



Your ref: TPS3 A17; P/CAN7; 9:15,17,19,27
Our ref: TPS/2688
Enquiries: Schemes Team

Chief Executive Officer
Town of East Fremantle
PO Box 1097
FREMANTLE WA 6959

Transmission via electronic mail to: admin@eastfremantle.wa.gov.au

Dear Sir/Madam

LOCAL PLANNING SCHEME NO. 3 - AMENDMENT NO. 17

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has approved the amendment in accordance with section 87(2)(a) of the Act. In accordance with section 87(3) of the Act, the Commission will cause the approved amendment to be published in the Government Gazette.

The Commission has forwarded notice to the Department of Premier & Cabinet (attached) and it is the local governments' responsibility to make arrangements for the payment of any publication costs. The local government is required under section 87(4B) of the Act, and regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to publish the approved amendment, ensure that it is available to the public, and notify each person who made a submission.

For all payment and purchase order queries, please contact the Department of Premier & Cabinet on (08) 6552 6012. One signed set of the amending documents is returned for your records.

Please direct any queries about this matter to localplanningschemes@dph.wa.gov.au.

Yours sincerely

Ms Sam Fagan
Secretary
Western Australian Planning Commission

4/02/2022

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT Town of East Fremantle

LOCAL PLANNING SCHEME No. 3 - AMENDMENT No. 17

Ref: TPS/2688

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Town of East Fremantle Local Planning Scheme amendment on 21 January 2022 for the purpose of:

Amend Schedule 2 by deleting the information for Lots 14, 15, 16, 17, 18, and 19 Canning Highway, East Fremantle, between Glyde Street and East Street, and replacing it with the following:

No.	Description of Land	Additional Use and/or Development	Special Conditions
A9	Lots 14, 15, 16, 17, 18 and 19 Canning Highway, East Fremantle, between Glyde Street, and East Street	<p>(i) A maximum of R80 residential development, i.e., development above the base density code of R20.</p> <p>(ii) Any dwelling development within this Additional Use area shall be used for residential dwelling purposes only, and shall not be used for any other purpose.</p> <p>Note: To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4 applicable to the area, are to be met.</p>	<p>The use of the land for the Additional Use is conditional on development of and compliance with the following:</p> <ol style="list-style-type: none"> 1. Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19. 2. The Local Development Plan shall address the following to the satisfaction of the local government: <ol style="list-style-type: none"> (i) Building massing, height and setbacks to minimise the amenity, overlooking and overshadowing impact to surrounding properties; (ii) Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway; (iii) Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements; (iv) Building, landscaping and access interface measures; (v) Development to provide an active edge to all street frontages and provide

			<p>pedestrian access;</p> <ul style="list-style-type: none"> (vi) Landscape buffer to the southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway; (vii) Boundary setbacks; (viii) A transport assessment that identifies the impacts and any appropriate mitigation measures in accordance with the WAPC's <i>Transport Impact Assessment Guidelines (2016)</i>. This includes identifying future access locations to and from Glyde Street and/or East Street that do not compromise future road and intersection treatments within the 'proposed MRS reservation'; (ix) An earthworks plan demonstrating that any works in the future road reservation are the same as existing ground levels for the applicable section of Canning Highway. This plan is to be provided to the satisfaction of Main Roads, in consultation with the local government; and (x) An acoustic report prepared by a qualified acoustic consultant in accordance with the requirements of the WAPC's <i>State Planning Policy No 5.4 - Road and Rail Noise</i> and submitted to the satisfaction of the local government, in consultation with Main Roads and implemented thereafter. <p>3. No development on the site is to exceed a maximum height of 25.5 metres AHD or 4 storeys or whichever is the lesser, including all roof top services, plant equipment, amenities and the like.</p>
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			<p>4. Development should not exceed a maximum height of:</p> <p>(a) 21.0 metres AHD or 3 storeys or whichever is the lesser, within 8 metres of the southern boundary; and</p> <p>(b) 17.5 metres AHD or 2 storeys or whichever is the lesser, within 5 metres of the southern boundary.</p> <p>5. Development should not exceed a maximum height of 17.5 metres AHD or two storeys whichever is the lesser on the whole of Lot 19 Canning Highway.</p> <p>6. The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other mechanism.</p> <p>7. No development approval is to be granted for a development above the base density code of R20 unless a Local Development Plan is prepared and approved by the Local Government.</p>
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J O'NEILL
MAYOR

G TUFFIN
CHIEF EXECUTIVE OFFICER