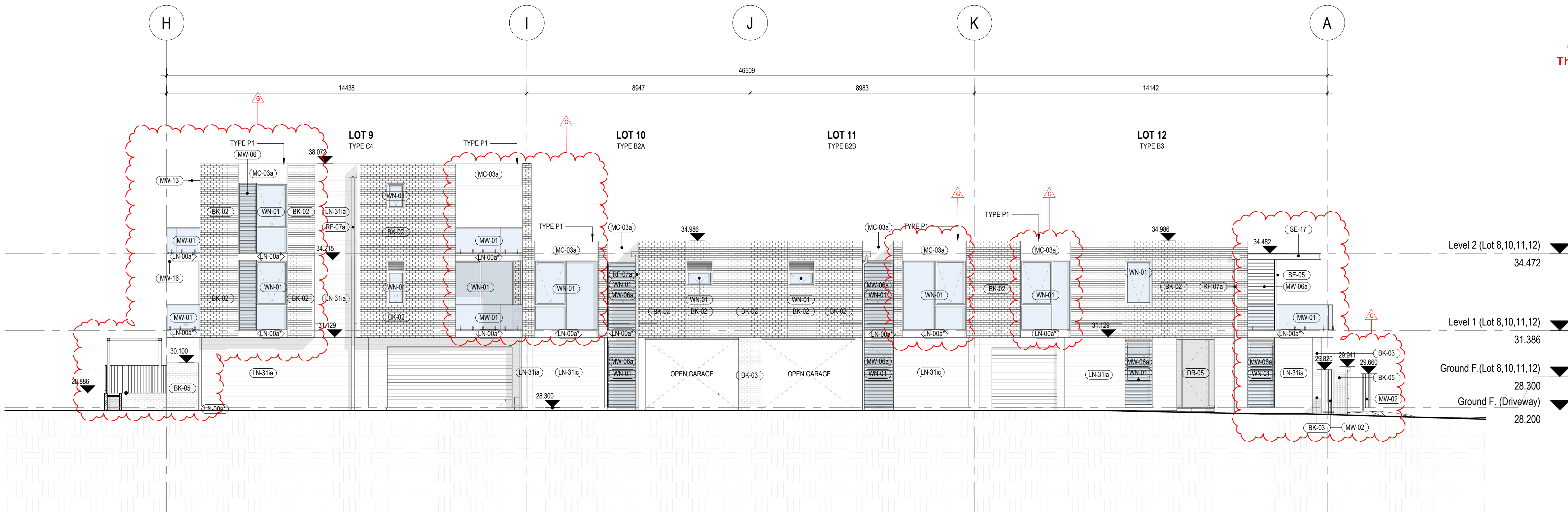
|           |     |                                                                          |         |
|-----------|-----|--------------------------------------------------------------------------|---------|
| 19.10.23  | G   | VE CHANGES                                                               | MK      |
| 26.06.23  | F   | DELETE PORTALS IN LANEWAY AND ADDED IN LANDSCAPE TO LOTS 1-7 AS PER JWP  | MK      |
| 15.06.23  | E   | AMENDED PLANNING CHANGES                                                 | MK      |
| 12.06.23  | D   | PLANNING CONDITION CHANGES                                               | MK      |
| 31.05.23  | C   | ISSUE FOR TENDER                                                         | MK      |
| 10.05.23  | B   | ISSUE FOR PRE-TENDER                                                     | MK      |
| 17.03.23  | A   | ISSUE FOR DD 100%                                                        |         |
| DDMMYY    | REV | DESCRIPTION                                                              | CHECKED |
| ARCHITECT |     | 1/15 ROYDHOUSE ST SUBIACO WA<br>P (08) 6380 1877<br>E info@hillam.com.au |         |



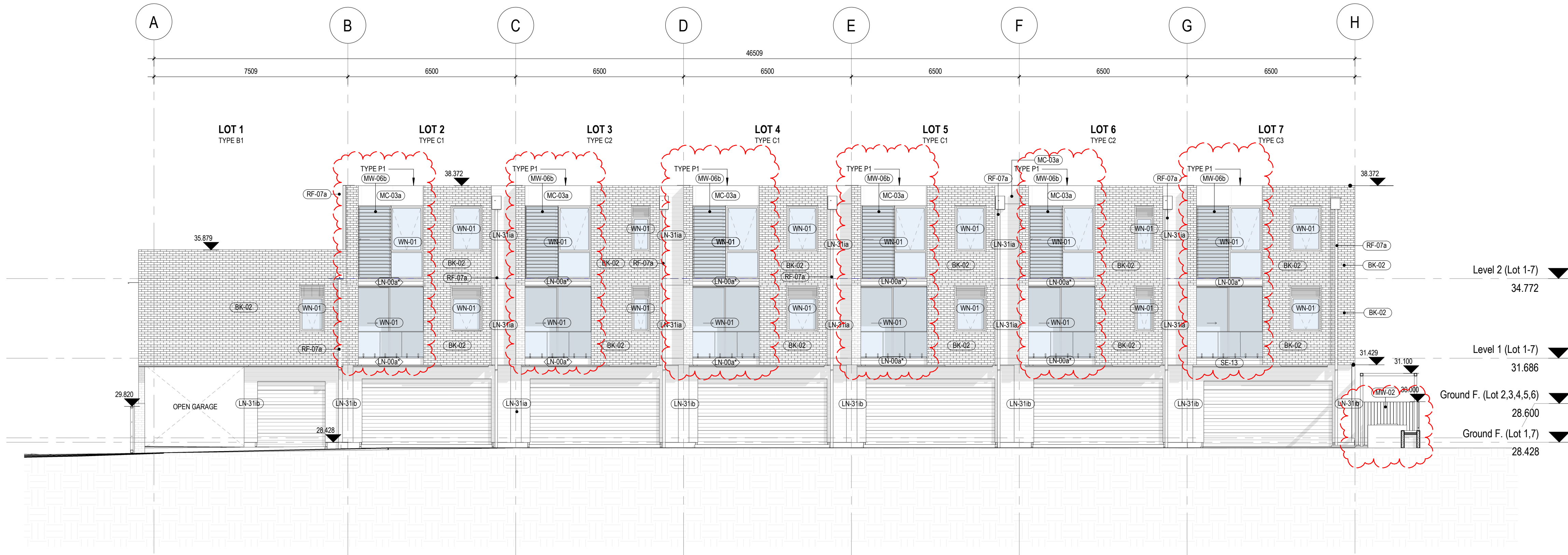
CLIENT  
**OP PROPERTIES**

PROJECT NAME  
**MONTREAL TERRACES**  
LOT 1 EAST VILLAGE KNUTSFORD  
DRAWING NAME  
**EXTERNAL ELEVATIONS SHEET 1**

| CONSTRUCTION DOCUMENTATION |              |     |
|----------------------------|--------------|-----|
| SCALE                      | 1 : 100 (A1) |     |
| PROJECT No.                | DRAWINGS No. | REV |
| 2211                       | A03-001      | G   |
| DRAWN BY                   |              | AA  |



1 INNER EAST ELEVATION\_DD  
A02-101 1:100



2 INNER WEST ELEVATION\_DD  
A02-101 1:100

**SPECIFICATION CODES**  
THE SPECIFICATION CODES SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING SCHEDULES:  
- SPECIFICATION MASTER SCHEDULE  
- INTERIOR FINISHES SCHEDULE  
- INTERIOR APPLIANCES SCHEDULE  
- INTERIOR PLUMBING SCHEDULE  
SPECIFICATION SECTION  
SPECIFICATION SUB-SECTION OR INDIVIDUAL SELECTION  
SELECTION VARIATION

**CITY OF FREMANTLE**  
**These Plans Form Part of**  
**DAPV003/24**  
**26 Apr 2024**

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6. THE CONTRACTOR SHALL MARK 'SUPERSEDED' ON ALL DRAWINGS FOR WHICH A REVISION HAS BEEN ISSUED.

**ABBREVIATIONS**  
LEVELS:  
TOW TOP OF WALL LEVEL (RL)  
RL RELATIVE LEVEL

| SPECIFICATION SCHEDULE |                                                                                                                                                                                                                                                                                         |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CODE                   | DESCRIPTION                                                                                                                                                                                                                                                                             |
| BK-02                  | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 01)                                                                                                                                                                                                                                   |
| BK-03                  | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 02)                                                                                                                                                                                                                                   |
| BK-05                  | 110/10/110 CAVITY FACE BRICK WALL (FINISH 02)                                                                                                                                                                                                                                           |
| DR-05                  | PIVOT DOOR AS DETAILED                                                                                                                                                                                                                                                                  |
| LN-00a                 | EXTERIOR RENDER CHARCOAL AS SPECIFIED                                                                                                                                                                                                                                                   |
| LN-31a                 | 1x9mm COMPRESSED FIRE CEMENT BOARD AS SPECIFIED (HORIZONTAL PATTERN) ON 16mm TOP HATS ON ONE SIDE OF 92mm STEEL STUD; TBA FIREFLY NON-COMBUSTIBLE BREATHABLE MEMBRANE; 90mm BRADFORD SOUNDSCREEN (40kg/m3)                                                                              |
| LN-31b                 | 1x9mm COMPRESSED FIRE CEMENT BOARD AS SPECIFIED (HORIZONTAL PATTERN) ON 16mm TOP HATS ON ONE SIDE OF 92mm STEEL STUD; TBA FIREFLY NON-COMBUSTIBLE BREATHABLE MEMBRANE; 90mm BRADFORD SOUNDSCREEN (40kg/m3); 1x13mm PLASTERBOARD (OR 1x13mm MR PLASTERBOARD TO WET AREAS) ON OTHER SIDE  |
| LN-31c                 | 1x9mm COMPRESSED FIRE CEMENT BOARD AS SPECIFIED (HORIZONTAL PATTERN) ON 16mm TOP HATS ON ONE SIDE OF 150mm STEEL STUD; TBA FIREFLY NON-COMBUSTIBLE BREATHABLE MEMBRANE; 90mm BRADFORD SOUNDSCREEN (40kg/m3); 1x13mm PLASTERBOARD (OR 1x13mm MR PLASTERBOARD TO WET AREAS) ON OTHER SIDE |
| MC-03a                 | KINGKLIP 700 COLORBOND METAL SHEET WALL CLADDING ON 35mm FURRING CHANNELS FIXED TO STRUCTURAL FRAMING@20mm STUDS. TBA FIREFLY NON-COMBUSTIBLE BREATHABLE MEMBRANE; 14mm FIBRE CEMENT BOARD PAINTED AS SPECIFIED (1200mm VERTICAL PATTERN) ON 45mm TOP HATS                              |
| MW-01                  | POWDERCOATED MONUMENT SPIGOTS WITH FRAMELESS GLASS BALUSTRADE                                                                                                                                                                                                                           |
| MW-02                  | POWDERCOATED MONUMENT BALUSTRADE WITH 80mmx30mm VERTICAL ALUMINIUM INFILL PLATES                                                                                                                                                                                                        |
| MW-06                  | POWDERCOATED MONUMENT ALUMINIUM FOLDING SCREEN WALL AS SPECIFIED                                                                                                                                                                                                                        |
| MW-06a                 | POWDERCOATED MONUMENT ALUMINIUM SLIDING SCREEN WALL AS SPECIFIED                                                                                                                                                                                                                        |
| MW-06b                 | POWDERCOATED ALUMINIUM HEKA HOOD CANOPY IN MONUMENT FINISH AS SPECIFIED                                                                                                                                                                                                                 |
| MW-13                  | POWDERCOATED ALUMINIUM HEKA HOOD CANOPY IN MONUMENT FINISH AS SPECIFIED                                                                                                                                                                                                                 |
| MW-16                  | EDGE ANGLE TRIM, PAINTED BLACK                                                                                                                                                                                                                                                          |
| RF-07a                 | POWDERCOATED CHARCOAL RAINWATER PIPE AND HEADER FROM ROOF BOX GUTTER WITH INTEGRATED OVERFLOW AS SPECIFIED 100mm x 75mm RECTANGULAR                                                                                                                                                     |
| SE-05                  | SHS STEEL COLUMN MONUMENT POWDERCOATED                                                                                                                                                                                                                                                  |
| SE-13                  | RHS STEEL BEAM                                                                                                                                                                                                                                                                          |
| SE-17                  | UB STEEL BEAM MONUMENT POWDERCOATED                                                                                                                                                                                                                                                     |
| WN-01                  | POWDERCOATED MONUMENT ALUMINIUM FRAME WINDOWS AND GLAZED DOORS GENERALLY                                                                                                                                                                                                                |

|          |     |                                                                         |         |
|----------|-----|-------------------------------------------------------------------------|---------|
| 19.10.23 | G   | VE CHANGES                                                              | MK      |
| 26.06.23 | F   | DELETE PORTALS IN LANEWAY AND ADDED IN LANDSCAPE TO LOTS 1-7 AS PER JWP | MK      |
| 15.06.23 | E   | AMENDED PLANNING CHANGES                                                | MK      |
| 12.06.23 | D   | PLANNING CONDITION CHANGES                                              | MK      |
| 31.05.23 | C   | ISSUE FOR TENDER                                                        | MK      |
| 10.05.23 | B   | ISSUE FOR PRE-TENDER                                                    | MK      |
| 17.03.23 | A   | ISSUE FOR DD 100%                                                       | MK      |
| DD MM YY | REV | DESCRIPTION                                                             | CHECKED |

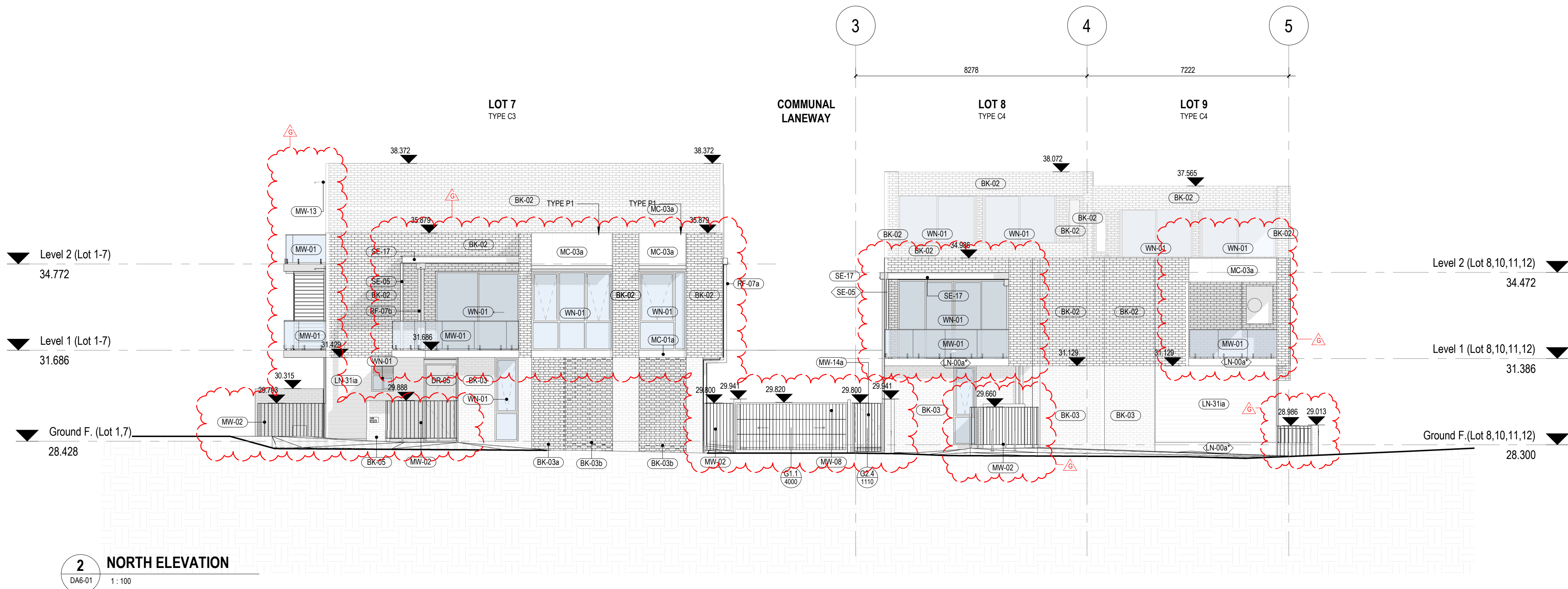
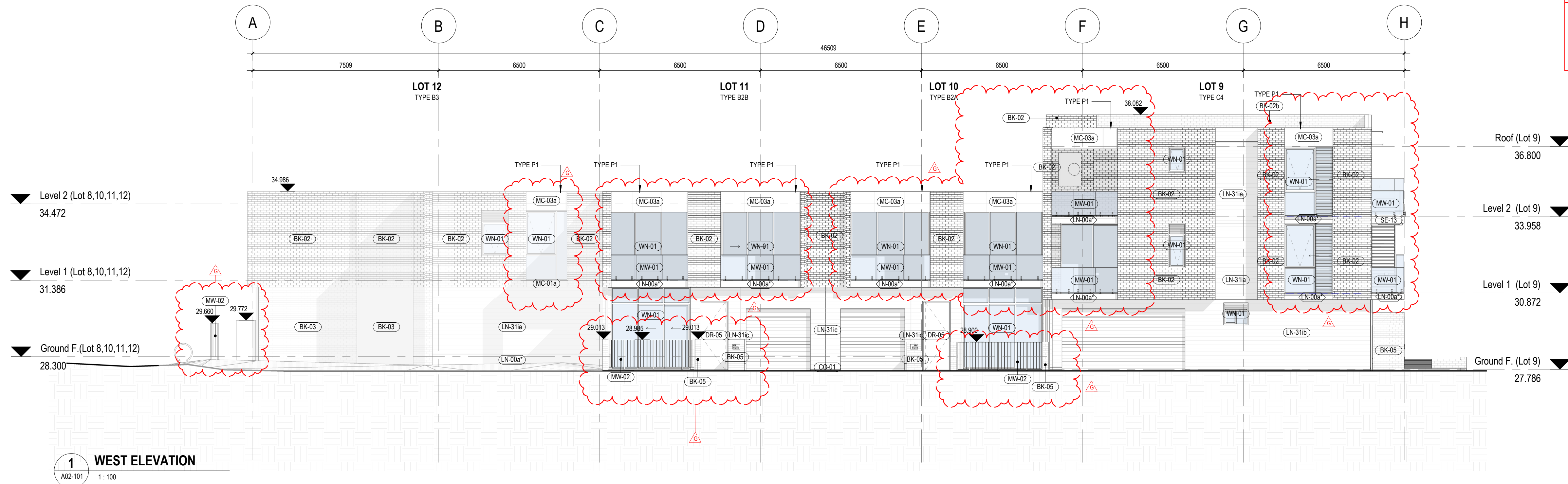
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CLIENT  
OP PROPERTIES

PROJECT NAME  
**MONTREAL TERRACES**  
LOT 1 EAST VILLAGE KNUTSFORD  
DRAWING NAME  
**EXTERNAL ELEVATIONS SHEET 2**

| CONSTRUCTION DOCUMENTATION |              |     |
|----------------------------|--------------|-----|
| SCALE                      | 1 : 100 (A1) |     |
| PROJECT No.                | DRAWINGS No. | REV |
| 2211                       | A03-002      | G   |
| DRAWN BY                   |              | AA  |



**SPECIFICATION CODES**  
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- INTERIOR FINISHES SCHEDULE  
- INTERIOR APPLIANCES SCHEDULE  
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SPECIFICATION SECTION  
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**CITY OF FREMANTLE**  
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**DAPV003/24**  
**26 Apr 2024**

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**ABBREVIATIONS**  
LEVELS: TOW TOP OF WALL LEVEL (RL)  
RL RELATIVE LEVEL

**SPECIFICATION SCHEDULE**

| CODE   | DESCRIPTION                                                                                                                                                                                                                                                                            |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BK-02  | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 01)                                                                                                                                                                                                                                  |
| BK-02b | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 01); 50mm CAVITY WITH R2.5 INSULATION                                                                                                                                                                                                |
| BK-03  | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 02)                                                                                                                                                                                                                                  |
| BK-03a | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 02); INSTALLED STRETCHER BOND PATTERN (HIT AND MISS, CLOSED) AS SPECIFIED.                                                                                                                                                           |
| BK-03b | 110mm SINGLE FACE BRICK WALL AS SPECIFIED (Finish 02); INSTALLED STRETCHER BOND PATTERN (HIT AND MISS, OPEN) AS SPECIFIED.                                                                                                                                                             |
| BK-05  | 110/110 CAVITY FACE BRICK WALL (FINISH 02)                                                                                                                                                                                                                                             |
| CO-01  | 100mm IN-SITU REINFORCED CONCRETE WALL AT THE BASE OF ALL FRAMED FIBRE CEMENT/COMPRESSED FIBRE CEMENT CLAD WALLS TO 100mm HIGH ABOVE FLOOR LEVEL. 15mm RENDER FINISH                                                                                                                   |
| DR-05  | PIVOT DOOR AS DETAILED                                                                                                                                                                                                                                                                 |
| LN-00a | EXTERIOR RENDER CHARCOAL AS SPECIFIED                                                                                                                                                                                                                                                  |
| LN-31a | 1x9mm COMPRESSED FIRE CEMENT BOARD AS SPECIFIED (HORIZONTAL PATTERN) ON 15mm TOP HATS ON ONE SIDE OF 92mm STEEL STUD; TBA FIREPLY NON-COMBUSTIBLE BREATHABLE MEMBRANE; 90mm BRADFORD SOUNDCREEN (40kg/m3); 1x13mm PLASTERBOARD (OR 1x13mm MR PLASTERBOARD TO WET AREAS) ON OTHER SIDE  |
| LN-31b | 1x9mm COMPRESSED FIRE CEMENT BOARD AS SPECIFIED (HORIZONTAL PATTERN) ON 15mm TOP HATS ON ONE SIDE OF 92mm STEEL STUD; TBA FIREPLY NON-COMBUSTIBLE BREATHABLE MEMBRANE; 90mm BRADFORD SOUNDCREEN (40kg/m3); 1x13mm PLASTERBOARD (OR 1x13mm MR PLASTERBOARD TO WET AREAS) ON OTHER SIDE  |
| LN-31c | 1x9mm COMPRESSED FIRE CEMENT BOARD AS SPECIFIED (HORIZONTAL PATTERN) ON 15mm TOP HATS ON ONE SIDE OF 150mm STEEL STUD; TBA FIREPLY NON-COMBUSTIBLE BREATHABLE MEMBRANE; 90mm BRADFORD SOUNDCREEN (40kg/m3); 1x13mm PLASTERBOARD (OR 1x13mm MR PLASTERBOARD TO WET AREAS) ON OTHER SIDE |
| MC-01a | 4mm ULTRABOND FR CLADDING PANELS ON 24mm Z ANGLES FIXED TO 35mm METAL TOP HATS FIXED TO SLAB EDGE. DIRECT FIXED WITH ADHESIVE TO BRICKS AS DETAILED. TBA FIREPLY NON-COMBUSTIBLE BREATHABLE MEMBRANE; PROVIDE EDGE TRIMS & PERFORATED WEEP HOLES                                       |
| MC-03a | KINGKILIP 700 COLORBOND METAL SHEET WALL CLADDING ON 35mm FURRING CHANNELS FIXED TO STRUCTURAL FRAMING/92mm STUDS. TBA FIREPLY NON-COMBUSTIBLE BREATHABLE MEMBRANE. 1x9mm FIBRE CEMENT BOARD PAINTED AS SPECIFIED (1200mm VERTICAL PATTERN) ON 45mm TOP HATS                           |
| MW-01  | POWDERCOATED MONUMENT SPIGOTS WITH FRAMELESS GLASS BALUSTRADE                                                                                                                                                                                                                          |
| MW-02  | POWDERCOATED MONUMENT BALUSTRADE WITH 80mmx9mm VERTICAL ALUMINIUM INFILL PLATES                                                                                                                                                                                                        |
| MW-08  | ALUMINIUM AUTOMATIC SWING SLIDING GATE. POWDERCOATED MONUMENT FINISH                                                                                                                                                                                                                   |
| MW-13  | POWDERCOATED ALUMINIUM HEKA HOOD CANOPY IN MONUMENT FINISH AS SPECIFIED                                                                                                                                                                                                                |
| MW-14a | POWDERCOATED CHARCOAL ALUMINIUM GATE 1800mm HIGH AS SPECIFIED                                                                                                                                                                                                                          |
| RF-07a | POWDERCOATED CHARCOAL RAINWATER PIPE AND HEADER FROM ROOF BOX GUTTER WITH INTEGRATED OVERFLOW AS SPECIFIED 100mm x 75mm RECTANGULAR                                                                                                                                                    |
| RF-07b | POWDERCOATED CHARCOAL RAINWATER PIPE/OVERFLOW FROM ROOF BOX GUTTER AS SPECIFIED 100mm x 75mm RECTANGULAR                                                                                                                                                                               |
| SE-05  | SHS STEEL COLUMN MONUMENT POWDERCOATED                                                                                                                                                                                                                                                 |
| SE-13  | RHS STEEL BEAM                                                                                                                                                                                                                                                                         |
| WN-01  | POWDERCOATED MONUMENT POWDERCOATED                                                                                                                                                                                                                                                     |
| WN-01  | POWDERCOATED MONUMENT ALUMINIUM FRAME WINDOWS AND GLAZED DOORS GENERALLY                                                                                                                                                                                                               |

|          |   |                                                                         |    |
|----------|---|-------------------------------------------------------------------------|----|
| 19.10.23 | G | VE CHANGES                                                              | MK |
| 26.06.23 | F | DELETE PORTALS IN LANEWAY AND ADDED IN LANDSCAPE TO LOTS 1-7 AS PER JWP | MK |
| 15.06.23 | E | AMENDED PLANNING CHANGES                                                | MK |
| 12.06.23 | D | PLANNING CONDITION CHANGES                                              | MK |
| 31.05.23 | C | ISSUE FOR TENDER                                                        | MK |
| 10.05.23 | B | ISSUE FOR PRE-TENDER                                                    | MK |
| 17.03.23 | A | ISSUE FOR DD 100%                                                       |    |

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E info@hillam.com.au

**HILLAM ARCHITECTS**

CLIENT

OP OF PROPERTIES

PROJECT NAME

**MONTREAL TERRACES**

LOT 1 EAST VILLAGE KNUTSFORD

DRAWING NAME

**EXTERNAL ELEVATIONS SHEET 3**

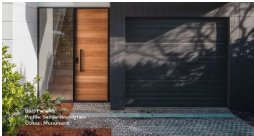
**CONSTRUCTION DOCUMENTATION**

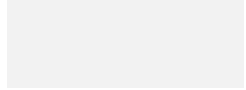
SCALE 1 : 100 (A1)

|             |              |     |
|-------------|--------------|-----|
| PROJECT No. | DRAWINGS No. | REV |
| 2211        | A03-003      | G   |
| DRAWN BY    | AA           |     |

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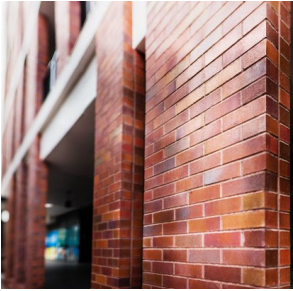
| EXTERIOR SCHEDULE |                      | SCH 01                                     |
|-------------------|----------------------|--------------------------------------------|
| Project name:     | MONTREAL TERRACES    |                                            |
| Client:           | OP Properties        |                                            |
| Project number:   | 2211                 |                                            |
| Status:           | Tender Documentation |                                            |
| Issue date:       | 20-October-2023      |                                            |
| Revision:         | H                    |                                            |
|                   |                      | revised or new items highlighted in yellow |

| EXTERIOR FINISHES GENERALLY                                          |            |                                                             |                          |                                   |                                                                                        |                                                                                       |                                  |         |
|----------------------------------------------------------------------|------------|-------------------------------------------------------------|--------------------------|-----------------------------------|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|----------------------------------|---------|
| APPLICATION                                                          | SPEC' CODE | INSULATION / GLAZING                                        | PRODUCT TYPE             | SUPPLIER/DISTRIBUTOR              | COLOUR & FINISH                                                                        | REFERENCE IMAGE                                                                       | NOTES                            | REV No. |
| GROUND FLOOR                                                         |            |                                                             |                          |                                   |                                                                                        |                                                                                       |                                  |         |
| Window/sliding door frames (glazing)                                 | WN-01      | Non-thermally broken double glazing, as per NatHERS Report. | Aluminium (Powdercoat)   | Dulux Duratec Zues                | Monument Matt                                                                          |    |                                  | D       |
| Fibre Cement Cladding to:<br>Back of lift;<br>Garage door;<br>Walls. | LN-31ia    | Min. R2.0 insulation, as per NatHERS Report.                | Fibre Cement Panel       | Weathertex                        | Selflok Ecogroove Smooth (150mm)                                                       |    | Grooves orientated horizontally. | D       |
|                                                                      |            |                                                             | Painted                  | Dulux Duratec Zues                | Monument Matt                                                                          |    |                                  | B       |
| Entry door                                                           | DR-05      | N/A                                                         | Pivot Entry Door         | Corinthian / M&B Sales or similar | DECO Custom 2340x1020x40mm With frame                                                  |   | Grooves orientated horizontally. | A       |
|                                                                      |            |                                                             | Painted                  | Dulux Duratec Zues                |                                                                                        |  |                                  | A       |
|                                                                      |            |                                                             | Door Lock Set and Handle | Gainsborough or similar           | Circular 200mm Pull Handle in Stainless Steel with matching roller catch mortice lock. |  |                                  | A       |
| Garage Door                                                          | OD-01      | N/A                                                         | Sectional Door           | B&D Garage Doors                  | Panelift Sectional Door, Seville profile, Smooth texture, Monument Matt colour         |  |                                  | C       |

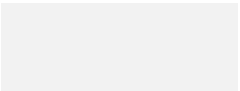
| EXTERIOR FINISHES GENERALLY                   |                                         |                                                                |                                                                             |                                        |                                                         |                                                                                       |                                             |         |
|-----------------------------------------------|-----------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------------|----------------------------------------|---------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------|---------|
| APPLICATION                                   | SPEC' CODE                              | INSULATION / GLAZING                                           | PRODUCT TYPE                                                                | SUPPLIER/DISTRIBUTOR                   | COLOUR & FINISH                                         | REFERENCE IMAGE                                                                       | NOTES                                       | REV No. |
| Fencing walls;<br>Building walls.             | BK-03,<br>BK-03a,<br>BK-03b.            | Min. R1.5 Cavity wall<br>insulation, as per NatHERS<br>Report. | Bricks                                                                      | Austral Bricks                         | Industrial - Char                                       |    |                                             | B       |
|                                               |                                         |                                                                |                                                                             | Mortar                                 | Charcoal / Dark Grey                                    |    |                                             | C       |
| Front Fencing and Gates                       | MW-02,<br>MW-14a,<br>MW-14b,<br>MW-14c. | N/A                                                            | Aluminium (Powdercoat)<br>balustrade                                        | KOHL or similar                        | The Breeze or similar                                   |    |                                             | D       |
|                                               |                                         |                                                                |                                                                             | Dulux Duratec Zues                     | Monument Matt                                           |    |                                             | B       |
| Aluminium Façade Screens                      | MW-06a                                  | N/A                                                            | Aluminium                                                                   | Arcadia or similar                     | Verve B40/25 Hinged<br>Screen, see below for<br>colour. |    | Hinging screen to enable window cleaning.   | C       |
|                                               |                                         |                                                                |                                                                             | Dulux Duratec Zues                     | Monument Matt                                           |   |                                             | B       |
| Letterbox                                     | MS-09                                   | N/A                                                            | Bricked-in lockable letterbox                                               | Milkcan or similar                     | Black                                                   |  | Unit number to be engraved into face plate. | B       |
| Render to slab edges                          | LN-00a.                                 | N/A                                                            | Cement Render                                                               | "Builders choice"                      | To match Colorbond<br>Monument Matt                     |  |                                             | B       |
| Laneway Vehicle Gate                          | MW-08                                   | N/A                                                            | Aluminium electric gate -<br>Sliding<br>Aluminium manual gates -<br>Hinging | Oxworks or similar                     | SG15 or SG18 or<br>Custom                               |  |                                             | C       |
|                                               |                                         |                                                                |                                                                             | Dulux Duratec Zues                     | Monument Matt                                           |  |                                             | C       |
| External soffit lining (underside of Level 1) | IT-05,<br>LN-00i.                       | Min. R2.0 Rigid board<br>insulation, as per NatHERS<br>Report. | Paint                                                                       | Dulux Weathershield Low<br>Sheen Paint | Lexicon Quarter                                         |  |                                             | C       |

| EXTERIOR FINISHES GENERALLY |                 |                                                          |                               |                                                              |                                              |                                                                                       |                                                                             |         |
|-----------------------------|-----------------|----------------------------------------------------------|-------------------------------|--------------------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|---------|
| APPLICATION                 | SPEC' CODE      | INSULATION / GLAZING                                     | PRODUCT TYPE                  | SUPPLIER/DISTRIBUTOR                                         | COLOUR & FINISH                              | REFERENCE IMAGE                                                                       | NOTES                                                                       | REV No. |
|                             |                 |                                                          |                               |                                                              |                                              |                                                                                       |                                                                             |         |
| Exterior pavers             | BP-02a, BP-03a. | N/A                                                      | Light exterior pavers         | Midland Brick                                                | Flagstone Granite Sea Mist                   |    | 60mm for non trafficable (BP-03) and 80mm for trafficable areas (BP-02).    | C       |
| Exterior pavers             | BP-02b, BP-03b. | N/A                                                      | Dark exterior pavers          | Midland Brick                                                | Flagstone Granite Storm Cloud                |    | 60mm for non trafficable (BP-03) and 80mm for trafficable areas (BP-02).    | C       |
| Garage internal walls       | BK-01b          | Min. R1.5 Cavity wall insulation, as per NatHERS Report. | Face bricks (maxi/block)      | Austral Bricks                                               | Industrial WA - Portland                     |    | To closed garages only, refer to drawings for open flexible space finishes. | A       |
|                             |                 |                                                          |                               | Mortar                                                       | Off white (white sand, standard grey cement) |                                                                                       |                                                                             | B       |
| Picnic Bench                | JO-08           | N/A                                                      | Park bench and table          | Stax Chairs or similar                                       | Galvanised steel and timber                  |    | To be bolted to the ground. For Stage 2 of the development only             | B       |
| Freestanding BBQ            | PL-16           | N/A                                                      | Freestanding Gas BBQ          | BeefEater 1600 Series - 5 Burner with Side Burner or similar | Stainless Steel - Dark                       |   | To be bolted to the ground. For Stage 2 of the development only             | B       |
| Vertical Landscape Trellis  | LA-xx           | N/A                                                      | Diagonal Trellis Cable System | Ronstan, AGS3C or similar                                    | Stainless Steel                              |  | Refer to a typical detail 9 on A06-103.                                     | B       |
|                             |                 |                                                          |                               |                                                              |                                              |                                                                                       |                                                                             |         |

CITY OF FREMANTLE  
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DAPV003/24  
  
26 Apr 2024

| EXTERIOR FINISHES GENERALLY           |                        |                                                             |                                           |                                                |                                              |                                                                                       |                                                                  |         |
|---------------------------------------|------------------------|-------------------------------------------------------------|-------------------------------------------|------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------------------------------|---------|
| APPLICATION                           | SPEC' CODE             | INSULATION / GLAZING                                        | PRODUCT TYPE                              | SUPPLIER/DISTRIBUTOR                           | COLOUR & FINISH                              | REFERENCE IMAGE                                                                       | NOTES                                                            | REV No. |
| LEVEL 1 AND ABOVE                     |                        |                                                             |                                           |                                                |                                              |                                                                                       |                                                                  |         |
| Glazed doors and window frame         | WN-01                  | Non-thermally broken double glazing, as per NatHERS Report. | Aluminium (Powdercoat)                    | Dulux Duratec Zues                             | Monument Matt                                |    |                                                                  | D       |
| Façade Red Brick                      | BK-02, BK-02a, BK-02b. | Min. R1.5 Cavity wall insulation, as per NatHERS Report.    | Face bricks                               | Midland Brick                                  | Subiaco Red                                  |    |                                                                  | C       |
|                                       |                        |                                                             |                                           | Mortar                                         | Off white (white sand, standard grey cement) |                                                                                       |                                                                  | C       |
| Render to exposed concrete slab edges | LN-00a.                | N/A                                                         | Cement Render                             | "Builders choice"                              | To match Colorbond Monument Matt             |    | Slab edges to have chamfered edges with integrated drip grooves. | A       |
| Frameless glass balustrading          | MW-01                  | N/A                                                         | Frameless glass balustrading with spigots | Kohl or similar                                | Oceanic Series, The City, stainless steel    |  | Spigots to be powdercoated Monumnet Matt                         | B       |
|                                       |                        |                                                             |                                           | Dulux Duratec Zues                             | Monument Matt                                |  |                                                                  | B       |
| Aluminium Façade Screens              | MW-06b                 | N/A                                                         | Aluminium                                 | Arcadia Verve B40/25 Sliding Screen or similar | See below                                    |  | Sliding screen to enable window cleaning.                        | B       |
|                                       |                        |                                                             |                                           | Dulux Duratec Zues                             | Monument Matt                                |  |                                                                  | B       |

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**DAPV003/24**  
  
**26 Apr 2024**

| EXTERIOR FINISHES GENERALLY  |            |                                                          |                      |                                                    |                                             |                                                                                     |                                         |         |
|------------------------------|------------|----------------------------------------------------------|----------------------|----------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------|---------|
| APPLICATION                  | SPEC' CODE | INSULATION / GLAZING                                     | PRODUCT TYPE         | SUPPLIER/DISTRIBUTOR                               | COLOUR & FINISH                             | REFERENCE IMAGE                                                                     | NOTES                                   | REV No. |
| External Balcony Walls       | LN-31id.   | Min. R2.0 Rigid board insulation, as per NatHERS Report. | Elastometric Topcoat | Dulux Acratex                                      | Lexicon Quarter                             |  |                                         | A       |
| Balcony Floor Tile           | CT-19      | N/A                                                      | Porcelain Tile       | Osborne Ceramic Centre                             | Quartz Grey; 20mm thick, 600 x 600mm format |  | Tiles on pedestals for balconies        | C       |
| Roof Profile                 | RF-01      | Min. R5 Roof insulation, as per NatHERS Report.          | Metal roof profile   | Fielders, KingKlip 700 or similar                  | Colorbond, Southerly                        |  |                                         | A       |
| Exposed Rainhead             | RF-07a     | N/A                                                      | Rainhead             | Dam Buster, square with hidden overflow or similar | Colorbond Monument Matt                     |  |                                         | A       |
| Exposed Downpipes            | RF-07b     | N/A                                                      | Rectangular Downpipe | "Builders choice"                                  | Colorbond Monument Matt                     |  |                                         | A       |
| Horizontal Landscape Trellis | LA-xx      | N/A                                                      | Cable System         | Ronston, I-SYS Wire Rope System or similar         | Stainless Steel                             |                                                                                     | Refer to a typical detail 9 on A06-103. | B       |

**CITY OF FREMANTLE**  
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**DAPV003/24**  
  
**26 Apr 2024**



LG Ref: DAP002/23  
DAP Ref: DAP/23/02454

Enquiries: (08) 6551 9919

Ms Alison Healey  
element  
PO Box 7375 Cloisters Square WA 6850

Dear Ms Healey

**METRO INNER-SOUTH JDAP - CITY OF FREMANTLE - DAP APPLICATION -  
DAP002/23 - DETERMINATION**

|                      |                                       |
|----------------------|---------------------------------------|
| Property Location:   | Lot 1 (No.59) Blinco Street Fremantle |
| Application Details: | 12 Grouped Dwellings                  |

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Fremantle on 10 March 2023 for the above-mentioned development.

This application was considered by the Metro Inner-South JDAP at its meeting held on 21 June 2023, where in accordance with the provisions of the City of Fremantle Local Planning Scheme No.4, it was resolved to **approve** the application as per the attached notice of determination.

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

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

Should you have any queries with respect to the conditions of approval, please contact Ms Cardia Mariani on behalf of the City of Fremantle on 08 9432 9552.

Yours sincerely,

**DAP Secretariat**

30 June 2023

Encl. DAP Determination Notice  
Approved Plans

Cc: Ms Cardia Mariani  
City of Fremantle



***Planning and Development Act 2005***

**City of Fremantle Local Planning Scheme No.4**

**Metro Inner-South Joint Development Assessment Panel**

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

**Property Location:** Lot 1 (No.59) Blinco Street Fremantle

**Application Details:** 12 Grouped Dwellings

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 21 June 2023, subject to the following:

1. **Accept** that the DAP Application reference DAP/23/02454 is appropriate for consideration as a “Grouped dwelling” land use and compatible with the objectives of the zoning table in the City of Fremantle Local Planning Scheme No. 4; and
2. **Approve** DAP Application reference DAP/23/02454 and accompanying plans (DA2-01-RevC; DA2-02-RevC; DA2-03-RevC; DA2-04-RevA; DA3-01-RevC; DA3-02-RevE; DA3-03-RevD; DA6-01-RevB dated 5 May 2023) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Fremantle Local Planning Scheme No. 4, subject to the following conditions:

**Conditions**

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. All works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.
4. The pedestrian access and vehicle gates, as indicated on the approved plans, shall swing into the subject site only when open or closed and shall not impede the adjoining road reservation of the subject site



5. Prior to lodging an application for a building permit, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.

All storm water discharge from the development hereby approved shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.

6. Prior to lodging an application for a building permit for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials, is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.
7. Prior to lodging an application for a building permit, for the development hereby approved, amended plans are to be submitted and approved detailing the incorporation of windows to the following rooms:
  - a. An openable window to the ground floor bathrooms on Lots 1, and 7. to the satisfaction of the City of Fremantle.
8. Prior to lodging an application for a building permit for the development hereby approved, amended plans are to be submitted and approved showing the designated 'terraces' on the ground floor of Lots 1-7 be amended to be consist of not more than 65 per cent impervious surfaces and the tree planting areas be a minimum of 1.6m x 2.5m, to the satisfaction of the City of Fremantle.
9. Prior to lodging an application for a building permit, a final detailed landscaping and reticulation plan for onsite and verge landscaping, including the following information:
  - a. species selection,
  - b. reticulation,
  - c. details of existing vegetation to be retained,
  - d. dimensions of verge car parking bays,
  - e. location of universal pedestrian access along the Montreal Street verge,
  - f. details regarding the trellis in the communal laneway,
  - g. details regarding hardstand and pathway surfaces and materials,
  - h. implementation of tree guards within the communal laneway,
  - i. treatment of landscaped surfaces (i.e. mulch, lawn, etc), and
  - j. designated bin hardstand, located on the Blinco Street verge, to be a sufficient length to accommodate all bins in a single file must be submitted to and approved by the City of Fremantle.
10. Prior to lodging an application for a building permit, for the development hereby approved, all piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle.



11. Prior to lodging an application for a building permit, for the development hereby approved, all fencing within the Primary Street setback area shall be visually permeable above 1.2 metres above natural ground level as per clause 5.2.4/C4 6.2.3 C3 of the Residential Design Codes and thereafter maintained to the satisfaction of the City of Fremantle
12. Prior to lodging an application for a building permit, or Demolition Permit a Construction/Demolition Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
  - a) Use of City car parking bays for construction related activities;
  - b) Protection of infrastructure and street trees within the road reserve;
  - c) Security fencing around construction sites;
  - d) Gantries;
  - e) Access to site by construction vehicles;
  - f) Contact details;
  - g) Site offices;
  - h) Noise - Construction work and deliveries;
  - i) Sand drift and dust management;
  - j) Waste management;
  - k) Dewatering management plan;
  - l) Traffic management; and
  - m) Works affecting pedestrian areas.

Dewatering application must include:-

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

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

13. Prior to the occupation of the development hereby approved, vehicle crossovers shall be constructed to the City's specification and thereafter maintained to the satisfaction of the City of Fremantle. The City's crossover specifications can be found via the following link: <https://www.fremantle.wa.gov.au/crossovers>.
14. Prior to the occupation of the development hereby approved, all on site car parking, and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.
15. Prior to the occupation of the development, the approved landscaping, including any verge landscaping approved by the City shall be completed in accordance with the approved plans or any modifications thereto to the satisfaction of the City of Fremantle. All landscaped areas onsite and on the verge are to be maintained on an ongoing basis for the life of the development, to the satisfaction of the City of Fremantle.



16. Prior to occupation of the development hereby approved, all boundary walls shall be of a clean finish in any of the following materials:
  - coloured sand render,
  - face brick,
  - painted surface,and be thereafter maintained to the satisfaction of the City of Fremantle.
17. Prior to occupation of the development the bicycle racks, as indicated on the approved plans, must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
18. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

### **Advice Notes**

1. A Building permit is required for the proposed Building Works. A certified BA1 application form must be submitted and a Certificate of Design Compliance (issued by a Registered Building Surveyor Contractor in the private sector) must be submitted with the BA1.
2. Any works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, requires a separate approval from the City of Fremantle's Infrastructure department who can be contacted via [info@fremantle.wa.gov.au](mailto:info@fremantle.wa.gov.au) or 9432 9999.
3. Earthworks and importation of clean fill are to be appropriately managed so as to avoid re-contaminating this site. For example, a barrier membrane could be installed along the site boundary to prevent the incorporation of any undesired fill material back onto the site. Further advice on this should be sought from the Department of Water and Environmental Regulation.
4. The applicant is advised to prepare a 'Planning Condition Schedule' that outlines how each of the above conditions have been addressed, with specific reference to plans and/or other supporting documentation where relevant and share this with officers to assist City officers in the clearance of relevant conditions.
5. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. New/modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.
6. If construction works involve the emission of noise above the assigned levels in the *Environmental Protection (Noise) Regulations 1997*, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an *Application for Approval of a Noise Management Plan* must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.

Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.



7. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
  1. mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
  2. vehicles;
  3. amplified acoustic systems; and
  4. patron noise.It is advised to seek the services of a competent acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.
8. The owner is advised that an obstruction permit may be required from the City for any future obstruction of the Blinco Street and Montreal Street road reserves. An application for obstruction permit can be found via [www.fremantle.wa.gov.au](http://www.fremantle.wa.gov.au).
9. Effective measures shall be taken to stabilize sand and ensure no sand escapes from the property by wind or water in accordance with the City's Prevention and Abatement of Sand Drift Local Law.
10. The applicant is advised that where contamination is detected, the site is required to be reported to the Department of Water and Environmental Regulation and remediated in accordance with the requirements of that Department. For further information, please see the Department fact sheet on Identifying and Reporting Contaminated sites available online at [https://www.der.wa.gov.au/images/documents/your-environment/contaminated-sites/Fact\\_sheets\\_tech\\_advice/Fact\\_sheet\\_1.pdf](https://www.der.wa.gov.au/images/documents/your-environment/contaminated-sites/Fact_sheets_tech_advice/Fact_sheet_1.pdf).
11. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. New/modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site. The applicant is advised that the /The new/ modified vehicle crossover shall be separated from any verge infrastructure by:
  - a minimum of 2.0 metres in the case of verge trees
  - a minimum of 1.2 metres (in the case of bus shelters, traffic management devices, parking embayment's or street furniture), and
  - a minimum of 1.0 metre in the case of power poles, road name and directional signs.
12. In regards to the condition relating to primary street fencing, 'Visually permeable' is defined by the Residential Design Codes as: In reference to a wall, gate, door or fence that the vertical surface has:
  - Continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area
  - Continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or
  - A surface offering equal or lesser obstruction to view;As viewed directly from the primary street.



13. In regards to the condition relating to verge landscaping, the applicant is advised that the City does not support the use of compacted crushed limestone gravel in the verges as a pedestrian treatment and the City suggests possible alternative of concrete based finishes be considered.
14. Maintenance of the adjacent verge should occur in accordance with the City's Verge Garden Policy which can be found on the City website at: <https://www.fremantle.wa.gov.au/resident-perks>
15. The applicant is advised that upon application to subdivide the site, a condition requiring a contribution of public open space may be imposed. In accordance with the structure plan, the City's preference will be for the landowner/applicant to provide cash in lieu to the local government for the sum equivalent to 10 per cent of the land, being that portion of the land that would otherwise be provided as open space to contribute to the upgrade and maintenance needed due to the additional population using the reserves.

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

DEVELOPMENT  
ASSESSMENT PANEL

APPROVED  
21-Jun-2023



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5 May 2023

DEVELOPMENT  
ASSESSMENT PANEL

APPROVED  
21-Jun-2023



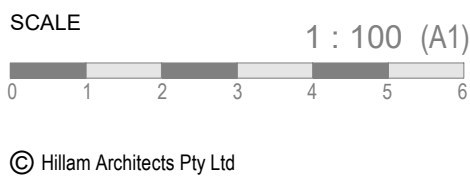
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1  
DAP002/23  
5 May 2023



MONTREAL TERRACES  
LOT 1 EAST VILLAGE KNUITSFORD



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|          |   |              |
|----------|---|--------------|
| 04.05.23 | C | ISSUE FOR DA |
| 17.02.23 | B | ISSUE FOR DA |
| 14.02.23 | A | ISSUE FOR DA |

ISSUED BY: CHECKED:

PROJECT No.  
2211

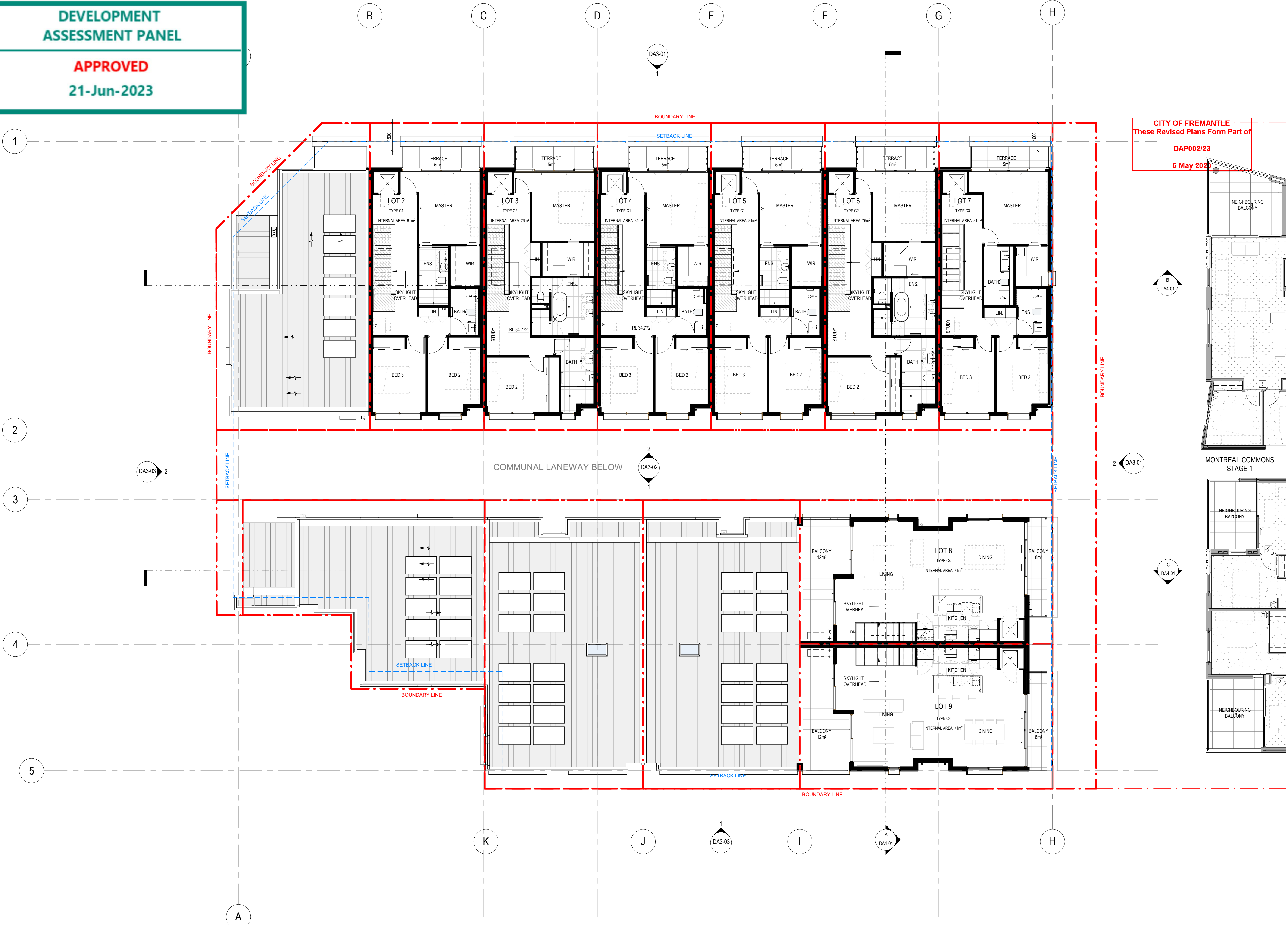
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LEVEL 1 FLOOR PLAN

DWG No.  
DA2-02

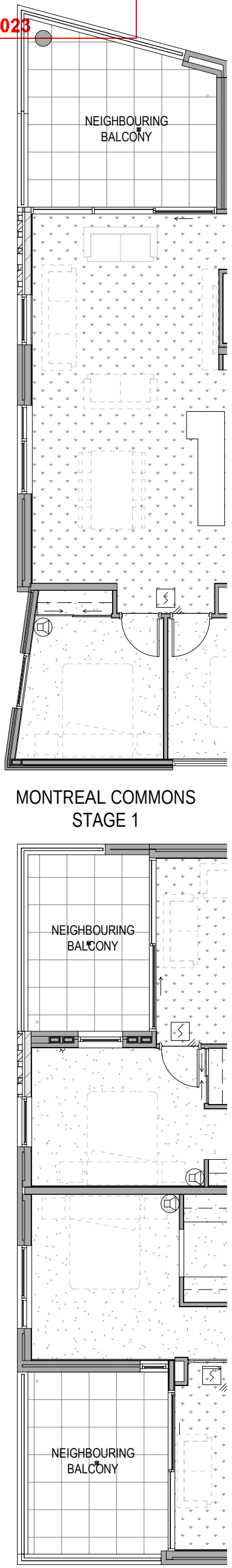
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DEVELOPMENT  
ASSESSMENT PANEL

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21-Jun-2023



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MONTREAL TERRACES  
LOT 1 EAST VILLAGE KNUTSFORD



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0 1 2 3 4 5 6  
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| 04.05.23  | C   | ISSUE FOR DA |
| 17.02.23  | B   | ISSUE FOR DA |
| 14.02.23  | A   | ISSUE FOR DA |
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| ISSUED BY |     | CHECKED      |

PROJECT No.  
2211

DWG NAME  
LEVEL 2 FLOOR PLAN

DWG No.  
DA2-03

REV  
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DEVELOPMENT  
ASSESSMENT PANEL

APPROVED  
21-Jun-2023

BLINCO ST



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MONTREAL COMMONS  
STAGE 1

MONTREAL TERRACES  
LOT 1 EAST VILLAGE KNUITSFORD



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PROJECT No.  
2211

DWG NAME  
GROUND FLOOR  
PLAN -  
LANDSCAPING

DWG No.  
DA2-04

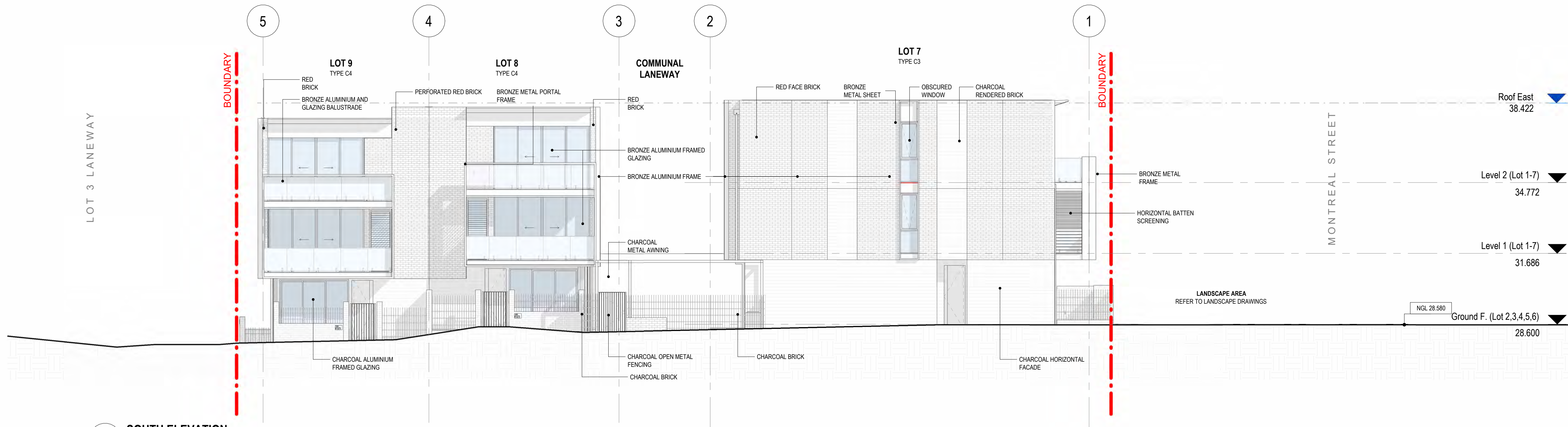
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DEVELOPMENT  
ASSESSMENT PANEL

APPROVED  
21-Jun-2023



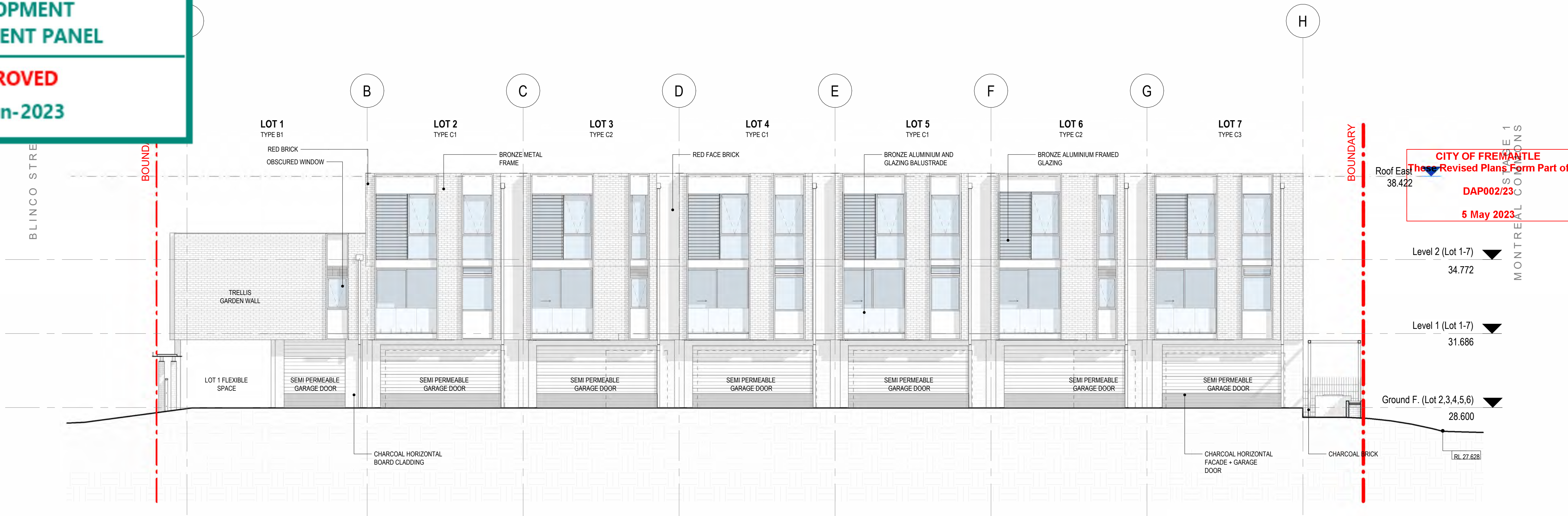
1 EAST ELEVATION  
DA2-01 1:100



2 SOUTH ELEVATION  
DA2-01 1:100

DEVELOPMENT  
ASSESSMENT PANEL

APPROVED  
21-Jun-2023



2 INNER WEST ELEVATION  
DA2-01 1 : 100



1 INNER EAST ELEVATION  
DA2-01 1 : 100

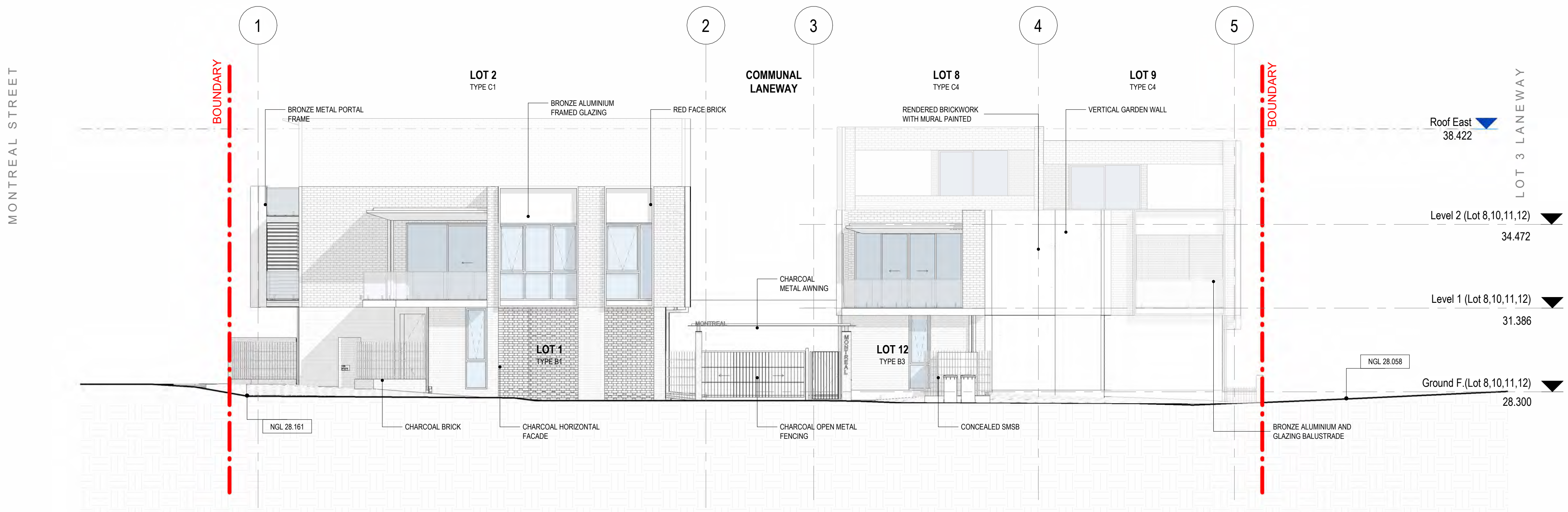
DEVELOPMENT  
ASSESSMENT PANEL

APPROVED

21-Jun-2023



1 WEST ELEVATION  
DA2-01 1:100



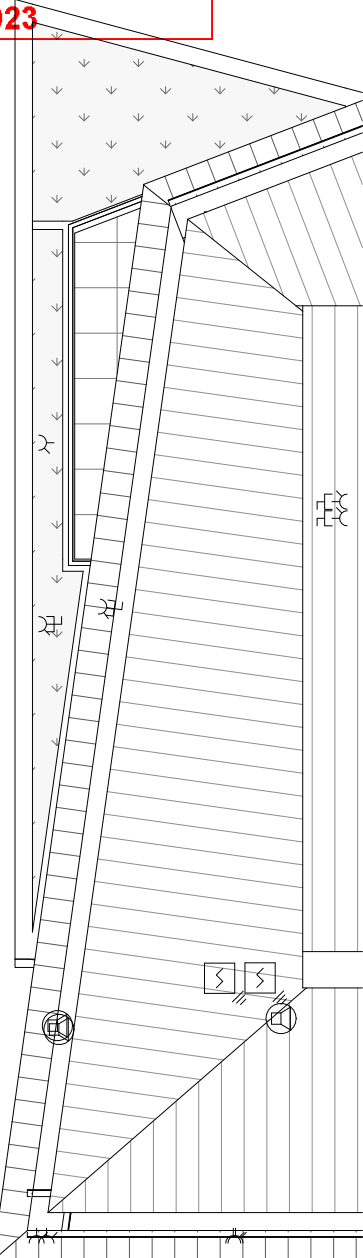
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DA2-01 1:100

DEVELOPMENT  
ASSESSMENT PANEL

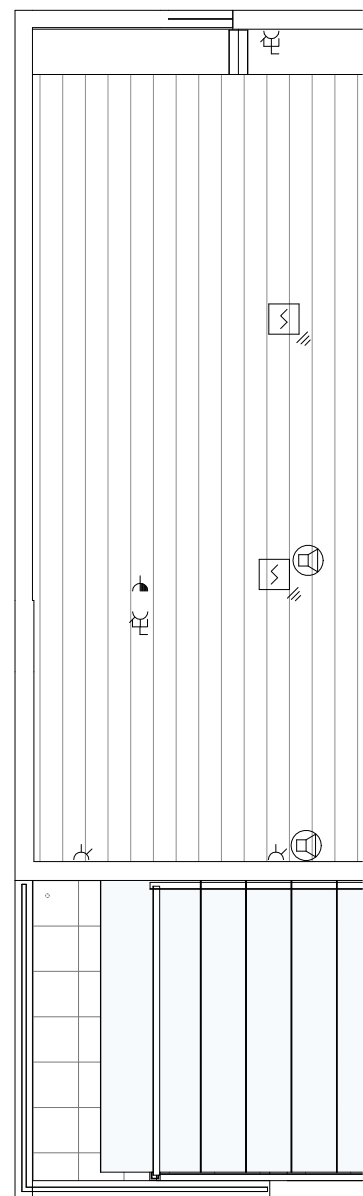
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21-Jun-2023



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5 May 2023



MONTREAL COMMONS  
STAGE 1



MONTREAL COMMONS  
STAGE 1



## Approval Subject To Condition(s) Survey-Strata Plan

**Application No** : 161-23

***Planning and Development Act 2005***

|                     |   |                                                                             |
|---------------------|---|-----------------------------------------------------------------------------|
| Applicant           | : | Element Advisory Pty Ltd<br>Level 18, 191 St Georges Terrace PERTH WA 6000  |
| Owner               | : | Western Australian Land Authority<br>Level 6/40 The Esplanade PERTH WA 6000 |
| Application Receipt | : | 16 March 2023                                                               |

|                  |   |                                |
|------------------|---|--------------------------------|
| Lot Number       | : | 1                              |
| Diagram / Plan   | : | 416642                         |
| Location         | : | -                              |
| C/T Volume/Folio | : | 2978/717                       |
| Street Address   | : | Lot 1 Blinco Street, Fremantle |
| Local Government | : | City of Fremantle              |

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a survey-strata plan in accordance with the plan date-stamped **16 March 2023** once the condition(s) set out have been fulfilled.

This decision is valid for **four years** from the date of this advice, which includes the lodgement of the survey-strata plan within this period.

The survey-strata plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by **04 July 2027** or this approval no longer will remain valid.

**Reconsideration - 28 days**

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.dplh.wa.gov.au>

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001  
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477  
e-mail: [info@dplh.wa.gov.au](mailto:info@dplh.wa.gov.au); web address <http://www.dplh.wa.gov.au>  
ABN 35 482 341 493

## **Right to apply for a review - 28 days**

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 section 251 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

## **Survey-strata plan**

The survey-strata plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the survey-strata plan. A copy of the survey-strata plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.dplh.wa.gov.au>

## **Condition(s)**

The WAPC is prepared to endorse a survey-strata plan in accordance with the plan submitted once the condition(s) set out have been fulfilled. The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the survey-strata plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the survey-strata plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the survey-strata plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITION(S):

1. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on lot(s) at the time of subdivision approval being demolished and materials removed from the lot(s). (Local Government)
2. The land being filled, stabilised, drained and/or graded as required to ensure that:
  - a) lots can accommodate their intended development; and
  - b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
  - c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government)
3. Redundant vehicle crossovers to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the specifications of the local government. (Local Government)
4. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)
5. The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)
6. The access way forming part of the common property access leg shall be a minimum width of 5.5 metres for a portion of its length, free of any building projections associated with existing site development and depicted on the diagram or plan of survey (deposited plan) and/or survey strata plan accordingly. (Local Government)

7. The landowner/applicant shall make payment to the local government for the sum equivalent to the value of 10 per cent of the land, being that portion of the land that would otherwise be provided as open space, in accordance with *Section 153 and 155 of the Planning and Development Act 2005*. (Local Government)
8. Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report. (Local Government)
9. Easement(s) in accordance with *Sections 195 and 196 of the Land Administration Act 1997* for the benefit of the lots are to be placed on the certificate(s) of title of the proposed lot(s) specifying public access rights. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). (Local Government)
10. The landowner/applicant making a pro-rata contribution towards the cost of the acquisition of the primary school site to serve the area. (Department of Education)
11. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power, for the provision of an electricity supply to the survey strata lots shown on the approved plan of subdivision, which may include the provision of necessary service access rights either as an easement under Section 136C and Schedule 9A of the *Transfer of Land Act 1893* for the transmission of electricity by underground cable, or (in the case of approvals containing common property) via a portion of the common property suitable for consumer mains. (Western Power)
12. The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)
13.
  - a) Arrangements being made with a licensed water provider for the provision of a suitable water supply service to each lot shown on the approved plan of subdivision. (Water Corporation)
  - b) Additionally, arrangements are to include the provisions of a suitable water supply service to each lot in the scheme(plan) (Western Australian Planning Commission)
14.
  - a) Arrangements being made with the Water Corporation for the provision of a sewerage service to each of the lot(s) shown on the approved plan of subdivision. (Water Corporation)
  - b) Arrangements are to include the provision of a suitable sanitary drainage service to each lot on the strata scheme (plan) by a Licensed Plumbing Contractor. (Western Australian Planning Commission)

ADVICE:

1. In regard to Condition 1, a demolition permit may be required to be obtained from the City of Fremantle prior to the commencement of demolition works. The City advises that any removal of asbestos is to comply with the *Health (Asbestos) Regulations 1992* and the *Environmental Protection (Controlled Waste) Regulations 2001*. All asbestos removal is to be carried out in accordance with the *Work Health and Safety Act 2020* and accompanying regulations and the requirements of the Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)];
2. In regard to Condition 2, the City of Fremantle advises that engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for grading and/or stabilisation of the site.
3. In regard to Condition 6, a portion of the common property needs to be widened to 5.5 metres to accommodate a vehicle passing bay.
4. In regard to Condition 10, the landowner/applicant is responsible for undertaking a per hectare valuation for the land subject of the subdivision application within the six (6) months prior to seeking clearance of the condition from the Department of Education. The per hectare value will be used by the Department of Education to inform the pro-rata contribution (1/1500th per applicable lot created) payable to the Department of Education in accordance with the WAPC's Operational Policy 2.4. Alternatively, the landowner/applicant may elect to pay the maximum contribution amount in accordance with Operational Policy 2.4, per lot created.
5. In regard to Condition 11, Western Power provides only one underground point of electricity supply per freehold lot.
6. In regard to Conditions 13 and 14 the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/ applicant, a Land Development Agreement under Section 83 of the *Water Services Act 2012* will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.

In relation to the provision of water and sewer service connections the applicant is required to provide direct services to the lots or enter into an agreement with the water service provider for multi metering.

Where water and sewer drainage works are undertaken, a Certificate of Compliance and a Drainage Plumbing Diagram from a licensed plumbing contractor is to be provided, confirming the works have been undertaken in accordance with the conditions of subdivision approval and relevant standards.

7. The City of Fremantle advises that effective measures shall be taken to stabilize sand and ensure no sand escapes from the property by wind or water in accordance with the City's Prevention and Abatement of Sand Drift Local Law.
8. The applicant is advised that where contamination is detected, the site is required to be reported to the Department of Water and Environmental Regulation and remediated in accordance with the requirements of that Department. For further information, please see the Department fact sheet on Identifying and Reporting Contaminated sites available online at [https://www.der.wa.gov.au/images/documents/your-environment/contaminated-sites/Fact\\_sheets\\_tech\\_advice/Fact\\_sheet\\_1.pdf](https://www.der.wa.gov.au/images/documents/your-environment/contaminated-sites/Fact_sheets_tech_advice/Fact_sheet_1.pdf).
9. The applicant/landowner is advised that pursuant to the Commonwealth Telecommunications Act 1997 there will generally be a requirement for the installation of fibre-ready telecommunications infrastructure. Exemptions can be sought for certain types of development. Further information is available from the Australian Government Department of Infrastructure, Transport, Regional Development and Communications website at: [www.infrastructure.gov.au](http://www.infrastructure.gov.au)



Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
4 July 2023

Enquiries : Jamie Townend (Ph 6551 9096)



Your Ref : 21-747  
 Enquiries : Preeti Kumari (Ph 6551 9137)

Element Advisory Pty Ltd  
 Level 18, 191 St Georges Terrace  
 PERTH WA 6000

## Approval Subject to Condition(s) Survey-Strata Reconsideration Of Condition(s)

**Application No** : 161-23

### ***Planning and Development Act 2005***

|                     |                                                                                                   |
|---------------------|---------------------------------------------------------------------------------------------------|
| Applicant           | : Element Advisory Pty Ltd<br>Level 18, 191 St Georges Terrace PERTH WA 6000                      |
| Owner               | : 59 Blinco Pty Ltd A T F 59 Blinco Unit Trust<br>C/o O P Properties, P O Box 767 SUBIACO WA 6008 |
| Application Receipt | : 16 March 2023                                                                                   |

|                  |                                  |
|------------------|----------------------------------|
| Lot Number       | : 1                              |
| Diagram / Plan   | : Deposited Plan 416642          |
| Location         | : -                              |
| C/T Volume/Folio | : 2978/717                       |
| Street Address   | : Lot 1 Blinco Street, Fremantle |
| Local Government | : City of Fremantle              |

The Western Australian Planning Commission has considered your request for reconsideration received on **26 July 2023** and has resolved as follows:

1. Confirm Condition 7
2. Revoke Condition 10 and Advice Note 4.

All other terms and conditions remain as per the Commission's original decision letter dated **04 July 2023**.

**Right to apply for review - 28 days**

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 section 251 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9216 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

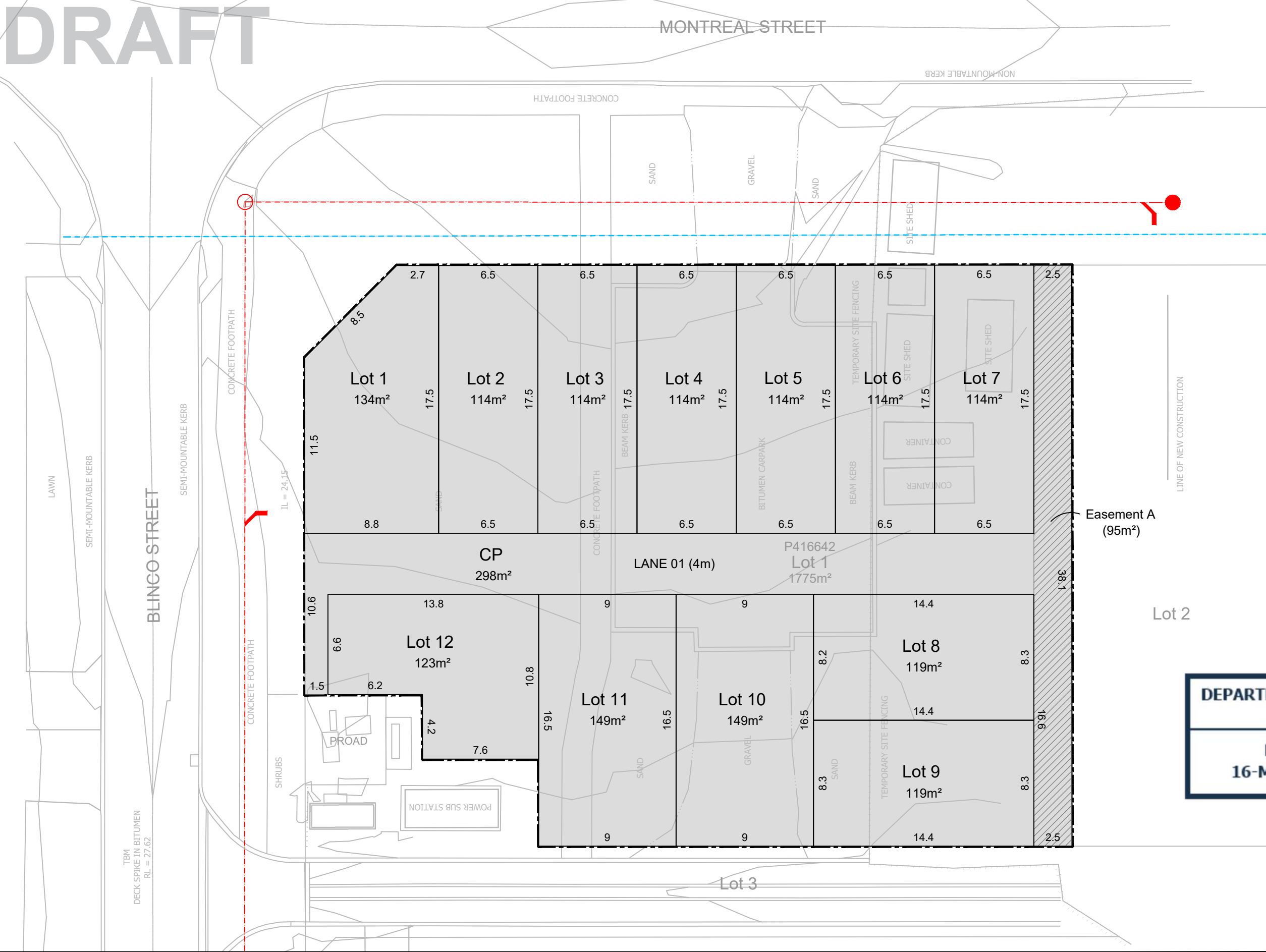
*Sam Boucher.*

Ms Sam Boucher  
Secretary  
Western Australian Planning Commission

23 November 2023

Cc: City of Fremantle  
Department of Education  
Water Corporation  
Western Power

DRAFT



- LEGEND
- Application Area
  - Existing Boundary
  - Existing Contours / Survey
  - Existing Water Infrastructure
  - Existing Sewer Infrastructure
  - Proposed Boundary
  - Proposed Easement in Gross s.195 & s.196 LAA 1997 (A)

LOT SUMMARY

|                                                      |                                         |
|------------------------------------------------------|-----------------------------------------|
| Subject Site                                         | 1775m <sup>2</sup>                      |
| Existing Lot 1                                       | 1775m <sup>2</sup>                      |
| Proposed Residential (Survey Strata) Common Property | 1477m <sup>2</sup><br>298m <sup>2</sup> |

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE16-Mar-2023FILE161-23

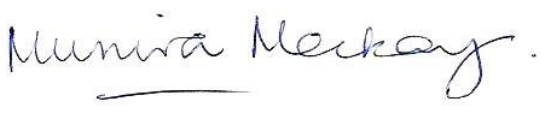
Subdivision Plan (Survey Strata)  
Lot 1 (59) Blinco Street, Fremantle

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# **Design Review Report**

## **Montreal Terraces, Fremantle: DR 1 (Review of materials and finishes)**

11<sup>th</sup> December 2023

| Design Review Report             |                                                                                                       |                                                                                                                     |
|----------------------------------|-------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Subject                          | Montreal Terraces, Fremantle – Design Review 1                                                        |                                                                                                                     |
| Date                             | 11 <sup>th</sup> December 2023                                                                        |                                                                                                                     |
| Time                             | 4.30pm - 5pm                                                                                          |                                                                                                                     |
| Location                         | City of Fremantle                                                                                     |                                                                                                                     |
| Design Reviewers                 | Munira Mackay<br>Marco Vittino<br>Tobias Busch<br>Patrick Kosky                                       | Chair<br>Panel Member<br>Panel Member<br>Panel Member                                                               |
| Proponent                        | OP Properties                                                                                         |                                                                                                                     |
| Project Team                     | Hillam Architects<br>Element                                                                          |                                                                                                                     |
| Planning Authority               | City of Fremantle                                                                                     |                                                                                                                     |
| Staff                            | Chloe Johnston<br>Justin Lawrence<br>Alaleh Maghsoudi<br>Bindi House                                  | Manager Development Approvals<br>Coordinator Statutory Planning<br>Senior Planning Officer<br>Senior Urban Designer |
| Stakeholders                     | None                                                                                                  |                                                                                                                     |
| Declarations                     | None                                                                                                  |                                                                                                                     |
| Briefings                        |                                                                                                       |                                                                                                                     |
| Relevant Authorities             | The Planning Officer made a presentation to the Committee.                                            |                                                                                                                     |
| Project Team                     | The Applicant made a presentation to the Committee.                                                   |                                                                                                                     |
| Design Review Report endorsement |                                                                                                       |                                                                                                                     |
| Reviewers signature              | <br>Munira Mackay |                                                                                                                     |

## Design quality evaluation

### A. DAC comments on further design improvement or clarification

#### 1. **Changes to architectural elements and materials**

The proponent advised that due to supply issues, changes to the approved design include the omission of the following on the front elevations facing the streets.

- all the bronze metal portal frames surrounding the first and second floor balconies
- all the bronze metal elements (frames, balustrade, horizontal batten side screens on the first-floor balconies and the infill panels above the second-floor openings).

Consequently, and to complement the new proposed darker colour of metal elements, the proponent advised the reselection of a mottled red brick instead of the previous more plum coloured brick.

The DAC advises that the changes to the architectural and metal elements cumulatively diminish the character and strong identity of the townhouses on the streetscapes and, therefore, are not supported.

The proponent advised the project was now on hold. If the supply issue cannot be resolved during the time the project is on hold, the DAC suggests consideration of alternative and similar high quality design solutions.

#### 2. **Paving material in the internal laneway**

The two rough textured paving types proposed for the internal shared space laneway should be reconsidered as this space is intended for the residents' communal use, including by children who could fall and suffer skin grazes.

A suggestion is to reselect to smoother paving types.

#### 3. **Relocation of the shade canopy**

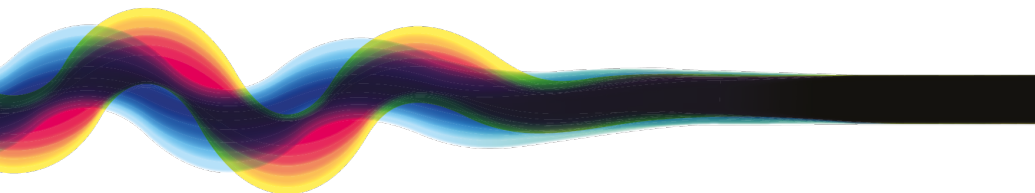
A positive change on the eastern elevation is the lowering of the second-floor canopy to above opening head height to assist with shading of internal rooms.

However, consider extending the shade canopy to additionally protect the second floor balcony from strong summer sun.

### B. Concluding comments

The DAC:

- **does not support the omission of the bronze portal frame feature or the bronze metal elements on the front streetscape elevations. The DAC suggests resolution of the supply issue while the project is on hold or considering alternative and similar high quality design solutions**
- **suggests selection of smoother paving types in the internal laneway**
- **suggests extending the shade canopy to additionally protect the balcony.**



Our Ref: 24-074

17 April 2024

City of Fremantle

Attention: Justin Lawrence – Coordinator Statutory Planning

Dear Justin,

**APPLICATION TO AMEND DEVELOPMENT APPROVAL – 12 GROUPED DWELLINGS – LOT 1 (NO. 59) BLINCO STREET, FREMANTLE**

element is pleased to enclose this planning application to amend the current development approval DAP002/23 dated 21 June 2023 for 12 Grouped Dwellings on Lot 1 (No. 59) Blinco Street, Fremantle (the subject site).

In accordance with the City of Fremantle's (the City) requirements, please find enclosed:

- A completed and signed copy of the City of Fremantle's 'Application for Development Approval' form;
- A completed and signed copy of the MRS Form 1 'Application for Planning Approval' form;
- A completed and signed copy of the Development Assessment Panel Form 2 'Application for amendment or cancellation of a Development Assessment Panel determination' form;
- A copy of the notice of approval and stamped plans dated 21 June 2023; and
- A copy of the revised plans.

**Subject Site**

The subject site comprises of one (1) lot with a total land area of 1,175m<sup>2</sup> located at Lot 1 (No. 59) Blinco Street, Fremantle. The particulars of the subject site's Certificate of Title are summarised in the table below:

**Table 1: Site Particulars**

| Lot | Street Address              | Vol / Folio | Plan    | Area     | Owner                                            |
|-----|-----------------------------|-------------|---------|----------|--------------------------------------------------|
| 1   | 59 Blinco Street, Fremantle | 2978/717    | P416642 | 1,775sqm | 59 Blinco Pty Ltd<br>ATF 59 Blinco Unit<br>Trust |

The subject site is located within the suburb of Fremantle, within the City of Fremantle, and forms part of the wider DevelopmentWA Knutsford Precinct, specifically the former Museum site (Lot 1819) known as Knutsford East.

APPLICATION TO AMEND DEVELOPMENT APPROVAL – 12 GROUPED DWELLINGS – LOT 1 (NO. 59) BLINCO STREET, FREMANTLE

**CITY OF FREMANTLE**  
**These Plans Form Part of**

### Site Considerations

A desktop search of the Department of Water and Environmental Regulation (DWER) Contaminated Sites Database reveals that the subject site does not contain any registered contaminated sites.

A desktop search of Landgate's mapping system, Landgate Locate, indicates that the subject land has no risk of encountering Acid Sulphate Soils (ASS).

A desktop search of the Department of Bushfire and Emergency Services' ('DFES') Map of Bushfire Prone Areas indicates that the land is not located within a bushfire prone area.

A desktop search of the Department of Planning, Lands and Heritage ('DPLH') Aboriginal Heritage Inquiry System indicates that the subject land is not located within the curtilage of any registered aboriginal heritage sites. The Heritage Council's State Register and the City's heritage records indicate that there is no recognised heritage significance on the site.

### Description of Development

The application refers to the approved development of twelve (12) grouped dwellings dated 21 June 2023, consisting of 4 two-storey grouped dwellings and 8 three-storey grouped dwellings, with a range of 3 to 4 bedrooms per dwelling.

This application is seeking amendments to the existing approval due to final details of the façade design including materiality varying from the existing approval, along with changes to Advice Note 15 of the approval to reflect that the high quality landscaping of the verge areas satisfy the 10 per cent public open space obligation of the associated subdivision approval granted by the WAPC on 4 July 2023.

### Façade Design Changes

The City reviewed the proposed amendments in November 2023 and advised the changes could be dealt with via the clearance of condition 6 of the development approval which stated:

*Prior to lodging an application for a building permit for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials, is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.*

However, following the requisite review of the amendments by the City's Design Advisory Committee ('DAC') on 11 December 2023, an amendment to the development approval was required.

A full copy of the revised plans is provided. The key modifications to the final façade design are noted in the amended plans, and are as follows:

- Removal of bronze balcony portal features and replacement of other bronze metal elements (frames, batten side screens, balustrade on the first floor and infill panels on the second-floor);
- Other updated materiality; and
- Various adjustments to finished ground floor levels of a minor nature as expected during detailed design stages.

The proposed amendments have been made due to the progression of detailed design and unforeseen significant and fundamental material supply constraints.

As the proponent previously communicated to the Design Advisory Committee, an exhaustive process involving multiple builders was pursued by the proponent, and as a result they have been unable to

APPLICATION TO AMEND DEVELOPMENT APPROVAL – 12 GROUPED DWELLINGS – LOT 1 (NO. 59) BLINCO STREET, FREMANTLE

obtain a high level cost estimate to construct the portals due to unforeseen complexities of this design element. This has been a significant contributor to the project having now been withdrawn from market and put on hold as conveyed to the DAC.

The proponent has provided the following justification for the façade changes:

- To complement the new proposed darker colour of metal elements, a reselection of new mottled red brick instead of the previous plum coloured brick is proposed. The newly selected brick also reflects a more 'heritage style' which enhances the architecture of the townhouses and complements the history of the area.

There have been some responsive changes to the requirements of Condition 7 which have been included in the enclosed architectural drawings. Whilst these do not require a formal amendment to the approval, the proponent has included them for completeness, that is:

*7. Prior to lodging an application for a building permit, for the development hereby approved, amended plans are to be submitted and approved detailing the incorporation of windows to the following rooms:*

*a. An openable window to the ground floor bathrooms on Lots 1 and 7. to the satisfaction of the City of Fremantle.*

#### Proposed Change to Advice Note 15 – Verge Landscaping

Relevant to this amendment application, the development approval includes the following conditions (9 and 15) and advice note (15):

*Condition 9. Prior to lodging an application for a building permit, a final detailed landscaping and reticulation plan for onsite and verge landscaping, including the following information*

- a. species selection,*
- b. reticulation,*
- c. details of existing vegetation to be retained,*
- d. dimensions of verge car parking bays,*
- e. location of universal pedestrian access along the Montreal Street verge,*
- f. details regarding the trellis in the communal laneway,*
- g. details regarding hardstand and pathway surfaces and materials,*
- h. implementation of tree guards within the communal laneway,*
- i. treatment of landscaped surfaces (i.e. mulch, lawn, etc), and*
- j. designated bin hardstand, located on the Blinco Street verge, to be a sufficient length to accommodate all bins in a single file must be submitted to and approved by the City of Fremantle.*

*Condition 15. Prior to the occupation of the development, the approved landscaping, including any verge landscaping approved by the City shall be completed in accordance with the approved plans or any modifications thereto to the satisfaction of the City of Fremantle. All landscaped areas onsite and on the verge are to be maintained on an ongoing basis for the life of the development, to the satisfaction of the City of Fremantle.*

With regard to Condition 15, the proponent would like to note that they have committed \$247,000 in contributions to the public realm, that will effectively act as passive public open space. As a result, the new property titles have been unable to be issued. This has resulted in a significant financial impairment and has been withdrawn from market and put on hold indefinitely.

*Advice Note 15. The applicant is advised that upon application to subdivide the site, a condition requiring a contribution of public open space may be imposed. In accordance with the structure plan, the City's preference will be for the landowner/applicant to provide cash in lieu to the local government for the sum equivalent to 10 per cent of the land, being that portion of the land that*



APPLICATION TO AMEND DEVELOPMENT APPROVAL – 12 GROUPED DWELLINGS – LOT 1 (NO. 59) BLINCO STREET, FREMANTLE

*would otherwise be provided as open space to contribute to the upgrade and maintenance needed due to the additional population using the reserves.*

With regard to Advice Note 15, it is requested that this be modified so as to reflect this request for the City's agreement to apportion the cost of these public landscaping works to the 10 per cent Public Open Space contribution that has been imposed on the associated subdivision approval granted by the WAPC on 4 July 2023, as contemplated by the Knutsford Street East Local Structure Plan. This is Condition 7, repeated below for ease of reference:

*7. The landowner/applicant shall make payment to the local government for the sum equivalent to the value of 10 per cent of the land, being that portion of the land that would otherwise be provided as open space, in accordance with Section 153 and 155 of the Planning and Development Act 2005. (Local Government)*

The proponent has proposed high quality landscaping of the verge area, with these works already being underway as part of the subdivision at their cost. Consistent with the development application landscaping plans that have already been submitted, the final details of landscaping will be provided to the City prior to the application for a building permit and then installed to satisfy Conditions 9 and 15.

#### Façade Design Development and Changes

The original balconies consisted of 'portals'; bronze metal framing and bronze aluminium batten side screening and glazing balustrades. The proposed amended plans have modified the balcony to remove the bronze portal frame features and balustrade, instead the proposed balcony will include frameless glass balustrading with spigots. The original balcony portals provide no required or additional functionality or amenity to the residents of the townhouses and were a feature only.

Each townhouse is provided with multiple private open spaces over various levels and to various aspects/orientations. The removal of the balcony portal feature does not adversely impact upon the amenity of these private open spaces, with the ground floor terraces recessed for additional shade and shelter, and the multiple private open spaces offering opportunities for year-round outdoor living. It is also proposed to lower the shade canopies on the eastern elevation to assist with shading of internal rooms, together with the addition of aluminium batten screens to fixed windows either side of the balcony doors for further protection from strong summer sun.

We disagree with the view of the City's Design Advisory Committee that the omission of the bronze portal frame feature and bronze metal elements "*cumulatively diminish the character and strong identity of the townhouses and streetscapes*". It is our view that the aesthetics, functionality and build quality of the approved townhouses are still retained through the modified designs.

The updated materials take into consideration the need to complement the light industrial heritage of the area and provides the townhouses with a strong, collective identity and streetscape within the emerging Knutsford Precinct. The amended design reflects a far higher aesthetic and design outcome. To support this, updated 3D renders are enclosed.

#### Updated Materiality

The material details can be found in the exterior schedule, the proposed changes are summarised in Table 3 below:

CITY OF FREMANTLE  
These Plans Form Part of  
DAPV003/24  
26 Apr 2024

APPLICATION TO AMEND DEVELOPMENT APPROVAL – 12 GROUPED DWELLINGS – LOT 1 (NO. 59) BLINCO STREET, FREMANTLE

**CITY OF FREMANTLE**  
**These Plans Form Part of**

**Table 3: Summary of proposed materiality changes**

| Facade     | Proposed Change(s)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| South      | <p>Reduce the size of the obscured windows from Lot 7, both from the first and second level.</p> <p>Addition of non-thermally broken double glazed windows to Lots 1 and 7 (condition 7).</p> <p>Addition of Gate comprised of aluminium (powdercoat) balustrading to Lot 7.</p> <p>Remove custom window hoods and replace with a bracket less awning system (Lots 8 and 9).</p> <p>Updates to the external brick selection.</p> <p>Reduce balcony portal frame and update hand rails with powder coated finish (Lots 8 and 9).</p>                                                                                          |
| East       | <p>Wall cladding replaced on Lots 2 through 7 with Colorbond metal sheet wall cladding fixed to structural frame.</p> <p>Bronze aluminium framing on windows on Lots 2 through 7 replaced with powder coated aluminium folding screen walls.</p> <p>Remove custom window hoods and replace with a bracket less awning system (Lots 2 to 7).</p> <p>Reduce balcony portal frame and update hand rails with powder coated finish (Lots 1 to 7)</p> <p>Sliding door frames of Lots 2 through 7 replaced with non-thermally broken double glazed glass.</p> <p>Exterior cement renders of Lots 2 through 7 are now charcoal.</p> |
| Inner East | <p>Removal of obscured windows from Lot 8.</p> <p>Removal of permeable panels on all lots.</p> <p>Remove window portal and change window and handrail to black.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Inner West | <p>Removal of red face brick from the terrace of Lot 12.</p> <p>Addition of steel beams to terrace of Lot 12.</p> <p>Removal of permeable panels on all lots.</p> <p>Remove window portal and change window and handrail to black.</p>                                                                                                                                                                                                                                                                                                                                                                                       |
| West       | <p>Lots 10 and 11 ground floor fencing and gates are now aluminium balustrading.</p> <p>Remove window portal and change window and handrail to black.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| North      | <p>Remove window portal and change window and handrail to black.</p> <p>Remove driveway roof cover.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

The permeable panels to the garage doors fronting the internal driveway contained within the original application were included as a suggestion by the City's DAC to increase visual surveillance of the internal driveway. The removal of these permeable panels does not compromise the opportunity for adequate passive surveillance of this area, with 31 major openings overlooking the communal space, including four (4) at ground level plus two open garages opening into this space.

#### **Proposed Change to Advice Note 15 – Verge Landscaping**

The Knutsford Street East Local Structure Plan (Structure Plan) establishes a holistic approach to landscaping and streetscape works for the greater benefit of the precinct, and of relevance states:

*“The structure plan also identifies the potential for a “green pathway” which will serve to link the existing and proposed open space and residential development areas. This “green pathway”, incorporating **streetscape improvements could be established within the wide road reserve** of Knutsford Street, providing a safe, usable and attractive area for pedestrians to travel to and from community and shopping facilities.*

*Accordingly, the structure plan provides for the public open space requirement to be met principally through the **provision of cash-in-lieu to be used for green links,***

APPLICATION TO AMEND DEVELOPMENT APPROVAL – 12 GROUPED DWELLINGS – LOT 1 (NO. 59) BLINCO STREET, FREMANTLE

**streetscaping and enhancing existing POS.**” – pages 31 and 32 of the Structure Plan [emphasis added].

CITY OF FREMANTLE  
These Plans Form Part of

DAPV003/24

26 Apr 2024

Whilst the Structure Plan references the wide road reserve of Knutsford Street as a possibility for streetscape improvements, the intersecting Montreal Street benefits from the same width, with landscaping wrapping around to Knutsford Street to create a cohesive, usable space. The end result will comprise a comprehensive and contiguous streetscape improvement package being undertaken by the one developer, from Knutsford Street, to Montreal Street and through to Blinco Street (in addition to the green link/public access-way off Montreal Street).

Regarding the publicly accessible common property green link, the Structure Plan goes on to state:

*“This does not preclude consideration being given to the allocation of land for additional POS where a developer chooses to do so at the subdivision stage. In these circumstances, **POS may take the form of drainage swales and may be used to protect limestone outcrops, provide viewing points, access-ways and green links to improve integration and permeability** across the combined Swanbourne Street and Knutsford Street East Structure plan areas.”* – page 32 of the Structure Plan [emphasis added].

The approved green link/access-way will be secured for public access via an easement in gross, enhancing the permeability of the precinct and the site’s integration with the neighbouring East Village at Knutsford.

In this regard, we are hereby seeking the City’s agreement to apportion the cost of these public landscaping works to the 10 per cent Public Open Space (POS) contribution that has been imposed on the associated subdivision approval.

In support of this request we note as follows:

- 10% of the subject site (177.5sqm) has been valued at \$168,500 (as at June 2023). It is acknowledged that the City has engaged Hemsley Paterson to undertake a current valuation in accordance with Section 155(3)(b) of the *Planning and Development Act 2005*, and therefore this figure may change despite the applicant strongly refuting a change to this valuation methodology.
- The proponent is contributing \$247,197 in the form of the high quality landscaping of the public verge areas and the provision of the green link/access-way, secured for public access via an easement in gross, which is effective publicly accessible open space. This is particularly the case given the atypically wide verge for Montreal Street and its direct relationship with the green open space on the eastern side of the street.
- Furthermore, when the high quality landscaping of the verge areas associated with the adjacent Montreal Commons project is included, noting that this will provide a contiguous landscape treatment for public use for the full street-block length, the proponent will be spending \$500,000 on effective public open space.

We note that \$247,197 is significantly more than the \$168,500 POS cash in lieu obligation of the subdivision approval, even considering potential increases to cash in lieu figure that may result from the valuation methodology which is currently being undertaken. Requiring the proponent to fund both would result in a combined value of over \$400,000, or some 25% of the land value, which is viewed by the proponent as another cost impost on the ability of developers to bring product to the market in challenging economic conditions and rendering the project unviable.

We also make reference to the WAPC’s Statutory Planning Committee conflicting consideration of an earlier reconsideration request of this POS cash in lieu obligation of the subdivision approval. The

APPLICATION TO AMEND DEVELOPMENT APPROVAL – 12 GROUPED DWELLINGS – LOT 1 (NO. 59) BLINCO STREET, FREMANTLE

minutes of the meeting of 7 November 2023 state:

*Members noted that the applicant's request to waive the POS contribution is reasonable for the circumstances discussed during their deputation.*

**CITY OF FREMANTLE**  
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**DAPV003/24**

**26 Apr 2024**

This policy, its method of assessment and associated time taken have resulted in material negative financial impacts on the viability of the development, when viewed within the broader context of challenging and escalating construction costs. As a result, the proponent has noted that they have withdrawn the development from market and it is currently on hold indefinitely. The proponent has demonstrated their commitment to ensuring high quality private and public spaces in and around its developments and committed to \$247,000 to contribute to open space.

In this regard, the City's agreement to apportion the cost of these public landscaping works to the 10 per cent POS contribution is respectfully requested. Such an approach by the City will assist in the delivery of this new housing supply and is considered entirely fair and reasonable in the circumstances, and consistent with the holistic approach to landscaping and streetscape works for the greater benefit of the precinct, as established by the Knutsford Street East Local Structure Plan.

On this basis, it is requested that the current Advice Note 15 is replaced in full, with the following:

*15. The applicant is advised that Condition 7 of the associated WAPC subdivision approval dated 4 July 2023 requires payment to the local government for the sum equivalent to the value of 10 per cent of the land. The applicant is further advised that the City is prepared to apportion the agreed costs of the landscaping of the Montreal Street and Blinco Street adjacent verge areas, and the provision of the green link/access-way on the site, secured by public access easement, towards the 10 per cent value of the land obligation. Thus, the contribution required to be paid by the applicant is to be nullified or if require to be paid to WAPC, the City will direct it back to the applicant.*

The current wording of Advice Note 15 ought to be deleted entirely as it no longer serves a purpose. The associated WAPC subdivision approval has been granted and Condition 7 has been imposed, which requires the 10 per cent public open space cash in lieu. There is therefore no longer a need to advise the proponent of this.

The proposed reworded Advice Note 15 (above) reflects the proposed approach to satisfying this POS obligation, consistent with the intent of the Knutsford Street East Local Structure Plan.

## Summary

The proponent has a demonstrated track record of delivering high quality private and public development outcomes in this precinct in excess of statutory requirements and is committed to delivering the \$247,000 of public improvements around this development as negotiated during the original DA assessment process. The proponent has faced multiple construction industry related challenges and the volatility of escalating construction costs is widely known across Western Australia, and has been widely publicised.

This amendment application proposes modifications to façades following the progression of detailed design and in response to fundamental supply issues unknown at the time of the original application that has directly contributed to the development having to be withdrawn from market and put on hold. The proposed amendments to the development approval are considered minor in nature, with the design still responding to the Knutsford East Precinct planning vision, which states that built form "...will be guided by the site's former industrial heritage, with use of materials which reflect the industrial history." And in any event result in extremely high quality townhouses.

The materials proposed within the application are reflective of the light industrial historic character of the area and setting a unique identity within an emerging and evolving precinct for contemporary infill

APPLICATION TO AMEND DEVELOPMENT APPROVAL – 12 GROUPED DWELLINGS – LOT 1 (NO. 59) BLINCO STREET, FREMANTLE

development, with minimal change on the design and efforts made to replace the materials with similar materials. There is no adverse impact upon residential amenity as result of the proposed amendments.

The proponent acknowledges that while there may be mixed views from the DAC regarding these proposed changes, it ought to be broadly acknowledged that the proposed townhouses remain of an extremely high architectural standard, and compare favourably to those recently constructed in the area in recent times.

This application also seeks agreement with the City regarding the approach to the allocation of public open space contributions and obligations as the current situation is not consistent with the Knutsford Street East Local Structure Plan and has resulted in a required combined value of over \$400,000, or some 25% of the land value. This is viewed by the proponent as a significant cost impost on the ability of developers to bring product to the market in challenging economic conditions, currently rendering the project unviable.

Should you have any queries or require clarification on the above matter, please do not hesitate to contact Alison Healey on 9289 8300 or [alison.healey@elementwa.com.au](mailto:alison.healey@elementwa.com.au).

Yours sincerely

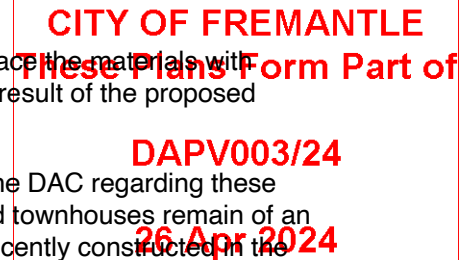
element



Alison Healey

Associate – Planning

element acknowledges the Whadjuk people of the Noongar nation as Traditional Owners of the land on which we live and work. We acknowledge and respect their enduring culture, their contribution to the life of this city, and Elders, past and present.





# Minutes

## Ordinary Meeting of Council

Wednesday 12 June 2024 6pm



**C2406-2      BLINCO STREET, NO. 59 (LOT 1), FREMANTLE –  
AMENDMENT TO DAP002/23 FOR 12 GROUPED DWELLINGS  
– (AM DAPV003/24)**

|                             |                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Meeting date:</b>        | 12 June 2024                                                                                                                                                                                                                                                                                                                     |
| <b>Responsible officer:</b> | Manager Development Approvals                                                                                                                                                                                                                                                                                                    |
| <b>Voting requirements:</b> | Simple Majority                                                                                                                                                                                                                                                                                                                  |
| <b>Attachments:</b>         | <ol style="list-style-type: none"><li>1. Amended Development Plans</li><li>2. Original Decision Notice and Approved Plans</li><li>3. WAPC Subdivision Approval Decision Letter and Plan</li><li>4. Design Advisory Committee Comments</li><li>5. Applicant's Covering Letter</li><li>6. Applicant's Email on Valuation</li></ol> |

**SUMMARY**

**Approval is sought for amendment to development approval ref. DAP002/23 (12 Grouped Dwellings on Lot 1 (No. 59) Blinco Street, Fremantle) involving changes to the final details of the façade design including materiality varying from the existing approval, along with a request for a Council position on the public open space contribution associated with subdivision approval granted by the Western Australia Planning Commission (Ref. WAPC 161-23) date, 4 July 2023.**

**The proposal is referred to Council due to the nature of the proposed amendments to an application previously considered by Council and the Development Assessment Panel.**

**The proposed design changes are supported; however, it is not recommended that Council support the crediting of verge works as the Public Open Space contribution.**

**PROPOSAL**

**Detail**

Approval is sought for amendments to development approval ref. DAP002/23 for 12 Grouped Dwellings at No. 59 Blinco Street, Fremantle.

This application is seeking amendments to the existing approval to alter the façade design, along with seeking deletion of an advice note that refers to a cash in lieu contribution for Public Open Space.

**Background**

At its meeting on 21 June 2023, the Metro Inner-South JDAP (currently Metro-Inner DAP) resolved to conditionally approve the following development at the subject site:



*'12 Grouped Dwellings, consisting of four (4) two-storey grouped dwellings and eight (8) three-storey grouped dwellings, with a range of 3 to 4 bedrooms per dwelling'.*

A condition of approval requiring final details of materials and finishes has been imposed as follows:

*'Prior to lodging an application for a building permit for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials, is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee'.*

In the process of preparing the working drawings for development, the applicant has made amendments that alter its appearance. In line with the requirements of the condition, the updated plans were referred to the Design Advisory Committee for review on 11 December 2023. While some changes are accepted, the panel did not support the changes and encouraged reconsideration of the approach.

In relation to the Public Open Space contribution, this matter is dealt with via the subdivision process, with a condition requiring the 10% contribution imposed by the Western Australian Planning Commission (WAPC) on 4 July 2023, and maintained following a reconsideration process. In this instance, the applicant is seeking to have the following advice note on the DAP approval deleted:

*'15. The applicant is advised that upon application to subdivide the site, a condition requiring a contribution of public open space may be imposed. In accordance with the structure plan, the City's preference will be for the landowner/applicant to provide cash in lieu to the local government for the sum equivalent to 10 per cent of the land, being that portion of the land that would otherwise be provided as open space to contribute to the upgrade and maintenance needed due to the additional population using the reserves.'*

The Responsible Authority Report for the application was presented to the City's Planning Committee on 7 June 2023, where this position was supported ahead of JDAP's consideration.

Development plans are included as attachment 1. The Responsible Authority Report (RAR) and associated attachments are included with this report.

### **Public open space contribution**

Prior to the original development approval issued by JDAP for 12 Grouped Dwellings and subsequent subdivision approval granted by the WAPC, the subject site was one lot with a total land area of 1,175m<sup>2</sup> located at Lot 1 (No. 59) Blinco Street, Fremantle.



In assessing the applications for subdivision and development of 12 grouped dwellings on the subject site, both the WAPC and the City had due regard to the following planning framework in provision of public open space contribution as cash-in-lieu.

In accordance with section 153 of the *Planning and Development Act 2005*, the Commission may under section 143(1)(c) impose either of the following conditions on the approval of plan of subdivision of land;

- (a) A requirement that a specified portion of the land be set aside and vested in the Crown for parks, recreation grounds or open spaces generally;
- (b) A requirement that the owner of the land make payment to the local government in whose district the land is situated of a sum that represents the value of a specified portion of the land in lieu of a requirement to set aside and vest in the Crown that portion of the land for parks, recreation grounds or open spaces generally.

Under Development Control Policy 2.3 - Planning for Public Open Space in Residential Areas (DC 2.3), the Commission's normal requirement in residential areas is that, where practicable, 10% of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown under the provisions of the Act as a Reserve for Recreation. For the subject site, this equates to 177.5m<sup>2</sup>.

The DCP 2.3 outlines that the *Act* contain provisions which a cash payment can be made by the subdivider in lieu of providing land for open space. The Commission recognises that in certain circumstance the use of these provisions should be encouraged. These circumstances include subdivisions where:

- the land area is such that a 10 percent contribution would be too small to be of practical use;
- there may be sufficient public open space already in the locality;
- public open space is planned in another location by way of a town planning scheme or local structure plan.

Part 2.4 of the KSELSP relates to public open space contributions. It notes that the provision of land for public open space may not be suitable in all instances, as it may be too small for practical use, and that sufficient public open space exists and is planned in the locality. As such, the WAPC allows for POS contributions to be provided through financial contributions (cash-in-lieu).

Considering the above, Condition 7 of the WAPC's subdivision approval (Ref. WAPC 161-23) which requires the following;

*The landowner/applicant shall make payment to the local government for the sum equivalent to the value of 10 per cent of the land, being that portion of the land that would otherwise be provided as open space, in accordance with*



*Section 153 and 155 of the Planning and Development Act 2005. (Local Government)*

As part of this amendment, the applicant requests the City to include the cost of these public landscaping works (verge landscaping) to the 10 per cent POS contribution. The applicant has provided the following in support of their argument;

- *This assist in the delivery of this new housing supply and is considered entirely fair and reasonable in the circumstances, and consistent with the holistic approach to landscaping and streetscape works for the greater benefit of the precinct, as established by the Knutsford Street East Local Structure Plan*

The applicant further justifies, that;

- *10% of the subject site (177.5sqm) has been valued at \$168,500 (as at June 2023). It is acknowledged that the City has engaged Hemsley Paterson to undertake a current valuation in accordance with Section 155(3)(b) of the Planning and Development Act 2005, and therefore this figure may change despite the applicant strongly refuting a change to this valuation methodology.*
- *The proponent is contributing \$247,197 in the form of the high-quality landscaping of the public verge areas and the provision of the green link/access-way, secured for public access via an easement in gross, which is effective publicly accessible open space. This is particularly the case given the atypically wide verge for Montreal Street and its direct relationship with the green open space on the eastern side of the street.*
- *Furthermore, when the high-quality landscaping of the verge areas associated with the adjacent Montreal Commons project is included, noting that this will provide a contiguous landscape treatment for public use for the full street-block length, the proponent will be spending \$500,000 on effective public open space.*

Despite the points raised regarding the City' valued cost, it is confirmed by the applicant that they are not intending to dispute the existing contribution methodology. A copy of this is available in **Attachment 6**.

The City is not supportive of inclusion of verge landscaping into the 10% POS contribution for the following reasons;

- The verge landscaping will not be usable POS nor it can be developed for recreation purposes, and therefore, cannot be considered as 'upgrades to an existing nearby POS' or a suitable contribution to the 10 per cent POS cash-in-lieu requirement.
- The original development approval for 12 Grouped Dwellings were supported with a number of variations to the outdoor living areas, primary street



setback and secondary street setback. The City was supportive of these variations on the basis that the design principles for these elements rely on sufficient landscaping to be provided. Therefore, a condition was imposed which required the applicant to provide amended plans reconsidering the landscaping, to ensure the proposal can be supported under a design principle assessment. The cash-in-lieu contribution will help to balance the shortfall by improving the existing facilities and upgrading the parks to cater to the future increase in demand and usage of these residents of the existing public open spaces.

- The cash-in-lieu contribution will help to balance the shortfall by improving the existing facilities and upgrading the parks to cater to the future increase in demand and usage of these residents of the existing public open spaces.
- It is fair and reasonable for POS cash in lieu funds from this development to contribute to the upkeep of existing parks in the locality.

The applicant, in their covering letter, outline that the KSELSP establishes a holistic approach to landscaping and streetscape works for the greater benefit of the precinct. The applicant's justification letter also identifies that whilst the structure plan references the wide road reserve of Knutsford Street as a possibility for streetscape improvements, the intersecting Montreal Street benefits from the same width, with landscaping wrapping around to Knutsford Street to create a cohesive, usable space. The end result will comprise a comprehensive and contiguous streetscape improvement package being undertaken by the one developer, from Knutsford Street, to Montreal Street and through to Blinco Street (in addition to the green link/public access-way off Montreal Street).

Development Control Policy 1.3 Strata Titles (DC 1.3) allows for communal open space to contribute towards POS contribution up to a cap of 5%, only at the WAPC's discretion, and, only when the open space is useable and developed for general recreation purposes. In this regard, the 2.5 metre wide by 38-metre-long landscaped PAW does not offer any recreation function but rather only enables pedestrians to move between Montreal Street and the 6-metre-wide common property vehicular accessway to the west. In accordance with requirement 8.5 of the Liveable Neighbourhood (LN), a linear POS to be a minimum of 15m wide. The approved linear strip when combined with the adjoining site to the south, achieves a total width of 8.5 metres which does not meet the design and function requirements of LN for POS, due to its width and being enclosed on both its major sides.

The KSELSP notes that a green link may be provided on-site to improve integration and permeability across the combined Swanbourne Street and Knutsford Street East structure plan areas. The approved PAW is linked to narrow four (4) and six (6) metre wide vehicular accessways which are not pedestrian-focused. This provides some benefit to the adjoining residents, however, it does not provide a level of permeability of benefit to the broader area envisaged by the structure plan. Therefore, it does not contribute to POS functions and does not merit a POS credit.



The City is not supportive of the inclusion of verge landscaping (green linkages) in POS contribution and expects a payment in lieu for the following reasons;

- The approved common property does not achieve the vision of shared space with a pedestrian priority and will be utilised primarily for vehicular access and cannot contribute towards the POS requirement.
- The applicant's justification and design response for the development used the verge landscaping to improve the presentation of the development to the street. Noting the design changes sought to the façade, the verge landscaping helps to soften the development and contribute to the surrounding area.
- The cash-in-lieu contribution will help offset the deficiency through the upgrade of the existing parks to improve their effectiveness.

The approved subdivision application was presented to the Statutory Planning Committee (SPC) on 7 November 2023 to reconsider Conditions for POS and School Site Contributions, being conditions 7 and 10 of the subdivision approval (Ref. WAPC 161-23), respectively. The SPC, in response to a request from the applicant for the WAPC to reconsider and revoke Conditions 7 and 10 and Advice Note 4 of the survey strata subdivision approval of Lot 1 (No. 59) Blinco Street, Fremantle (WAPC 161-23), resolved under section 151(2) of *Planning and Development Act 2005*, to:

1. *Confirm Condition 7;*
2. *Alter Condition 10 to the following (modifications with strike-out):*  
*'The landowner/applicant making a pro-rata contribution towards the cost of the acquisition/expansion of the primary school site/s to serve the area. (Department of Education)'; and*
3. *Confirm Advice Note 4.*

The SPC further explained that, the 10 per cent POS cash-in-lieu contribution condition was applied as;

- The subdivision proposes to create twelve (more than 5) survey-strata lots;
- The subdivision plan does not set aside any land as POS;
- The 2.5 m portion of an 8.5 m PAW is not designed for nor functions as a POS and does not meet;
- The 15 metre width requirement under LN for a linear POS;
- The structure plan specifies the provision of cash-in-lieu; and
- There is a deficiency of functional POS in the walkable catchment.

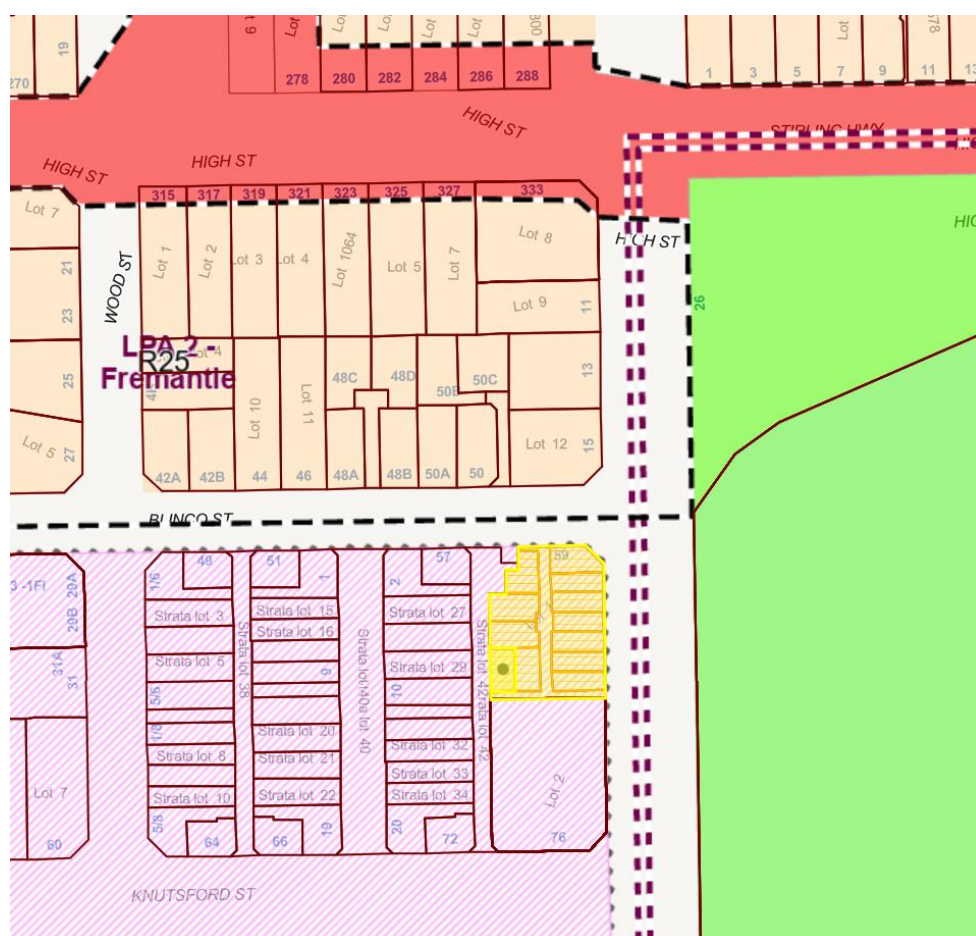
The SPC further explained that the requirement to provide a minimum 10 per cent POS contribution is a long-established policy requirement and practice of the WAPC which has been supported by decisions of the State Administrative Tribunal. The 10 per cent POS/cash-in-lieu condition has been consistently imposed on the past subdivision applications within the structure plan area. In this regard, Condition 7 is consistent with the provisions under the *Planning and Development Act 2005*, LN, DC1.3, DC 2.3, structure plan and the prevailing practice. As such, the condition is recommended to be retained.

**Minutes – Ordinary Meeting of Council**  
**12 June 2024**



**Site/application information**

Date received: 26 April 2024  
Owner name: 59 Blinco Pty Ltd ATF 59 Blinco Unit Trust  
Submitted by: Element  
Scheme: Development Area - Knutsford Street East Local  
Structure Plan  
Heritage listing: Not Listed  
Existing land use: Vacant Land  
Use class: Grouped Dwelling  
Use permissibility: Permitted - P





**COUNCIL DECISION ITEM C2406-2**  
**(Officer's recommendation)**

**Moved: Cr Frank Mofflin**

**Seconded: Cr Geoff Graham**

**Council:**

- A. SUPPORT the Officer's Recommendation to Approve, subject to conditions, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the amendments to development approval to ref. DAP002/23 (12 Grouped Dwellings at No. 59 (Lot 1) Blinco Street, Fremantle), involving changes to building façade, for the reasons outlined in the Responsible Authority Report (RAR) subject to conditions; and**
- B. NOT SUPPORT the crediting of the Public Open Space contribution in recognition of the verge landscaping works undertaken in the vicinity of the development.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorssen**



**LOT 1 (NO.59) BLINCO STREET, FREMANTLE –  
AMENDMENTS TO DAP 002/23 (12 GROUPED DWELLINGS) (AM  
DAPV003/24)**

**Form 2 – Responsible Authority Report  
(Regulation 17)**

|                                                 |                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DAP Name:</b>                                | Metro Inner JDAP                                                                                                                                                                                                                                                                                              |
| <b>Local Government Area:</b>                   | City of Fremantle                                                                                                                                                                                                                                                                                             |
| <b>Proposed Amendments:</b>                     | <ul style="list-style-type: none"> <li>- Proposed changes to building façade</li> <li>- Deletion of advice note referencing public open space contribution</li> </ul>                                                                                                                                         |
| <b>Applicant:</b>                               | Element                                                                                                                                                                                                                                                                                                       |
| <b>Owner:</b>                                   | 59 Blinco Pty Ltd ATF 59 Blinco Unit Trust                                                                                                                                                                                                                                                                    |
| <b>Value of Amendment:</b>                      | Not specified                                                                                                                                                                                                                                                                                                 |
| <b>Responsible Authority:</b>                   | City of Fremantle                                                                                                                                                                                                                                                                                             |
| <b>Authorising Officer:</b>                     | Chloe Johnston, Manager Development Approvals                                                                                                                                                                                                                                                                 |
| <b>LG Reference:</b>                            | DAPV003/24                                                                                                                                                                                                                                                                                                    |
| <b>DAP File No:</b>                             | DAP/23/02454                                                                                                                                                                                                                                                                                                  |
| <b>Date of Original DAP decision:</b>           | 21 June 2023                                                                                                                                                                                                                                                                                                  |
| <b>Application Received Date:</b>               | 26 April 2024                                                                                                                                                                                                                                                                                                 |
| <b>Application Statutory Process Timeframe:</b> | 60 Days                                                                                                                                                                                                                                                                                                       |
| <b>Attachment(s):</b>                           | <ul style="list-style-type: none"> <li>1. Amended Development Plans</li> <li>2. Original Decision Notice and Approved Plans (dated 21 June 2023)</li> <li>3. WAPC Subdivision Approval Decision Letter and Plan (dated 4 July 2023)</li> <li>4. DAC Comments</li> <li>5. Applicant Covering Letter</li> </ul> |

**Responsible Authority Recommendation**

That the Metro Inner JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/23/02454 as detailed on the DAP Form 2 dated 26 April 2024 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/23/2454 and accompanying plans (DA2-01-RevC; A03-001 RevG; A03-002 RevG; A03-003 RevG dated 26 April 2024) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Fremantle Local Planning Scheme No. 4, subject to the following condition:



### Amended Condition

1. This approval relates only to the development as indicated on the approved plans dated 26 April 2024. It does not relate to any other development on this lot and must substantially commence within 4 years from the date of this decision letter.

All other conditions and advice notes, including Advice Note 15, detailed on the previous approval dated 30 June 2023 shall remain unless altered by this application.

### Reasons for Responsible Authority Recommendation

TBC – *if differing to officer recommendation.*

### Details: outline of development application

|                                                   |                                                                                                                                                                                       |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Region Scheme                                     | Metropolitan Region Scheme (MRS)                                                                                                                                                      |
| Region Scheme Zone/Reserve                        | Urban                                                                                                                                                                                 |
| Local Planning Scheme                             | Local Planning Scheme No.4 (LPS4)                                                                                                                                                     |
| Local Planning Scheme Zone/Reserve                | Development Area - Knutsford Street East<br>Local Structure Plan                                                                                                                      |
| Structure Plan/Precinct Plan                      | Knutsford Street East Local Structure Plan                                                                                                                                            |
| Structure Plan/Precinct Plan Land Use Designation | Precinct 2 – Mixed Use/ Residential R60/100                                                                                                                                           |
| Use Class (proposed) and permissibility:          | Grouped Dwelling - Permitted                                                                                                                                                          |
| Lot Size:                                         | 1175m <sup>2</sup>                                                                                                                                                                    |
| Net Lettable Area (NLA):                          | N/A                                                                                                                                                                                   |
| Number of Dwellings:                              | 12                                                                                                                                                                                    |
| Existing Land Use:                                | Vacant Land                                                                                                                                                                           |
| State Heritage Register                           | No                                                                                                                                                                                    |
| Local Heritage                                    | <input checked="" type="checkbox"/> N/A<br><input type="checkbox"/> Heritage List<br><input type="checkbox"/> Heritage Area                                                           |
| Design Review                                     | <input type="checkbox"/> N/A<br><input checked="" type="checkbox"/> Local Design Review Panel<br><input type="checkbox"/> State Design Review Panel<br><input type="checkbox"/> Other |
| Bushfire Prone Area                               | No                                                                                                                                                                                    |
| Swan River Trust Area                             | No                                                                                                                                                                                    |

### Proposal:

Approval is sought for the following amendment to the previously approved development at Lot 1 (No. 59) Blinco Street, Fremantle under application ref. DAP/23/02454 for;

*‘12 Grouped Dwellings, consisting of four (4) two-storey grouped dwellings and eight (8) three-storey grouped dwellings, with a range of 3 to 4 bedrooms per dwelling’.*



The proposed modifications are as follows;

1. Building façade design changes due to material supply constraints. This includes;
  - Removal of bronze balcony portal features and replacement of other bronze metal elements (frames, batten side screens, balustrade on the first floor and infill panels on the second floor).
  - Various adjustments to finished ground floor levels of a minor nature as expected during detailed design stage.
  - A reselection of new mottled red brick instead of the previous plum coloured brick is proposed to complement the new proposed darker colour of metal elements.

It is acknowledged that the proposed building façade modifications result in a development that looks slightly different to the original plans however, it yet delivers the same product. The aesthetics, functionality and build quality of the approved townhouses are still retained through the modified designs.

3. Proposed deletion of the advice note relating to the Public Open Space contribution, which states:

*'15. The applicant is advised that upon application to subdivide the site, a condition requiring a contribution of public open space may be imposed. In accordance with the structure plan, the City's preference will be for the landowner/applicant to provide cash in lieu to the local government for the sum equivalent to 10 per cent of the land, being that portion of the land that would otherwise be provided as open space to contribute to the upgrade and maintenance needed due to the additional population using the reserves.'*

The amended development plans are included as **Attachment 1**.

### **Background:**

On 30 June 2023 the Metro Inner-South Joint Development Assessment Panel (JDAP), currently Metro Inner JDAP, approved DAP/23/02454. Prior to the original approval issued by JDAP and subsequent subdivision approval granted by the WAPC, the subject site was one lot with a total land area of 1,175m<sup>2</sup> located at Lot 1 (No. 59) Blinco Street, Fremantle. Historically, the subject site and surrounding land has been used for industrial land uses.

In summary, the site is described as follows:

1. Zoned 'Urban' under the MRS and 'Development Zone' under LPS4
  2. Is located on a corner site with dual lot frontage to Blinco Street and Montreal Street.
  3. Is located within Local Planning Area 2 – Fremantle under LPS4.
  4. Is located within Development Area 1 (DA1) - Knutsford Street East Local Structure Plan (KSELSP). The subject site is located within Precinct 2 of the structure plan area, proposed to be Mixed Use Residential R60/100.
  5. Is currently a largely vacant site which was being utilised as temporary car parking associated with the adjoining construction site at 76 Knutsford Street, Fremantle.
  6. The immediate locality surrounding the subject site is zoned Residential R25 to the north, Parks and Recreation Reserve under the MRS to the east facilitating the Fremantle Public Golf Course and Development Zone to the south and west.
- Refer Figure 1 below for site context map.

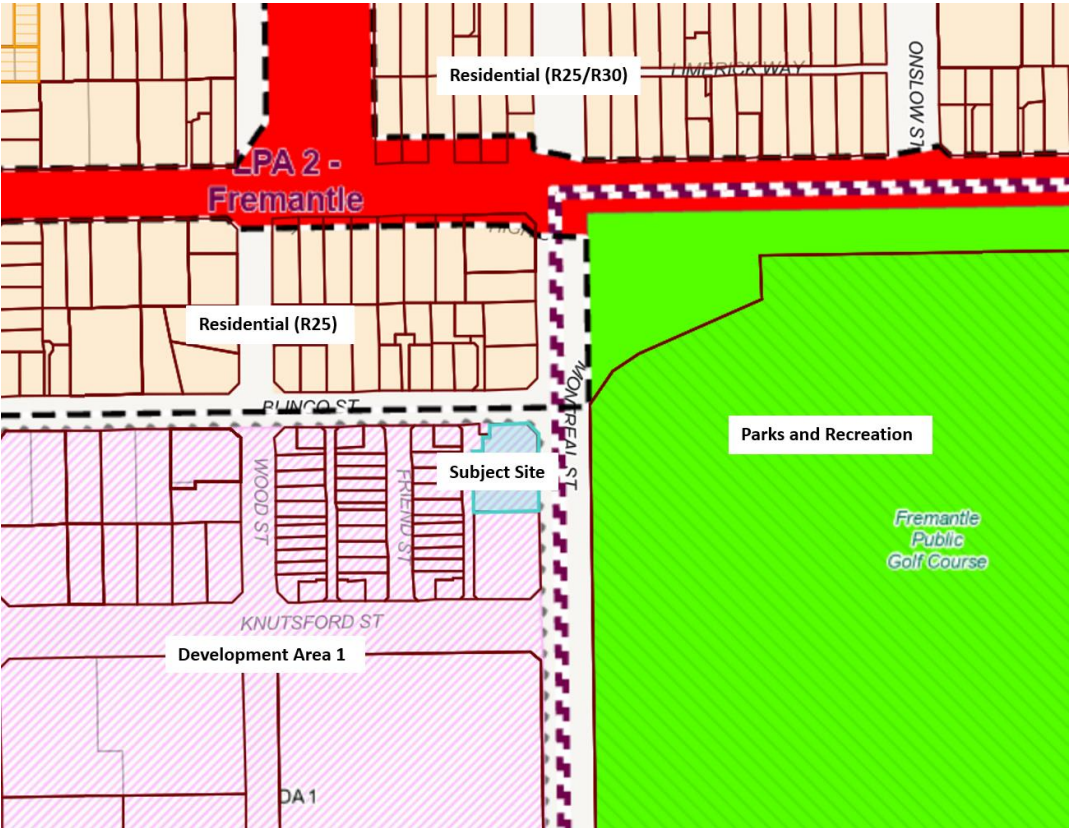


Figure 1 - Site Context Map

In accordance with the WAPC Ref.161-23 approval, the subject site is now in the process of being subdivided into 12 survey strata lots, with inclusion of a common property. The new lot layout is depicted in the aerial imagery below.

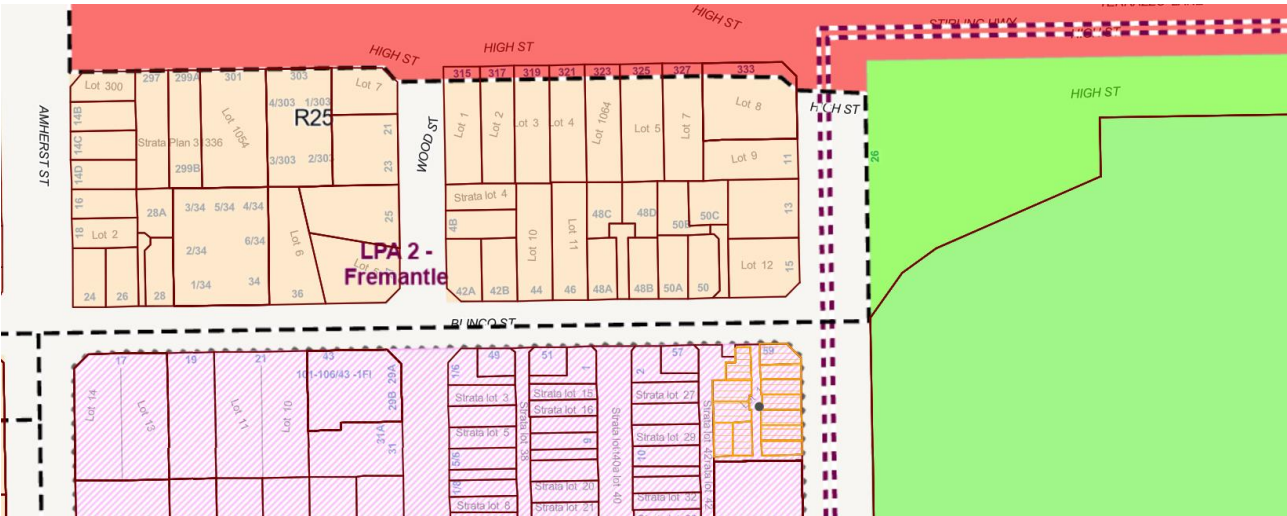


Figure 2: New Lot Layout



This application is seeking amendments to the existing approval, specifically relating to the materiality and design of the façade. This was reviewed by the City's Design Advisory Committee, with feedback and discussion included in the report below. The applicants reasons and justification for the changes include:

- The proposed amendments have been made due to the progression of detailed design and unforeseen significant and fundamental material supply constraints;
- Aesthetics, functionality and build quality of the approved townhouses are still retained through the modified designs; and
- The updated materials complements the light industrial heritage of the area.

Additionally, the applicant is seeking the deletion of Advice Note 15, which sets out the City's preference that cash in lieu of Public Open Space be provided. While this matter is dealt with via subdivision approval, where the condition for a POS contribution was imposed and maintained following a request for reconsideration from the applicant, they have sought to have other works credited as their contribution. Further discussion on the deletion of the advice note request is included below, with a formal position regarding the expenditure of the contribution being sought from Council.

A copy of the original Decision Notice and Approved Plans is provided as **Attachment 2**. The WAPC subdivision approval Decision Letter and Plan is provided as **Attachment 3**.

### **Legislation and Policy:**

#### Legislation

1. *Planning and Development Act 2005*
2. *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations)
3. *Planning and Development (Development Assessment Panels) Regulations 2011* (the DAP Regulations)
4. *City of Fremantle Local Planning Scheme No.4* (LPS4)

#### State Government Policies

1. State Planning Policy 7.0 – Design of the Built Environment (SPP7.0)
2. State Planning Policy 7.3 – Residential Design Codes Volume 1 2024 (R-Codes)

#### Structure Plans

- Knutsford Street East Local Structure Plan (KSELSP)

#### Local Policies

- Local Planning Policy 1.1 - Amendment and Extension to the Term of Planning Approval
- Local Planning Policy 1.9 – Design Advisory Committee & Principles of Design (LPP1.9)



## **Consultation:**

### Public Consultation

Due to the nature of the proposed amendment, public consultation was not deemed necessary in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### Referrals/consultation with Government/Service Agencies

Not applicable

### Design Review Panel Advice

The amended proposal was presented to the City's Design Advisory Committee (DAC) on 11 December 2023, prior to lodgement of the application to vary the approval. The City's DAC provided comments and recommendations in accordance with SPP7.0 Design of the Built Environment, as detailed below;

- *Changes to architectural elements*

*Due to supply issues, changes to the approved design include the omission of the following on the front elevations facing the streets.*

- *all the bronze metal portal frames surrounding the first and second floor balconies.*
- *all the bronze metal elements (frames, balustrade, horizontal batten side screens on the first-floor balconies and the infill panels above the second-floor openings).*

*To complement the new proposed darker colour of metal elements, the proponent advised the reselection of a mottled red brick instead of the previous more plum coloured brick.*

*The DAC advises that the changes to the architectural and metal elements cumulatively diminish the character and strong identity of the townhouses on the streetscapes and, therefore, are not supported. The proponent advised the project was now on hold. If the supply issue cannot be resolved during the time the project is on hold, the DAC suggests consideration of alternative and similar high quality design solutions.*

- *Paving material in the internal laneway*

*The two rough textured paving types proposed for the internal shared space laneway should be reconsidered as this space is intended for the residents' communal use, including by children who could fall and suffer skin grazes. A suggestion is to reselect to smoother paving types.*

- *Relocation of the shade canopy*

*A positive change on the eastern elevation is the lowering of the second-floor canopy to above opening head height to assist with shading of internal rooms. Consider extending the shade canopy to additionally protect the second-floor balcony from strong summer sun.*

*Concluding comments*

*The DAC:*

- *Does not support the omission of the bronze portal frame feature or the bronze metal elements on the front streetscape elevations. The DAC suggests resolution of the supply issue while the project is on hold or considering alternative and similar high-quality design solutions*
- *Suggests selection of smoother paving types in the internal laneway*
- *Suggests extending the shade canopy to additionally protect the balcony.*

### **Planning Assessment:**

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

- Façade design changes; and
- Inclusion of verge landscaping in public open space contribution.

### Façade design changes

The Grouped Dwellings approved as part of the original application included balconies proposed to be constructed of bronze metal framing, bronze aluminium batten side screening and glazing balustrades. The application seeks to modify the balcony to remove the bronze portal frame features and balustrade and instead the proposed balcony will include frameless glass balustrading. The applicant has advised in their covering letter that the original balcony portals provide no required or additional functionality or amenity to the residents of the townhouses and are a feature only. See below for perspectives illustrating the proposed changes to materials and building façade;



**Figure 3:** Original Building Façade and Materials - View from corner of Montreal Street and Blinco Street



**Figure 4:** Proposed New Building Façade and Materials- View from corner of Montreal Street and Blinco Street

Prior to the lodgement of the amended application, the modified development plans were presented to the City's DAC. The DAC, as part of their DR1 comments, provided recommendations on the proposal against generally the material changes. The DAC provided the following concluding comments as follows;

- Does not support the omission of the bronze portal frame feature or the bronze metal elements on the front streetscape elevations. The DAC suggests resolution of the supply issue while the project is on hold or considering alternative and similar high-quality design solutions;
- Suggests selection of smoother paving types in the internal laneway; and
- Suggests extending the shade canopy to additionally protect the balcony.

Given the above comments, the DAC is not generally supportive of the proposed material changes. However, Officers consider that the removal of the balcony portal feature does not significantly impact upon the amenity of these dwellings. Each of the townhouses is provided with separate private open spaces, with the ground floor terraces recessed for additional shade and shelter, and the multiple private open spaces offer opportunities for year-round outdoor living. The applicant is proposing to lower the shade canopies on the eastern elevation to assist with shading of internal rooms, together with the addition of aluminium batten screens to fixed windows either side of the balcony doors for further protection from strong summer sun.

The applicant has confirmed in their covering letter that the proposed amendments have been made due to the progression of detailed design and unforeseen significant and fundamental material supply constraints. The previously approved bronze elements on the building façade are replaced with new darker colour of metal elements, and a reselection of new mottled red brick instead of the previous plum coloured brick.

It is considered that the updated materials take into consideration the need to complement the light industrial heritage of the area and provides the townhouses with a collective identity and streetscape within the emerging Knutsford Precinct. Give this, the amended design is considered to be acceptable and supported by the City.



Further to this, Condition 7 of the original development approval required openable window to the ground floor bathrooms on Lots 1 and 7 to be approved prior to the lodgement of a building permit application. The modified plans indicate responsive changes to the condition of approval requirements which is considered acceptable. Whilst these minor modification may not warrant a formal amendment, it has been included in the application for clarity.

Having regard to SPP7.0, the amendments are considered to be acceptable.

A copy of the DAC comments is provided in **Attachment 4**.

A summary of the materiality changes in the applicant's covering letter provided as **Attachment 5**.

#### Public Open Space Contribution

In accordance with section 153 of the *Planning and Development Act 2005*, the Commission may under section 143(1)(c) impose either of the following conditions on the approval of plan of subdivision of land

- (a) A requirement that a specified portion of the land be set aside and vested in the Crown for parks, recreation grounds or open spaces generally;
- (b) A requirement that the owner of the land make payment to the local government in whose district the land is situated of a sum that represents the value of a specified portion of the land in lieu of a requirement to set aside and vest in the Crown that portion of the land for parks, recreation grounds or open spaces generally.

Under Development Control Policy 2.3 - Planning for Public Open Space in Residential Areas, the Commission's normal requirement in residential areas is that, where practicable, 10% of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown under the provisions of the Act as a Reserve for Recreation. For the subject site, this equates to 177.5m<sup>2</sup>.

In accordance with Section 153 of the *Planning and Development Act 2005*, the WAPC may agree to a cash-in-lieu of public open space where the land area is such that a 10 per cent contribution would be too small to be of practical use and there is already adequate public parkland taking into account the overall objective of parkland provision and distribution. The KSELSP considers the payment of cash-in-lieu within the structure plan are suitable given the immediate locality comprises of significant public open space. In this regard, part 2.4 of the structure plan states that a cash-in-lieu payment is appropriate on the basis that:

- The immediate area is provided with passive and active open space areas;
- Additional open space is planned and allocated in the adjoining Swanbourne Street Structure Plan area; and
- The KSELSP also identifies the potential for a 'green pathway' which will serve to link the existing and proposed open space and residential development areas to be funded through cash-in-lieu. The structure plan is not specific as to where these should be located, however identifies Knutsford Street to be the best opportunity.



Accordingly, the KSELSP requires the provision of cash-in-lieu which would be used for green links, and enhancing existing POS. As such, the following condition was deemed suitable by the WAPC to be imposed as a condition of subdivision approval;

- 7 The landowner/applicant shall make payment to local government for the sum equivalent to the value of 10 per cent of the land, being that portion of the land that would otherwise be provided as open space, in accordance with Section 153 and 155 of the Planning and Development Act 2005.*

In tandem with this application, the applicant sought a position of Council to apportion the cost of these public landscaping works to the 10 per cent POS contribution that has been imposed on the associated subdivision approval (Ref. WAPC 161-23), dated 4 July 2023. To ensure this is clear, they have requested the deletion of the Advice Note which refers to the City's preference for cash in lieu.

Given the JDAP is not the determining body for this matter, detailed discussion on the Public Open Space contribution is not included in this Responsible Authority Report, and will be part of a separate resolution from Council. However, by way of background, Officers position on the matter can be summarised as follows:

1. It is acknowledged that the proposed modifications to the building façade result in a development that looks slightly different to the original development plans however, it yet delivers the same product. The aesthetics, functionality and build quality of the approved townhouses are still retained through the modified designs.
2. The verge landscaping will not be usable POS nor it can be developed for recreation purposes, and therefore, cannot be considered as 'upgrades to an existing nearby POS' or a suitable contribution to the 10 per cent POS cash-in-lieu requirement.
3. The original development approval for 12 Grouped Dwellings were supported with a number of variations to the outdoor living areas, primary street setback and secondary street setback. The City was supportive of these variations on the basis that the design principles for these elements rely on sufficient landscaping to be provided, which as put forward by the applicant, included landscaping the verge to improve its streetscape presence. The cash-in-lieu contribution will help to balance the shortfall by improving the existing facilities and upgrading the parks to cater to the future increase in demand and usage of these residents of the existing public open spaces.
4. The cash-in-lieu contribution will help to balance the shortfall by improving the existing facilities and upgrading the parks to cater to the future increase in demand and usage of these residents of the existing public open spaces.
5. It is fair and reasonable for POS cash in lieu funds from this development to contribute to the upkeep of existing parks in the locality.
6. The amendment put forward in this application, includes amendments to the front façade, which in the opinion of the Design Advisory Committee reduces the quality of the development. The verge landscaping assists in offsetting this impact.

It is therefore recommended that Advice Note 15 be retained on the approval.

**Conclusion:**

As per the structure plan requirements, the POS cash-in-lieu should be captured at the subdivision stage. As such, the proposed modification to the purpose of the condition, imposed by the WAPC as part of their decision, cannot be dealt through the proposed amendment to the

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approved development at the subject site. The SPC also resolved to retain the POS cash-in-lieu for the reasons outlined in the body of this report.

Given this, the City is supportive of the changes proposed to the building façade and materials, and recommends that the modifications to the Condition 7 of the WAPC subdivision approval to be refused as it is not consistent with the objectives and principles of the KSELSP.



## PART C – OTHER BUSINESS

### 1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP notes the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

| Current SAT Applications   |                     |                                                                                                            |                                                                     |             |
|----------------------------|---------------------|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------|
| File No. & SAT DR No.      | LG Name             | Property Location                                                                                          | Application Description                                             | Date Lodged |
| DAP/22/02364<br>DR75/2023  | City of Bayswater   | 504A & 504-508 (Lot 30,4) Guildford Road, Bayswater                                                        | Proposed service station, fast food outlet and showroom development | 23/05/2023  |
| DAP/22/02317<br>DR81/2023  | City of Vincent     | 41-43 and 45 Angove Street, North Perth                                                                    | Proposed Service Station                                            | 31/05/2023  |
| DAP/23/02480<br>DR184/2023 | City of Vincent     | Lot 3 (37-43) Stuart Street, Perth                                                                         | Proposed Unlisted Use (Community Purpose) & Alterations & Additions |             |
| DAP/22/02259<br>DR166/2023 | City of South Perth | Lots 253 & 50 (4-8) Charles Street, South Perth                                                            | Mixed use development                                               | 03/11/2023  |
| DAP/23/02550<br>DR196/2023 | City of Belmont     | Lots 2, 606, 608 and 609 (No. 97-107) Great Eastern Hwy and Lots 302, 304, 305 (No.2) Acton Ave, Rivervale | Warehouse (Self Storage Facility)                                   | 21/12/2023  |

### 2. General Business

### 3. Meeting Closure

In accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.