



Lots 14-19 Canning Highway Local Development Plan.

PREPARED FOR
Town of East Fremantle

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application letter.

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APPLICATION LETTER FOR LOTS 14-19 CANNING HWY LOCAL DEVELOPMENT PLAN

We are pleased to provide this cover letter to support the application for a Local Development Plan over Lots 14-19 Canning Highway, East Fremantle (the LDP).

The purpose of the LDP is to provide site specific development provisions for land identified in Town of East Fremantle Local Planning Scheme No. 3 (LPS3). The LDP has been prepared in accordance with Part 6 of the Deemed Provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* (P&D Regulations).

Within LPS3, sites identified in this LDP area are zoned as Residential (R20), however Additional Use A9 in Schedule 2 of LPS3 allows for the density to be increased to R80 subject to achieving a number of Special Conditions, outlined in Appendix 1.

The State's Design WA policy suite offers contemporary provisions to guide medium density and multiple dwelling residential development through the R-Codes Volume 1 and 2. As this site is intended to be developed as multiple dwellings only (not single house or grouped dwellings), this report relates only to the R-Codes Volume 2. Section 1.2 of the R-Codes Volume 2 allows for a LDP to amend, replace and/or augment the provisions of the R-Codes in order to guide and coordinate development that is responsive to the site. This LDP also includes a range of site-specific development provisions to deliver the built form vision for the sites. Appendix 2 provides further detail on alignment to the R-Codes.

This LDP is in line with the LPS3 Special Conditions and adds additional detail to the design requirements for the consolidated sites.

Please contact me on 0439 903 634 if you wish to obtain further information or to discuss any details.

Yours sincerely,

Georgia Young
Associate

Appendix 1 – LPS3 A9 Special Conditions

Additional use and/or Development

- (i) A maximum of R80 residential development, i.e., development above the base density code of R20.
- (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.

Note: To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4 applicable to the area, are to be met.

The use of the land for the Additional Use is conditional on development of and compliance with the following:

A9 SPECIAL CONDITION		APPLICATION COMMENTS
1.	Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19.	Provided.
2.	The Local Development Plan shall address the following to the satisfaction of the local government:	
	(i) Building massing, height and setbacks to minimise the amenity, overlooking and overshadowing impact to surrounding properties;	Building bulk and the 3-4 storey elements of the building will be located to the north-west of the site fronting onto Canning Hwy, with setbacks provided to minimise overshadowing and visual privacy to the lots to the south. Setbacks from southern boundaries: + 4 storeys – 8m + 3 storeys – 5m + 2 storeys – In accordance with the R-Codes In addition to these increased setbacks, the overshadowing and visual privacy provisions of the R-Codes will assist in maintaining an appropriate amount of amenity for the southern adjoining lots.
	(ii) Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway;	Vehicle access is prohibited from Canning Hwy, with access being proposed from either Gyde St or East St. The supporting transport assessment demonstrates that the proposed vehicle access locations can achieve sufficient separation from Canning Hwy.
	(iii) Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements;	The sites are located within Area 2 of the Fremantle Inner Harbour Buffer. As a result, there are additional built form requirements relating to windows and openings, air-conditioning systems and construction, along with notifications on title. The LDP requires development to engage early with Fremantle Ports and address the built form requirements as part of a Development Application.
(iv) Building, landscaping and access interface measures;	A landscape interface is required to act as visual buffer between the carpark and adjoining residential development to the south. Development to ensure a landscape street edge along Glyde St to provide a high-quality streetscape complementing with the existing character. Development is set back from this edge to maintain public views to the river.	

		<p>Width of vehicle access is required to be kept to a minimum and integrated into the design of the building, reducing the impact on the streetscape.</p> <p>The site is also required to achieve 10% deep soil area in accordance with the R-Codes Volume 2.</p>
(v)	Development to provide an active edge to all street frontages and provide pedestrian access;	<p>Development is required to provide active residential street edges, with balconies and courtyards that front onto the street, providing passive surveillance and a connection with the street.</p> <p>The primary pedestrian entry has been provided from the corner of Canning Hwy and East St, with secondary access provided further east along Canning Hwy and from both Glyde and East St.</p>
(vi)	Landscape buffer to the southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway;	High quality landscape interface required to act as visual buffer between the carpark and adjoining residential development to the south.
(vii)	Boundary setbacks;	<p>Setbacks from southern lot boundaries:</p> <ul style="list-style-type: none"> + 4 storeys – 8m + 3 storeys – 5m + 2 storeys – In accordance with the R-Codes <p>Setback from eastern lot boundary is in accordance with the R-Codes.</p>
(viii)	A transport assessment that identifies the impacts and any appropriate mitigation measures in accordance with the WAPC's Transport Impact Assessment Guidelines (2016). 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';	<p>A transport assessment has been prepared to support this LDP and is provided as Appendix 1.</p> <p>The transport assessment demonstrates that the proposed vehicle access locations can achieve sufficient separation from Canning Hwy and do not impact on the proposed MRWA road widening area.</p> <p>While no significant matters are raised as a result of the LDP proposed for this site, the proposed intensification of residential uses will result in more trips to and from the site. This may create more demand for public open space and nearby services as well as generating more pedestrian, cyclist and vehicle trips to and from the subject site at all times of the day especially during commuting travel times.</p> <p>For the Development Application stage, the site would be subject to the completion of a Transport Impact Assessment based on the requirements of the WAPC Guidelines.</p>
(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	<p>An earthworks plan has been prepared to support this LDP and is provided as Appendix 2.</p> <p>It demonstrates that the existing levels within the MRWA reserve are able to be maintained. We have referred the plan to MRWA for approval but are yet to receive formal advice.</p>

	(x) An acoustic report prepared by a qualified acoustic consultant in accordance with the requirements of the WAPC's State Planning Policy No. 5.4 - Road and Rail Noise and submitted to the satisfaction of the local government in consultation with Main Roads and implemented thereafter.	<p>An acoustic report has been prepared to support this LDP and is provided as Appendix 3.</p> <p>The results of the acoustic assessment indicate that noise received at the development from future traffic, exceed external noise level criteria. Therefore, noise amelioration in the form of quiet house design listed in Appendix B, as well as notifications on the title is required. This is proposed to be addressed through providing an acoustic report as part of any development application.</p> <p>The acoustic consultant has recommended that this is best addressed through the development application process, as the acoustic treatments required will ultimately depend on the design of the building proposed.</p> <p>For this reason, it is proposed to be addressed through:</p> <ul style="list-style-type: none"> + Providing an acoustic report as part of any development application; and + Notification on title as a condition of approval (in accordance with SPP5.4)
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.	Height controls of LPS3 have been included in the LDP.
4.	Development should not exceed a maximum height of:	Height and setback controls of LPS3 have been included in the LDP.
	(a) 21.0 metres AHD or 3 storeys or whichever is the lesser, within 8 metres of the southern boundary; and	Height and setback controls of LPS3 have been included in the LDP.
	(b) 17.5 metres AHD or 2 storeys or whichever is the lesser, within 5 metres of the southern boundary.	Height and setback controls of LPS3 have been included in the LDP.
5.	Development should not exceed a maximum height of 17.5 metres AHD or 2 storeys whichever is the lesser on the whole of Lot 19 Canning Highway.	Height controls of LPS3 have been included in the LDP.
6.	The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other mechanism.	The development controls of the LDP do not vary the Special Conditions set out in LPS3.
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.	Provided.

Appendix 2 – Modifications to the R-Codes Volume 2

1.2.2 Sections that may be amended or replaced by local government

Where consistent with the Element Objectives, local governments may prepare and adopt local planning policies and local development plans that amend or replace the Acceptable Outcomes of the following sections of the R-Codes Volume 2:

- + 2.2 Building height
- + 2.3 Street Setbacks
- + 2.4 Side and Rear Setbacks

ELEMENT	CLAUSE AMENDED	MODIFICATION RATIONALE
2.2 Building height	A2.2.1	<p>Maximum building height proposed in this LDP aligns with Special Condition requirements provided in LPS3. The maximum height of 4 storeys still aligns with the R80 acceptable outcome of the R-Codes, however a stepped approach to height is proposed to ensure amenity to southern low density lots is maintained.</p> <p>The modifications are consistent with both the Intent and Element Objectives of the R-Codes.</p>
2.3 Street Setbacks	A2.3.1	<p>The street setbacks are proposed to be increased from 2m (in the R-Codes) to 3m from East St and 4m from Glyde St. This is to align with the existing streetscape character and provide adequate space for low profile landscaping. The additional setback to Glyde St will also assist in maintaining important view corridors from the street through to the Swan River.</p> <p>Along Canning Hwy, the setbacks have been reduced to nil, to align with the MRWA widening requirements. As a significant portion of the site is being lost to the MRWA road widening, it will be important that the development can push north as far as possible in order for functional development outcome to be achieved and comply with the height and southern boundary setbacks. The grade separation and retaining proposed along the Canning Hwy boundary will assist in providing amenity and privacy for residents fronting onto the busy road.</p> <ul style="list-style-type: none"> + Glyde St – 4m + East St – 3m + Canning Hwy - Nil <p>The modifications are consistent with both the Intent and Element Objectives of the R-Codes.</p>
2.4 Side and Rear Setbacks	A2.4.1	<p>Minimum lot boundary setbacks proposed in this LDP align with Special Condition requirements provided in LPS3. The increased setbacks ensure that an appropriate interface with the south low density lots, minimising overshadowing and ensuring an appropriate level of amenity is maintained.</p> <p>Setbacks from southern lot boundaries:</p> <ul style="list-style-type: none"> + 4 storeys – 8m + 3 storeys – 5m + 2 storeys – In accordance with the R-Codes <p>Setback from eastern blot boundary is in accordance with the R-Codes.</p> <p>The modifications are consistent with both the Intent and Element Objectives of the R-Codes.</p>

1.2.3 Sections that may be amended or replaced with WAPC Approval

WAPC approval is only required where a local development amends or replaces any of the Acceptable Outcomes of the identified elements. The following provisions are additional to the Acceptable Outcomes to ensure development responds to the specific local context. For this reason, WAPC approval of the local development plan is not required.

ELEMENT	CLAUSE MODIFIED	MODIFICATION RATIONALE
3.2 Orientation	Additional	Additional orientation requirements to ensure a bulk and scale compatible with the existing area, as well as orienting views and balconies north towards the river or towards communal open space, minimising overlooking to the south.
3.3 Tree canopy and deep soil areas	Additional	Clarification that the 10% deep soil area is not inclusive of any landscaping within the MRWA road widening area and needs to be provided on the developable portion of the sites. Landscaping is encouraged within the street setbacks as well as along the southern boundary to not only provide amenity for residents, but to act as a visual buffer to development.
3.6 Public domain interface	Additional	Additional streetscape and interface considerations are to improve the way buildings relate to the street and to the local context, particularly negotiating the balance between privacy and openness/activation for building occupants. This includes providing an active residential street edge to all streets and high-quality landscaping along Glyde and East St.
3.7 Pedestrian access and entries	Additional	The primary pedestrian entry has been provided from the corner of Canning Hwy and East St, with secondary access provided further east along Canning Hwy and from both Glyde and East St. Multiple pedestrian entries from all streets will assist in creating active streetscapes and assist wayfinding for both residents and visitors.
3.8 Vehicle access	Additional	Preferred vehicle access locations are provided to guide a coordinated approach to vehicle access, reducing vehicle conflict points and ensuring a higher-quality streetscape response. The provision of landscaped setbacks will also assist in minimising streetscape impacts.
4.7 Managing the Impact of Noise	Additional	<p>Additional acceptable outcomes have been provided in the development controls due to the site being impacted by road noise from Canning Hwy, as well as within the Fremantle Inner Harbour Buffer Area.</p> <p><i>Acoustic Report</i></p> <p>The results of the acoustic assessment indicate that noise received at the development from future traffic, exceed external noise level criteria. Therefore, noise amelioration in the form of quiet house design listed in Appendix B, as well as notifications on the title is required.</p> <p><i>Fremantle Inner Harbour Buffer</i></p> <p>The sites are located within Area 2 of the Fremantle Inner Harbour Buffer. As a result, there are additional built form requirements relating to windows and openings, air-conditioning systems and construction, along with notifications on title. The LDP requires development to engage early with Fremantle Ports and address the built form requirements as part of a Development Application.</p>
4.12 Landscape Design	Additional	Additional guidance has been provided to ensure high quality landscaping that contributes positively to the existing and proposed future streetscape character. A landscape interface is also provided to act as a visual buffer to the southern lots.