Statutory Planning Committee
Minutes

Wednesday, 24 June, 2026

Members:	Commissioner Cole - Chairperson Commissioner Haeren - Deputy Chairperson Commissioner Adair Commissioner Brookes Commissioner Lakey Member Franklin Member Harman Member Knight
Apologies:	Member Moore
Others Present	Jessica Allen - Senior Planner, Significant Development Assessment Unit Mario Carbone - Planning Manager, Metro North East Donal Casey - Planning Manager, Schemes and Strategies Andrew Cook - Planning Director, Metro North Paola Di Perna - Planning Director, Significant Development Assessment Unit Tristan Emrich - Commission Support Team Leader Kimberley Masuku - Principal Planner, Significant Development Assessment Unit Jonathan Mesnard – A/Manager, Commission Business Rohan Miller – Executive Planning Director, Schemes and Strategies Tristan Miller - Senior Planning Officer, Schemes and Strategies Tristan Emrich - Commission Support Team Leader Mek Piggott - A/Planning Manager, Schemes and Strategies Thomas Quigley - Commission Support Officer Nicole Smedley - Senior Commission Support Officer Peter Wood - Principal Planner, Regional North Travis Wright - Senior Planner, Schemes and Strategies

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1. Meeting Opening and Commencement

The Chairperson declared the meeting open at 9:03 am.

1.1 Acknowledgement of Country

The Chairperson acknowledged the Whadjuk people of the Noongar Nation as the Traditional Owners and custodians of the land on which the meeting is taking place and welcomed members and attendees.

1.2 Apologies and leave of absence

Member Moore - Leave of absence

1.3 Disclosure of interests

Commissioner Haeren declared an Indirect Pecuniary Interest on Item 3.3 - Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination. Commissioner Haeren advised their former employer Urbis is the proponent and he is currently contracted by Urbis on another project. Member Haeren excused themself from the discussion and decision-making procedure on the item.

Commissioner Lakey declared an Indirect Pecuniary Interest on Item 3.4 - Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination. Commissioner Lakey advised they are the Chair of Foundation Housing Limited. Foundation Housing is the applicant for this Part 11B development at Lots 14-19 (Nos. 7-27) Canning Highway, East Fremantle. Member Lakey excused themself from the discussion and decision-making procedure on the item.

Member Harman declared a Perceived Impartiality Interest on Item 4.2 - City of Cockburn Local Planning Scheme No. 13 – Approval to Advertise. Member Harman is employed by Satterley Property Group and is working on a service commercial development on Armadale Road Jandakot. The project has progressed past the planning stage, with construction about to commence. The proposed LPS13 will change the land from Special Use Zone to Special Control Area, however, the underlying planning requirements in the Scheme will remain unchanged. Members agreed that Member Harman is permitted to be present during the discussion and decision-making procedure on the item as it is unlikely to influence Member Harman's conduct in relation to the matter.

The Chairperson declared that the Western Australian Planning Commission is both a landowner and a decision maker in relation to the Item 3.4 - Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination. The Chairperson advised that this is an interest in common shared by members and is not considered to prejudice their ability to impartially determine the items.

1.4 Disclosures of representation

Nil.

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1.5 Declaration of due consideration

All members indicated that they had received and considered the agenda items prior to the Statutory Planning Committee meeting.

1.5.1 Additional Information for Members

Members noted receipt of additional information provided following publication of the agenda.

1.6 Confirmation of Previous minutes - Wednesday, 27 May 2026

Moved by Member Knight
Seconded by Commissioner Brookes

That the minutes of the Statutory Planning Committee meeting held on Wednesday, 27 May 2026, be confirmed as a true and correct record of the proceedings.

The motion was put and carried

2. Deputations and presentations

2.2 Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan (Item 3.1)

Presenters: Kate Herren and Mark Hullet - Trillion Trees

Kate Herren and Mark Hullet made a deputation to the Statutory Planning Committee regarding Item 3.1 - Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan.

2.1 Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan (Item 3.1)

Presenter: Rensche Diggeden - Helena River Waldorf School

Rensche Diggeden made a deputation to the Statutory Planning Committee regarding Item 3.1 - Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan.

2.3 Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan (Item 3.1)

Presenters: Monique Thompson – Rise Urban

Monique Thompson made a deputation to the Statutory Planning Committee regarding Item 3.1 - Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan.

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2.4 Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan (Item 3.1)

Presenter: Justin Hansen – URPS

Justin Hansen made a deputation to the Statutory Planning Committee regarding Item 3.1 - Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan.

2.5 Shire of Christmas Island - Draft Local Planning Strategy - Certification to Advertise (Item 3.2)

Presenter: Chris Su - Shire of Christmas Island

Chris Su made a deputation to the Statutory Planning Committee regarding Item 3.2 - Shire of Christmas Island - Draft Local Planning Strategy - Certification to Advertise.

2.6 City of Cockburn – Town Planning Scheme No. 3 – Amendment No. 179 – Recommendation to Minister (Item 4.1)

Presenters: Jarrod Ross – TBB Planning and David Land – TJS Advisory

Jarrod Ross and David Land made a deputation to the Statutory Planning Committee regarding Item 4.1 - City of Cockburn – Town Planning Scheme No. 3 – Amendment No. 179 – Recommendation to Minister.

2.7 City of Cockburn Local Planning Scheme No. 13 – Approval to Advertise (TPS/3154) (Item 4.2)

Presenters: Donna Di Renzo and David Reynolds - City of Cockburn

Donna Di Renzo and David Reynolds made a deputation to the Statutory Planning Committee regarding Item 4.2 - City of Cockburn Local Planning Scheme No. 13 – Approval to Advertise.

2.8 Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination (Item 3.3)

Commissioner Haeren declared an Indirect Pecuniary Interest on this item and left the meeting at 9:56 am.

Presenter: Stephen Brown, Peter Rowles, Mark Hendon, Dr Alan Brown, Honourable Cheryl Edwardes and Colin Edwardes - Residents

Stephen Brown, Peter Rowles, Mark Hendon, Dr Alan Brown, Honourable Cheryl Edwardes and Colin Edwardes made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application

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- Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination.

2.9 Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination (Item 3.3)

Presenter: Graeme Shenton – Resident

Graeme Shenton made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination.

2.10 Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination (Item 3.3)

Presenter: Mayor Daniel Kingston and Cathrine Temple - City of Joondalup

Mayor Daniel Kingston and Cathrine Temple made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination.

2.11 Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination (Item 3.3)

Presenters: Tim Dawkins and Cameron Liebgott - Urbis; Stuart Sinclair and Kyle McNess - Locus Property (Applicant); and Tim Boekhoom – Hames Sharley (Architect)

Tim Dawkins, Stuart Sinclair and Tim Boekhoom made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination.

2.13 Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination (Item 3.4)

Commissioner Lakey declared an Indirect Pecuniary Interest on this item and left the meeting at 9:56 am.

Commissioner Haeren returned to the meeting at 10:39 am.

Presenters: Stuart Duplock - Foundation Housing; Jacob Flores - H-U; Peter Hobbs and Isabel Hammett - Peter Hobbs Architects; and Trent Will and Eoghan McElwee - TBB Planning

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Stuart Duplock, Jacob Flores, Peter Hobbs, Isabel Hammett, Trent Will and Eoghan McElwee made a deputation to the Statutory Planning Committee regarding Item 3.4 - Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination.

2.14 Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan (Item 3.1)

Written Submission: Christine Hughes - Resident

Members noted the written submission on Item 3.1 - Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan.

2.15 Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination (Item 3.3)

Written Submission: Bronc Krasevac – Resident

Members noted the written submission on Item 3.3 - Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination.

2.16 Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination (Item 3.3)

Written Submission: Suzanne Apps – Resident

Members noted the written submission on Item 3.3 - Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination.

2.17 Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination (Item 3.4)

Written Submission: Ken Cheney - Resident

Members noted the written submission on Item 3.4 - Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination.

2.18 Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination (Item 3.4)

Written Submission: Susanne Sperber – Resident

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Members noted the written submission on Item 3.4 - Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination.

2.19 Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination (Item 3.4)

Written Submission: Graeme Wheaton - Resident

Members noted the written submission on Item 3.4 - Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination.

Commissioner Lakey returned to the meeting at 10:52 am.

The Chairperson declared a break at 10:52 am.

The meeting resumed at 11:00 am with all members present.

3. Non-confidential items for discussion, decision or noting

3.1 Standard Structure Plan – Hazelmere Special Use Area 16 Structure Plan (SPN/2413)

REASONS FOR DECISION

Members discussed their reasons for supporting the proposal and outlined the following:

- The proposal acknowledges the unique characteristics of the area and appropriately considers the existing land uses and historical context. The planning framework demonstrates clear and logical intent, achieves an appropriate interface and addresses key matters.

- Whilst the site does not adjoin a highway, the designation of a Highway Service zone is accepted as the most appropriate commercial zone within the local planning scheme to provide for service commercial land uses. Vegetation clearing remaining a separate regulatory process.

- Interface considerations, particularly in relation to nearby sensitive uses such as the primary school are recognised however, these are capable of being managed through future planning stages.

- Overall, the proposed modifications strike a balanced outcome and supports that a Highway Service zone outcome is appropriate.

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- The proposed structure plan will assist in facilitating context-responsive development.

REPORT RECOMMENDATION

Moved by Commissioner Haeren
Seconded by Commissioner Lakey

That the Statutory Planning Committee resolves pursuant to Schedule 2, Part 4, Clause 22(1) of the Planning and Development (Local Planning Scheme) Regulations 2015 to:

1. *To refuse the previous prepared Structure Plan for the site (Lot 651 and 39 Stirling Crescent, Lot 58 and 83 Bushmead Road and Lot 93 Hazelmere Circus, Hazelmere) on the basis that this is no longer being pursued by the current landowners;*

2. *With regard to the Hazelmere Special Use Area 16 Structure Plan, to require the proposed Structure Plan be modified in accordance with the attached Schedule of Modifications and resubmitted to the Western Australian Planning Commission for its consideration;*

3. *To advise the City of Swan of its decisions with respect to the above.*

The motion was put and carried

AMENDING MOTION

Members agreed to endorse the amended recommendation of the Department of Planning, Lands and Heritage with the below mentioned administrative amendments.

Moved by Commissioner Adair
Seconded by Member Harman

That the Statutory Planning Committee resolves pursuant to Schedule 2, Part 4, Clause 22(1) of the Planning and Development (Local Planning Scheme) Regulations 2015 to:

1. *Refuse the previous prepared Structure Plan for the site (Lot 651 and 39 Stirling Crescent, Lot 58 and 83 Bushmead Road and Lot 93 Hazelmere Circus, Hazelmere) on the basis that this is no longer being pursued by the current landowners;*

2. *With regard to the Hazelmere Special Use Area 16 Structure Plan, to require the proposed Structure Plan be modified in accordance to the attached Schedule of Modifications and resubmitted to the Western Australian Planning Commission for its consideration;*

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3. *To advise the City of Swan of its decisions with respect to the above.*

The motion was put and carried

SUBSTANTIVE RESOLUTION

That the Statutory Planning Committee resolves pursuant to Schedule 2, Part 4, Clause 22(1) of the Planning and Development (Local Planning Scheme) Regulations 2015 to:

1. *Refuse the previous prepared Structure Plan for the site (Lot 651 and 39 Stirling Crescent, Lot 58 and 83 Bushmead Road and Lot 93 Hazelmere Circus, Hazelmere) on the basis that this is no longer being pursued by the current landowners;*

2. *With regard to the Hazelmere Special Use Area 16 Structure Plan, to require the proposed Structure Plan be modified in accordance to the attached Schedule of Modifications and resubmitted to the Western Australian Planning Commission for its consideration;*

3. *To advise the City of Swan of its decisions with respect to the above.*

3.2 Shire of Christmas Island - Draft Local Planning Strategy – Certification to Advertise (TPS/3110)

REASONS FOR DECISION

Members discussed their reasons for supporting the proposal and outlined the following:

- The draft local planning strategy (the strategy) responds to Christmas Island's unique characteristics and lifestyle, population profile and variable employment generators and industries.

- The strategy was commended for providing a strong foundation for future planning, including its role in supporting economic diversification and responding to long-term growth targets.

- The collaborative engagement between the Shire of Christmas Island and the Department was also recognised, along with the aspirations for Christmas Island and its complementary relationship with the Cocos (Keeling) Islands.

Moved by Commissioner Haeren
Seconded by Member Knight

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That the Statutory Planning Committee resolves under Part 3, Regulation 12 of the Planning and Development (Local Planning Schemes) Regulations 2015 to:

1. *Require the Shire of Christmas Island to modify the Shire's draft local planning strategy in accordance with the attached Schedule of Modifications (Attachment A3).*

2. *Subject to the above modifications being satisfactorily undertaken, certify that the draft local planning strategy complies with regulation 11(2) of the Planning and Development (Local Planning Schemes) Regulations 2015.*

3. *Authorise Department of Planning, Lands and Heritage officers to review the modifications to ensure they have been satisfactorily undertaken and execute the documents accordingly, before providing a copy of the certification to the Shire of Christmas Island for the purpose of proceeding to advertise the draft strategy.*

The motion was put and carried

3.3 Part 11B Development Application - Proposed Mixed Use Development at Lot 29 (35) Martinique Mews, Hillarys – Determination (SD-032-24)

Commissioner Haeren declared an Indirect Pecuniary Interest on this item and left the meeting at 11:19 am.

REASONS FOR DECISION:

Members discussed their reasons for supporting the proposal and outlined the following:

- The existing structure plan provisions are not considered to be contemporary or fully aligned with the current State and local planning framework.

- The proposal presents an opportunity to develop a long-vacant residential site in a mixed use precinct where multiple dwellings are a permissible use and will contribute to housing diversity.

- The subject site is located by high-amenity public open space, at a district-level intersection and opposite Hillarys Boat Harbour, a designated district centre and strategic tourism site.

- The proposal has been subject to a thorough State Design Review process, with outstanding design matters related to materials and finishes, wind impact assessment and public art to be addressed via conditions of approval.

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- Other technical matters related to traffic and vehicle access, carparking, solar access, and servicing have also been appropriately addressed.

- The proposed development's integration within its context has been well considered, with tower separation, adequate setbacks and no adverse overshadowing impacts.

Moved by Member Harman
Seconded by Commissioner Lakey

That the Statutory Planning Committee resolves:

A. to note this application is capable of being determined under the applicable planning instrument, being the City of Joondalup Local Planning Scheme No. 3, and it has been considered and determined accordingly, and

B. under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-032-24 and accompanying plans (date-stamped 14 and 18 May 2026) for a mixed use development at Lot 29 (No. 35) Martinique Mews, Hillarys, subject to the following:

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 14 and 18 May 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (conditions clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Joondalup.*

3. *Prior to submission of the relevant building permit application, revised plans are to be submitted to the satisfaction of the Western Australian Planning Commission, which include the following modifications:*

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i. *Removal of all pedestrian crossings in the adjoining road reserve/s;*
ii. *The materials and finishes for the development be further refined to:*

a. *provide for further articulation of the uppermost level of the tower (the crown) and a consistent treatment of the upper level across both towers to achieve a more distinctive landmark expression, and to minimise the visibility of lift overruns in longer range views;*
b. *Ensure the materials, colours and finishes of the Level 1 shade structure are integrated with and complementary to the overall architectural design; and*
c. *Provide detail of the location, design, and materiality of the canopy to the seating area.*

4. *A copy of the final working drawings (prepared for submission of relevant building permit application(s)) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.*

Land Use

5. *This approval is for the following land uses, as defined under the City of Joondalup Local Planning Scheme No. 3 and identified on the approved plans:*

- *Multiple Dwellings*
- *Shop*
- *Restaurant/Café*
- *Liquor Store - Small*

Notifications

6. *Prior to the occupation of the development, an easement in accordance with Section 195 and 196 of the Land Administration Act 1997 for the benefit of the City of Joondalup is to be placed on the certificate of title of the site specifying access rights to the City of Joondalup and the public at large to the portion of land intended to be utilised as a public plaza. Notice of this easement is to be included on the diagram or plan of survey (deposited plan) and evidence provided to the Western Australian Planning Commission.*

7. *Prior to occupation of the development, the applicant/landowner is to register on the certificate/s of title a notification, pursuant to section*

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70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:

"The lot is situated in the vicinity of a maritime facility and entertainment precinct and may be affected by noise arising from land uses and activities associated with Hillarys Boat Harbour".

Construction

8.

(a) Prior to submission of the relevant building permit application(s), a Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Joondalup and the Department of Transport and Major Infrastructure. The Plan is to address, but is not limited to:

i. hours of construction and works;
ii. temporary buildings, fencing, hoardings, gantries, and signage;
iii. site access and egress;
iv. construction traffic management;
v. parking arrangements for staff and contractors;
vi. pedestrian and cyclist management and any footpath obstructions;
vii. deliveries and storage of construction materials and machinery;
viii. management of construction noise and other site noise;
ix. management of vibration, dust and erosion;
x. management of any site dewatering and stormwater discharge;
xi. construction waste management, recycling, and removal;
xii. protection of street trees and public realm infrastructure; and
xiii. public communication and complaint handling procedures, including contact details of essential site personnel.

(b) The approved Construction Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

Materials and Finishes

9. The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans, including elevations and perspectives (other than as amended by conditions of approval), to the satisfaction of the Western Australian Planning Commission.

10. Prior to submission of the relevant building permit application(s), the applicant is to submit final details of the materials, colours and finishes

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of the exterior of the building(s), to the satisfaction of the Western Australian Planning Commission.

11. *Prior to the occupation of the development, all fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating to discourage potential graffiti. The anti-graffiti coating is to be reapplied in the event of any graffiti being removed.*

12. *Except for approved signage, any treatment to windows fronting Whitfords Avenue and Hepburn Avenue specific to ground floor commercial tenancies, including dark tinting, shutters, curtains, blinds or similar, must be located on the inside of the windows, must be a minimum 75% visually permeable, must only be used outside normal trading hours and must ensure the windows remain transparent at all times.*

Transport, Access and Parking

13.

(a) *Prior to submission of the relevant building permit application(s), a detailed parking plan is to be prepared by a suitably qualified consultant which demonstrates the proposed car parking areas, vehicle access, universal access and bicycle bays have been designed to the specifications of the City of Joondalup, in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009), Off-street Commercial Vehicle Facilities (AS2890.2:2002) and Off-street Car Parking – Bicycles (AS2890.3), as applicable, and submitted to and approved by the Western Australian Planning Commission, on advice from the City of Joondalup.*

(b) *Prior to occupation of the development, certification by a suitably qualified consultant is required demonstrating that all car parking spaces, access aisles, loading bays and bicycle bays have been designed, constructed and marked in accordance with the approved parking plan to the specifications of the City of Joondalup and in accordance with the applicable Australian Standard (as above), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Joondalup.*

(c) *All parking bays, driveways and access points are to be maintained by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

14.

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(a) Prior to submission of the relevant building permit application(s), an updated Travel and Parking Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup and the Department of Transport and Major Infrastructure. The updated Travel and Parking Management Plan is to address the following matters:

i. Demonstrate that the bicycle parking located within the residential storerooms comply with Australian Standard AS 2890.3;
ii. Provide End of Trip facilities in accordance with Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management, with at least one staff shower facility provided;
iii. Provide visitor and customer bicycle parking undercover where possible, with 30% of bicycle parking spaces being provided at horizontal/ground level for heavier and larger bicycles; and
iv. Provide signage for vehicles exiting the development onto Martinique Mews and Kos Link to clarify right of way arrangements, and to watch for turning vehicles.

(b)The approved Travel and Parking Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

15.

(a) Prior to submission of the relevant building permit application(s), a Wayfinding Strategy detailing signage and other measures to enhance identification of the location of the visitor car parking areas is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup.

(b) The recommendations of the Wayfinding Strategy are to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

<u>Utilities and Facilities</u>

16.

(a) Prior to submission of the relevant building permit application(s), an updated Waste Management Plan (WMP) is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup. The updated WMP is to address the following matters:

i. Confirmation that the nominated private contractor can provide two operators.

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ii. *A contingency plan detailing servicing arrangements should the lift be unavailable or not operational.*
iii. *Inclusion of waste management following the appointment of a commercial tenant(s) (including bin volumes, collection frequency and storage arrangements).*
iv. *Confirmation of internal bin store dimensions to demonstrate physical accommodation of the required number of bins and appropriate manoeuvring space.*
v. *Provision of FOGO bins in accordance with the City's guidelines.*
vi. *Providing further detail regarding the proposed waste chute system, including clear contingency measures should the chute become blocked or fail.*

(b) The approved Waste Management Plan is to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

17. Prior to submission of the relevant building permit application(s), details of any proposed external facing air-conditioning condensers, external building plant, lift overruns, piping, ducting, transformers and fire control rooms being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on neighbouring properties and the public realm being submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup.

<u>Noise Management</u>

18.

(a) Prior to submission of the relevant building permit application(s), an updated Acoustic Report detailing effective management of noise ingress and egress for all land uses, traffic noise, service vehicles, and mechanical equipment, are to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup.

(b) Prior to occupation of the development, certification is to be provided from a qualified consultant confirming that the recommendations of the approved final Acoustic Report have been implemented in the completed development, to the satisfaction of the Western Australian Planning Commission.

19.

(a) Prior to the submission of the relevant building permit application(s), a Noise Management Plan, is be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City

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of Joondalup. The Noise Management Plan is to address the following:

i. Noise from deliveries associated with any commercial tenancies requiring refrigerated goods delivery, including the specification of operational procedures and/or mitigation measures to ensure compliance with the Assigned Levels of the Environmental Protection (Noise) Regulations 1997 (Regulations).

ii. Property maintenance activities likely to generate noise emissions, which are to be scheduled and managed to comply with the Assigned Levels of the Regulations.

iii. Noise from deliveries associated with any commercial tenancies requiring unrefrigerated goods delivery that may occur between 2200 hours and 0700 hours Monday to Saturday (excluding public holidays) or 2200 hours and 0900 hours on a Sunday or public holiday, including procedures or mitigation measures to achieve compliance with the Assigned Levels of the Regulations.

iv. Emissions from mechanical plant infrastructure associated with the development, including mitigation measures and acoustic modelling demonstrating that plant noise emissions will comply with the Assigned Levels of the Regulations at all relevant receivers.

(b) The approved Noise Management Plan is to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

<u>Landscaping</u>

20. Prior to the submission of the relevant building permit application(s), detailed landscaping plans and specifications for both the site and adjoining road reserves are to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup.

Works within the public realm are to be undertaken at the applicant's expense in accordance with the approved plans and details and thereafter maintained to the satisfaction of the Western Australian Planning Commission.

21.

(a) Prior to submission of the relevant building permit application(s), the landscaping plans are to be updated to provide all details relating to hard and soft landscaping and is to include:

i. Provide plant species, plant spacing, pot size and quantities;

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ii. *Provide details of planting on structure, including size and depth of soil areas;*
iii. *Provide details of tree species, pot size and deep soil areas;*
iv. *Provide an irrigation design prepared by a certified Irrigation Designer;*
v. *Be based on water sensitive urban design and designing out crime principles;*
vi. *Show spot levels and/or contours;*
vii. *Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500.*

The landscaping plans are to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup.

(b) Prior to occupation of the development, the applicant/landowner is to provide written confirmation from a suitably qualified professional confirming that all landscaping and reticulation has been established in accordance with the approved landscaping plans, Australian Standards and best trade practice.

(c)The landscaping and reticulation is to thereafter be maintained, in accordance with the approved landscaping plans, by the landowner/applicant or operators of the development, to the satisfaction of the Western Australian Planning Commission.

22.

(a) Prior to submission of the relevant building permit application(s), a Tree Protection Plan, including Tree Preservation Zones and Structural Root Zones, prepared in accordance with AS4970:2009 for each existing street tree in the verge abutting the site and detailing protection and care of street trees during construction, is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup.

(b) The approved Tree Protection Plan is to be implemented, to the satisfaction of the Western Australian Planning Commission.

<u>Signage</u>

23.

(a) Prior to submission of the relevant building permit application(s), a Signage Strategy is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup. The strategy is to include, but not limited to, details of the:

i. *signage locations, characteristics, dimensions and clearances to pedestrian and vehicle spaces below; and*

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ii. signage to promote and guide wayfinding.

(b) The approved Signage Strategy is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

Universal Access

24.

(a) Prior to submission of the relevant building permit application(s), a Universal Access Statement, prepared by a suitably qualified person and detailing universal access within the public realm of the development site and for all building entries, is to be submitted to, and approved by, the Western Australian Planning Commission.

(b) Prior to occupation of the development, the applicant is to demonstrate that universal access has been provided in accordance with the approved plans and Universal Access Statement, to the satisfaction of the Western Australian Planning Commission.

Water Management Plan

25.

(a) Prior to submission of the relevant building permit application(s), a Water Management Plan demonstrating that all stormwater can be retained on site is to be submitted to, and approved by, the Western Australia Planning Commission, on advice from the City of Joondalup.

(b) The approved Water Management Plan is to be implemented to the satisfaction of the Western Australian Planning Commission.

Lighting

26.

(a) Prior to submission of the relevant building permit application(s), a Lighting Strategy detailing external illumination of the development in accordance with AS4282, AS1158.3.1 is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup.

(b) Prior to occupation of the development, the applicant is to provide certification from a suitably qualified person demonstrating the lighting has been installed in accordance with the approved Lighting Strategy, to the satisfaction of the Western Australian Planning Commission.

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Sustainability

27.

(a) Prior to the submission of the relevant building permit application, an updated Sustainability Report confirming the Environmentally Sustainable Design strategy that will guide construction stage and demonstrate the development will achieve a minimum 4-star Green Star rating, or equivalent certification, is to be submitted to, and approved by, the Western Australian Planning Commission.

(b) Prior to occupation of the development, certification is to be provided from a suitably qualified environmental consultant confirming implementation of the sustainability measures contained within the final approved Sustainability Report, and the ability of the development to be thereafter occupied and operated in accordance with the final approved Sustainability Report, to the satisfaction of the Western Australian Planning Commission.

Wind

28.

(a) Prior to submission of the relevant building permit application(s), a revised Wind Impact Assessment that is consistent with the approved development, is to be submitted to, and approved by, the Western Australian Planning Commission, on the advice from the City of Joondalup.

(b) Prior to occupation of the development, documentation from a suitably qualified professional is to be provided certifying that the wind mitigation measures identified within the approved Wind Impact Assessment have been implemented, to the satisfaction of the Western Australian Planning Commission.

Other

29. Prior to submission of the relevant building permit application(s), a Crime Prevention Through Environmental Design report prepared by a suitably qualified person, is to be submitted to and approved by the Western Australian Planning Commission, with the recommendations of the approved report to be incorporated in the final working drawings of the development, to the satisfaction of the Western Australian Planning Commission.

30. Prior to the occupation of the supermarket, a Shopping Trolley Management Plan shall be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Joondalup, and thereafter implemented by the operators of the supermarket.

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31. *An Operational Management Plan shall be prepared to address matters such as (but not limited to) litter, servicing, truck deliveries, loading, waste management, traffic management, odour and noise management and measures to manage patron behaviour. The Plan shall be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Joondalup, prior to the occupation of the development and thereafter implemented by the centre managers.*

Public Art

32.

(a) *Prior to submission of the relevant building permit application, a Public Art Strategy for the development is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Joondalup. The Strategy is to be commensurate with the scale and intensity of the proposed development.*

(b) *Prior to occupation of the development, the approved Public Art Strategy is to be implemented to the satisfaction of the Western Australian Planning Commission, on advice from the City of Joondalup.*

(c) *The on-site public art is to be maintained in accordance with the approved Public Art Strategy to the satisfaction of the Western Australian Planning Commission.*

Advice

a. *This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license/permit requirements that may relate to the development. Contact the City of Joondalup for further advice on building, health, engineering and road reserve requirements.*

b. *With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*

c. *With regard to Conditions 2 and 4, a copy of the final working drawings prepared for the submission of an application for a building permit and all associated reports and information that address the conditions of approval are to be submitted to and cleared by the Western Australian Planning Commission (WAPC).*

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The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.

Following satisfactory assessment of the plans and documents, the WAPC will provide a clearance letter and copies of the document to the local government to assist with building permit assessment. Where works and/or building permit are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval.

The final plans and documents submitted to the WAPC to satisfy the conditions if this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local of State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the WAPC, via an Amendment Application process (Form 11B-2).

d. *With regard to Condition 9, the developer is encouraged to incorporate materials and colours to the external surface of the building and associated structures, including roofing, that have low reflective characteristics to minimise potential glare from the development impacting the amenity of the adjoining or nearby neighbours.*

e. *With regard to Condition 20, any proposed works outside the development lot boundaries will require consent from the City of Joondalup, prior to implementation.*

f. *With regard to Condition 26, the lighting plan and subsequent installed lighting should demonstrate that any light spill to adjoining properties is minimised to acceptable levels.*

g. *The City of Joondalup advises that the development is required to comply with the Health (Aquatic Facilities) Regulations 2007 and the Code of Practice for the design, construction, operation, management and maintenance of aquatic facilities. The applicant is advised to liaise with the City and/or Department of Health (WA) to ensure any separate legislative requirements are satisfied.*

h. *If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.*

The Chairperson put the recommendation of the Department to a vote.

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The votes were recorded as follows:

For: Commissioner Brookes, Commissioner Cole, Member Harman, Member Knight, and Commissioner Lakey

Against: Commissioner Adair, Member Franklin

Members speaking against the proposal observed that the proposed development departs from the current planning framework, specifically in respect to bulk and scale.

The motion was put and carried

Commissioner Haeren returned to the meeting at 11:40 am.

2. Deputations and presentations

2.12 Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle - Determination (Item 3.4)

Commissioner Lakey declared an Indirect Pecuniary Interest on this item and left the meeting at 11:42 am.

The Chairperson declared a break at 11:49 am.

The meeting resumed at 11:56 am with all members present.

2.13 Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination (Item 3.4)

Presenter: Jacqueline Kay – Resident

Jacqueline Kay made a late deputation, due to a miscommunication in meeting date, to the Statutory Planning Committee regarding Item 3.4 - Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination.

Presenter: Trent Will - TBB Planning

Trent Will, representing the applicant, was provided with a right of reply to the late deputation.

3. Non-confidential items for discussion, decision or noting

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3.4 Part 11B Development Application - Proposed Residential Apartments at Lots 14-19 (Nos. 7 – 27) Canning Highway, East Fremantle – Determination (SD-057-25)

REASONS FOR DECISION

Members discussed their reasons for supporting the proposal and outlined the following:

- Ther proposal is consistent with the strategic planning vision for the site to accommodate higher density residential development and housing diversity along a well-connected urban corridor.

- The increase to the permitted building height for a portion of the development located on the corner of Glyde Street and Canning Highway required additional discretion under section 171R of the *Planning and Development Act 2005* (PD Act), and this was considered to be appropriate to the site context and to not result in adverse impacts to the locality and adjoining properties.

- The reduction in car parking was considered suitable in the location and for the proposed nature of the development given its proximity to high frequency public transport, pedestrian and cycling connections. It was noted that similar developments have demonstrated lower car ownership demand and carparking ratios.

- The proposal's generated traffic volumes and access arrangements have been demonstrated to have a minimal impact on the surrounding street network and to interact safely with Canning Highway.

- The landscape provision and public art concept will contribute positively to the local context.

Moved by Commissioner Brookes
Seconded by Commissioner Haeren

That the Statutory Planning Committee resolves:

A. to note this application is not capable of being determined under the applicable planning instrument, being the Town of East Fremantle Local Planning Scheme No. 3, and is seeking discretion under s.171R(1)(b) of the Planning and Development Act 2005 and it has been considered and determined accordingly; and

B. under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-057-25 and

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accompanying plans (date-stamped 28 May 2026) for construction of Residential Apartments at Lots 14 - 19 (7 - 27) Canning Highway, East Fremantle, subject to the following:

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 28 May 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle.*

3. *A copy of the final working drawings (prepared for submission of the building permit application(s)) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission (WAPC).*

   The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.

Land Use

4. *This approval is for 'Multiple Dwellings' which are to be managed and operated by a registered community housing provider, to the satisfaction of the Western Australian Planning Commission.*

Amalgamation and Notifications

5. *Prior to occupation of the development, suitable arrangements are to be made for:*

   (a) all lots within the development site, excluding the proposed road widening, as shown on the approved plans (date-stamped 28 May 2026), to be legally amalgamated into a single freehold lot on one

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Certificate of Title, at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission.

(b) the land subject to the Other Regional Road reservation under the Metropolitan Region Scheme as shown as proposed road widening on the approved plans (date-stamped 28 May 2026) to be set aside as a separate lot, at the landowner/applicant's expense, to the satisfaction of the Western Australia Planning Commission.

6. *Prior to occupation of the development, a notification, pursuant to Section 70A of the Transfer of Land Act 1893, is to be registered on the certificate of title(s) of all lots within the development site. Notice of this notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

   "The lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected, by transport noise."

7. *Prior to occupation of the development, a notification, pursuant to Section 70A of the Transfer of Land Act 1893, is to be registered on the certificate of title(s) of all lots within the development site. Notice of this notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

   "The lot is within Area 2 of the Fremantle Port Buffer Zone and may be adversely affected by operations of a 24 hour working Port including noise, odour, light spill and other factors."

Materials and Finishes

8. *Prior to submission of the building permit application(s), the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), demonstrating that the development is to be constructed with high quality and durable external materials and finishes, which are consistent with or enhance those detailed on the approved elevations of the development (date-stamped 28 May 2026), to the satisfaction of the Western Australian Planning Commission.*

9. *Prior to submission of the building permit application(s), all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from Canning Highway, East Street or Glyde Street or otherwise located to not be visually obtrusive, to the satisfaction of the*

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Western Australian Planning Commission, on advice from the Town of East Fremantle.

10. *The balconies being designed as naturally ventilated spaces that are not to be enclosed, with no balcony treatments or furnishings being permitted that could in any way change the design and appearance of the balconies, or the overall building façade, or obstruct views to and from the balcony and the street, to the satisfaction of the Western Australian Planning Commission.*

Construction

11.

(a) Prior to submission of the building permit application(s), a Construction Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the Town of East Fremantle. The Plan is to address the following, but not limited to:

i. hours of construction;
ii. temporary fencing, hoardings, gantries, and signage;
iii. site access and egress;
iv. pedestrian and cyclist management and any footpath obstructions;
v. parking arrangements for staff and contractors;
vi. deliveries and storage of construction materials and machinery;
vii. management of vibration and dust;
viii. management of any site dewatering or stormwater discharge;
ix. management of construction noise and other site generated noise;
x. construction waste management, recycling, and removal;
xi. protection of street trees and public realm infrastructure; and
xii. public communication and complaint handling procedures.

(b) The approved Construction Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

12.

(a) Prior to submission of the building permit application(s), a Construction Traffic Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from Main Roads WA, the Public Transport Authority, and the Town of East Fremantle.

(b) The approved Construction Traffic Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

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13. *Prior to submission of the building permit application(s), a dilapidation report prepared by a suitably qualified professional is to be submitted to, the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle, detailing the current condition and status of all buildings, surrounding paved areas and ancillary structures located on the following properties:*

    - *Lot 20 (No.3) Glyde Street, East Fremantle;*
    - *Lot 21 (No. 7) Glyde Street, East Fremantle;*
    - *Lot 902 (No.9) Glyde Street, East Fremantle;*
    - *Lot 47 (No.2) East Street, East Fremantle; and*
    - *Lot 1 (No.29 - 33) Canning Highway, East Fremantle.*

    A copy of the dilapidation report(s) is to be provided to the Town of East Fremantle and the respective landowner/s of the abovementioned properties.

    In the event that access for undertaking the dilapidation survey is denied by a landowner, the applicant must demonstrate in writing to the satisfaction of the Western Australian Planning Commission that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Lighting

14.

(a) Prior to submission of the building permit application(s), a Lighting Plan detailing external illumination of the development in accordance with AS4282, AS1158.3.1, is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the Town of East Fremantle.

(b) Prior to occupation of the development, the applicant is to provide certification from a suitably qualified person demonstrating the external lighting has been installed in accordance with the approved Lighting Plan, to the satisfaction of the Western Australian Planning Commission.

(c) The approved Lighting Plan is to be implemented and adhered to, unless otherwise approved by the Western Australian Planning Commission, on advice from the Town of East Fremantle.

Transport, Access and Parking

15.

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(a) Prior to occupation of the development, certification is to be provided by a suitably qualified professional confirming that all car parking spaces, vehicle accessways, ingress and egress, universal access, and motorcycle and bicycle parking are consistent with the approved plans and have been constructed, drained, sealed and marked in accordance with the relevant Australian Standard, to the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle.

(b) All car parking spaces, vehicle accessways, access points, and motorcycle and bicycle parking shall be maintained by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

(c) Prior to occupation of the development, the visitor car parking spaces are to be marked and clearly signposted as dedicated for visitor use only to the satisfaction of the Western Australian Planning Commission.

Footpaths

16. *Prior to occupation of the development, arrangements are to be made for the extension of the existing footpath on Glyde Street and the upgrading of the footpath on East Street, for the length abutting the property boundary of the development site, consistent with the Town of East Fremantle's Footpath Specification and Guidelines to the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle.*

Water Management

17.

(a) Prior to submission of the building permit application(s), a Water Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from Main Roads Western Australia, the Department of Biodiversity, Conservation and Attractions, and the Town of East Fremantle, demonstrating that all stormwater from the development will be retained on site.

(b) The approved Water Management Plan is to be implemented, to the satisfaction of the Western Australian Planning Commission.

18.

(a) Prior to submission of the building permit application(s), a Sediment and Erosion Management Plan, demonstrating management of drainage, erosion and sedimentation risk to nearby water bodies and/or reserves, is to be submitted to, and approved by, the Western

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Australian Planning Commission, on advice from the Department of Biodiversity, Conservation and Attractions.

(b) The approved Sediment and Erosion Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

Noise Management

19.

(a) Prior to submission of the building permit application(s), a final Acoustic Report and associated construction plans, endorsed by a qualified acoustic consultant, detailing effective management of noise ingress and egress for the Fremantle Port Buffer Area 2, traffic noise, service vehicles, and mechanical equipment, are to be submitted to and approved by the Western Australian Planning Commission, on advice from Main Roads Western Australia and the Town of East Fremantle.

(b) Prior to occupation of the development, certification is to be provided from a qualified acoustic consultant confirming that the recommendations of the approved final Acoustic Report have been implemented in the completed development, to the satisfaction of the Western Australian Planning Commission.

20. *The proposed 1.8m boundary fence/wall along the boundary of 2 East Street and 3 Glyde Street, East Fremantle, be solid in construction with a surface mass no less than 13 kg/m^2 and no gaps, to the satisfaction of the Western Australian Planning Commission.*

Landscaping

21.

(a) Prior to submission of the building permit application(s), final Landscape Plan(s), demonstrating that any landscaping within the land subject to the Other Regional Road reservation is temporary and designed and constructed to be removeable, are to be submitted to, and approved by, the Western Australian Planning Commission, on advice from Main Roads Western Australia.

(b) Prior to occupation of the development, the landowner/applicant is to provide written confirmation from a suitably qualified professional confirming that all landscape areas have been established as indicated in the final approved Landscaping Plan(s).

(c) The approved landscaping is to thereafter be maintained by the landowner/applicant or operators of the development, to the satisfaction of the Western Australian Planning Commission.

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Sustainability

22.

(a) Prior to the submission of the relevant building permit application(s), written confirmation is to be provided from a suitably qualified professional confirming the measures identified in the Sustainability Report dated 27 January 2026 (Rev 3), including the water efficiency measures and average 8-star NatHERS rating with a minimum 6.5-star rating for all individual units, have been incorporated in the final drawings and documents, to the satisfaction of the Western Australian Planning Commission.

(b) Prior to occupation of the development, documentation from a suitably qualified professional is to be provided certifying that the sustainability measures within the approved Sustainability Report dated 27 January 2026 (Rev 3) have been implemented, to the satisfaction of the Western Australian Planning Commission.

(c) The accepted sustainability initiatives shall be incorporated into the development and thereafter maintained by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Public Art

23. *Prior to the submission of the relevant building permit application(s), the landowner/applicant must contribute a sum of 1% of the construction cost toward Public Art, in accordance with the objectives of the Town of East Fremantle Local Planning Policy 3.1.9 - Percent for Public Art Policy, by either:*

(a) Payment of a cash-in-lieu amount equal to the sum of the 1% contribution of the construction cost to the satisfaction of the Western Australian Planning Commission; OR

(b)

(i) The provision of Public Art on site, with a public art strategy for the subject development to the value of 1% of the construction cost to be submitted to, and approved by, the Western Australian Planning Commission; and

(ii) the approved Public Art is to be installed by the developer and maintained thereafter by the landowner and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Waste Management

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24.

(a) Prior to submission of the building permit application(s), a final Waste Management Plan, consistent with the final working drawings, is be submitted to and approved by the Western Australian Planning Commission, on advice from the Town of East Fremantle.

(b) The approved Waste Management Plan is to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Geotechnical Investigations

25. *Prior to submission of the building permit application(s), the applicant is to submit a final geotechnical engineering investigation report certifying that the land is physically capable of accommodating the development and any changes to soils as a result of contaminated sites remediation works.*

In the event that remediation works are required, a post-works geotechnical report certifying that all works have been carried out in accordance with the pre-works geotechnical report is to be submitted, to the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle.

Advice Notes

a. This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development. Contact the Town of East Fremantle for further advice on building, health and engineering requirements; and the Town of East Fremantle and Main Roads WA for road reserve requirements.

b. With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.

c. With regard to Conditions 2 and 3, a copy of the final working drawings prepared for the submission of an application for a building permit and all associated reports and information that address the conditions of approval are to be submitted to and cleared by the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed

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by the WAPC, and any variations from the approved development plans are required to be clearly identified.

Following satisfactory assessment of the plans and documents, the WAPC will provide a clearance letter and copies of the document to the local government to assist with building permit assessment. Where works and/or building permit are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval.

The final plans and documents submitted to the WAPC to satisfy the conditions if this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local of State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the WAPC, via an Amendment Application process (Form 11B-2).

d. *With regard to Condition 12, the Public Transport Authority advises the Construction Traffic Management Plan is to include details of how the development will:*

   i. *Maintain full access along East Street at all times.*
   ii. *Maintain the pedestrian crossing on Canning Highway.*
   iii. *Ensure works and laydown areas are confined within the property boundary and do not encroach into verges or Glyde Street.*

   The Public Transport Authority and Transperth require a minimum notice period of 10 business days prior to any proposed road closure or bus stop / service disruption and can be contacted via transperth.servicedisruptions@pta.wa.gov.au. Any damage to existing bus stop/s during construction will be required to be rectified by the applicant/owner to the Public Transport Authority's standards.

e. *With regard to Condition 15:*

   i. *the 85 percentile car turning template standard can be used to design non-standard vehicle manoeuvres;*
   ii. *the car parking comprises secure resident car parking bays (17 bays), visitor car parking bays (4 bays), moped/motorcycle parking bays (3 bays), 34 resident bicycle bays and 6 visitor bicycle bays; and*
   iii. *bicycle facilities includes the secure storage for bicycles and electric scooters and bike racks.*

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f. With regard to Condition 16, the footpaths on a portion of Glyde Street and East Street are to be constructed of "limecrete footpath" to align with the existing adjoining footpaths. Redundant crossovers are to be removed and the kerbing and verge reinstated at the applicant's cost in accordance with the requirements of the Town of East Fremantle Footpath & Crossover Specification and Guidelines.

g. With regard to Condition 17:

i. The Water Management Plan should address:
i. stormwater run-off from constructed impervious surfaces generated by small rainfall events (i.e. the first 15 mm of rainfall) has been retained and/or detained at-source as much as practical (noting that untreated stormwater will not be permitted to enter the river); and
ii. details of any subsoil drains.

ii. The Department of Biodiversity, Conservation and Attractions advises the Water Management Plan should describe how the stormwater system has been designed to prevent mobilisation of sediment, nutrients and contaminants from the site to the Swan River. Stormwater from the authorised works should be managed in accordance with
- *Corporate Policy Statement 49: Planning for Stormwater Management Affecting the Swan Canning Development Control Area;*
- *Department of Water and Environmental Regulation's Stormwater Management Manual for Western Australia;*
- *Decision Process for Stormwater Management in Western Australia; and*
- *Water Sensitive Urban Design Principles.*

h. With regard to Condition 18, the Department of Biodiversity, Conservation and Attractions advises that the Sediment and Erosion Management Plan should describe how the works will be managed and implemented to minimise the risk of drainage, erosion and sedimentation on nearby water bodies and/or reserves and should include control measures such as:

i. daily recovery of sediment (including imported building sand) from outside the works area (e.g. end-of-day sweeping)
ii. perimeter controls such as sediment control fences
iii. sediment traps at stormwater drain inlets
iv. vehicle washdown, vibration grids or rock pads at entry/exits
v. containment of stockpiles.

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For further guidance refer to the Erosion and Sediment Control Information sheets at: www.sercul.org.au/sediment-resources/ and the IECA Best Practice Erosion and Sediment Control document: connect.ieca.org/austieca/resources/resources-list/bpesc-document.

i. With regard to Condition 19, the final Acoustic Report should address:

i. noise generated from residents and visitors;
ii. traffic noise, in accordance with the State planning Policy 5.4 - Road & Rail Noise;
iii. Australian Standard 2017 "Acoustics" - Recommended Design Sound Levels and Reverberation Times for Building Interiors";
iv. Building Code of Australia (BCA), Part F5 - Sound Transmission and Insulation;
v. Main Roads WA Requirements for Road Traffic Noise Assessments; and
vi. how the proposal meets the following Fremantle Port Buffer Area 2 built form requirements:

(a) Windows and opening requirements:

i. *Any glass used for windows or other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm; and,*
ii. *All safety glass shall be manufactured and installed to an appropriate Australian Standard;*

(b) Air Conditioning requirements:

i. Multiple systems to have internally centrally located shut down point and associated procedures for emergency use; and,
ii. Preference for split "refrigerative" systems; and

(c) Construction requirements:

i. Adopt the general principles of quiet house design for residential developments; and
ii. All developments shall incorporate roof and/ or ceiling insulation.

j. With regard to Condition 21, works within the public realm are to be installed and maintained at the applicant's expense in accordance with the approved plans and details.

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k. With regard to Condition 23, if the proposed on-site integrated public artwork costs less than the value of 1% of the construction value then the public art strategy must include a cash-in-lieu contribution for the difference.

l. With regard to Condition 24, Main Roads WA advises that waste collection is to be on-site (no bin collections on road verges).

m. The Town of East Fremantle advises a crossover application is to be submitted for the new vehicle crossover on East Street. Any damage to verges during construction is to be repaired/rectified and any permanent changes to the Glyde Street or East Street verge require approval from the Town of East Fremantle.

n. The applicant when carrying out works in the road reserve will be responsible for location and protection of public utility services within the road reserve and is to obtain details of service locations from relevant utility authorities prior to the commencement of any works within the road reserve.

o. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.

The motion was put and carried

AMENDING MOTION
Members moved a motion to modify condition 22 (a) to reduce the average NatHERS rating required from 8-star to 7.5-star.

Moved by Commissioner Haeren
Seconded by Commissioner Adair

Sustainability

22.

(a) Prior to the submission of the relevant building permit application(s), written confirmation is to be provided from a suitably qualified professional confirming the measures identified in the Sustainability Report dated 27 January 2026 (Rev 3), including the water efficiency measures and average 7.5-star NatHERS rating with a minimum 6.5-star rating for all individual units, have been incorporated in the final drawings and documents, to the satisfaction of the Western Australian Planning Commission.

The motion was put and carried

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SUBSTANTIVE RESOLUTION

That the Statutory Planning Committee resolves:

A. to note this application is not capable of being determined under the applicable planning instrument, being the Town of East Fremantle Local Planning Scheme No. 3, and is seeking discretion under s.171R(1)(b) of the Planning and Development Act 2005 and it has been considered and determined accordingly; and

B. under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-057-25 and accompanying plans (date-stamped 28 May 2026) for construction of Residential Apartments at Lots 14 - 19 (7 - 27) Canning Highway, East Fremantle, subject to the following:

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 28 May 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle.*

3. *A copy of the final working drawings (prepared for submission of the building permit application(s)) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission (WAPC).*

   The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.

Land Use

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4. *This approval is for 'Multiple Dwellings' which are to be managed and operated by a registered community housing provider, to the satisfaction of the Western Australian Planning Commission.*

Amalgamation and Notifications

5. *Prior to occupation of the development, suitable arrangements are to be made for:*

   (a) all lots within the development site, excluding the proposed road widening, as shown on the approved plans (date-stamped 28 May 2026), to be legally amalgamated into a single freehold lot on one Certificate of Title, at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission.

   (b) the land subject to the Other Regional Road reservation under the Metropolitan Region Scheme as shown as proposed road widening on the approved plans (date-stamped 28 May 2026) to be set aside as a separate lot, at the landowner/applicant's expense, to the satisfaction of the Western Australia Planning Commission.

6. *Prior to occupation of the development, a notification, pursuant to Section 70A of the Transfer of Land Act 1893, is to be registered on the certificate of title(s) of all lots within the development site. Notice of this notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

   "The lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected, by transport noise."

7. *Prior to occupation of the development, a notification, pursuant to Section 70A of the Transfer of Land Act 1893, is to be registered on the certificate of title(s) of all lots within the development site. Notice of this notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

   "The lot is within Area 2 of the Fremantle Port Buffer Zone and may be adversely affected by operations of a 24 hour working Port including noise, odour, light spill and other factors."

Materials and Finishes

8. *Prior to submission of the building permit application(s), the applicant is to submit final details of the materials, colours and finishes of the*

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exterior of the building(s), demonstrating that the development is to be constructed with high quality and durable external materials and finishes, which are consistent with or enhance those detailed on the approved elevations of the development (date-stamped 28 May 2026), to the satisfaction of the Western Australian Planning Commission.

9. *Prior to submission of the building permit application(s), all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from Canning Highway, East Street or Glyde Street or otherwise located to not be visually obtrusive, to the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle.*

10. *The balconies being designed as naturally ventilated spaces that are not to be enclosed, with no balcony treatments or furnishings being permitted that could in any way change the design and appearance of the balconies, or the overall building façade, or obstruct views to and from the balcony and the street, to the satisfaction of the Western Australian Planning Commission.*

Construction

11.

(a) *Prior to submission of the building permit application(s), a Construction Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the Town of East Fremantle. The Plan is to address the following, but not limited to:*

i. *hours of construction;*
ii. *temporary fencing, hoardings, gantries, and signage;*
iii. *site access and egress;*
iv. *pedestrian and cyclist management and any footpath obstructions;*
v. *parking arrangements for staff and contractors;*
vi. *deliveries and storage of construction materials and machinery;*
vii. *management of vibration and dust;*
viii. *management of any site dewatering or stormwater discharge;*
ix. *management of construction noise and other site generated noise;*
x. *construction waste management, recycling, and removal;*
xi. *protection of street trees and public realm infrastructure; and*
xii. *public communication and complaint handling procedures.*

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(b) The approved Construction Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

12.

(a) Prior to submission of the building permit application(s), a Construction Traffic Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from Main Roads WA, the Public Transport Authority, and the Town of East Fremantle.

(b) The approved Construction Traffic Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

13. Prior to submission of the building permit application(s), a dilapidation report prepared by a suitably qualified professional is to be submitted to, the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle, detailing the current condition and status of all buildings, surrounding paved areas and ancillary structures located on the following properties:

- *Lot 20 (No.3) Glyde Street, East Fremantle;*
- *Lot 21 (No. 7) Glyde Street, East Fremantle;*
- *Lot 902 (No.9) Glyde Street, East Fremantle;*
- *Lot 47 (No.2) East Street, East Fremantle; and*
- *Lot 1 (No.29 - 33) Canning Highway, East Fremantle.*

A copy of the dilapidation report(s) is to be provided to the Town of East Fremantle and the respective landowner/s of the abovementioned properties.

In the event that access for undertaking the dilapidation survey is denied by a landowner, the applicant must demonstrate in writing to the satisfaction of the Western Australian Planning Commission that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

<u>Lighting</u>

14.

(a) Prior to submission of the building permit application(s), a Lighting Plan detailing external illumination of the development in accordance with AS4282, AS1158.3.1, is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the Town of East Fremantle.

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(b) Prior to occupation of the development, the applicant is to provide certification from a suitably qualified person demonstrating the external lighting has been installed in accordance with the approved Lighting Plan, to the satisfaction of the Western Australian Planning Commission.

(c) The approved Lighting Plan is to be implemented and adhered to, unless otherwise approved by the Western Australian Planning Commission, on advice from the Town of East Fremantle.

Transport, Access and Parking

15.

(a) Prior to occupation of the development, certification is to be provided by a suitably qualified professional confirming that all car parking spaces, vehicle accessways, ingress and egress, universal access, and motorcycle and bicycle parking are consistent with the approved plans and have been constructed, drained, sealed and marked in accordance with the relevant Australian Standard, to the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle.

(b) All car parking spaces, vehicle accessways, access points, and motorcycle and bicycle parking shall be maintained by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

(c) Prior to occupation of the development, the visitor car parking spaces are to be marked and clearly signposted as dedicated for visitor use only to the satisfaction of the Western Australian Planning Commission.

Footpaths

16. Prior to occupation of the development, arrangements are to be made for the extension of the existing footpath on Glyde Street and the upgrading of the footpath on East Street, for the length abutting the property boundary of the development site, consistent with the Town of East Fremantle's Footpath Specification and Guidelines to the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle.

Water Management

17.

(a) Prior to submission of the building permit application(s), a Water Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from Main

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Roads Western Australia, the Department of Biodiversity, Conservation and Attractions, and the Town of East Fremantle, demonstrating that all stormwater from the development will be retained on site.

(b) The approved Water Management Plan is to be implemented, to the satisfaction of the Western Australian Planning Commission.

18.

(a) Prior to submission of the building permit application(s), a Sediment and Erosion Management Plan, demonstrating management of drainage, erosion and sedimentation risk to nearby water bodies and/or reserves, is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the Department of Biodiversity, Conservation and Attractions.

(b) The approved Sediment and Erosion Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

Noise Management

19.

(a) Prior to submission of the building permit application(s), a final Acoustic Report and associated construction plans, endorsed by a qualified acoustic consultant, detailing effective management of noise ingress and egress for the Fremantle Port Buffer Area 2, traffic noise, service vehicles, and mechanical equipment, are to be submitted to and approved by the Western Australian Planning Commission, on advice from Main Roads Western Australia and the Town of East Fremantle.

(b) Prior to occupation of the development, certification is to be provided from a qualified acoustic consultant confirming that the recommendations of the approved final Acoustic Report have been implemented in the completed development, to the satisfaction of the Western Australian Planning Commission.

20. The proposed 1.8m boundary fence/wall along the boundary of 2 East Street and 3 Glyde Street, East Fremantle, be solid in construction with a surface mass no less than 13 kg/m^2 and no gaps, to the satisfaction of the Western Australian Planning Commission.

Landscaping

21.

(a) Prior to submission of the building permit application(s), final Landscape Plan(s), demonstrating that any landscaping within the

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land subject to the Other Regional Road reservation is temporary and designed and constructed to be removeable, are to be submitted to, and approved by, the Western Australian Planning Commission, on advice from Main Roads Western Australia.

(b) Prior to occupation of the development, the landowner/applicant is to provide written confirmation from a suitably qualified professional confirming that all landscape areas have been established as indicated in the final approved Landscaping Plan(s).

(c) The approved landscaping is to thereafter be maintained by the landowner/applicant or operators of the development, to the satisfaction of the Western Australian Planning Commission.

Sustainability

22.

(a) Prior to the submission of the relevant building permit application(s), written confirmation is to be provided from a suitably qualified professional confirming the measures identified in the Sustainability Report dated 27 January 2026 (Rev 3), including the water efficiency measures and average 7.5-star NatHERS rating with a minimum 6.5-star rating for all individual units, have been incorporated in the final drawings and documents, to the satisfaction of the Western Australian Planning Commission.

(b) Prior to occupation of the development, documentation from a suitably qualified professional is to be provided certifying that the sustainability measures within the approved Sustainability Report dated 27 January 2026 (Rev 3) have been implemented, to the satisfaction of the Western Australian Planning Commission.

(c) The accepted sustainability initiatives shall be incorporated into the development and thereafter maintained by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Public Art

23. Prior to the submission of the relevant building permit application(s), the landowner/applicant must contribute a sum of 1% of the construction cost toward Public Art, in accordance with the objectives of the Town of East Fremantle Local Planning Policy 3.1.9 - Percent for Public Art Policy, by either:

(a) Payment of a cash-in-lieu amount equal to the sum of the 1% contribution of the construction cost to the satisfaction of the Western Australian Planning Commission; OR

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(b)

(i) The provision of Public Art on site, with a public art strategy for the subject development to the value of 1% of the construction cost to be submitted to, and approved by, the Western Australian Planning Commission; and

(ii) the approved Public Art is to be installed by the developer and maintained thereafter by the landowner and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Waste Management

24.

(a) Prior to submission of the building permit application(s), a final Waste Management Plan, consistent with the final working drawings, is be submitted to and approved by the Western Australian Planning Commission, on advice from the Town of East Fremantle.

(b) The approved Waste Management Plan is to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Geotechnical Investigations

25. Prior to submission of the building permit application(s), the applicant is to submit a final geotechnical engineering investigation report certifying that the land is physically capable of accommodating the development and any changes to soils as a result of contaminated sites remediation works.

In the event that remediation works are required, a post-works geotechnical report certifying that all works have been carried out in accordance with the pre-works geotechnical report is to be submitted, to the satisfaction of the Western Australian Planning Commission, on advice from the Town of East Fremantle.

Advice Notes

a. This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development. Contact the Town of East Fremantle for further advice on building, health and engineering requirements; and the Town of East Fremantle and Main Roads WA for road reserve requirements.

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b. *With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*

c. *With regard to Conditions 2 and 3, a copy of the final working drawings prepared for the submission of an application for a building permit and all associated reports and information that address the conditions of approval are to be submitted to and cleared by the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.*

Following satisfactory assessment of the plans and documents, the WAPC will provide a clearance letter and copies of the document to the local government to assist with building permit assessment. Where works and/or building permit are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval.

The final plans and documents submitted to the WAPC to satisfy the conditions if this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local of State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the WAPC, via an Amendment Application process (Form 11B-2).

d. *With regard to Condition 12, the Public Transport Authority advises the Construction Traffic Management Plan is to include details of how the development will:*

   i. *Maintain full access along East Street at all times.*
   ii. *Maintain the pedestrian crossing on Canning Highway.*
   iii. *Ensure works and laydown areas are confined within the property boundary and do not encroach into verges or Glyde Street.*

The Public Transport Authority and Transperth require a minimum notice period of 10 business days prior to any proposed road closure or bus stop / service disruption and can be contacted via transperth.servicedisruptions@pta.wa.gov.au. Any damage to existing bus stop/s during construction will be required to be rectified by the applicant/owner to the Public Transport Authority's standards.

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e. With regard to Condition 15:

i. the 85 percentile car turning template standard can be used to design non-standard vehicle manoeuvres;
ii. the car parking comprises secure resident car parking bays (17 bays), visitor car parking bays (4 bays), moped/motorcycle parking bays (3 bays), 34 resident bicycle bays and 6 visitor bicycle bays; and
iii. bicycle facilities includes the secure storage for bicycles and electric scooters and bike racks.

f. With regard to Condition 16, the footpaths on a portion of Glyde Street and East Street are to be constructed of "limecrete footpath" to align with the existing adjoining footpaths. Redundant crossovers are to be removed and the kerbing and verge reinstated at the applicant's cost in accordance with the requirements of the Town of East Fremantle Footpath & Crossover Specification and Guidelines.

g. With regard to Condition 17:

i. The Water Management Plan should address:
ii. stormwater run-off from constructed impervious surfaces generated by small rainfall events (i.e. the first 15 mm of rainfall) has been retained and/or detained at-source as much as practical (noting that untreated stormwater will not be permitted to enter the river); and
ii. details of any subsoil drains.

ii. The Department of Biodiversity, Conservation and Attractions advises the Water Management Plan should describe how the stormwater system has been designed to prevent mobilisation of sediment, nutrients and contaminants from the site to the Swan River. Stormwater from the authorised works should be managed in accordance with

- *Corporate Policy Statement 49: Planning for Stormwater Management Affecting the Swan Canning Development Control Area;*
- *Department of Water and Environmental Regulation's Stormwater Management Manual for Western Australia;*
- *Decision Process for Stormwater Management in Western Australia; and*
- *Water Sensitive Urban Design Principles.*

h. With regard to Condition 18, the Department of Biodiversity, Conservation and Attractions advises that the Sediment and Erosion Management Plan should describe how the works will be

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managed and implemented to minimise the risk of drainage, erosion and sedimentation on nearby water bodies and/or reserves and should include control measures such as:

i. daily recovery of sediment (including imported building sand) from outside the works area (e.g. end-of-day sweeping)
ii. perimeter controls such as sediment control fences
iii. sediment traps at stormwater drain inlets
iv. vehicle washdown, vibration grids or rock pads at entry/exits
v. containment of stockpiles.

For further guidance refer to the Erosion and Sediment Control Information sheets at: www.sercul.org.au/sediment-resources/ and the IECA Best Practice Erosion and Sediment Control document: connect.ieca.org/austieca/resources/resources-list/bpesc-document.

i. With regard to Condition 19, the final Acoustic Report should address:

i. noise generated from residents and visitors;
ii. traffic noise, in accordance with the State planning Policy 5.4 - Road & Rail Noise;
iii. Australian Standard 2017 "Acoustics" - Recommended Design Sound Levels and Reverberation Times for Building Interiors";
iv. Building Code of Australia (BCA), Part F5 - Sound Transmission and Insulation;
v. Main Roads WA Requirements for Road Traffic Noise Assessments; and
vi. how the proposal meets the following Fremantle Port Buffer Area 2 built form requirements:

(a) Windows and opening requirements:

i. Any glass used for windows or other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm; and,
ii. All safety glass shall be manufactured and installed to an appropriate Australian Standard;

(b) Air Conditioning requirements:

i. Multiple systems to have internally centrally located shut down point and associated procedures for emergency use; and,
ii. Preference for split "refrigerative" systems; and

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(c) Construction requirements:

i. Adopt the general principles of quiet house design for residential developments; and
ii. All developments shall incorporate roof and/ or ceiling insulation.

j. With regard to Condition 21, works within the public realm are to be installed and maintained at the applicant's expense in accordance with the approved plans and details.

k. With regard to Condition 23, if the proposed on-site integrated public artwork costs less than the value of 1% of the construction value then the public art strategy must include a cash-in-lieu contribution for the difference.

l. With regard to Condition 24, Main Roads WA advises that waste collection is to be on-site (no bin collections on road verges).

m. The Town of East Fremantle advises a crossover application is to be submitted for the new vehicle crossover on East Street. Any damage to verges during construction is to be repaired/rectified and any permanent changes to the Glyde Street or East Street verge require approval from the Town of East Fremantle.

n. The applicant when carrying out works in the road reserve will be responsible for location and protection of public utility services within the road reserve and is to obtain details of service locations from relevant utility authorities prior to the commencement of any works within the road reserve.

o. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.

4. Confidential items for discussion, decision or noting

Commissioner Lakey returned to the meeting at 12:15 pm.

Moved by Commissioner Brookes
Seconded by Commissioner Adair

The Statutory Planning Committee move to the consideration of confidential items for discussion, decision or noting and resolve, pursuant to Regulation 27 of the Planning and Development (Western Australian Planning Commission) Regulations 2024, that the meeting be closed to members of the public

The motion was put and carried

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4.1 City of Cockburn – Town Planning Scheme No. 3 – Amendment No. 179 – Recommendation to Minister (TPS/3283)

THIS ITEM IS CONFIDENTIAL

Commissioner Lakey left meeting at 12:35 pm and did not return.

4.2 City of Cockburn Local Planning Scheme No. 13 – Approval to Advertise (TPS/3154)

THIS ITEM IS CONFIDENTIAL

5. Urgent or other business

THIS ITEM IS CONFIDENTIAL

6. Meeting conclusion and closure

The next ordinary meeting is scheduled for 10:00 am on Wednesday, 8 July 2026.

There being no further business before the Committee, the Chairperson thanked members for their attendance and declared the meeting closed at 13:01 pm.

_____
CHAIRPERSON

_____
DATE

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