



AGENDA ATTACHMENTS

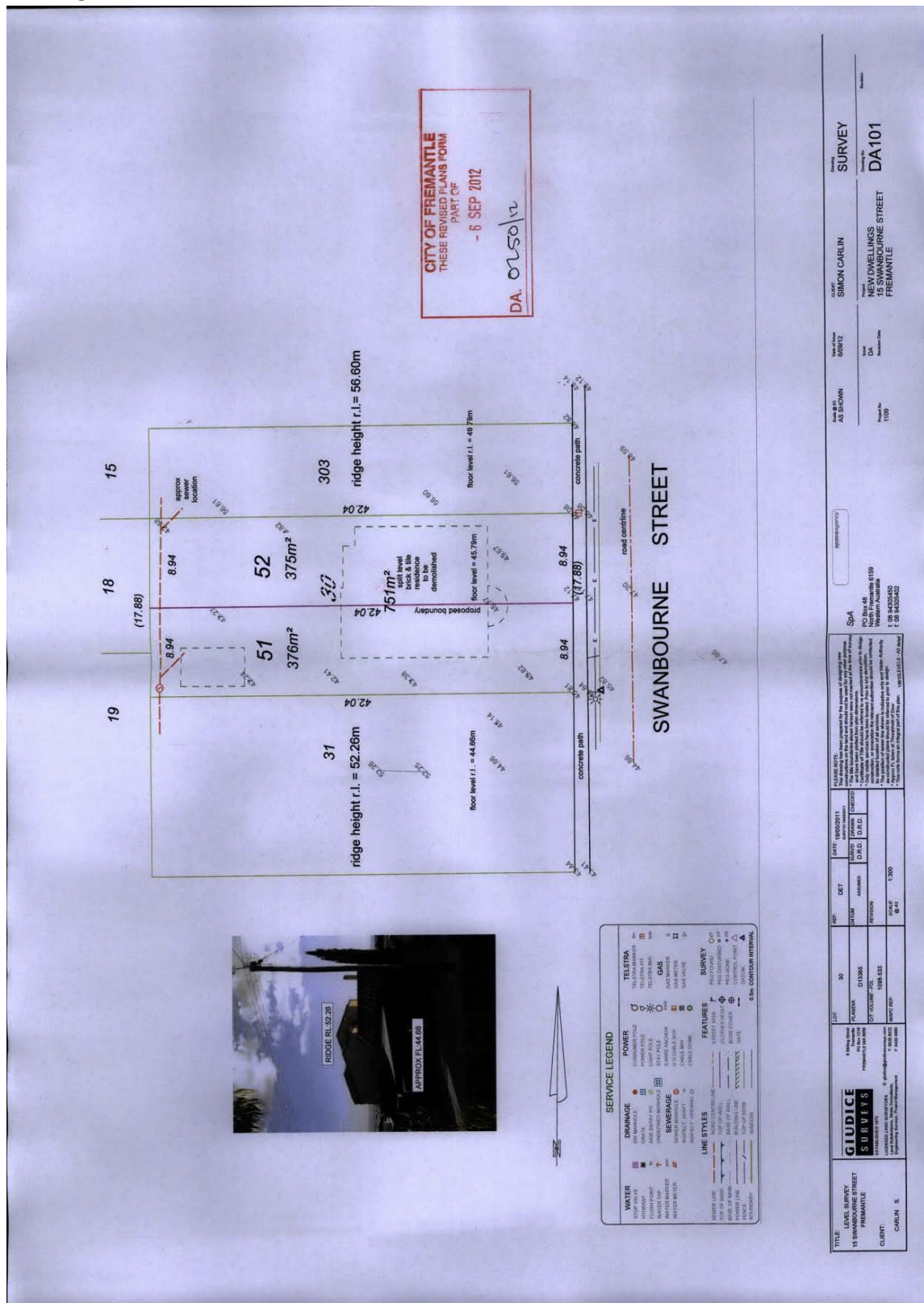
Planning Services Committee

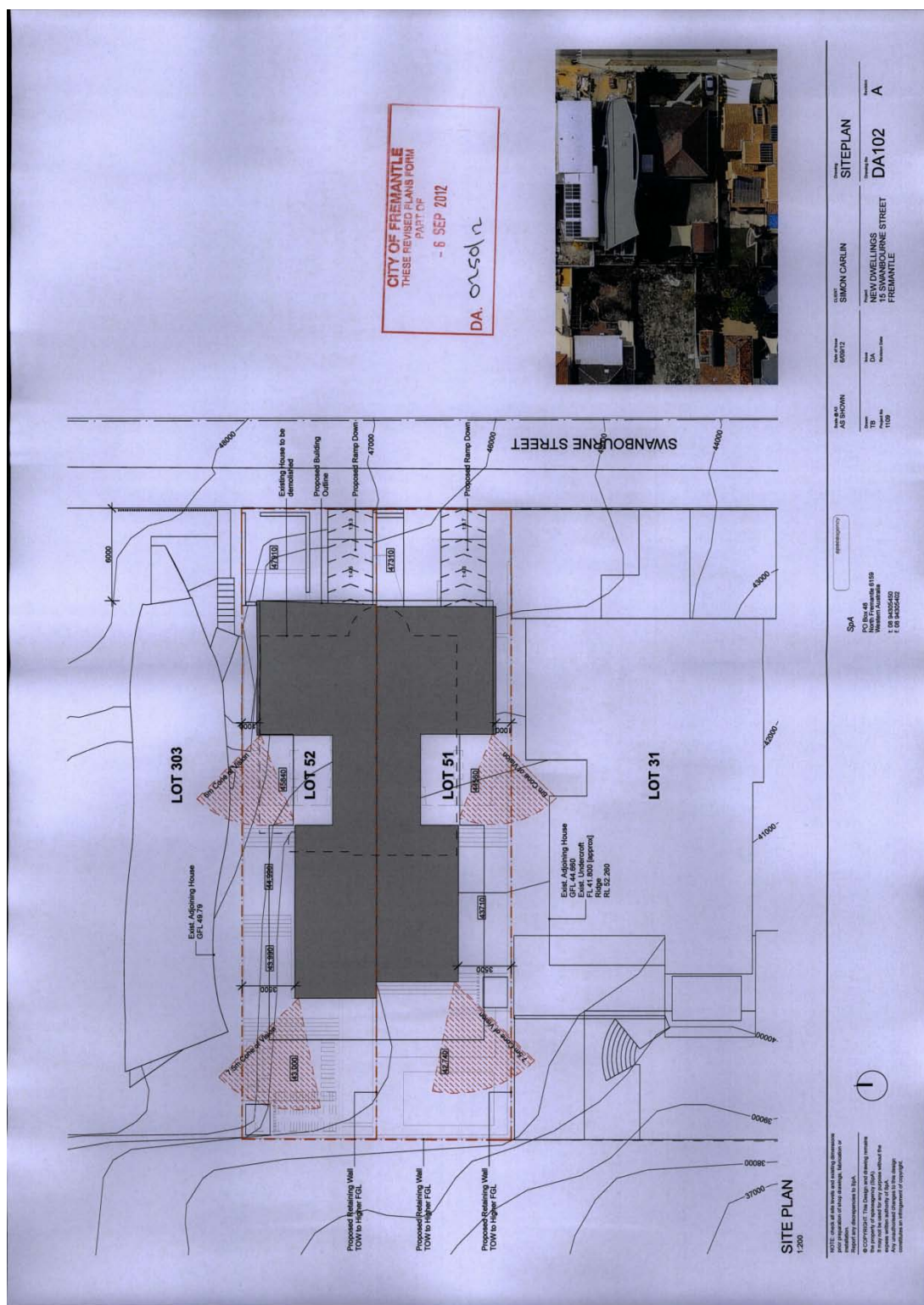
Wednesday, 3 October 2012, 6.00 pm


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PSC1210-157 SWANBOURNE STREET, NO. 15 (LOT 30), FREMANTLE
DEFERRED ITEM – TWO, THREE STOREY GROUPED
DWELLINGS (JS DA0250/12)

ATTACHMENT 1








LOT 31 NORTH ELEVATION

CITY OF FREMANTLE
THESE REVISED PLANS FORM
PART OF
- 6 SEP 2012
DA. 025012



EXISTING STREETSCAPE

EX. BUILDINGS

DA103

NEW DWELLINGS
15 SWANBOURNE STREET
FREMANTLE

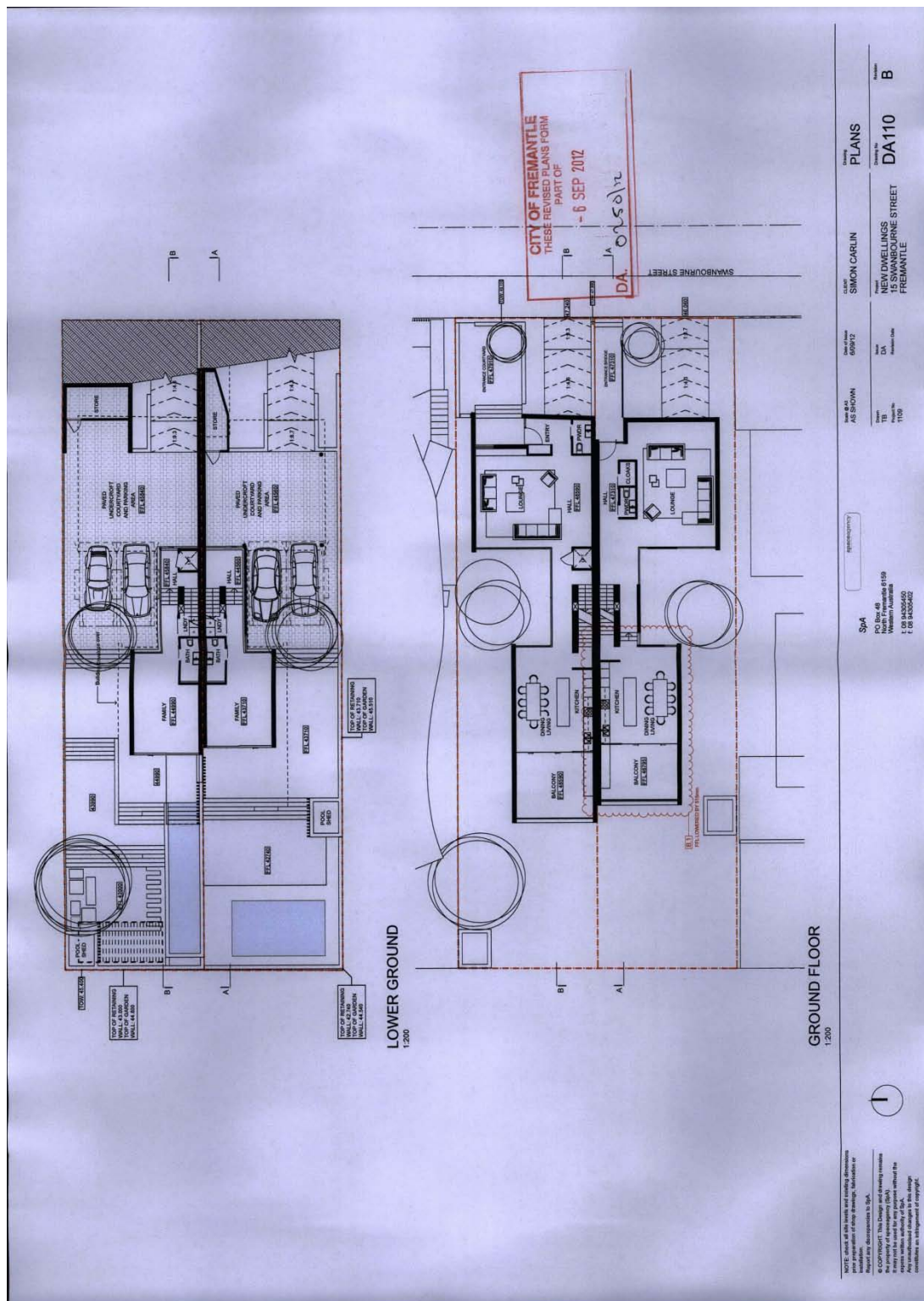
SP4
15 SWANBOURNE STREET
FREMANTLE
WESTERN AUSTRALIA
6155
T 08 94325422

AS SHOWN
60812
DA
1102

CUSTOMER
SIMON CARLIN
NEW DWELLINGS
15 SWANBOURNE STREET
FREMANTLE

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FIRST FLOOR
1:200

ROOF
1:200

CITY OF FREMANTLE
THESE REVISED PLANS FORM
PART OF
- 6 SEP 2012
DA. OUSOLIN

NOTE: Check all dimensions and existing dimensions prior preparation of any drawings, alterations or report any discrepancies to DA.

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Scale
1:200
North arrow
Fremantle Planning
15 Swanbourne Street
Fremantle
T 08 94524202

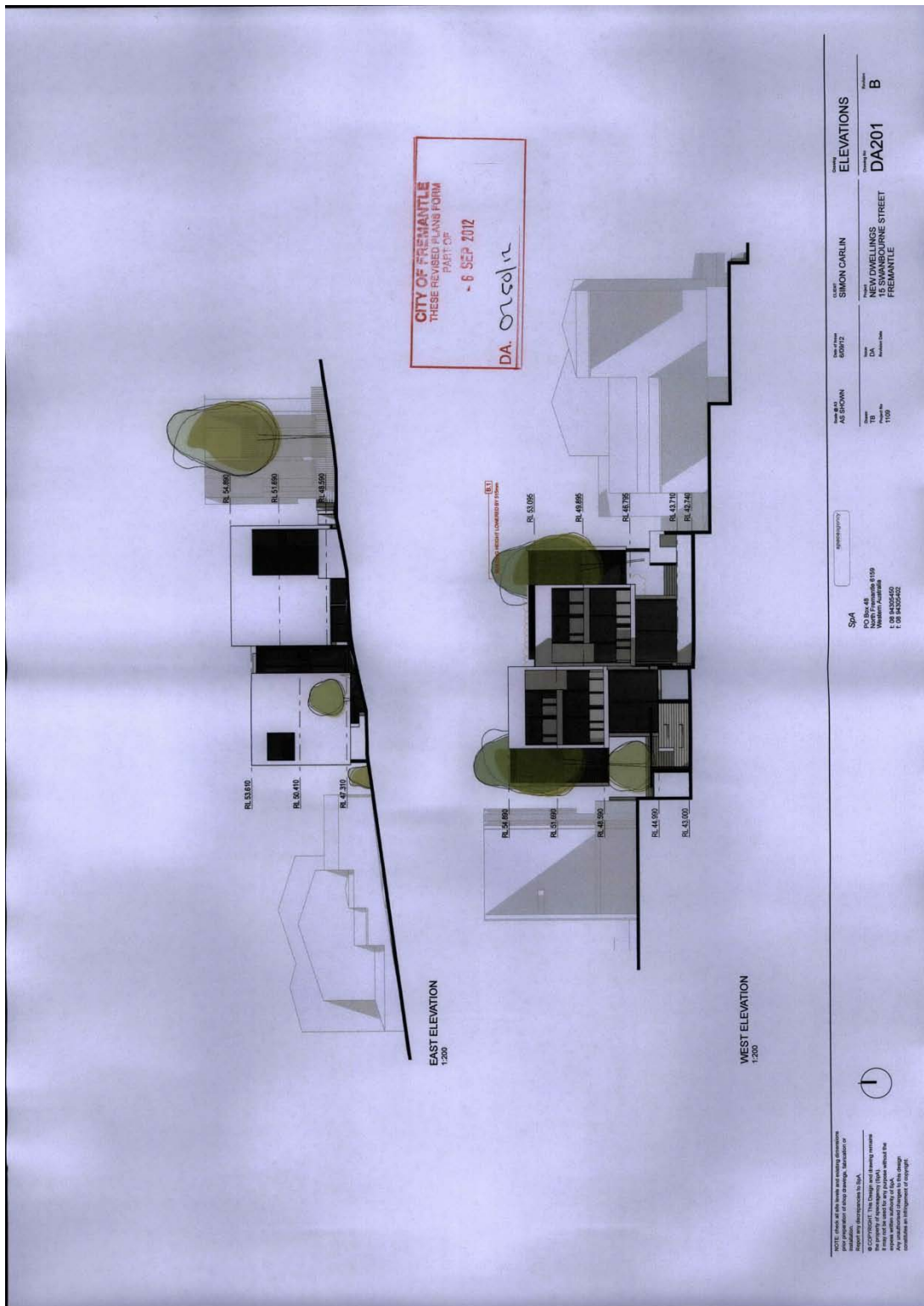
Client
SIMON CARLIN

Site of work
608/12

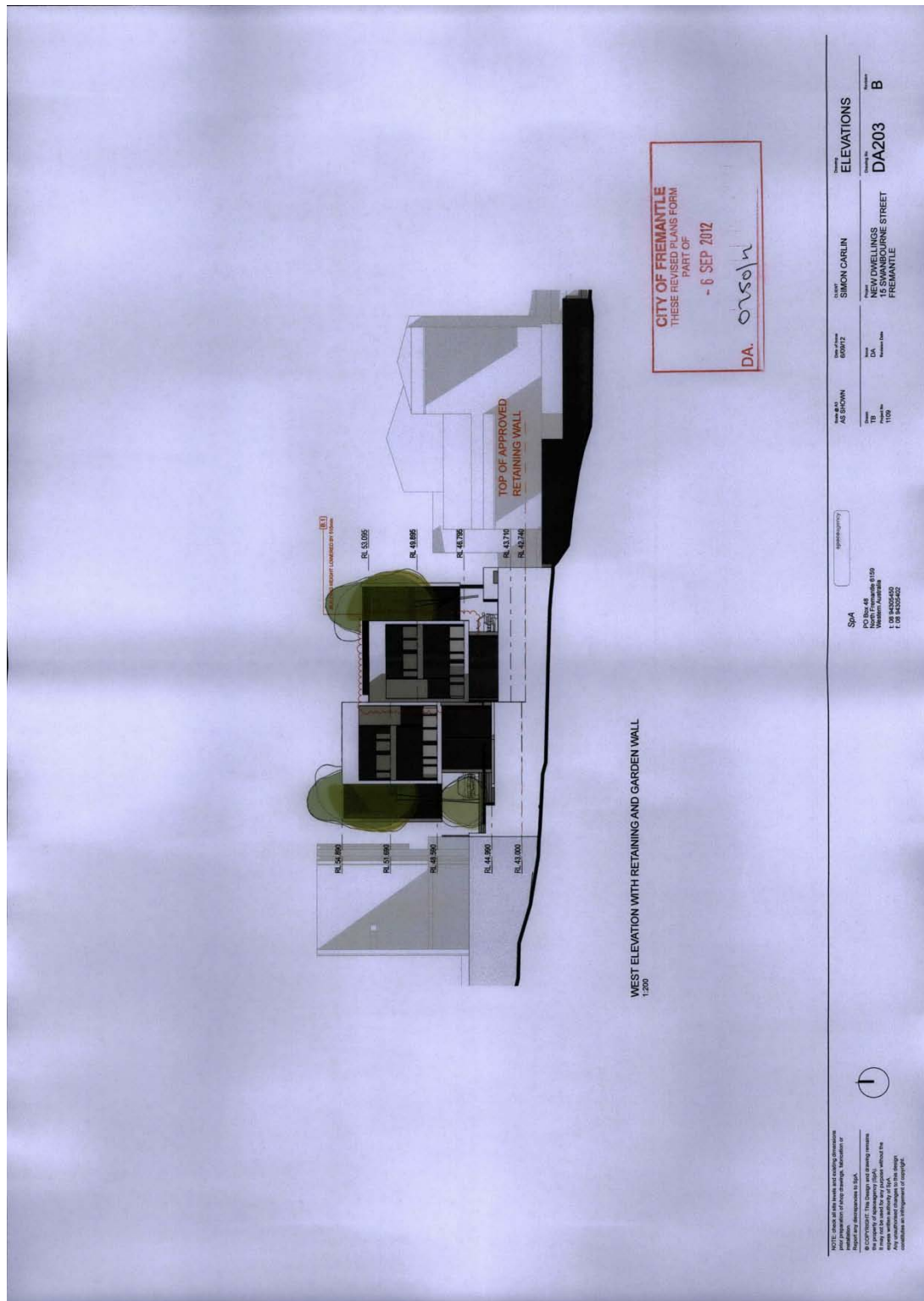
As shown
AS SHOWN

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DA111

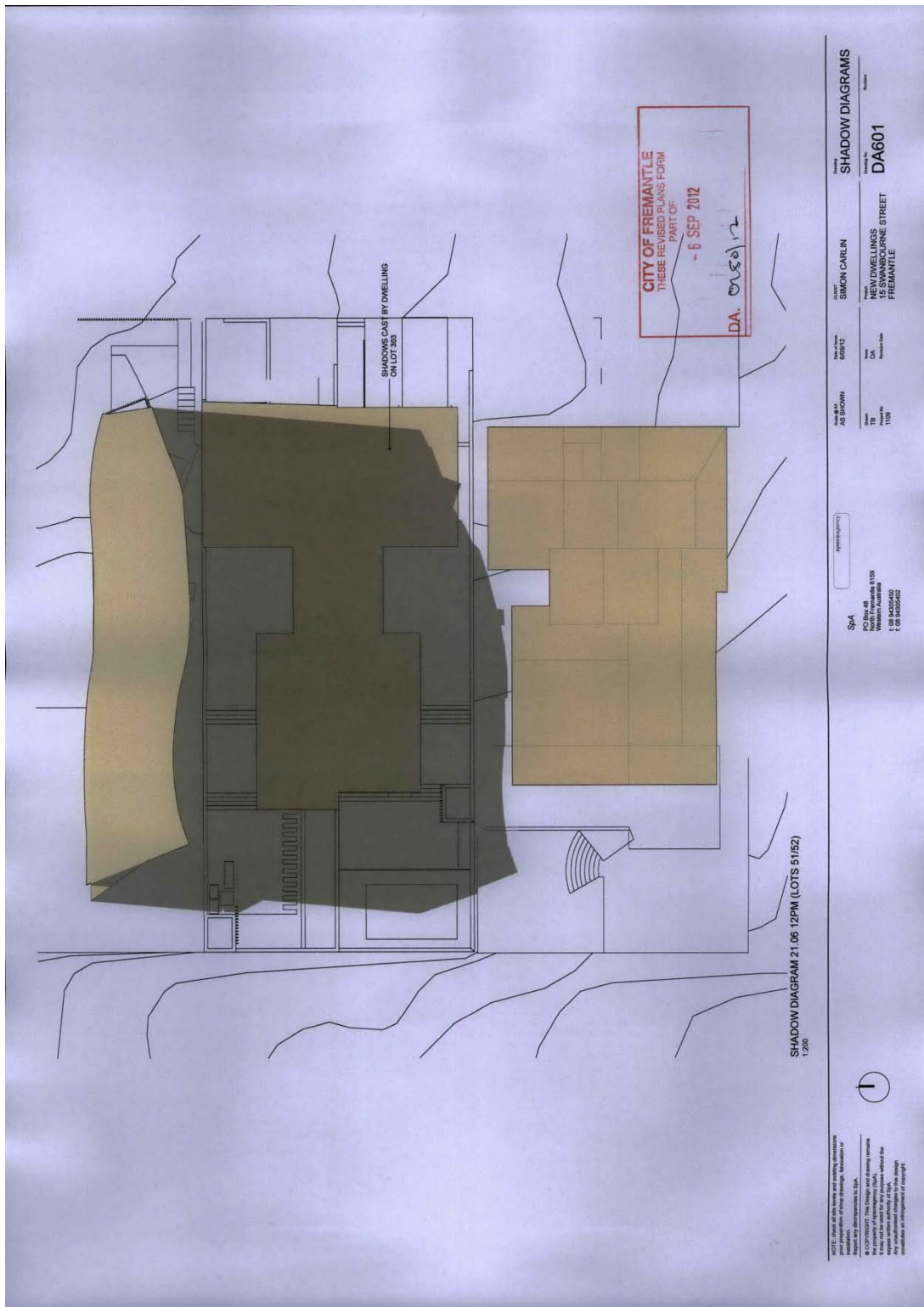
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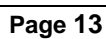


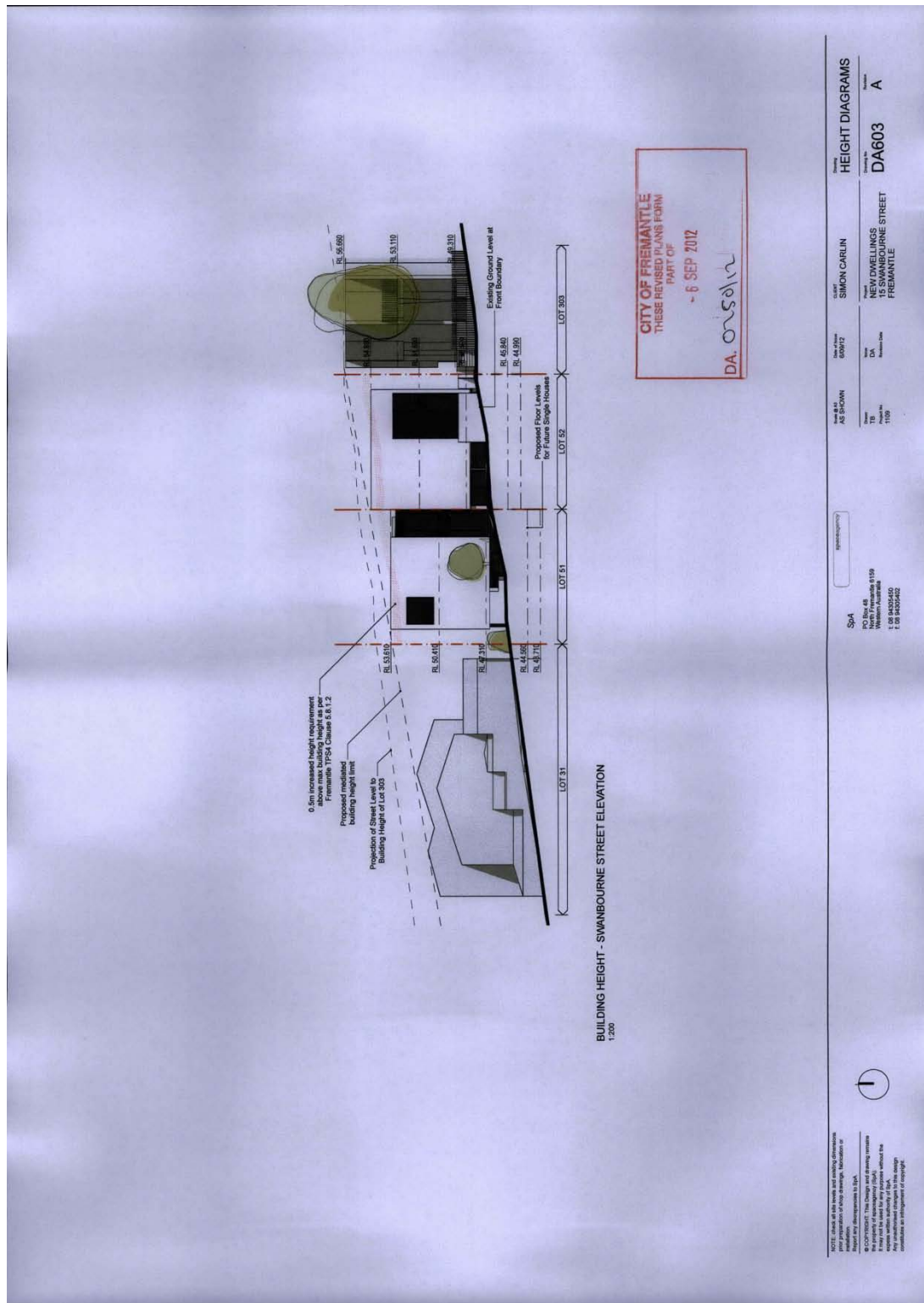


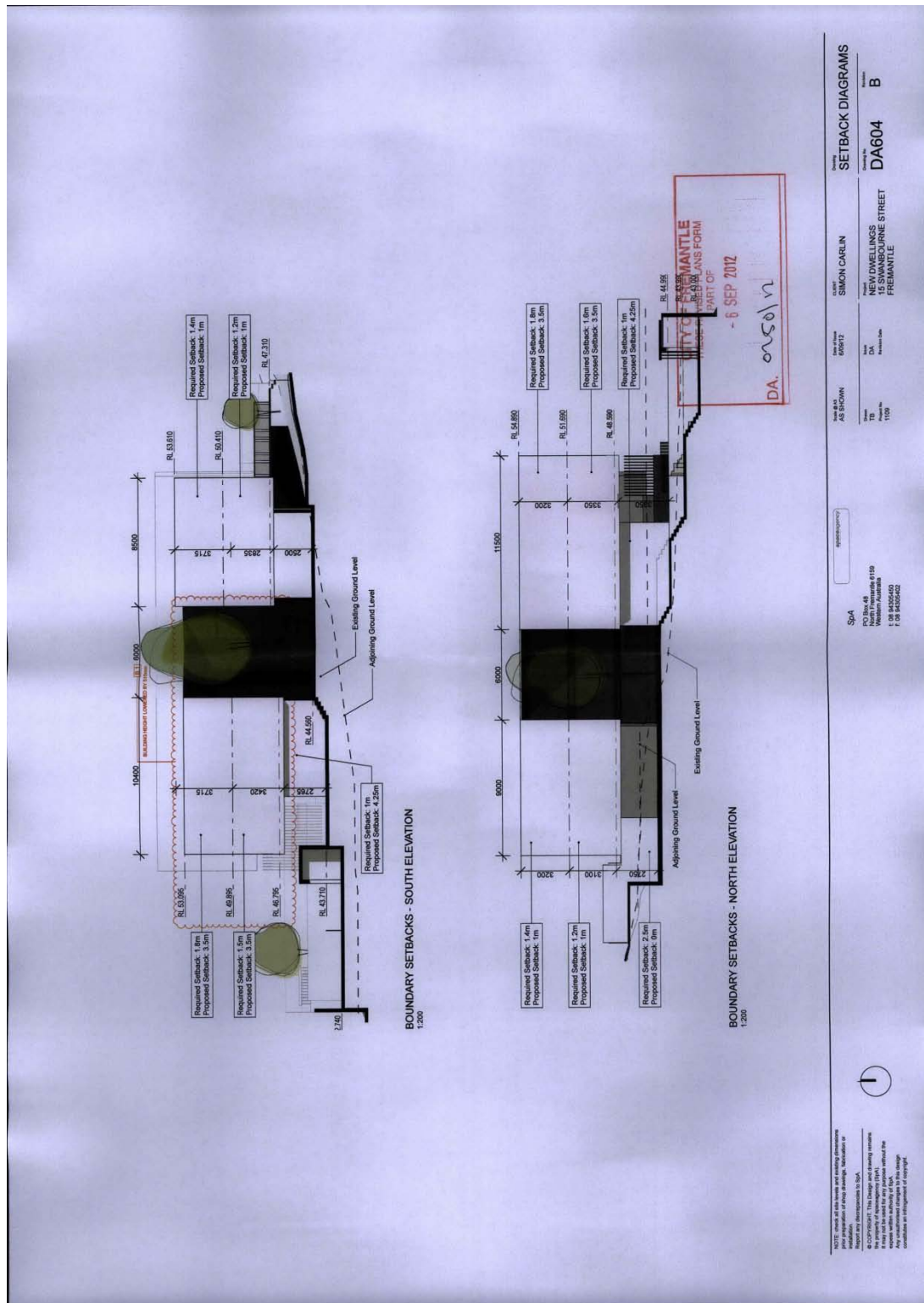




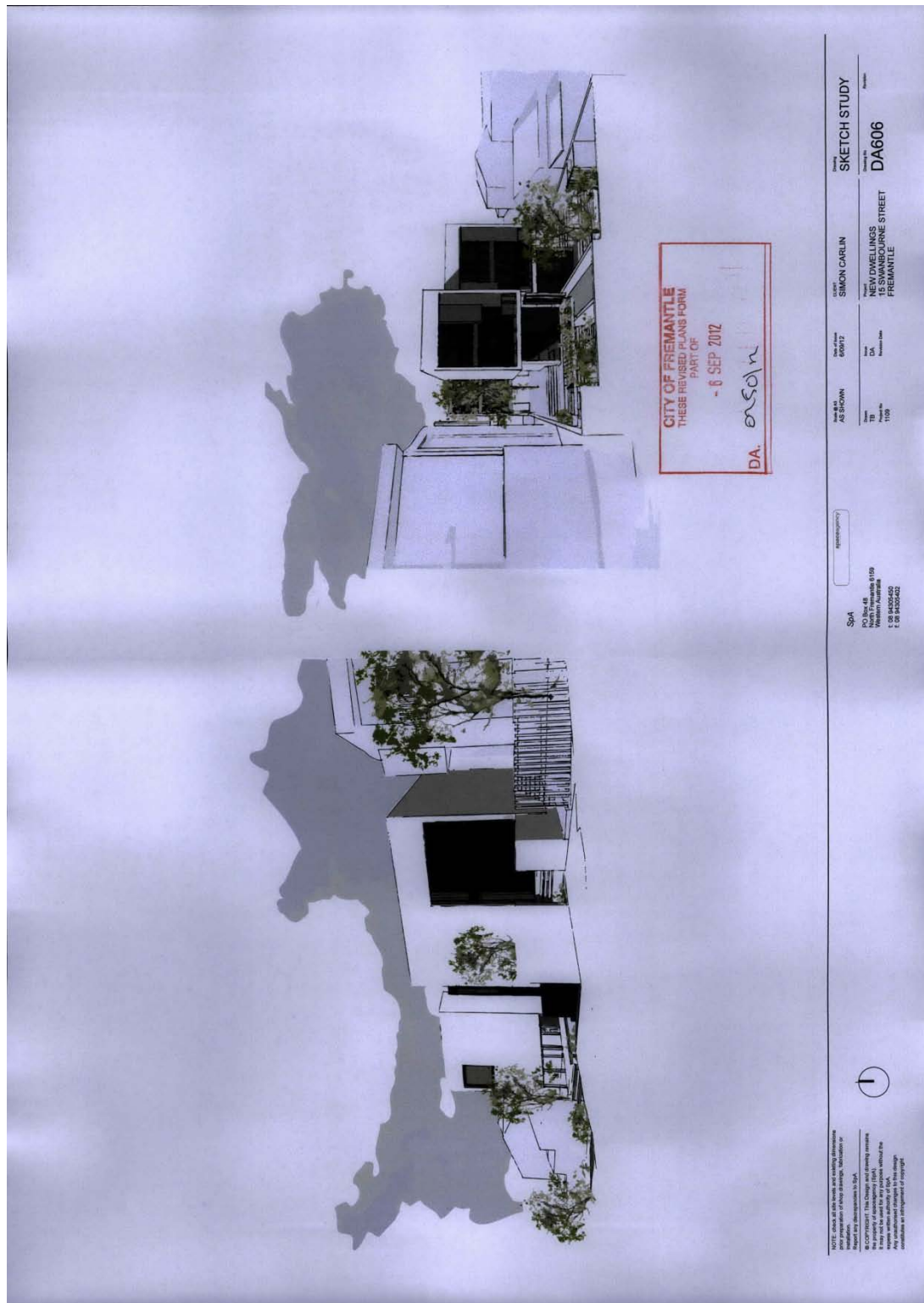


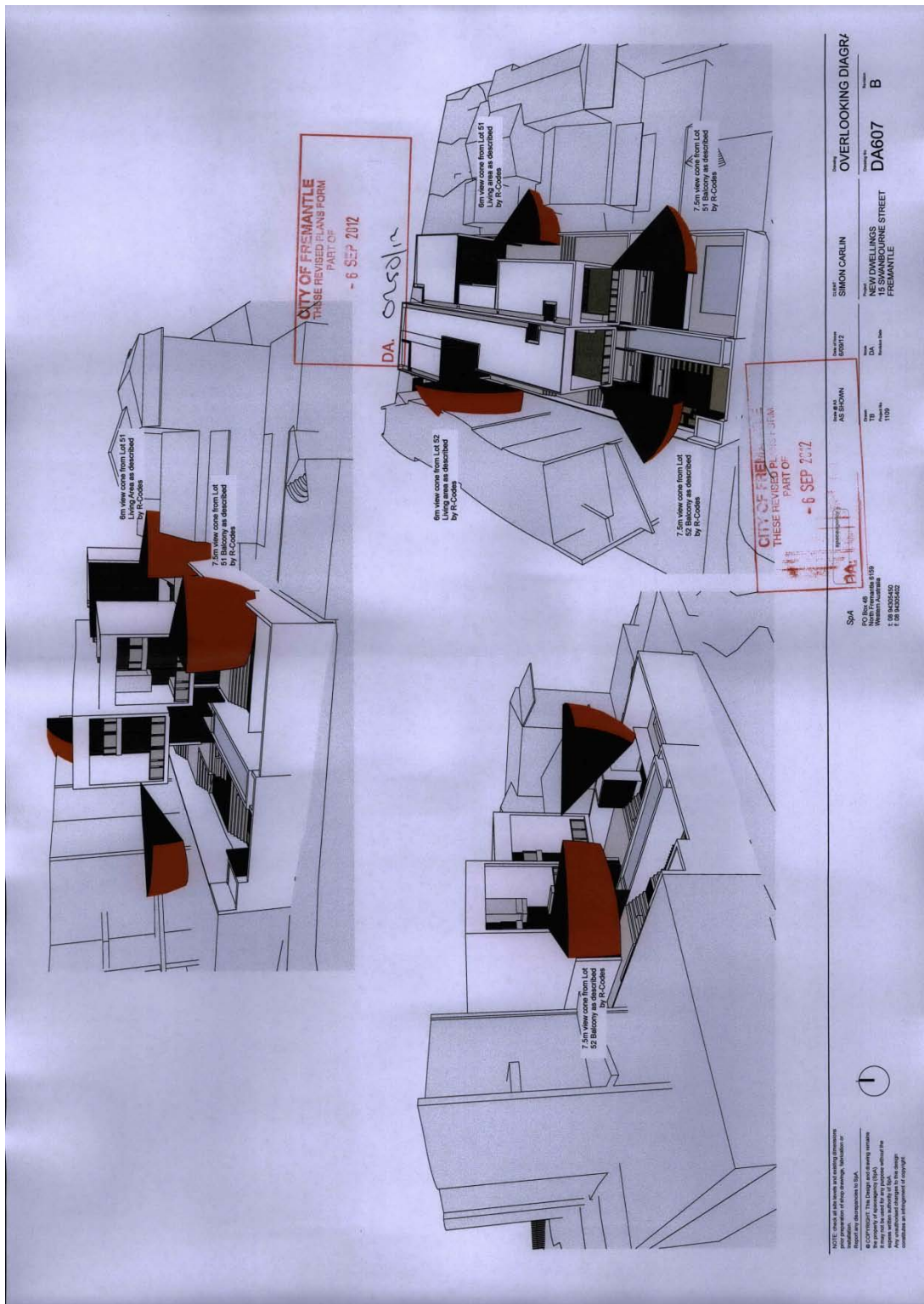




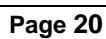








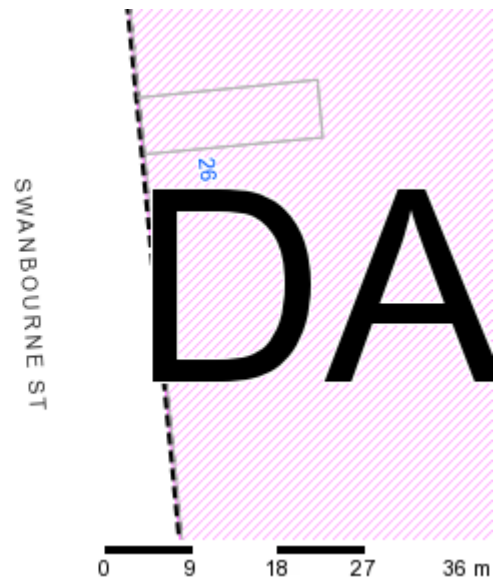
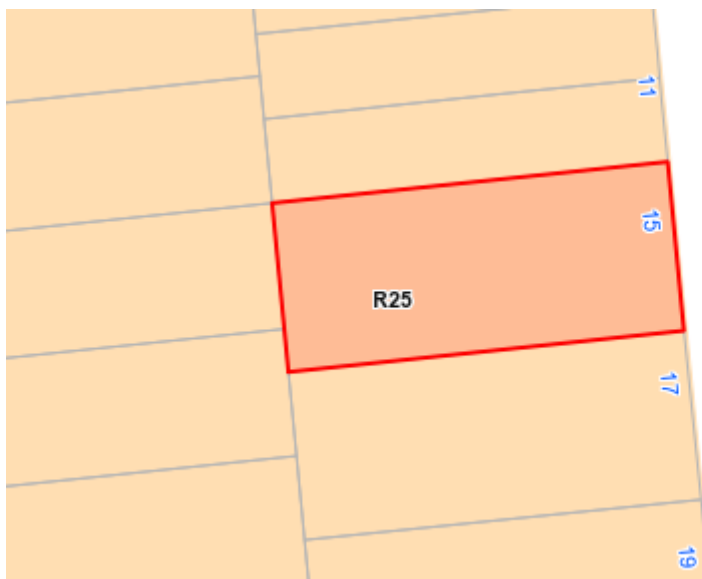




ATTACHMENT 2

TITLE Swanbourne Street No.15 (Lot 30), Fremantle Two, three storey
Grouped Dwellings (MS DA0250/12)

Disclosure of Interest: Nil
Meeting Date: 15 August 2012
Responsible Officer: Manager Statutory Planning
Actioning Officer: Planning Officer
Decision Making Level: Planning Services Committee
Previous Item Number/s: Nil
Attachment: Development Plans
Date Received: 5 June 2012
Owner Name: Simon Brooke Carlin
Submitted by: Space Agency
Scheme: Residential R25
Heritage Listing: Nil
Existing Landuse: Single House
Use Class: Grouped Dwellings (Proposed)
Use Permissibility: 'D'



EXECUTIVE SUMMARY

The application is presented to the Planning Services Committee given objections have been received that cannot be addressed by conditions of planning approval.

The proposal is comprised of two, three storey Grouped Dwellings proposed to be constructed at No.15 Swanbourne Street, Fremantle. The applicant is pursuing an exercise of discretion in relation to the Acceptable Development standards of the Residential Design Codes (R-Codes) pertaining to:

- Buildings Setback from Boundary;
- Building Height;
- Visual Privacy; and
- Solar access for Adjoining Sites.

It is noted in assessing the proposal that the narrow, east west aligned lot which is constrained by a northern adjoining dwelling which overshadows the most part of the subject site, provides difficult circumstances in developing a proposal for the site. Additionally, it is to be recognised that such circumstances provide a predisposition to a high level overshadowing. Notwithstanding, the height of the proposal in combination with the floor area attributed to the third floor will result in restricted access to northern light for the southern adjoining property, therefore contributing to a detrimental impact on the amenity of the southern adjoining property.

Accordingly the proposal is recommended for refusal.

BACKGROUND

On the 22 March 2006, the Council approved an application for a 'three storey dwelling' located at No.11B Swanbourne Street Fremantle (Northern Adjoining Site) that incorporated fill between 1-1.5m and a building with an overall building height between 8-11.5m.

On the 24 June 2012, the City received an application for the demolition of the existing Single House located on site, site works (excavation and fill) and 'in principle' approval for indicative building envelopes for two, three story Grouped Dwellings (Refer DA0297/11). The purpose for the proposed building envelopes was to ameliorate the differentiation in scale along Swanbourne Street, namely the substantial difference in height between the dwellings at No.11 and No.17 Swanbourne Street.

The proposal was referred to the Planning Services Committee (PSC) meeting on the 23 November 2011 with a recommendation for approval, subject to the deletion of the indicative building envelope.

At its meeting on 23 November 2011, Council resolved to defer the application to the 7 December PSC meeting to "allow officers time to consider pending legal advice".

On 2 December 2011 legal advice was provided the City in order to address the above reason for deferral. In summary, the legal advice indicated that the City did not have the legal capacity to grant planning approval for an indicative building envelope, however approval could be granted to the demolition of the existing dwelling and site works.

On this basis, given the City's incapability of entertaining an indicative building envelope, the condition was retained removing this component of the proposal. Accordingly planning approval was granted for the proposed demolition and site works.

DETAIL

On the 5 June 2012 the City received an application for Planning Approval for two, three storey Grouped Dwellings located at No.15 Swanbourne Street, Fremantle.

Specifically the proposal is comprised of two grouped dwellings with a predominantly symmetrical design, comprising of a common boundary wall transecting the centre of the site, with the individual dwellings extending to the north (Lot 52) and south (Lot 51).

Following the conclusion of advertising period, amended plans were requesting in order to address concerns associated with the number of discretionary decision sought from the applicant and to address a number of issues raised with the provided development plans.

As a result, amended development plans and justification were submitted to the City on the 26 July 2012.

The development plans and accompanying information are enclosed as an attachment to this report (Attachment 1).

STATUTORY AND POLICY ASSESSMENT

Residential Design Codes

The applicant is pursuing the following discretionary decisions from the Acceptable Development criteria of the Residential Design Codes:

- Buildings Setback from Boundary;
- Building Height;
- Visual Privacy
- Solar Access for adjoining sites.

The variations to the acceptable development criteria of the R-Codes will be discussed further in Planning Comment section of this report.

CONSULTATION

Community

The application was required to be advertised in accordance with Clause 9.4 of the LPS4 and L.P.P1.3 *Public Notification of Planning Proposals*. At the conclusion of the advertising period, being 3 July 2012, the City had received four submissions which raised the following concerns:

- Inconsistency with the R-Codes requirements relating to Surveillance of the Street, Street walls and fences, Sightlines at vehicle access points and street corners, Buildings setback from the boundary, Setback of retaining walls, Design of parking spaces, Excavation or fill, Building Height, Visual Privacy.
- Inconsistency with the objectives of the City's Local Planning Policy L.P.P2.4 *Boundary Walls in Residential Development* and *D.B.H1 Urban Design & Streetscape Guidelines*;
- Similarity to the previously determined application in terms of the extent to which discretion is sought and the potential to impact on the amenity of the adjoining properties;
- Alterations to the existing ground level;
- Scale of the proposal (three storey development);
- Accuracy of contours provided on the development plans;
- Accuracy of the depiction of natural ground level on the proposed development plans;
- Bulk and scale associated with the proposed northern boundary wall.

The applicant's response to the above comments is enclosed accompanying the amended development plans as an attachment to this report (Attachment 1).

PLANNING COMMENT

Buildings Setback from Boundary

Elevation	Required	Provided	Discretion
South			
Lounge (First Floor)	1.2m	1m	0.2m
Bedroom 1 & 2 (Second Floor)	1.5m	1m	0.5m
North			
Lounge (First Floor)	1.2m	1m	0.2m
Bed 1 (Second Floor)	1.4m	1m	0.4m

The above discretionary decisions are supported for the following reasons:

- The proposed northern boundary setback is not anticipated to restrict direct sun and ventilation to the proposed dwelling, as well as the dwelling on the northern adjoining site;
- The proposed northern setback is not anticipated to significantly impact on the amenity of the adjoining property given the difference in site levels between the sites, and the proximity and scale of the existing northern dwelling. Additionally, it was indicated by the northern adjoining property that a one metre setback could be tolerated;
- The proposed setbacks are not anticipated to limit ventilation to the subject site nor the southern adjoining property.
- Whilst it is acknowledged the combination of the east west orientation of the subject site, along with the narrow cadastral dimensions makes maintaining access to sunlight difficult to address in this circumstance, the extensive height of the proposal in combination with the floor area attributed to the third floor will result in restricted access to northern light for the southern adjoining property. Notwithstanding, it is noted that the area adjacent to the discretionary component of the southern elevation is comprised of a garage, and therefore will not be as detrimentally impacted compared to a circumstance where the area is used for habitable purposes.

On this basis, it is considered that the proposal meets the Performance Criteria of the R-Codes.

Building Height

	Maximum Permitted	Provided	Discretion
External Wall Height	7m	Lot 52 10.2m (at highest point)	3.2m
		Lot 51 10.7m (at highest point)	3.7m
Roof Height	9m	Lot 52 10.2m (at highest point)	1.2m
		Lot 51 10.7m (at highest point)	1.7m

The above discretionary decisions are not supported for the following reasons:

- The discretions sought are significant;
- The main outdoor living area of the southern adjoining property located to the eastern side of the dwelling is anticipated to be partially overshadowed by the proposed dwelling.
- The increased height of southern most proposed dwelling is considered to have an adverse impact on the amenity of the adjoining southern property in terms of excessive building bulk.

It is worth noting that in this circumstance, there are examples of buildings depicting a height greater than that proposed immediately adjacent to the subject site. Accordingly, the applicant has attributed the increased height to creating a graduation in scale between the northern and southern adjoining properties, which are substantially different in terms of scale and presentation to the street. It is considered that on this basis, the proposal has some merit in mitigating the effect of a number of anomalies within the streetscape.

While the height of the proposal will restrict access to northern sunlight for the southern adjoining property, it is noted however that the extent has been limited where possible by the applicant in containing shadow to the roof space of the southern adjoining site and the northern elevation of the southern adjoining property which does not contain any north facing major openings.

Visual Privacy

Lot 52			
Elevation	Required provision	Proposed	Discretion
West (Balcony)	7.5m	5.4m	2.1m
West (Lounge)	6m	1.8m	4.2m
West (Bedroom)	4.5m	1.8m	2.7m
Lot 51			
Elevation	Required provision	Proposed	Discretion
West (Balcony)	7.5m	5.4m	2.1m
West (Lounge)	6m	1.8m	4.2m

It is considered that projected cone of vision from the major openings located on the western elevation may contribute to a detrimental impact on adjoining properties; however it is considered that measures could easily be put in place in order to mitigate any visual privacy concerns. Accordingly, should the proposal be approved, a condition would be recommended for inclusion requiring the above components of the design to be treated so as to comply with the Acceptable Development Criteria of Design Element 6.8.1 of the R-Codes.

Solar Access for adjoining sites

	Maximum Permitted	Provided	Discretion
Shadow Cast (as per R25)	25%	51%	26%

The above discretionary decisions are not supported for the following reasons:

- The discretion sought is significant;
- It is considered that whilst the majority of the proposed shadow will have a limited impact on the southern adjoining property based on the area impacted being comprised of roof space and the northern elevation not containing any north facing major openings, the main outdoor living area will be partially overshadowed by the proposed dwelling.

As previously discussed, it is considered that the accumulated effect of the proposed building height and reduced setback has lead to a substantial exercise of discretion being sought for overshadowing.

It is to be noted that the Explanatory Guidelines of the R-Codes have acknowledged the difficulty in prescribing a maximum permitted shadow percentage over all residential development within the State, due to conditions varying from one situation to another. Furthermore, it should be noted that the overshadowing is calculated based on the maximum shadow cast at the winter solstice. Given the narrow, east west lined lots constrained by a northern adjoining dwelling which overshadows the most part of the subject site, it is to be recognised that such circumstances provide a predisposition to a high level overshadowing.

CONCLUSION

The key consideration in entertaining this proposal is in relation to the performance based assessments sought for the following Design Elements of the R-Codes:

- a) Building Height;
- b) Solar Access for Adjoining Sites.

For the reasons outlined within the 'Planning Comment' section above, it is considered that the proposal does not meet the relevant 'Performance Criteria' of the R-Codes, and on this basis should not be supported.

Accordingly, the application is recommended for refusal.

OFFICER'S RECOMMENDATION

MOVED: Cr A Sullivan

That the application be REFUSED under the Metropolitan Region Scheme and Local Planning Scheme No. 4 for the two, three storey grouped Dwellings at No.15 (Lot 30) Swanbourne Street, Fremantle, for the following reason:

1. Discretionary decisions sought from the Acceptable Development standards of the Residential Design Codes which do not meet the relevant Performance Criteria and will have a significant amenity impact relating to:
 - a) Building Height;
 - b) Solar Access for Adjoining Sites.

LOST: 2/4

For	Against
Cr Rachel Pemberton Cr Josh Wilson	Cr Robert Fittock Cr Ingrid Waltham Cr Bill Massie Cr Andrew Sullivan

COMMITTEE DECISION

MOVED: Cr A Sullivan

Cr Andrew Sullivan requested that the officers prepare an alternative recommendation for Approval for consideration at the Ordinary Council Meeting on 22 August 2012.

CARRIED: 4/2

For	Against
Cr Robert Fittock Cr Ingrid Waltham Cr Bill Massie Cr Andrew Sullivan	Cr Rachel Pemberton Cr Josh Wilson

ALTERNATIVE COMMITTEE RECOMMENDATION

MOVED: Cr A Sullivan

That the application be APPROVED under the Metropolitan Region Scheme and Local Planning Scheme No. 4 for the two, three storey grouped dwellings at No.15 (Lot 30) Swanbourne Street, Fremantle, subject to the following conditions:

- 1. This approval relates only to the development as indicated on the approved plans, dated 26 July 2012. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.**
- 2. All storm water discharge shall be contained and disposed of on-site.**
- 3. Prior to occupation, the west facing balcony and the west facing lounge room windows to proposed Lot 52 shall be either:**
 - a) fixed obscured or translucent glass to a height of 1.60 metres above floor level, or**
 - b) fixed with vertical screening, with openings not wider than 5cm and with a maximum of 20% perforated surface area, to a minimum height of 1.60 metres above the floor level, or**
 - c) a minimum sill height of 1.60 metres as determined from the internal floor level, or**
 - d) screened by an alternative method to the satisfaction of the Chief Executive Officer, City of Fremantle,**

in accordance with Clause 6.8.1 A1 of the Residential Design Codes and thereafter maintained to the satisfaction of Chief Executive Officer, City of Fremantle.

- 4. Prior to occupation, the west facing balcony, west facing lounge room and west facing bedroom windows to proposed Lot 51 shall be either:**
 - a) fixed obscured or translucent glass to a height of 1.60 metres above floor level, or**
 - b) fixed with vertical screening, with openings not wider than 5cm and with a maximum of 20% perforated surface area, to a minimum height of 1.60 metres above the floor level, or**
 - c) a minimum sill height of 1.60 metres as determined from the internal floor level, or**
 - d) screened by an alternative method to the satisfaction of the Chief Executive Officer, City of Fremantle,**

in accordance with Clause 6.8.1 A1 of the Residential Design Codes and thereafter maintained to the satisfaction of Chief Executive Officer, City of Fremantle.

5. Prior to occupation, the boundary walls located on the northern and southern boundaries shall be of a clean finish in sand render or face brick, to the satisfaction of the Chief Executive Officer, City of Fremantle.

SECONDED: Cr T Grey-Smith

Mayor, Brad Pettitt MOVED to defer the item to the next Planning Services Committee meeting with delegated authority to determine the application so as to resolve the following issues:

- Points 3 & 4 - overlooking to the west;
- Graduated height on southern side

MOVED: Mayor, Brad Pettitt

To defer the item to the next Planning Services Committee meeting with delegated authority to determine the application so as to resolve the following issues:

- overlooking to the west;
- graduated height especially on the south western side

SECONDED: Cr A Sullivan

CARRIED: 9/3

For	Against
Mayor, Brad Pettitt Cr David Hume Cr Rachel Pemberton Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Andrew Sullivan Cr Tim Grey-Smith	Cr Jon Strachan Cr Robert Fittock Cr Dave Coggin

REASON FOR CHANGE TO ALTERNATIVE OFFICER'S RECOMMENDATION


The question of height can be dealt with creatively and tapered down to match the hill - we can still get the great design outcomes and providing the scope to taper the height.

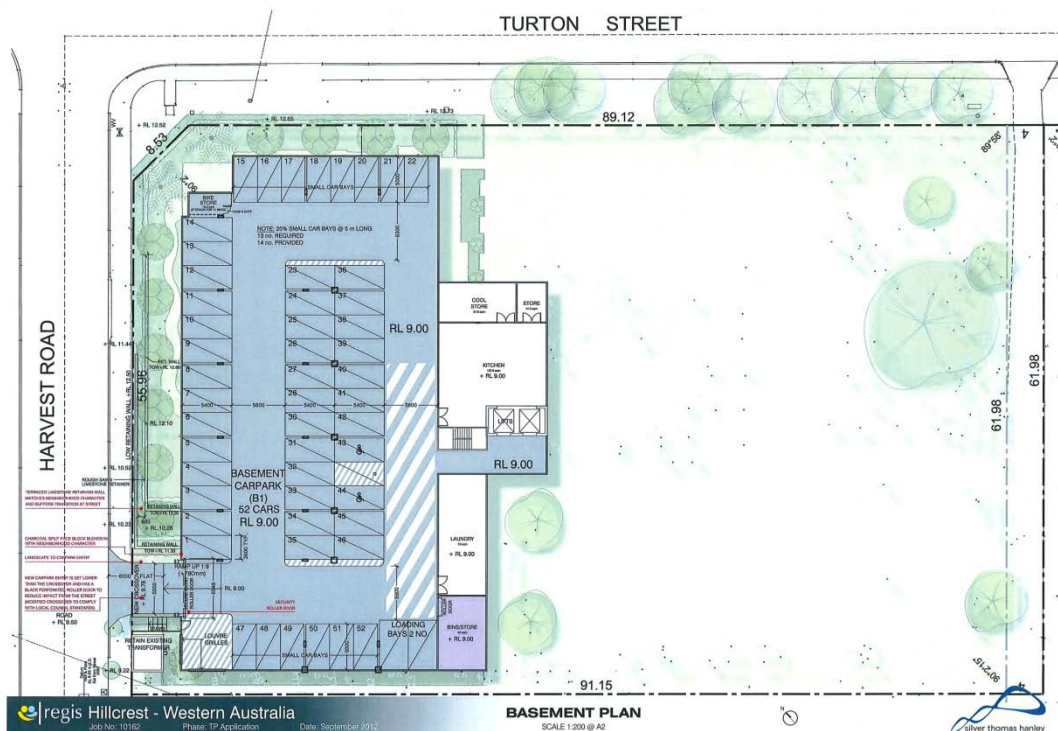
**PSC1210-158 HARVEST ROAD NO.23 (LOT 7 & 427), NORTH FREMANTLE -
REDEVELOPMENT OF AN EXISTING RESIDENTIAL BUILDING
(NURSING HOME) (JL DAP0001/12)**

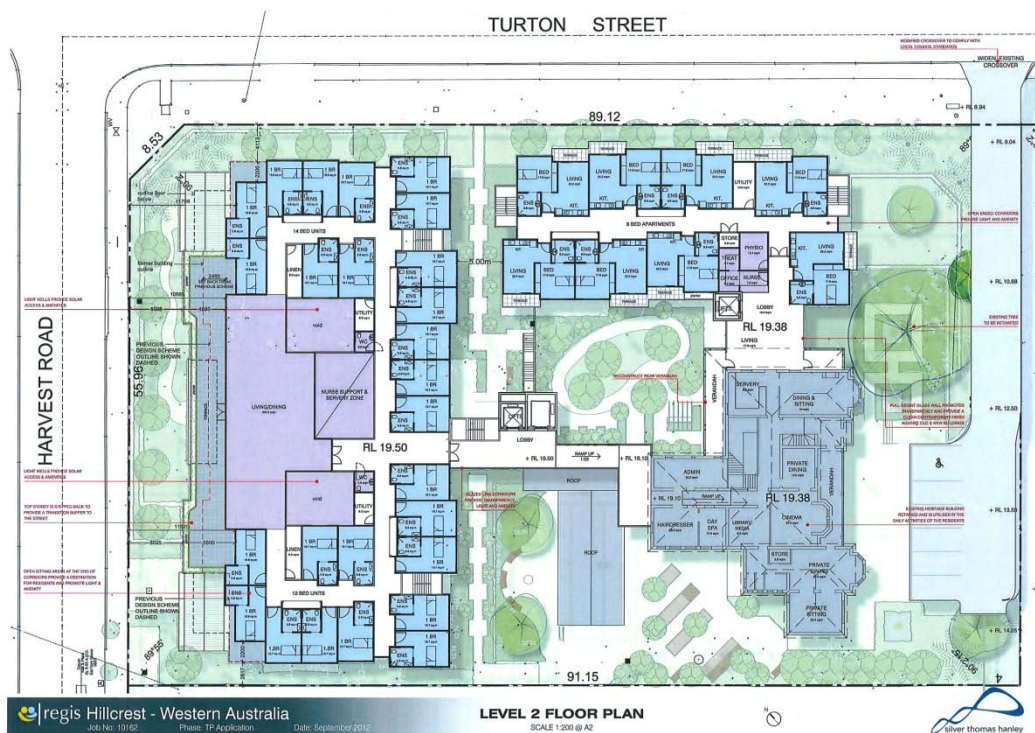
ATTACHMENT 1

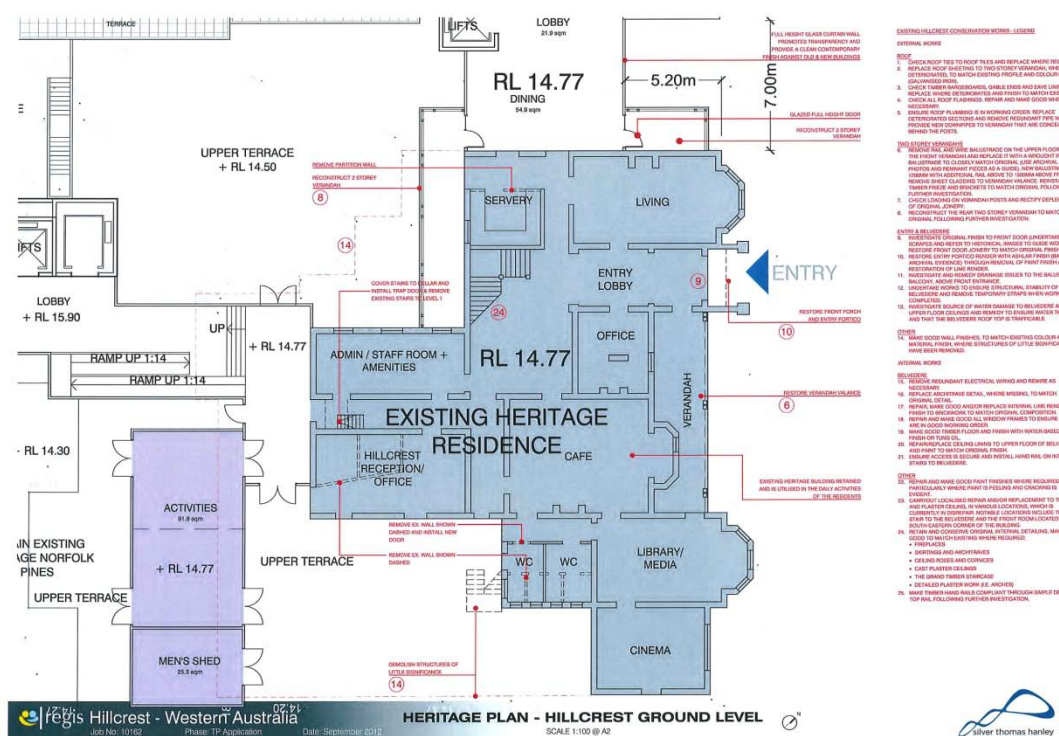
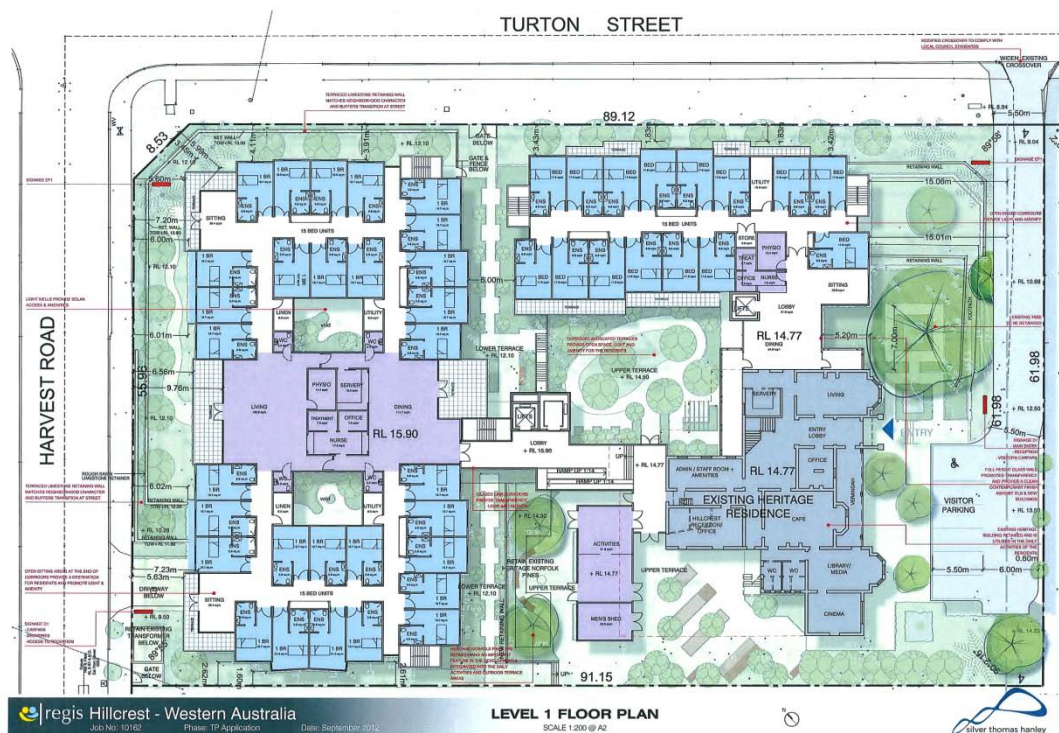


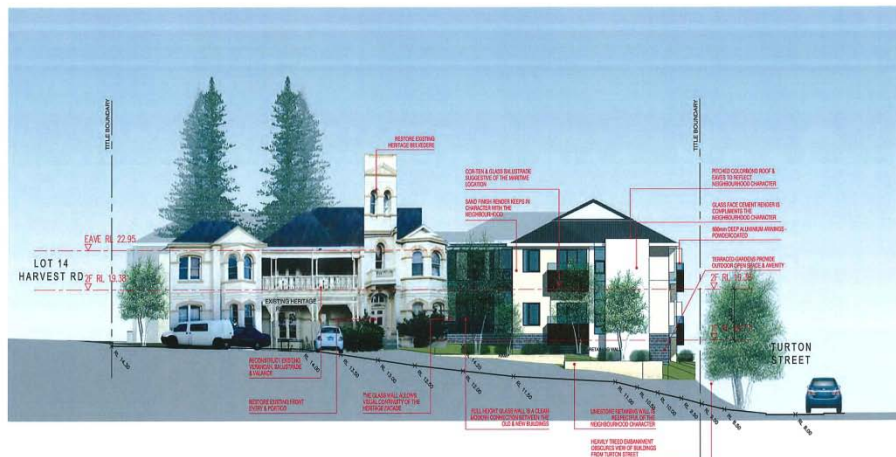
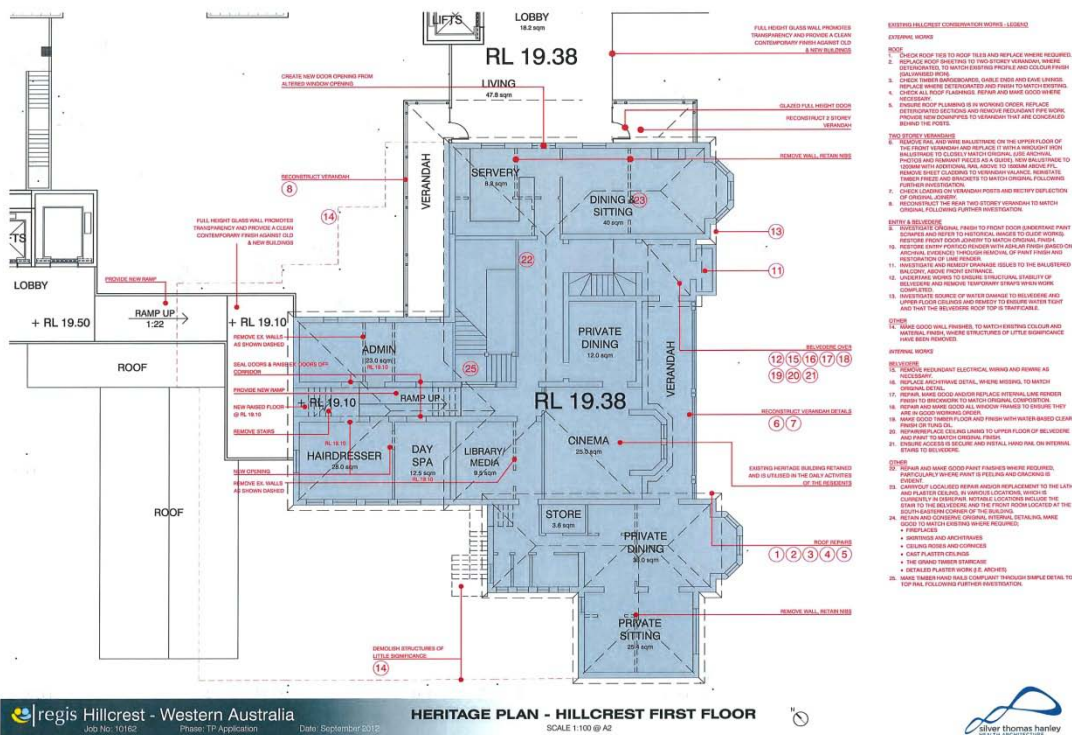
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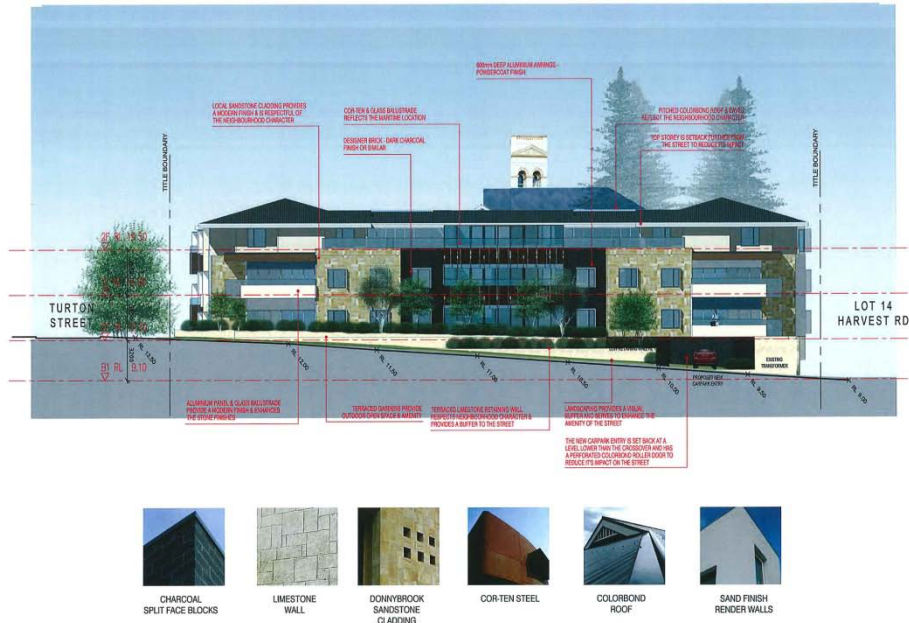
AREA SUMMARY	
23 BED RESIDENCE	
GROUND FLOOR	750 m ²
FIRST FLOOR	745 m ²
(Total Floor Area -	1495 m ²)
86 BED RESIDENCE	
BASEMENT	1695 m ²
GROUND FLOOR	1720 m ²
FIRST FLOOR	1650 m ²
SECOND FLOOR	1545 m ²
(Total Floor Area -	6810 m ²)
NEW BUILDING AREA -	
EXISTING BUILDING AREA -	8305 m ²
TOTAL BUILDING AREA -	840 m ²
	9145 m ²
CARPARKING - 53 CARBAYS	
 NEW 100 BED EXTENSION  EXISTING HERITAGE RESIDENCE	











regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

NORTH ELEVATION (HARVEST ROAD)
SCALE 1:200 @ A2



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

EAST ELEVATION (TURTON STREET)
SCALE 1:200 @ A2



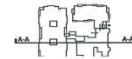
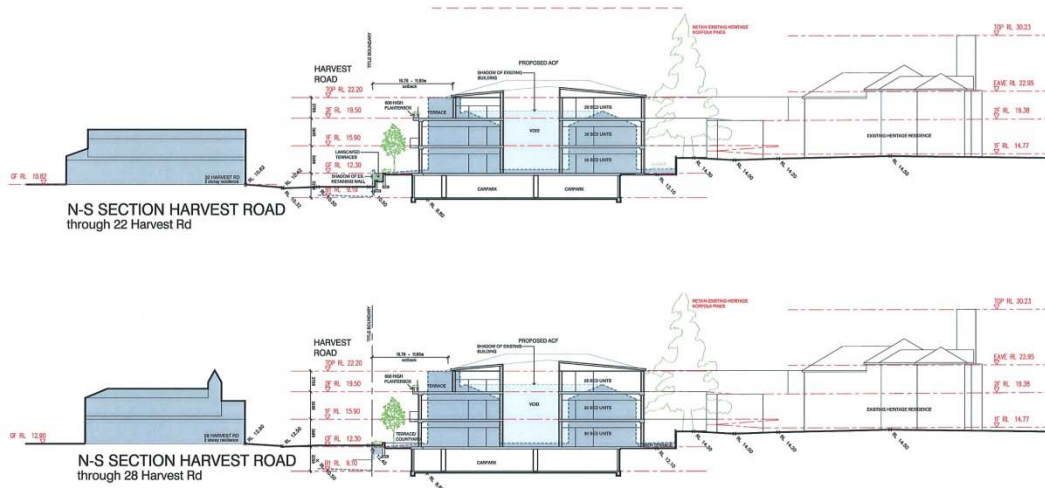


WEST ELEVATION
SCALE 1:200 @ A2



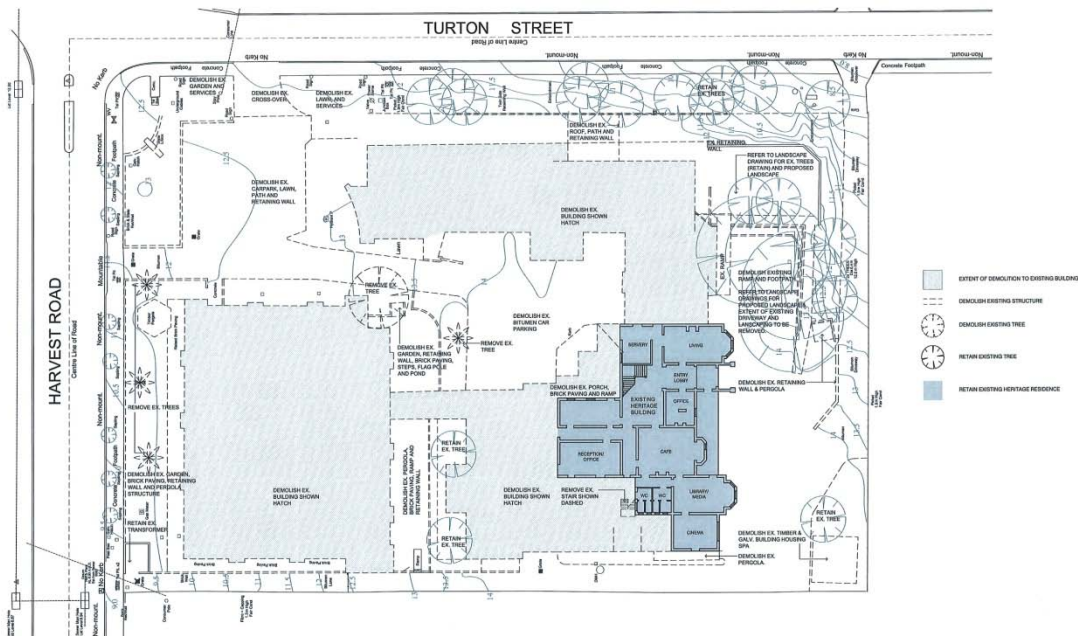
SECTION
SCALE 1:200 @ A2





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Job No: 10162 Phase: TP Application Date: September 2012

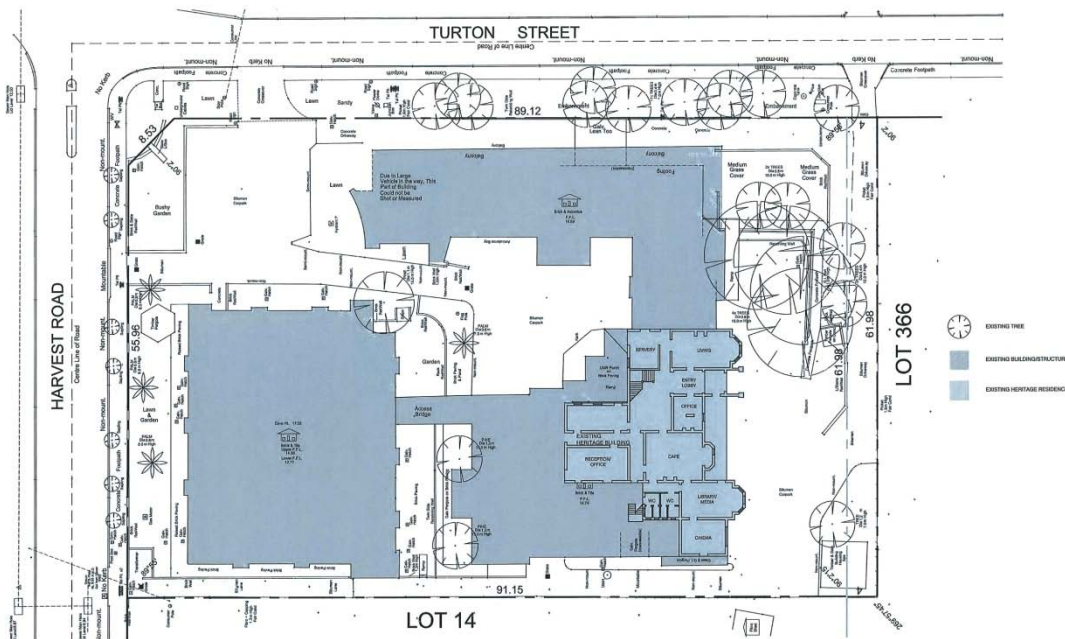
SECTION
SCALE 1:200 @ A2



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

DEMOLITION PLAN
SCALE 1:250 @ A2





ATTACHMENT 3

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
1	Objection based on the design of the proposed development	Council should not waste the redevelopment opportunity to argue for a decent window for the heritage building to again address and contribute to the Harvest Road streetscape.	Noted. A Heritage Assessment was undertaken for the proposal. See Heritage comments in report.	Not applicable – Heritage support the development in terms of use and restoration works. No further action required.
		The multiple setback and bulk/scale relaxations may be acceptable if the buildings were split to give the tower context rather than looking like a pimple on a pumpkin pie.	Noted. Applicant has amended the plans several times in order to provide a variation of setbacks.	Application not being supported
2	Support based on use and heritage elements of the proposed development	Submitter approves of the redevelopment of 23 Harvest Road, North Fremantle, with the maintained use as a senior citizens residence and hospice.	Noted	Not applicable.
		Submitter supports this proposal in its current form including the preservation of the heritage-listed building and trees, the basement car park facilities and the complimentary height, scale and design of built form	Noted.	Not applicable.
		Recommends condition be included on the car park ('eyes on the	Noted – Development plans indicate	Not applicable.

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		street' is insufficient surveillance for the proposed car park). Propose a condition for security gates and an intercom for visitor's entry. Harvest Road has ongoing serious issues relating to theft, drug dealing and antisocial behaviour. Not having security on the carpark is a serious oversight.	security door to be fitted to the proposed basement car park area. Objection Addressed.	
3	Objection based on view and height elements of the proposed development	<p>When submitter applied to build a car port the initial application was rejected as it interfered with a line of site down Turton Street towards the river.</p> <p>Submitter states : The Fremantle Council informed me there was a by-law in place in North Fremantle that protected views and I needed to shift the car port back towards my house, which I did. The proposed Hillcrest development will block my view down Turton Street and surely breaches the same by-law.</p> <p>Submitter's front garden is the only private open space available on submitter's property. The new development, being three stories high on the Harvest Road</p>	<p>Noted – See Council report for discussion relating to Design and Building Height.</p> <p>Noted. There is no such by-law relating to the protection of views.</p>	Application not being supported

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		frontage, will look straight into my garden, removing any privacy. Essentially any time I am in the garden I would be looking up at a sea of windows looking my way. Both of the above issues could be resolved by setting the 2nd and 3rd stories of the building further back to maintain sight lines down Turton Street and maintain privacy for houses on the opposite side of the street. I don't necessarily disagree with Hillcrest being redeveloped given its dilapidated state though I get the overriding feeling the developer has submitted the worst possible scenario to see what compromise they can get away with.		
4	Objection based on the noise, traffic and height elements of the proposed development	Noise and traffic to the 'centre' are a current concern – especially delivery trucks at very early hours of the morning. Council tells me they have no authority to limit the delivery times which wake neighbours. I object to more noise and traffic without provision for Council to have some control i.e. Restrict trucks and	Noted. See Council Report for discussion on Technical Service's Review relating to traffic. It should also be noted that road traffic noise is exempt from the Noise Regulations.	Not applicable - Technical Service's support the development. Therefore no further action required.

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No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		traffic from entry and exist/use or roads other than lower part of Harvest Road. Harvest Road is already using traffic calming. This needs to continue. Noise reduction in underground area building.		
		Height on Turton and Harvest is excessive – needs to be lower or further from the street	Agreed. See Council Report for discussion on Building Height.	Application not being supported
		Stone (Donybrook) out of keeping with limestone houses in the area	Noted. Such elements as external material finishes to development are beyond the control the provisions of LPS4.	Not applicable.
		All pine trees should be kept	Noted.	Not applicable.
5	Objection based on the scale, setback, materials, built form and heritage elements of the proposed development	SCALE The development, at approximately double the height of the existing blocks, is grossly out of scale with the local built environment. It should be restricted to a height comparable to the original.	Agreed. See Council Report for discussion on Building Height.	Application not being supported
		SETBACK The blocks should be set back from the street sufficiently to permit perimeter plantings to soften the impact and provide a more domestic setting.	Agreed. See Council Report for discussion on Design and Building Height.	Application not being supported

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		MATERIALS Building materials should be consistent with the ruling materials of the local environment: brick, limestone and timber.	Noted. See Council Report for discussion on Design and Building Height. But Materials also aren't specifically mentioned in the report and beyond the control of LPS4 in this instance.	Application not being supported
		BUILT FORM Without mimicking the local housing styles or that of Hillcrest, the built form should be respectful of the local environment and not present a harsh contrast to it.	Noted. See Council Report for discussion on Design and Building Height.	Application not being supported
		HERITAGE The proposal conserves the original Hillcrest but in its present form effectively envelopes it, concealing it from street view. The objective here should be to improve on the existing situation where old Hillcrest is poorly visible. A reduction in the scale of the buildings will remedy this in part, but consideration should be given to providing view lines to the old building, particularly from the Rule/Harvest/Turton intersection and from the south.	Agreed. See Council Report for discussion on Building Height and Heritage.	Application not being supported
6	Objection	Submitter recognises	Agreed. See	Application not

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
	scale and height elements of the proposed development	<p>the need for quality aged care and the need to upgrade Hillcrest facilities. However, submitter shocked by the scale of the proposal:</p> <ul style="list-style-type: none"> • A building almost twice as high as the current height limit of 5.5 m in this area • A building which will tower over the road and footpaths on Harvest and Turton • A structure which will cover much of the site and which will present a monumental facade to both streets, particularly on Turton where the setback from the property line is less than 2 m. • In no way does this proposed building fit in with the streetscape of the area –the architectural style and building mass are way out of scale to any other buildings on Harvest and Turton. • The sheer scale of the building will leave the residents feeling more isolated. • This is not just a replacement facility, but proposes a significant increase (between 25 and 	Council Report for discussion on Design and Building Height.	being supported

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		30%) in the number of rooms and number of residents.		
		Loss of trees and other greenery on the site will leave the residents exposed and the building starkly exposed.	Noted. Loss of trees on private land is permitted development under LPS4.	Not applicable.
		This new construction presents an opportunity to put all power lines facing the proposed facility on Harvest and Turton underground - which has just been done at the site for a new office building at the corner of Tydman Road and Queen Victoria Street in North Fremantle. Thank you for the opportunity to express my views regarding this proposed development on the Hillcrest Residence site.	Noted. This aspect of the development is not a planning consideration. The development will need its own separate services to the subject site, adequate to service the development. This may include upgrades to the current infrastructure. The need for such infrastructure upgrades will be the subject of consideration by a separate body.	Not applicable.
7	Objection based on the height, scale and streetscape elements of the proposed development	Submitter concerned the proposed development will materially impact the aspect, value and quiet enjoyment of the submitter's property	Noted.	Not applicable.
		The proposed structure is too close to Harvest Road as it is on the boundary and submitter feels they would lose their privacy	Noted. See Council Report for discussion on Design and Building Height	Application not being supported

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		in a significant way		
		The development would remove the line of sight down Turton Street which breaches a local bylaw	Noted. There is no such by-law relating to the protection of views.	Not applicable.
		The height of the building, so close to the road, is not in keeping with the neighbourhood	Agreed. See section of report on building Height.	Application not being supported
8	Objection with comments on process, height and scale and the quality of aged care of the development	Submitter concerned with the quality of the electronically sent plans. Requests Council consider a display at the North Freo Bowling Club, during the comment period	Noted. Plans were made available at the City of Fremantle Service and Information Counter and electronically upon request. See Council report discussion on Consultation. Furthermore as mentioned in the report a Community Information session was undertaken by the City regarding the proposal on 21 August 2012.	Not applicable.
		Submitter did not receive notification of the public briefing of the development, instead received an invitation to the July 5 "Hillcrest Aged Care Open Day". Submitter wishes Regis had, in the same mail out, put as much effort, money and planning into	Noted - Council report discussion on Consultation.	Not applicable.

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		ensuring all local residents knew of the proposed development.		
		Submitter is concerned with the massive 'bulk and scale' redevelopment on a prominent hilltop heritage site in our suburb.	Agreed. See Council Report for discussion on Building Height.	Application not being supported
		The submitter is concerned that without even entering the property, the heritage building is hidden behind what looks like rows of wards, buildings which look poorly constructed and maintained, particularly from Turton Street. The south-facing enclosed veranda looks makeshift.	Noted. A Heritage Assessment was undertaken for the proposal. See Heritage comments in report.	Heritage department support the proposed verandah restoration works. See Council report for discussion relating to Internal Heritage Assessment section.
		Media currently reporting on aged care and its abuse of Federal funding: " <i>Federal Government funding is being used to service the profits of aged care providers rather than the care of their residents</i> " The SIZE of the redevelopment reeks of maximising profit, with no evidence or assurance of commensurate quality of care. Submitter only opposes the current plans, and supports the North	Agreed to comments relating to size of the development. See Council Report for discussion on Design and Building Height.	Not applicable.

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		Fremantle Community Associations' more human-scale proposals. More aged care in accessible locations is definitely needed, but maximising the built environment to house more residents is no guarantee of quality of care.		
9	Objection based on the parking, and height elements of the proposed development	Submitter concerned about the security of the underground parking. Submitter would like to see a secure parking facility with intercom and security tags to get in and out of the underground. There is already a problem of antisocial behaviour within the area, including drug use, home invasion and the underground parking area is another place for this to occur. Although there are balconies and windows overlooking this driveway, the elderly would be in bed early and would not see anything after 7pm. The 'eyes on the street' would be limited.	Noted. See Council Report for discussion on Technical Service's Review. The proposed development plans show the car parking area to be fitted with security gating to Harvest Road. Concern addressed.	Not applicable.
		Submitter very concerned at the height and building bulk on both Turton and Harvest Roads. Being a R25 zone the proposal	Agreed. See Council Report for discussion on Design and Building Height.	Application not being supported

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		does not lend to the residential area. Building bulk to the street and 3 Storeys makes it a huge building. Submitter asks for bigger setbacks for the second and third storey.		
		Submitter concerned with privacy.	Development complies with visual privacy requirements of the R-Codes.	Not applicable.
10	Objection with comments on process, height and scale and the quality of aged care of the development	<p>Bulk and Scale</p> <p>The proposed development is in a streetscape of predominantly small scale turn of the century limestone, brick or timber cottages, some with double storey renovations behind the ridge line. As such this development will be overwhelming in bulk and scale. The height could be reduced and setbacks increased.</p> <p>The proposal presents a wall of development on both street frontages. On Harvest Road the development is overwhelming and has completely obscured the heritage building. It would improve the development if there was a vista through to the old building from Harvest Road and this</p>	Agreed. See Council Report for discussion on Design and Building Height.	Application not being supported

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		would break up the walling effect on Harvest Road		
		Materials are not those of the local area, window scale and proportion does not relate, design could be more in context.	Agreed to the comments relating to scale. See Council Report for discussion on Design	Application not being supported
		Social Somewhere near the corner of Harvest and Turton is a great place for the elderly to see the life on the street, particularly children and their parents walking to and from the school. It would be good to see a small ground floor sitting area outside near that corner. Submitter's experience is that these kind of spaces are preferred by many to the more isolated internal spaces.	Noted. However such design requirements are beyond the scope of the provisions of LPS4.	Not applicable.
		Landscaping General North Fremantle Streets are planted with Eucalypt trees of various types. Turton Street verge is planted more specifically with local native trees and shrubs, as is much of the North Fremantle School site. There should be more use of local native plants in the perimeter plantings	Noted. If the application was to be recommended for approval a relevant condition of planning approval in relation to landscaping requirements could be imposed.	Not applicable.

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No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		<p>on Harvest and Turton Streets, rather than the exotic species specified in the plan. This would soften the buildings and relate them more to the character of the suburb.</p> <p>Turton Street There is more opportunity to soften the facade on Turton Street than Harvest Road because there is a Council verge that can have additional trees planted. Any new crossovers or paths into the development from Turton Street should not remove any of the native trees planted on the verge. These should be protected during construction, and additional plantings made after construction.</p> <p>Harvest Road The setback on Harvest Road needs to be great enough to allow substantial plantings of screening vegetation. This should be a requirement of the landscaping and specify local native plants not exotic species. The two Cook Island Pines on the corner of Harvest Road, would be better replaced by local eucalypt trees that will relate to the street</p>		

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No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		<p>plantings on Turton and Harvest Road, and tie the development in to the suburb. On that corner, the relationship to the old buildings and the Norfolk Pines on the other side of the site is distant.</p> <p>Schoolchildren walking up Harvest Road and down Turton Street to school need shade.</p> <p>Sensory Garden</p> <p>An alternative to using artificial turf should be found that provides a porous surface. As a City we should be avoiding the use of this product.</p>		
		<p>Safety</p> <p>Will pedestrians particularly children on Harvest Road be "surprised" by cars emerging unexpectedly from the underground car park as they need to accelerate up to the roadway? Can this be ameliorated?</p>	<p>Noted. See Council Report for discussion on Technical Service's Review.</p>	Not applicable
11	No objection	No objection to the proposal for aged care residences on this site.	Noted.	Not applicable
12	Objection with comments on height, streetscape, elements of the proposed development	<p>Submitter not happy will the Hillcrest Senior Citizens expanding & the proposed building plans to reach 4 stories in height. This will be damaging to my street-</p> <p>Damage-</p>	<p>Noted. See Council Report for discussion on Design and Building Height.</p>	Application not being supported

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		<ul style="list-style-type: none"> • Less sunlight on my property • Damage to the existing beautiful well established trees which face my home and are established on the above lot, which attract birds & wildlife • This will be an ugly building which will reduce the value of my house & street 		
		<ul style="list-style-type: none"> • Increased traffic in area which is a concern with the local school & increase use of the sports grounds near by 	Noted. See Council Report for discussion on Technical Service's Review.	Not applicable.
		<ul style="list-style-type: none"> • Disappointing that the Government would allow such building to go up in an area that has been protected & heritage listed from local councils for so long. 	Noted.	Not applicable.
13	Objection based on the heritage and built form/design elements of the proposed development	In broad terms the planning of the proposed scheme appears to be a vast improvement on the current campus. A respectful treatment of the heritage buildings is given though more recent additions such as the curved 'toodjay stone' wall is not given the same respect. There is a more sensitive engagement with	Noted. See Council Report for discussion on Heritage.	Not applicable.

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No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		Harvest Road, using less severe level changes more closely related to the natural ground levels. The existing substation might have been engaged with better to absorb it into the design. The general landscaping and grounds are much improved, with better use of interstitial spaces. Whilst it will change the scale of urban scale of the neighbourhood, the extra height and elevations are inoffensive.		
		There will be some loss of amenity for adjoining building, in terms of visual engagement with the surrounding neighbourhood. The materials indicated on the elevations as 'Sandstone' and weathering steel WR-350 (aka cor-ten) balustrade is a generous offering to the streetscape. Though I wonder what obligation the developers would have to providing this. It may be the first victim of any required budget cuts. Whilst these offerings are generous and the Architecture is neat	Noted. See Council Report for discussion on Design.	Application not being supported

SCHEDULE OF SUBMISSIONS – NO. 23 HARVEST ROAD, NORTH FREMANTLE				
No.	COMMENT	ISSUES RAISED (summarised)	CITY'S RESPONSE	ACTION TO BE TAKEN
		<p>and inoffensive. It doesn't offering anything particularly interesting or engaging in terms of Architecture to the neighbourhood. The neighbourhood of North Fremantle is characterised by its idiosyncratic and varied built fabric. Lively buildings with an adventurous engagement in surroundings. A strong community spirit is evident in the dense native verge planting, resulting in unique and charming streetscapes. To contribute to this fabric the Architects could afford themselves more expression in their design. The proposed roofline is quite banal. Whilst North Fremantle's skyline is one of dynamic punctuations, with towers and unique forms offering delight to its inhabitants. I feel the overall scheme is a bit ordinary. North Fremantle could easily accommodate a much more intriguing design</p>		

ATTACHMENT 4

SUBMISSION NO	SUBMITTERS COMMENT	APPLICANT'S REPLY
1	<p>I approve of the redevelopment and support the proposal in the current form including the preservation of the heritage listed building and trees, basement car park and complimentary height, bulk and scale.</p> <p>NB Subsequent submission lodged requesting secure basement to prevent Anti-Social behavior.</p>	<p>Support Noted.</p> <p>Basement car park will have a black perforated roller door as shown on the plans. The door is likely to be open from 6am to 6pm after which a security pass will be required.</p>
2	<p>The proposal is a vast improvement on the current campus.</p> <p>Whilst it respects the heritage building, more recent additions such as the curved 'toodyay stone' wall is not given the same respect.</p> <p>More sensitive engagement with Harvest Road, but substation might have been better absorbed into the design.</p> <p>Landscaping is much improved.</p> <p>It will change urban scale of neighbourhood, the extra height and elevations are inoffensive.</p> <p>Sandstone and weathering steel is generous offering to the streetscape, but it may be the first victim of budget cuts.</p> <p>Architecture is neat and inoffensive it doesn't offer anything to North Fremantle's idiosyncratic and varied built fabric. The architects could afford themselves more expression in the design and Fremantle could accommodate a much more intriguing design.</p>	<p>Noted.</p> <p>All heritage listed improvements are being retained to the State Heritage Office's satisfaction.</p> <p>Substation is a Western Power asset that services the local community and not just the Regis site. Relocation is very expensive and can be disruptive.</p> <p>Noted.</p> <p>Noted.</p> <p>It is intended that the building be constructed as designed.</p> <p>Architecture has been 'worked up' in conjunction with the City of Fremantle's Design Advisory Committee.</p>
3	<p>Development will be overwhelming in bulk and scale, the height could be reduced and setbacks increased.</p>	<p>Majority of development is two storeys. Amended plans have been provided increasing the setback to the upper floor from Harvest Road so that it will dominate or play a role in the streetscape.</p>

	<p>Vista of heritage building will be obscured from Harvest Road.</p> <p>Materials are not evident in the local area, window scale and proportion does not relate and design could be more in context.</p> <p>Provision should be made near the corner of Turton and Harvest Road for the elderly to see the life on the street.</p> <p>Greater use of local native species should be used in the perimeter planting and landscaping as well as shade trees for school children.</p> <p>No trees should be removed from the Turton Street reserve.</p> <p>An alternative to artificial turf should be found for the sensory garden.</p> <p>Concern regarding safety of pedestrians from vehicles exiting the basement car park.</p>	<p>The vista to the heritage building is already largely obscured by the existing buildings. Any vista is to the rear of the building which has been substantially modified and is significantly of more ordinary appearance compared to the front of the building.</p> <p>Cues for the materials have been taken from the local neighbourhood, including the use of light coloured render, light coloured Donnybrook stone, steel and glass.</p> <p>Extensive sitting rooms and terraces have been proposed facing Harvest Road for the residents to interact with those on the street.</p> <p>Local robust native species are used extensively in the landscaping concept.</p> <p>One verge tree is to be removed from the Turton Street road reserve due to impeded sight lines and safety concerns. All remaining trees will remain and the number of crossovers to Turton Street are being reduced.</p> <p>The use of artificial turf is limited to a raised seating bench in lieu of an unpleasant concrete bench or the like. Lawn is not practical for a small raised area.</p> <p>The basement car park is setback over 7 metres from the footpath and is less than 1 metre in height difference between the basement and footpath levels providing with adequate sight lines.</p>
4	<p>I provided photo of original residence when stables were at the rear of the property.</p> <p>In April 1958 the WA Chapter of Architects issued a book noting the Hillcrest building. What a pity we do not recognize the merit of more recent good design. It should have been renovated and incorporated</p>	<p>Thank you. This photo was of great assistance especially in the design of reconstructing the balconies to the residence.</p> <p>The 1958 Turton Street wing is not heritage listed and there are better examples of such architecture which warrant preservation. Renovation would not make the development viable and reduce available funds that can be spent on</p>

	into the design.	the heritage listed building.
5	<p>Security of the underground car park is required to avoid antisocial behavior.</p> <p>Concern about height and bulk on both Harvest and Turton Roads and impact on privacy. Should be bigger setbacks for the 2nd and 3rd storey.</p>	<p>Basement car park will have a black perforated roller door as shown on the plans. The door is likely to be open from 6am to 6pm after which a security pass will be required.</p> <p>Majority of the Turton Street elevation is within the permitted two storey height limit and is largely screened by the significant and established trees in the road reserve. Floor levels are largely determined by the need to integrate with Hillcrest House. Amended plans have been provided to increase the setback to the 3rd level from Harvest Road.</p>
6	<p>Fremantle Ports advised that compliance with the Area 2 requirements of the Fremantle Port Buffer as stated in the City's 'Fremantle Port Buffer Development Guidelines' will be required.</p>	<p>Noted and acknowledged.</p> <p>It is anticipated that this will be a condition of approval.</p>
7	<p>State Heritage Office is waiting amended plans. Preliminary support granted.</p>	<p>Noted.</p>
8	<p>Health Officer. Conditions will be required regarding the preparation and implementation of an Acoustic Consultants report and a Construction Management Plan to address dust, vibration and other potential construction impacts.</p>	<p>Noted.</p> <p>These are anticipated conditions of approval.</p>
9	<p>The plans are unreadable and indecipherable and greater community consultation should have been undertaken.</p> <p>Concerns about bulk and scale on prominent hilltop. Oppose the current plans and support the North Fremantle Community Associations more human-scale developments.</p> <p>Concern about Federal Government funding being used to service the profits of aged care providers rather than the care of their residents.</p>	<p>Community consultation was undertaken by the City in accordance with the City's requirements.</p> <p>Majority of the Turton Street elevation is within the permitted two storey height limit and is largely screened by the significant and established trees in the road reserve. Floor levels are largely determined by the need to integrate with Hillcrest House. Amended plans have been provided to increase the setback to the 3rd level from Harvest Road.</p> <p>Not a relevant planning consideration.</p>

10	<p>Concerned about the development being too close to Harvest Road and will impact on our privacy</p> <p>Removes a line of sight down Turton Street which breaches a local bylaw.</p> <p>Height of the building so close to the street is not in keeping with the neighbourhood.</p>	<p>The development is setback 6m from the street and approximately 20m from the nearest property opposite the development due to the width of Harvest Road. The maximum cone-of vision for privacy from a balcony under the R-Codes is 7.5m. The setback is over 3 times this distance and complies with the relevant privacy requirements.</p> <p>There is no local By-law which protects views to the river along Turton Street. The side setback required to Turton Street is 1.5m and the majority is greater than 3m with some balconies at 1.83m and complies with the Scheme.</p> <p>An amended plan has been provided increasing the setback of the 3rd level to Harvest Road to over 10 metres.</p>
11	<p>North Fremantle Community Association raised concerns regarding:</p> <p>Scale: Building double the height of existing blocks and out of scale with the existing environment.</p> <p>Setbacks: Greater setbacks should be required for perimeter planting.</p> <p>Materials: Should be consistent with the ruling materials of the local environment – brick, limestone and timber.</p> <p>Built Form: Should not mimic, but should be respectful to the local environment.</p> <p>Heritage: The development conceals Hillcrest House from view and should be improved, particularly from the intersection of Rule/Turton and Harvest Road</p>	<p>Noted.</p> <p>There is a seven storey development adjacent to the subject site and numerous two storey developments in the Precinct. An amended plan has been submitted to increase the setback of the 3rd level to Harvest Road to reduce the perceived height of the building when viewed from the footpath on Harvest Road</p> <p>Proposed setbacks exceed that required by the Scheme. Extensive verge planting already exists in Turton Street and the majority is not to be altered.</p> <p>Cues for the materials have been taken from the local neighbourhood, including the use of light coloured render, light coloured Donnybrook stone, steel and glass.</p> <p>It is considered that the proposal is respectful of the somewhat eclectic streetscape.</p> <p>The vista to the heritage building is already largely obscured by the existing buildings. The vista is to the rear of the building which has been substantially modified and is significantly of more ordinary appearance compared to the</p>

	Traffic, noise, and parking need to be controlled.	<p>the pine trees to be kept and still provide a reasonable development that will ensure the ongoing viability of the Nursing Home and the upgrading and ongoing maintenance of Hillcrest House.</p> <p>Parking is provided in excess of what is required by the Scheme and the majority of deliveries will now be in the basement where noise can be contained. It is anticipated that an acoustic consultants' report will need to be provided as a condition of planning approval.</p>
14	<p>Recognize the need for the development, but shocked at the scale. Twice as high as the current 5.5m height limit, that will tower over the roads and footpaths on Harvest and Turton Street. Mass and scale out of character with the area.</p> <p>Not a replacement, but a significant increase in the number of rooms and residents.</p> <p>Loss of trees and greenery will leave the residents and building exposed.</p> <p>The power lines should be undergrounded as part of the project.</p>	<p>The majority of the development is two storeys as permitted. An amended plan has been provided to increase the setback to Harvest Road to over 10 metres for the third level.</p> <p>The existing facility has capacity for 98 residents in 81 bedrooms and the new facility has only 109 beds in 109 bedrooms with no shared rooms. The increase in capacity is only for a maximum of 11 residents, but all residents will have access to a single room and ensuite to provide residents with the privacy and level of dignity they deserve.</p> <p>One verge tree is to be removed from the Turton Street road reserve due to impeded sight lines and safety concerns and at least 3 other substantial trees are being kept and accommodated within the development. The remainder of the open space areas will be significantly landscaped as per the landscaping plans submitted with the application.</p> <p>There is no nexus between the proposed development and the need to underground the power lines</p>
15	<p>Lives across the road and is strongly opposed to the three storey height against the boundary.</p> <p>The proposed development will block my view down Turton Street in contravention of a Local By-Law.</p>	<p>Amended plans have been provided to increase the setback to the 3rd level from Harvest Road.</p> <p>There is no local By-law which protects views to the river along Turton Street. The side setback required to Turton Street is 1.5m and the majority is greater than 3m</p>

		front of the building. The Turton Street wing of the development has been deliberately kept behind the building line of Hillcrest House to maintain the view to the front of the building from Turton Street.
12	<p>Council should not waste the opportunity to require that heritage building address and contribute to the Harvest Road streetscape.</p> <p>The bulk and scale and setback relaxations may be acceptable if the buildings were split to give the tower context.</p>	<p>Hillcrest House is located over 50 metres from Harvest Road and does not play a role in the Harvest Road streetscape. The vista to the heritage building is already largely obscured by the existing buildings. The vista is to the rear of the building which has been substantially modified and is significantly of more ordinary appearance compared to the front of the building. The Turton Street wing of the development has been deliberately kept behind the building line of Hillcrest House to maintain the view to the front of the building from Turton Street.</p> <p>There are no setback relaxations being sought and an amended plan has been submitted to increase the setback of the 3rd level to over 10 metres so that it does not play a role in the streetscape.</p>
13	<p>Concerns regarding noise and traffic especially delivery trucks.</p> <p>The height of the building on Harvest Road and Turton is excessive – needs to be lower further from the street.</p> <p>Donnybrook Stone is out of keeping with the area and should be limestone.</p> <p>All pine trees should be kept.</p>	<p>The majority of deliveries is to now occur in the basement which will contain noise.</p> <p>Majority of the Turton Street elevation is within the permitted two storey height limit and is largely screened by the significant and established trees in the road reserve. Floor levels are largely determined by the need to integrate with Hillcrest House. Amended plans have been provided to increase the setback to the 3rd level from Harvest Road.</p> <p>No setback relaxations are being sought. The side setback required to Turton Street is 1.5m and the majority is greater than 3m with some balconies at 1.83m and complies with the Scheme.</p> <p>Donnybrook Stone is a light coloured stone which complements the light coloured limestone prevalent in the area.</p> <p>Two of the three pine trees are being kept and the existing development moved away from these trees to provide a greater chance of longevity. It is not possible for all</p>

	<p>My front garden will remove my privacy from my only open space area at the front of the dwelling.</p> <p>Don't disagree with the site being redeveloped, but the 2nd and 3rd storeys should be set further back.</p>	<p>with some balconies at 1.83m and complies with the Scheme.</p> <p>The development is setback 6m from the street and approximately 20m from the nearest property opposite the development due to the width of Harvest Road. The maximum cone-of vision for privacy from a balcony under the R-Codes is 7.5m and the setback is over 3 times this distance and complies with the relevant privacy requirements.</p> <p>An amended plan has been provided increasing the setback of the 3rd level to Harvest Road to over 10 metres.</p>
--	---	--

ATTACHMENT 5:

HERITAGE ASSESSMENT



HILLCREST, 23 HARVEST ROAD
NORTH FREMANTLE

DAP0001/12

**PREPARED FOR
CITY OF FREMANTLE**

September 2012

Introduction

This heritage assessment document has been prepared as required and in accordance with the City of Fremantle's City Local Planning Policy 1.6 Preparation of Heritage Assessments.

Hillcrest, 23 Harvest Road North Fremantle (also known as; the Salvation Army Hillcrest Maternity Hospital (1922) and Hillcrest Maternity Home (1957) and Hillcrest Senior Citizens' Residence (1989) is included on the City of Fremantle's Heritage List and has a level 1A management category on the City's Municipal Heritage Inventory. This place is also included on the Heritage Council of Western Australia's Register of Heritage Places. The City of Fremantle has identified this place as being of cultural exceptional significance and its conservation is required.

For detailed information on the place refer to Heritage Council of Western Australia's Register documentation. Relevant information has been extracted from these documents, however, this heritage assessment does not intend to redo this work, for further documentary or physical information please refer to the Register documentation.

Places of heritage significance should be conserved in accordance with the principles of the Burra Charter (The Australia ICOMOS for the conservation of places of cultural significance) which has been adopted by Council as the guiding document for the conservation of places of cultural heritage significance.

The proposal includes demolition of the 1958 and 1979 buildings and one of the three significant Norfolk Island Pines (*Araucaria heterophylla*) to redevelop the site with new three storey development.

Conservation works to the existing Hillcrest building include, restoration of the belvedere, replacement of the balustrading to the original façade and partial reconstruction of the rear verandah.

DESCRIPTION OF THE PLACE

Hillcrest is located on the north western corner of Harvest Road and Turton Street. The streetscape of Harvest Road within the vicinity comprises an intact group of single storey (some with two storey additions) heritage listed houses constructed during the late nineteenth early twentieth centuries. To the south of *Hillcrest* is North Fremantle Primary school which addresses John Street.

Hillcrest is an aged care facility comprising the original Hillcrest residence, a two storey stucco and tiled roof building in the Victorian Italianate style built in 1901 for Francis Pearse, a 1934 addition to the house designed in a similar style, a two storey brick and asbestos roof former maternity hospital completed in 1958 in the post World Two International Style, and a hostel constructed in brick with an asbestos cement roof completed in 1979 in the post World War Two Perth Regional style.

HERITAGE VALUES

Heritage values and attributes should be considered in the context of the following:

- Fabric
- Setting
- Use

-
- Associations
- Meaning

Table 1

Heritage values	
Aesthetic	High
Historic	High
Social	High
Scientific	n/a
Heritage Attributes	
Rarity	High
Representativeness	High
Integrity	Moderate / High.
Authenticity	Moderate / High

HERITAGE SIGNIFICANCE

Table 2

Significance			
Exceptional	Considerable	Some	Limited or none
<p>Comments:</p> <p>Statement of Significance: <i>Hillcrest</i>, comprising the original Hillcrest residence, a two-storey stucco and tile Victorian Italianate style building of the Federation period, together with a two storey brick and asbestos former maternity hospital in the post World War Two International Style, a hostel constructed in brick and asbestos cement in the post World War Two Perth Regional style, and Norfolk Island Pines, has cultural heritage significance for the following reasons:</p> <p>the place is a very fine, rare, example of a Victorian Italianate style residence with a sympathetic 1934 addition in a matching style, its construction in 1901 makes the place a very late example of the style;</p> <p>the place is indicative of the distinctive accommodation and way of life of the mercantile elite in the early twentieth century, having been built in 1901 for Francis Pearse as a large suburban residence with marine views to the Swan River and Indian Ocean;</p> <p>the place is highly valued, for its provision of maternity care for unmarried mothers, initially at a time when these women were socially ostracized, and for its midwifery training for over 50 years;</p> <p>the place demonstrates the changing patterns in maternity care throughout the twentieth century;</p> <p>the place has served as part of an aged care facility since 1978; and the place contributes to the community's sense of place as well known landmark in North Fremantle for more than a century.</p>			

The 1979 hostel and the 1979 dining room building are aesthetically unsympathetic additions and do not contribute to the cultural heritage significance of the place. The 1958 Wing is of little significance.

Zones if Significance:

Comments:

Overall, the building is of **exceptional** significance as is evidenced by its inclusion on the Heritage Council of Western Australia's Register of Heritage Places.

The 1958 wing and the 1979 buildings are of little significance.

The Statement of Heritage Impact examines the impact of the proposed development on the heritage significance of the place, and includes a discretionary value judgment concerning the impact of the proposal on the identified heritage values of the place.

The Statement of Heritage Impact shall be prepared in the following format:

Table 3

How does the proposed development impact on the heritage significance of the place with regard to the following criteria:

<p>Degree of change (positive and negative) on the place in light of its heritage significance.</p>	<p><i>Hillcrest</i>, is of exceptional heritage significance and should be retained and conserved.</p> <p>The proposal is for the redevelopment of the site for aged care accommodation..</p> <p>Demolition of the buildings noted to be of little significance can be supported.</p> <p>Conservation works include restoration of the belvedere, reconstruction of the front verandah balustrades, partial reconstruction of the western and rear verandahs and painting. The restoration and conservation works are a positive contribution to the heritage significance of the place. It is preferable that the impervious finishes (e.g. acrylic paints) be removed from the original render of the building and lime based finishes be applied to match original.</p> <p>The conservation works are supported in principle on the condition that further detailed information of the reconstructed verandahs is provided to the satisfaction of the City of Fremantle. Also, that works should be carried out according to documentary and physical evidence using original methods and materials to match original detailing.</p> <p>Internal works to the Hillcrest heritage building are considered minimal and are acceptable for the adaptation and ongoing use of the place.</p> <p>The proposed development is substantial in bulk and scale and will impact on the existing late nineteenth and early twentieth century residences along Harvest Road. These houses form a group of intact original single storey residences (some with two storey additions) that are of heritage significance.</p>
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<p>Degree of permanent impact (irreversible loss of value) that the proposal is likely to have on the heritage significance of the place.</p>	<p>There will be only minimal permanent loss of value on the heritage significance of the original Hillcrest building through some of the internal works. These works are acceptable and should be carried out with to ensure the least damage occurs to the original fabric.</p> <p>The removal of one of the original <i>Araucaria heterophylla</i> Norfolk Island Pine trees is a permanent loss of significance to the place. It is recommended that a replacement tree be planted on the site.</p>
<p>Compatibility with heritage building in terms of scale, bulk, height – the degree to which the proposal dominates, is integrated with, or is subservient to a heritage place</p>	<p>The proposed development as above is substantial in bulk and scale and will impact on the surround heritage residences which are predominantly single storey with two storey additions.</p> <p>The addition of the glazed link to the heritage building will impact on the original residence, however the amended plans show that the partial reconstruction of the verandahs and use of glazing for lightness are designed to lessen the impact.</p>
<p>Compatibility with the streetscape and/or heritage area in terms of the siting, local architectural patterns, and the degree of harmonised integration of old and new.</p>	<p>As noted above the proposed development is substantial in bulk and scale and will have a negative impact on the existing late nineteenth and early twentieth century residences along Harvest Road. The architecture appears as a typical institutional development rather than site specific to the local North Fremantle streetscape and area.</p>
<p>Compatibility with heritage building in terms of the design solutions and architectural language such as refinement and finesse of detailing, texture, materials, finishes and quality of craftsmanship.</p>	<p>The architectural language design shows a contemporary and somewhat heavily massed development to the site.</p> <p>There are insufficient details to inform the materials and finishes chosen for the new development to assess within this report further details should be provided.</p>

Degree of impact on the important public views, vistas, landmarks, landscape features	The existing buildings surround the original Hillcrest building already have a negative impact on the significant views to building. The proposed development will further impact the views, particularly from Rule Street. However it is understood that any redevelopment of the site is likely to restrict view corridors to the former residence.
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5.0 STATEMENT OF CONSERVATION

Note: This is required for all Category 1 and Category 2 level places unless otherwise advised by the City of Fremantle.

Statement of *conservation* should define all essential processes of looking after a place (*preservation, restoration, reconstruction, adaptation, maintenance and interpretation* of a place) so as to retain its *cultural significance*.

This part of the assessment is not based on the proposed development, but identifies the conservation works required, and guides future fabric retention, adaptation and reuse.

- **Condition Analysis**
- **Identification of conservation works required**
- **Recommendations as to the future fabric retention, adaptation and reuse.**

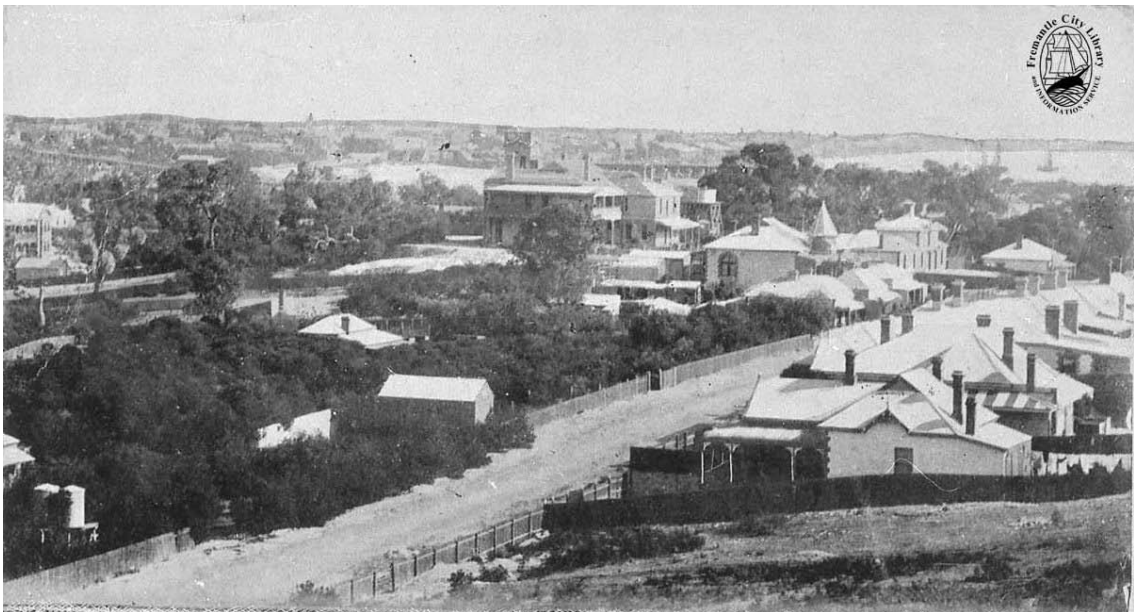
Generally:

- A conservation plan to guide the future conservation of the place should be prepared and implemented.
- Overall the building appears in sound condition and is in need of urgent conservation works to the belvedere.
- A program of maintenance should be prepared and implemented.
- It is recommended that consideration be give in the future to the removal of any non breathable finishes to the masonry walls of the building including acyclic paints.

Photographs City of Fremantle



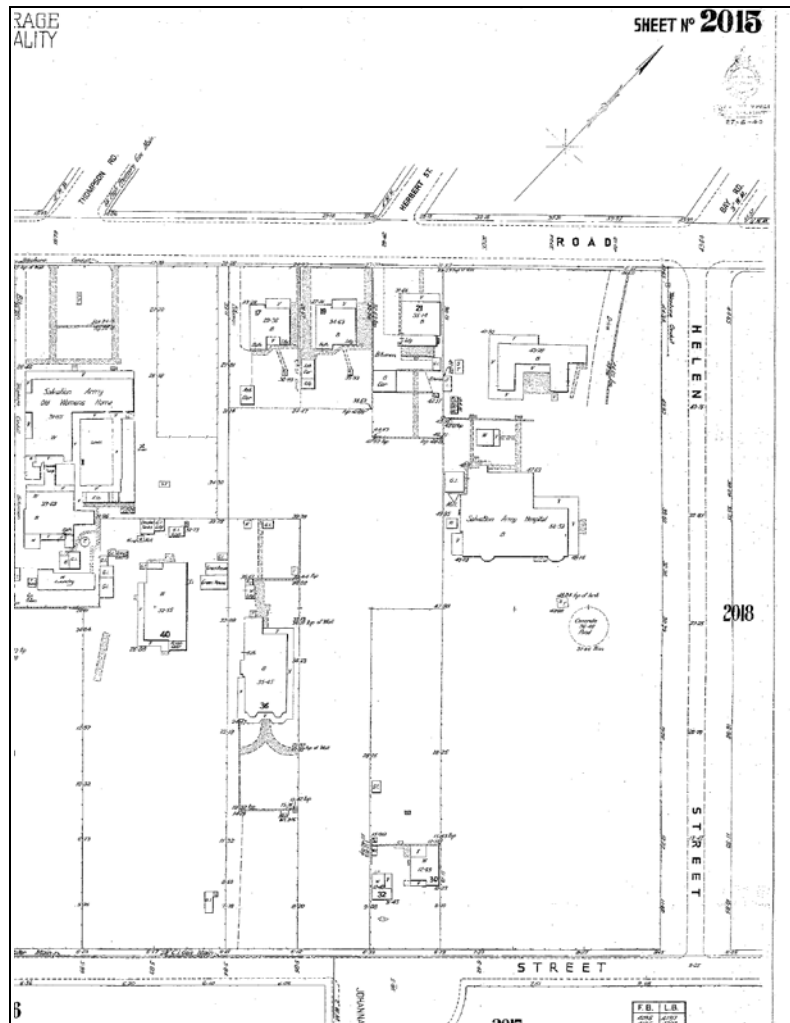
Hillcrest (rear elevation) – view from Rule Street 1903



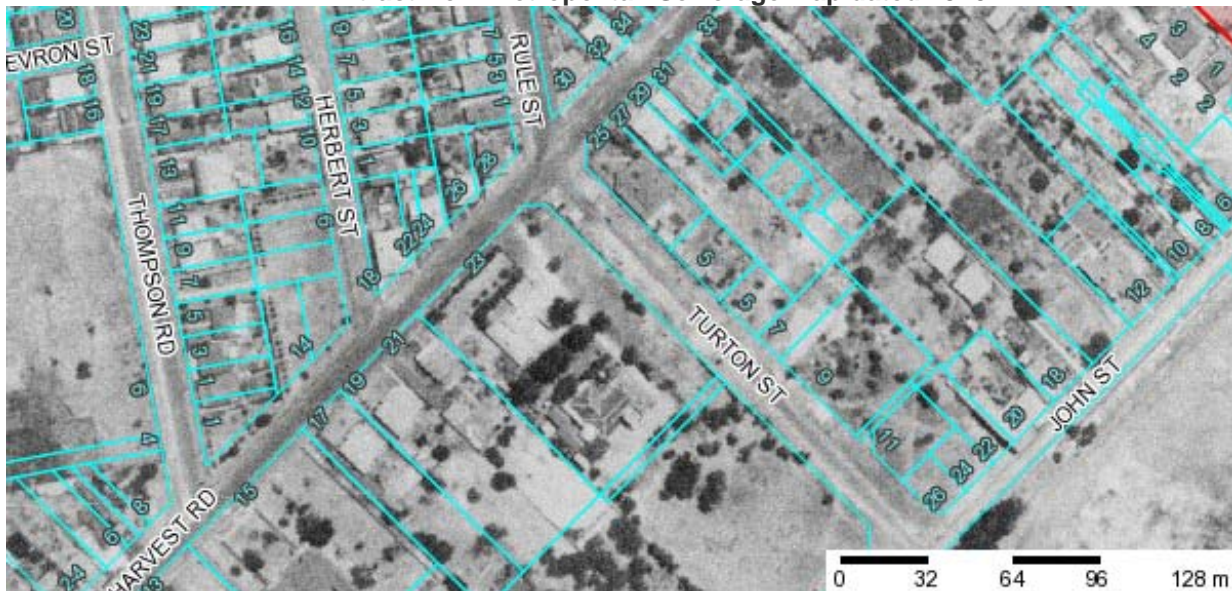
Hillcrest, built c1902/1903 for Francis Pearse J P, is in the centre - photograph c1906



Hillcrest view looking west – Extracted from a Fremantle Society photograph c1937



Extract from Metropolitan Sewerage Map dated 1940



1947 Aerial photo showing Hillcrest (centre)



Hillcrest – front (southern) elevation



Hillcrest – front (southern) elevation – showing main entrance and belvedere



Hillcrest – rear (northern) elevation – showing entrance from Harvest Rd



View from Rule Street showing Hillcrest and existing buildings



View from Harvest Road – showing main entrance



View from Harvest Road – showing existing buildings



View from Turton Street – showing driveway entrance



View looking south Turton Street



View from Rule Street – showing Turton House



View from Hillcrest – showing Harvest Road residence opposite



View northern side of Harvest Road – showing residences



View southern side of Harvest Road – showing 1960s flats and 1930s residence on the western side of Hillcrest.

6.0 REFERENCES

Apperly, R, e t a l. A Pictorial Guide to Identifying Australian Architecture Styles and terms from 1788 to the Present. (Sydney: Angus & Robertson, 1989).
Heritage Council of Western Australia's Register documentation.

The Illustrated Burra Charter: making good decisions about the care of important places, by Peter Marquis-Kyle & Meredith Walker, first published by Australia ICOMOS, in 1992, this edition, 2004.

Municipal Heritage Inventory database and Fremantle Local History Library Collection.

ATTACHMENT 6:



regis Hillcrest - Western Australia
site No: 10156
Phase: TP Application
Date: September 2012

CONTEXT PLAN
SCALE: 1:60 @ A2



regis Hillcrest - Western Australia
site No: 10156
Phase: TP Application
Date: September 2012

CONSTRAINTS & OPPORTUNITIES
SCALE: 1:60 @ A2





regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

SITE RESPONSE
SCALE: rbs @ A2

CITY OF FREMANTLE
THESE REVISED PLANS FORM
PART OF
21 SEP 2012
DAP 0001/12



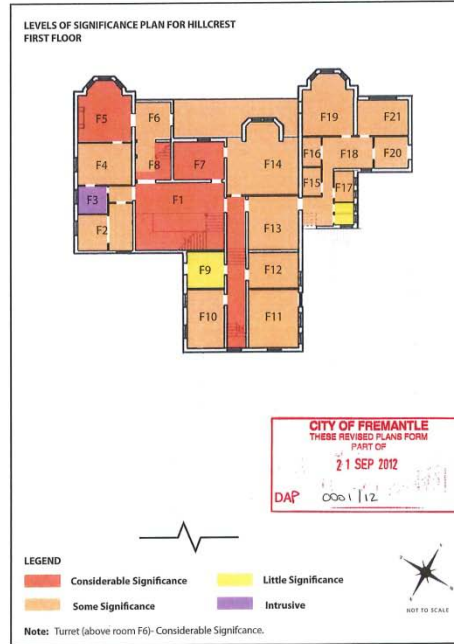
LEGEND	SITE	KEY
Considerable Significance	Subject Site	① Building 1901
Some Significance	Trees	② Addition 1934
Little Significance		③ Wing 1958
Intrusive		④ Addition 1958
		⑤ Dining Room Building 1979
		⑥ Hostel 1979
		⑦ Warehouse 1999

CITY OF FREMANTLE
THESE REVISED PLANS FORM
PART OF
21 SEP 2012
DAP 0001/12

HERITAGE CONTEXT
SCALE: rbs @ A2



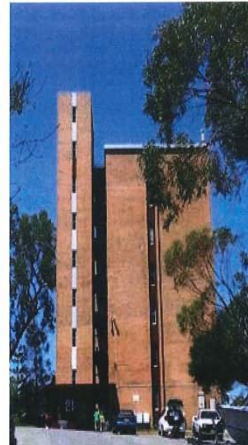
regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

HERITAGE CONTEXT
SCALE: rbs @ A2

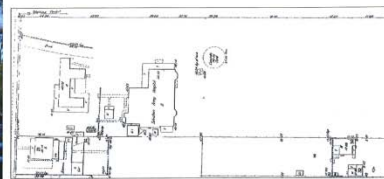
CITY OF FREMANTLE
THESE REVISED PLANS FORM
PART OF
21 SEP 2012
DAP 0001112



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

HERITAGE CONTEXT
SCALE: rbs @ A2

CITY OF FREMANTLE
THESE REVISED PLANS FORM
PART OF
21 SEP 2012
DAP 0001112



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

HERITAGE CONTEXT
SCALE: nbs @ A2



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

HERITAGE CONTEXT
SCALE: nbs @ A2





regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

CONTEXT PHOTOS
SCALE: nbs @ A2

silver thomas hantley
ARCHITECTS



18 HARVEST ROAD

22 HARVEST ROAD

26 HARVEST ROAD

28 HARVEST ROAD



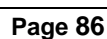
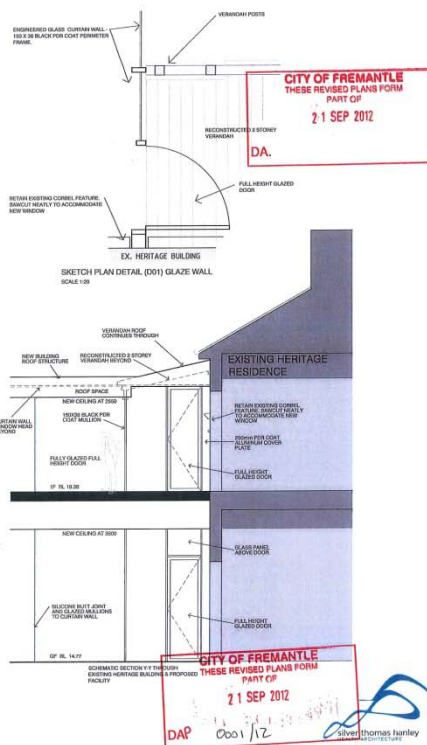
HARVEST ROAD EXISTING STREETScape (SOUTH)

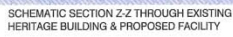
regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

EXISTING STREETScape
SCALE: nbs @ A2

CITY OF FREMANTLE
THESE REVISED PLANS FORM
PART OF
21 SEP 2012
DAP 0001/12

silver thomas hantley
ARCHITECTS







regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

EXISTING STREETScape (HARVEST ROAD)
SCALE 1:200 @ A2



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

HARVEST ROAD PERSPECTIVE
NOT TO SCALE - ARTIST'S IMPRESSION





regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

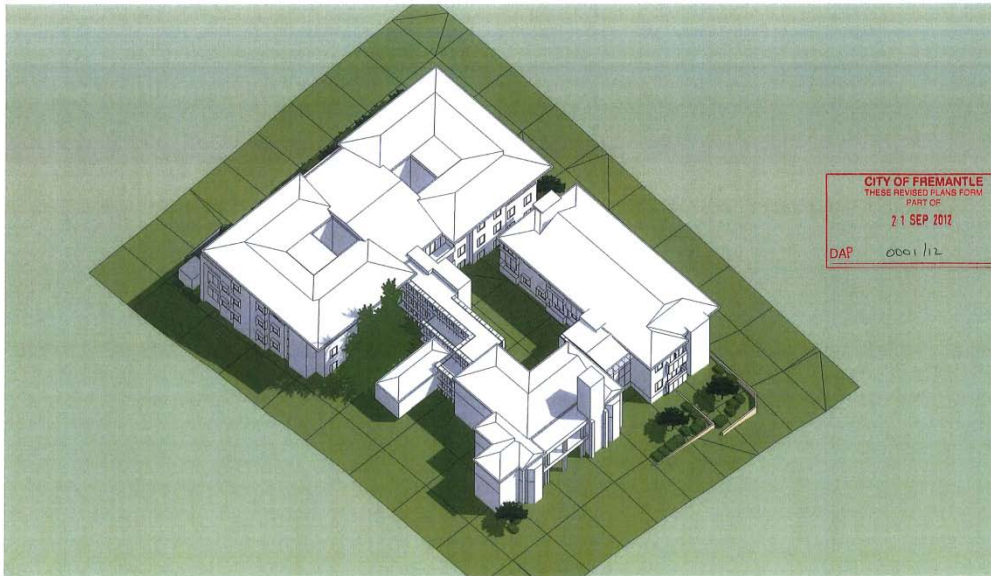
TURTON STREET PERSPECTIVE
NOT TO SCALE - ARTIST'S IMPRESSION



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

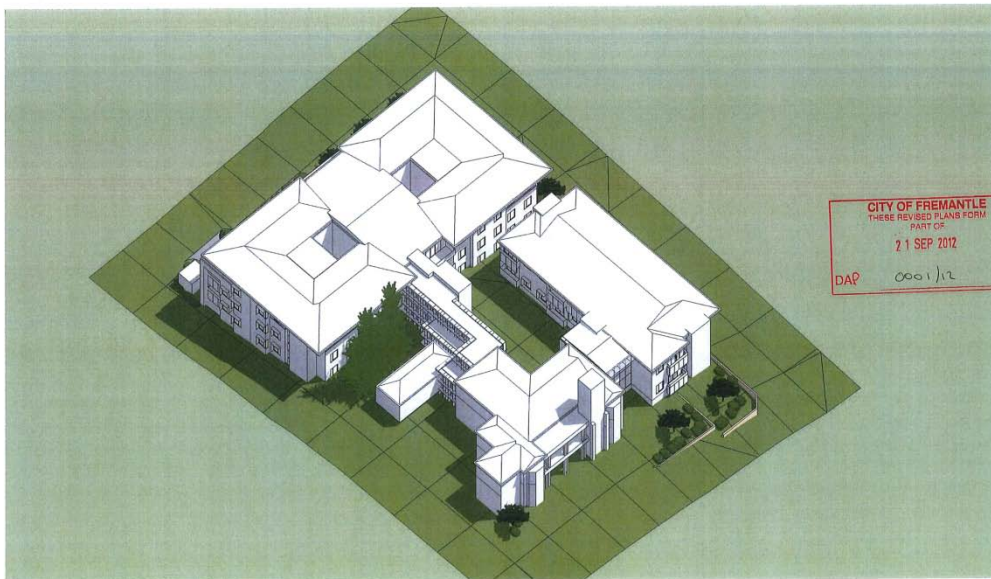
LINK TO EXISTING HERITAGE RESIDENCE
SOUTH EAST ELEVATION





regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

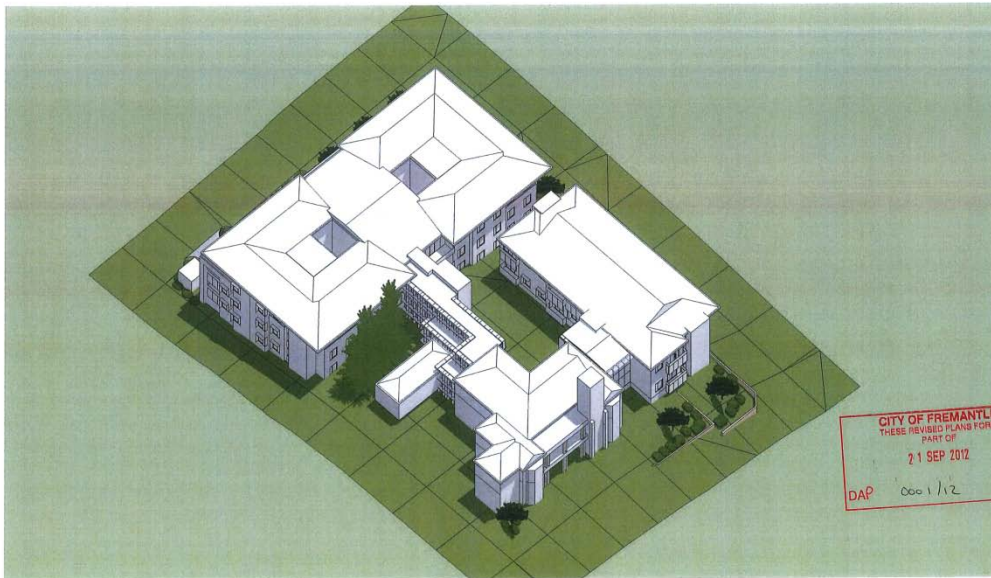
SUN ANALYSIS (9am Dec 28)
SCALE rbs @ A2



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

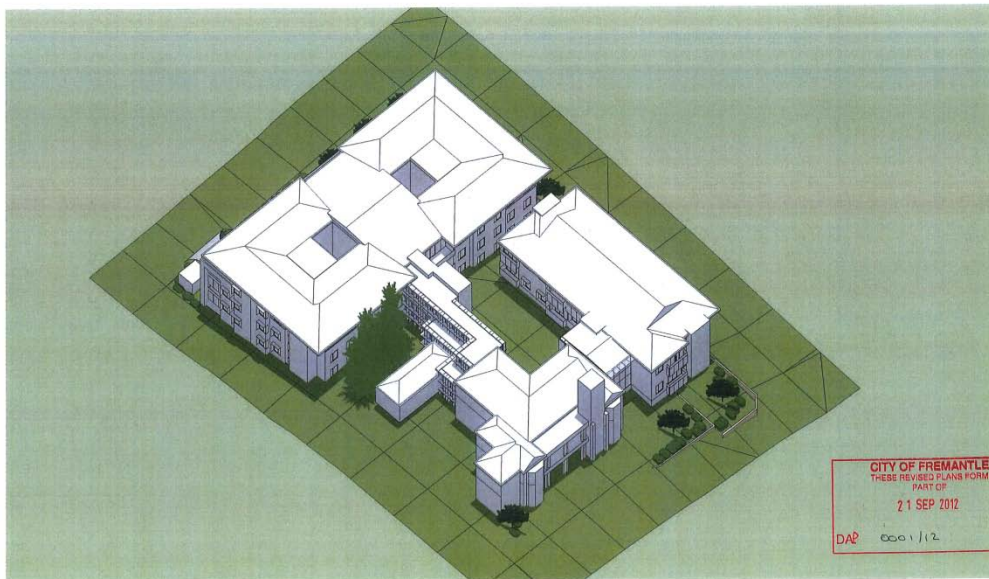
SUN ANALYSIS (10am Dec 28)
SCALE rbs @ A2





regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

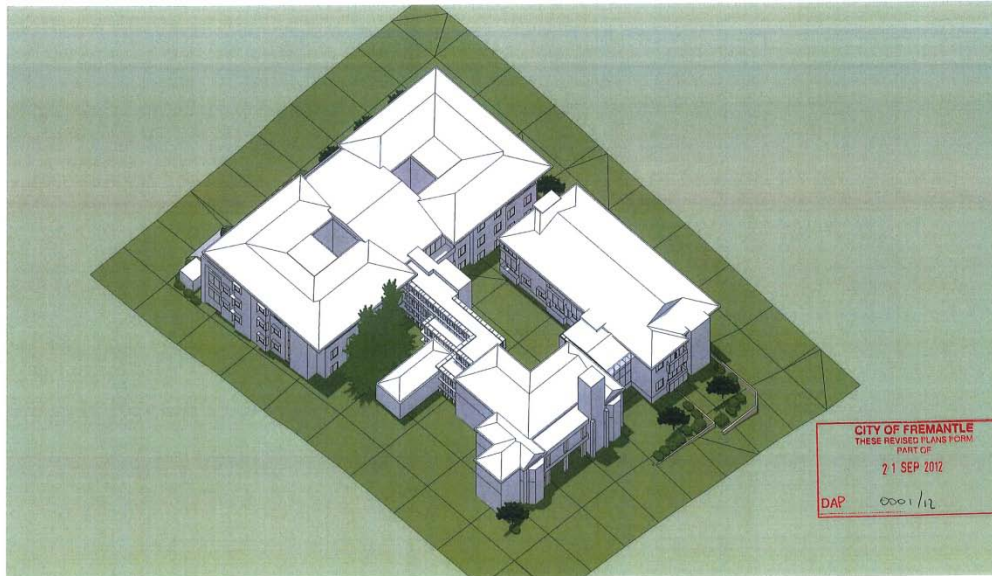
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SCALE nbs @ A2



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

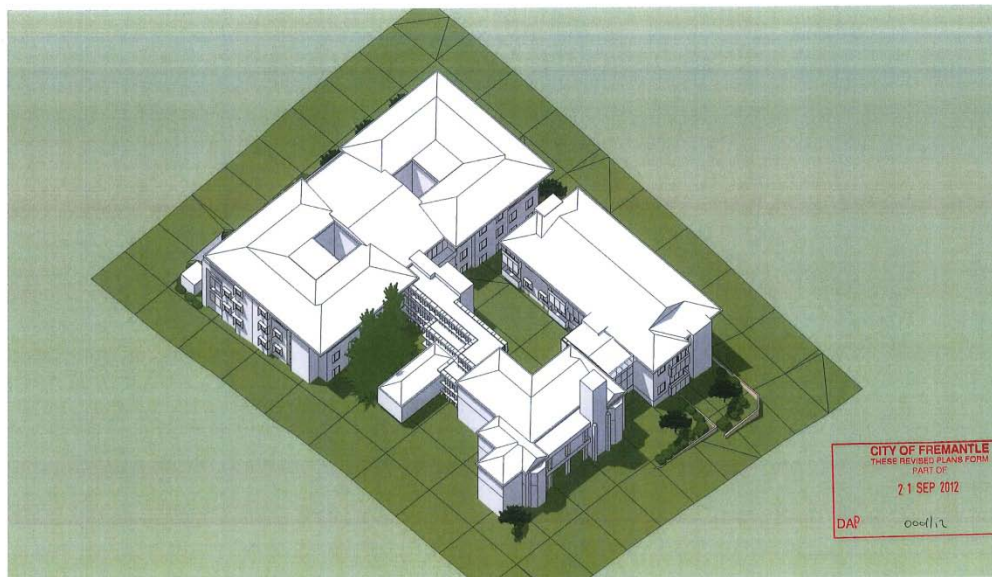
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SCALE nbs @ A2





regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

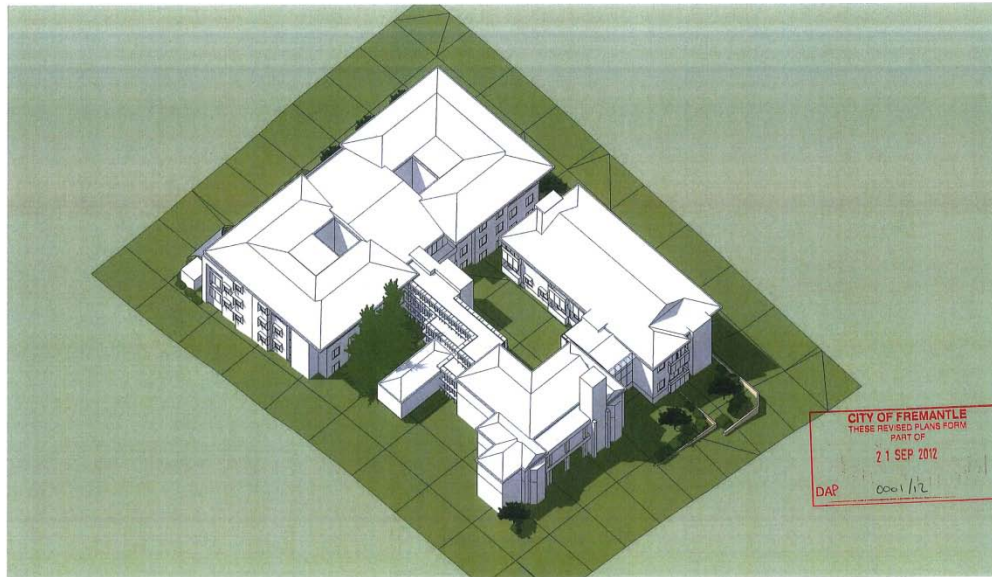
SUN ANALYSIS (1pm Dec 28)
SCALE: 1:10 @ A2



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

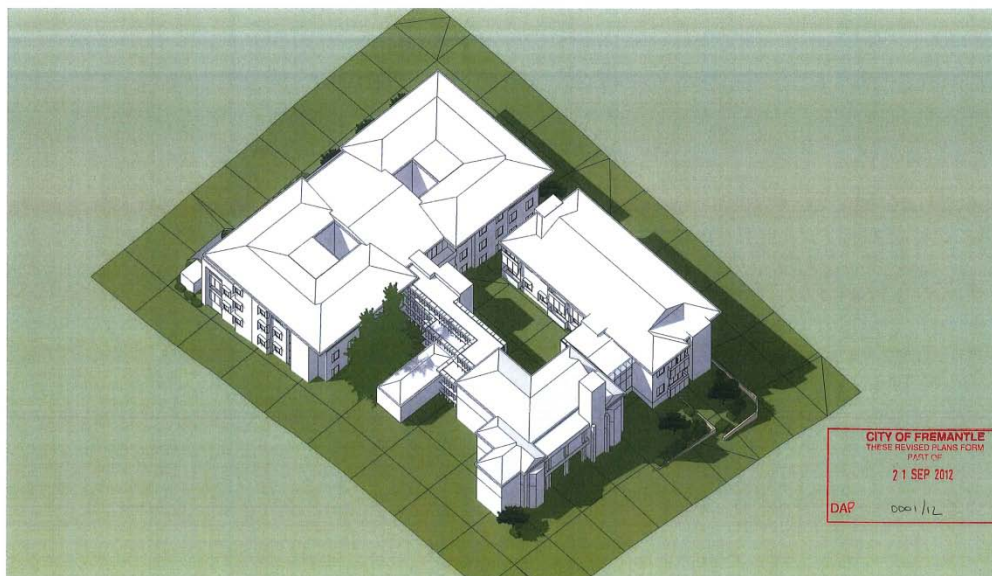
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regis Hillcrest - Western Australia
doc No: 10162 Phase: 1P Application Date: September 2012

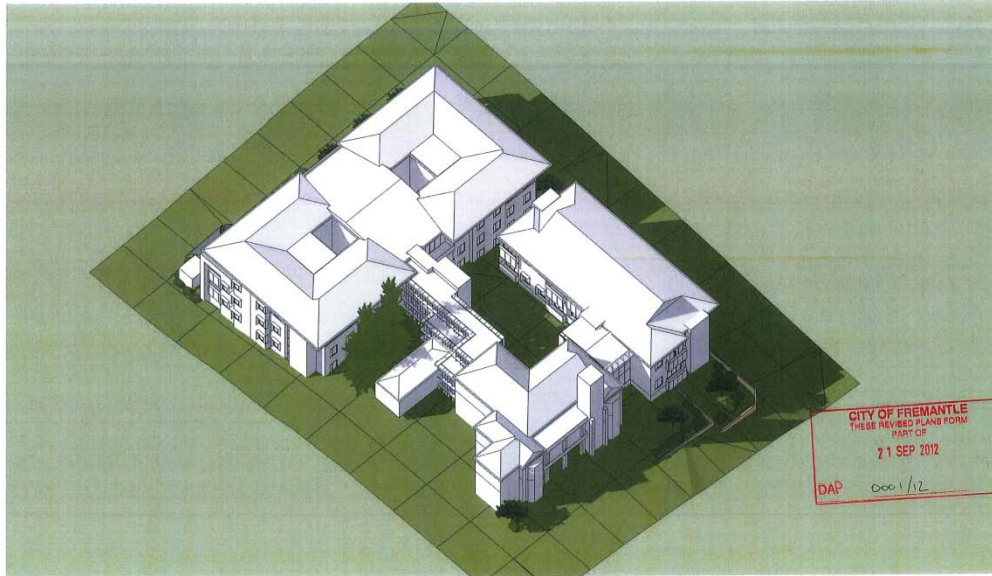
SUN ANALYSIS (3pm Dec 28)
SCALE m @ A2



regis Hillcrest - Western Australia
doc No: 10162 Phase: 1P Application Date: September 2012

SUN ANALYSIS (4pm Dec 28)
SCALE m @ A2





regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

SUN ANALYSIS (5pm Dec 28)
SCALE mbs @ A2



regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

NORTH ELEVATION - MASS COMPARISON
SCALE mbs @ A2





regis Hillcrest - Western Australia
Job No: 10162 Phase: TP Application Date: September 2012

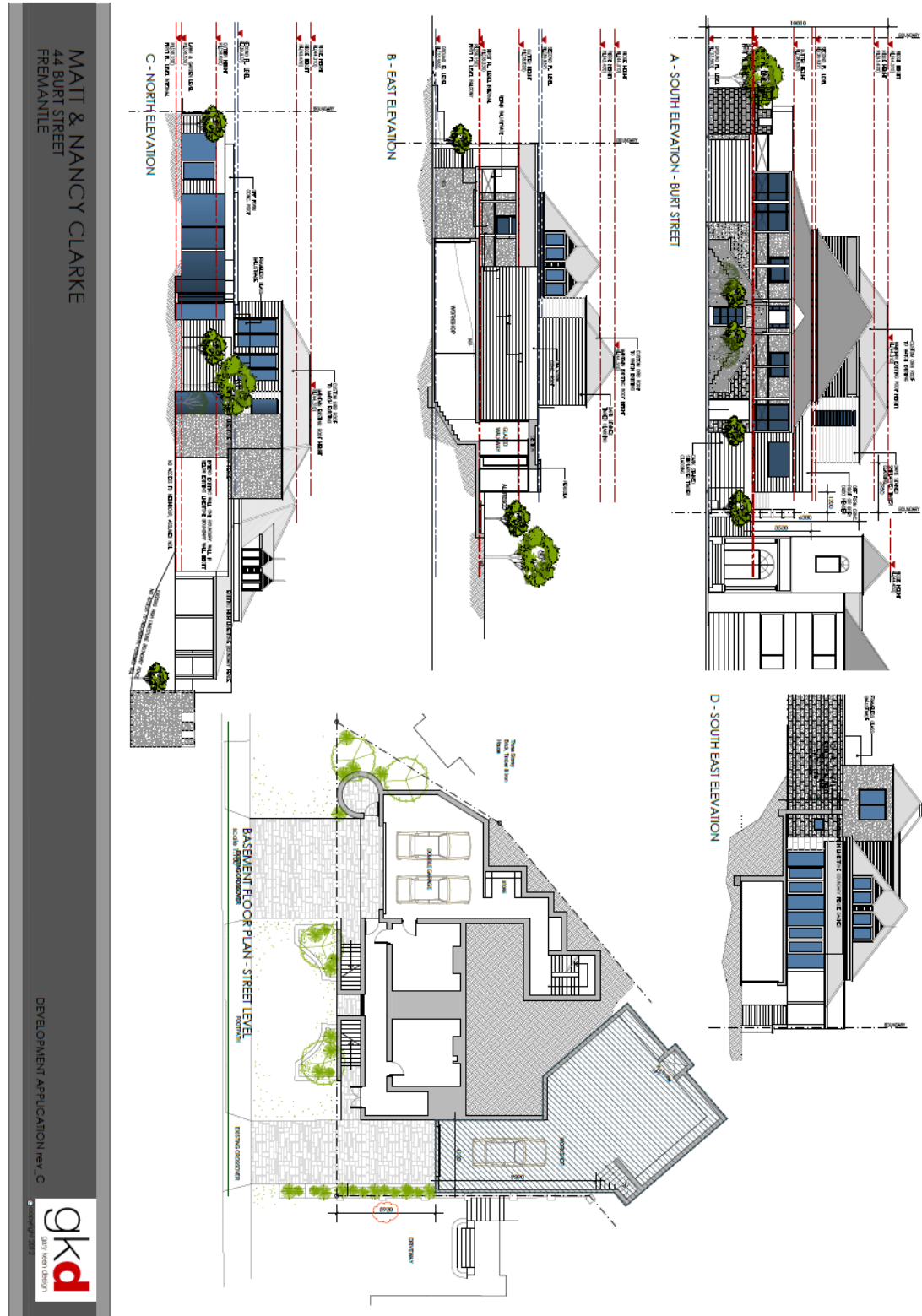
EAST ELEVATION - MASS COMPARISON

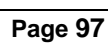
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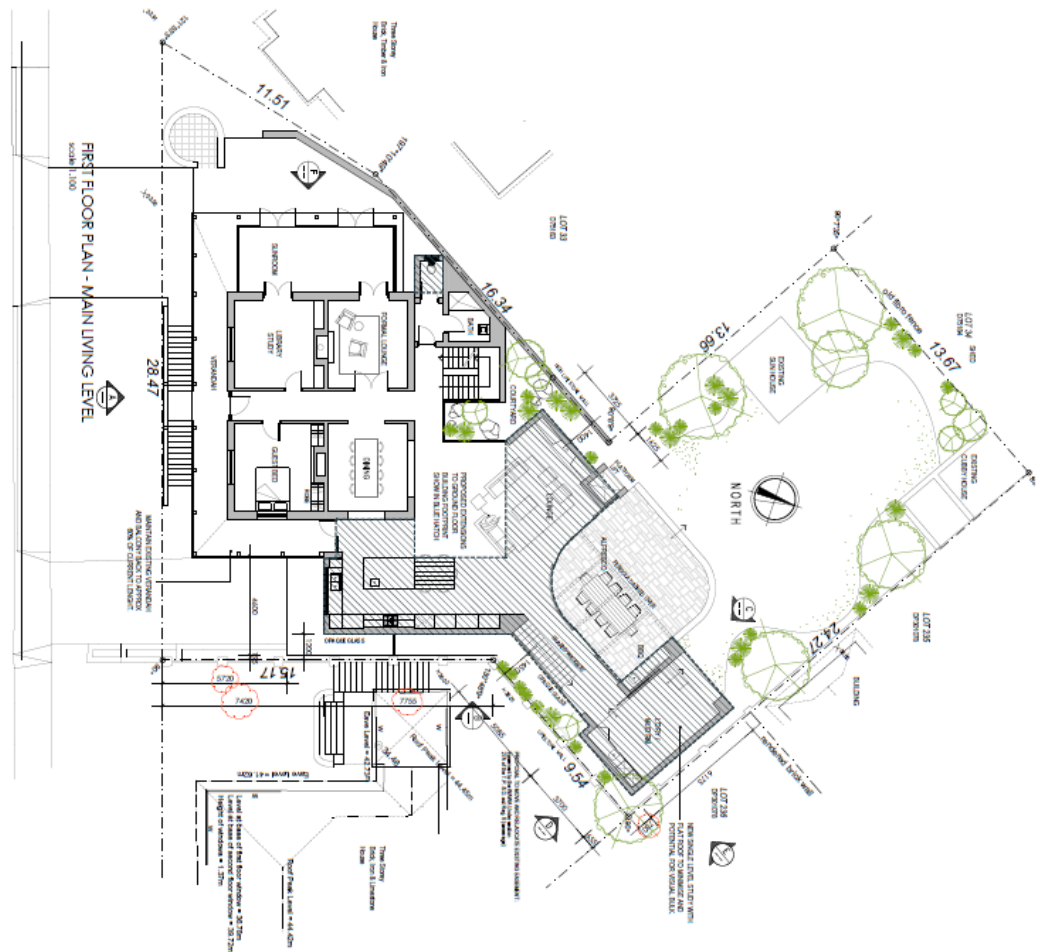


**PSC1210-159 BURT STREET NO. 44 (LOT 37), FREMANTLE - TWO STOREY
ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE -
(KS DA0061/12)**

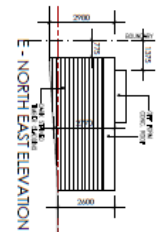
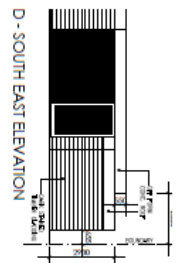
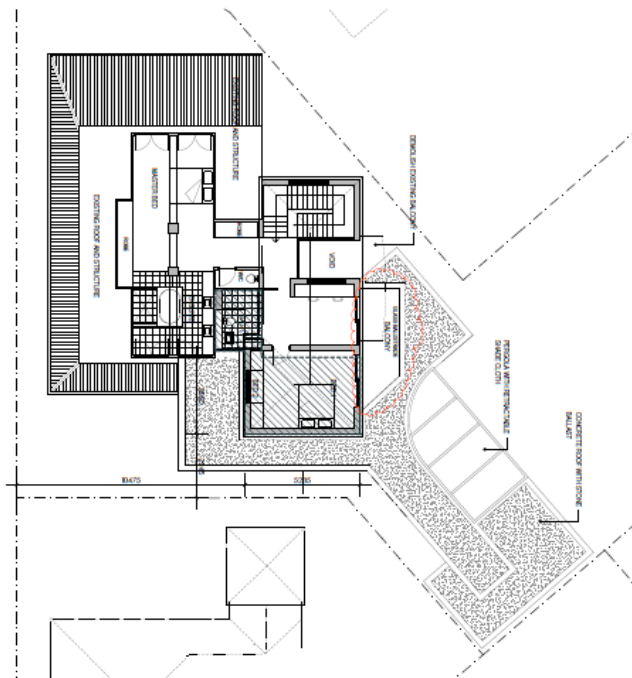
ATTACHMENT 1 – DEVELOPMENT PLANS







SECOND FLOOR PLAN
SCALE 1:100



MATT & NANCY CLARKE
44 BURT STREET
FREMANTLE

DEVELOPMENT APPLICATION rev. C



**ATTACHMENT 2 – HERITAGE COMMENT IN RELATION TO REVISED PLANS
(DATED 13 SEPTEMBER 2012)**

From: Stephen Carrick [stephen.carrick09@gmail.com]

Sent: Friday, September 14, 2012 4:30:19 PM

To: Konrad Srokowski

Subject: Re: Revision of plans in reponse to heritage advice - No. 44 Burt St,
Fremantle - DA0061/12 - Two storey additions and alterations to existing Single
House

Hi Konrad,

Thank you for referring the revised plans.

The amendments to the first floor plan, the East Elevation and the roof form have
been clarified by the architects and the details, as shown on the drawings, are
acceptable to me.

Kind regards

Stephen

Stephen Carrick
Director
Stephen Carrick Architects Pty Ltd
Mobile: 0457 309 201
Email: stephen.carrick09@gmail.com
PO Box 578
Scarborough WA 6922

ATTACHMENT 3 – SITE PHOTOS



Photo of subject site from south east.



Photo of subject site from south east (eastern elevation).



Photo of subject site and eastern adjoining property from south west.



Photo of subject site and eastern adjoining property from east.



Photo of eastern adjoining property at No. 46 (Lot 36) Burt Street, Fremantle. Photo indicates wall height associated with this adjoining property and its close proximity to the subject site's eastern boundary.

**PSC1210-160 MARKET STREET NO. 4-6 (LOT 1), FREMANTLE -
RETROSPECTIVE PLANNING APPROVAL FOR EXTERNAL
TREATMENT AND SIGNAGE TO EXISTING HERITAGE
BUILDING - (KS DA0367/12)**

ATTACHMENT 1 – DEVELOPMENT PLANS





ATTACHMENT 2

HERITAGE ASSESSMENT



COMMERCIAL BUILDING, 2- 6 MARKET STREET
FREMANTLE

DA0367/12

**PREPARED FOR
CITY OF FREMANTLE**

September 2012

Introduction

This heritage assessment document has been prepared as required and in accordance with the City of Fremantle's City Local Planning Policy 1.6 Preparation of Heritage Assessments.

The Commercial Building, 2 - 6 Market Street Fremantle is included on the City of Fremantle's Heritage List and has a level 1B management category on the City's Municipal Heritage Inventory. It is recommended that this place be considered for entry in the Heritage Council of Western Australia's Register of Heritage Places, as this place is considered by the City of Fremantle to be of exceptional significance to the City and its conservation is required. This portion of High Street is also included within the West End Conservation Area.

Places of heritage significance should be conserved in accordance with the principles of the Burra Charter (The Australia ICOMOS for the conservation of places of cultural significance) which has been adopted by Council as the guiding document for the conservation of places of cultural heritage significance. Also taken into consideration on heritage grounds is City of Fremantle's policy D.G.F.14 West End Conservation Policy.

The application is for retrospective approval for the signage painting on the southern wall of the building.

DESCRIPTION OF THE PLACE/S

Market Street runs in a northerly to southerly direction from Phillimore Street through to Collie Street. 2 - 6 Market Street is located on the south east corner of Market Street and Elder Place.

Commercial Building, 2 - 6 Market Street (1913) is a two storey face brick and highly decorative face brick corner building with a zero setback from the pavement. The first floor façade features a highly decorative parapet and pediment, with decorative pilasters and stucco between the windows. The ground floor has a bull nosed verandah awning (not original) with metal framing clad with Colorbond.

HERITAGE VALUES

Heritage values and attributes should be considered in the context of the following:

- Fabric
- Setting
- Use
- Associations
- Meaning

Table 1

Heritage values	
Aesthetic	High – Contributes strongly to the streetscape as a landmark and is aesthetically significant in its own right and as a fine example of a Federation Free Classical style building. The first floor facades are of particular aesthetic value.
Historic	High – The place is historically significant commercial building constructed within the first decades of the twentieth century in Fremantle. The place is a fine example of a Federation Free Classical building, with elaborate detailing that makes a significant contribution to the streetscape.
Social	High – Contributes to the community's sense of place and as evidenced by its classification by the National Trust
Scientific	-
Heritage Attributes	
Rarity	Moderate
Representativeness	High – it is representative of a two storey building built in the Fremantle area.
Integrity	High
Authenticity	Moderate / High – the building is largely intact

HERITAGE SIGNIFICANCE

Table 2

Significance			
Exceptional	Considerable	Some	Limited or none
<p>Comments:</p> <p>Statement of Significance:</p> <p>Commercial Building, 2 – 6 Market Street (1913) is a two storey commercial building located to the corner of Market Street and Elder Place and is of cultural heritage significance for the following reasons:</p> <p>the place has historic value as a fine example of a commercial building dating from the first decades of the twentieth century that and makes a contribution to the Market Street streetscape and West End Conservation Area;</p> <p>the place has aesthetic value a fine example of a Federation Free Classical style building with elaborate stucco decoration above the ground floor level;</p> <p>the place is of social significance as it contributes to the community's sense of place as evidenced by the National Trust Classification of the place.</p> <p>The verandah awning and shop fronts are not significant.</p> <p>Zones if Significance:</p> <p>Comments:</p> <p>Overall, the building is of exceptional significance and is worthy of consideration for inclusion on the Heritage Council of Western Australia's Register of Heritage Places.</p>			

The Statement of Heritage Impact examines the impact of the proposed development on the heritage significance of the place, and includes a discretionary value judgment concerning the impact of the proposal on the identified heritage values of the place.

The Statement of Heritage Impact shall be prepared in the following format:

Table 3

How does the proposed development impact on the heritage significance of the place with regard to the following criteria:	
Degree of change (positive and negative) on the place in light of its heritage significance.	<p>The external painting to the southern (side) elevation has been done using acrylic paints.</p> <p>Buildings such this were built with solid masonry walls and are essentially different from modern buildings, which are generally constructed with some form of cavity wall. Cavity walls allow moisture to penetrate the outer leaf of the building but protect the inner leaf from damp. Whereas with solid masonry buildings, it was accepted that a certain amount of dampness would penetrate the solid walls and that this moisture would evaporate naturally. It was also the intention that this evaporation would take place mainly on the external face of the walls.</p> <p>Allowing the building fabric to breathe and to thus bring about the natural evaporation of moisture remains a fundamental principle in the care and conservation of buildings with solid masonry walls.</p> <p>Previous works to the front facades of the first floor of the building have included removal of acrylic paints to the brickwork which has been a positive contribution to the heritage significance of the place.</p> <p>It is good conservation practice to remove all layers of low permeability material from solid construction masonry walls.</p> <p>In conclusion, the painted signage has a negative impact on the wall and it is recommended that the paint to the southern wall be removed appropriately so as not to cause any damage to the brickwork.</p>

Degree of permanent impact (irreversible loss of value) that the proposal is likely to have on the heritage significance of the place.	The works have a negative impact on the place however the painting is removal.
Compatibility with heritage building in terms of scale, bulk, height – the degree to which the proposal dominates, is integrated with, or is subservient to a heritage place	n/a
Compatibility with the streetscape and/or heritage area in terms of the siting, local architectural patterns, and the degree of harmonised integration of old and new.	The external signage is substantial in size and it is recommended that any future signage to the building be of an appropriate size.
Compatibility with heritage building in terms of the design solutions and architectural language such as refinement and finesse of detailing, texture, materials, finishes and quality of craftsmanship.	As above, historically the brickwork was unpainted and the building will be conserved if allowed to breathe without the use of acrylic paints.
Degree of impact on the important public views, vistas, landmarks, landscape features	n/a

5.0 STATEMENT OF CONSERVATION

Note: This is required for all Category 1 and Category 2 level places unless otherwise advised by the City of Fremantle.

Statement of *conservation* should define all essential processes of looking after a place (*preservation, restoration, reconstruction, adaptation, maintenance* and *interpretation* of a place) so as to retain its *cultural significance*.

This part of the assessment is not based on the proposed development, but identifies the conservation works required, and guides future fabric retention, adaptation and reuse.

- **Condition Analysis**
- **Identification of conservation works required**
- **Recommendations as to the future fabric retention, adaptation and reuse.**

Generally:

- Overall the building appears in good condition.
- The place should be referred to the Heritage Council for assessment for possible inclusion in the State Register of Heritage Places.
- A program of maintenance should be prepared and implemented.
- A conservation plan for the place should be prepared and implemented.

Photographs City of Fremantle (2012)



2 – 6 Market Street – view showing corner of Elder Place and Market Street



2 – 6 Market Street – view looking north east



2 – 6 Market Street – view showing southern painted signage

6.0 REFERENCES

Apperly, R, e t a l. A Pictorial Guide to Identifying Australian Architecture Styles and terms from 1788 to the Present. (Sydney: Angus & Robertson, 1989)

The Illustrated Burra Charter: making good decisions about the care of important places, by Peter Marquis-Kyle & Meredith Walker, first published by Australia ICOMOS, in 1992, this edition, 2004.

City of Fremantle Municipal Heritage Inventory datasheet.

ATTACHMENT 3 – SITE PHOTOS



External treatment and signage to southern wall of heritage building at subject site.



Signature on signage indicates signage and external treatment dates back to 2003 (9 years in existence).

**PSC1210-161 COLLICK STREET NO. 20 (LOT 36), HILTON – TWO 92) LOT
SURVEY STRATA SUBDIVISION – (NMG WAPC 526-12)**

ATTACHMENT 1

**GIUDICE
SURVEYS**

ESTABLISHED 1972

LICENSED LAND SURVEYORS
Land Subdivisions, Strata Consultants,
Engineering Surveys, Project Management

8 Stirling Street
Fremantle
PO Box 1219
FREMANTLE WA 6959

E: giudice@giudicesurveys.com
T: 9335 6222
F: 9430 4980

Lot Number : 36
Survey Plan : P6679
Local Government : CITY OF FREMANTLE
Certificate of Title : 2175-503
Date : 09/05/2012
Scale @ A4 : 1:400
Reference : 93/12-APP

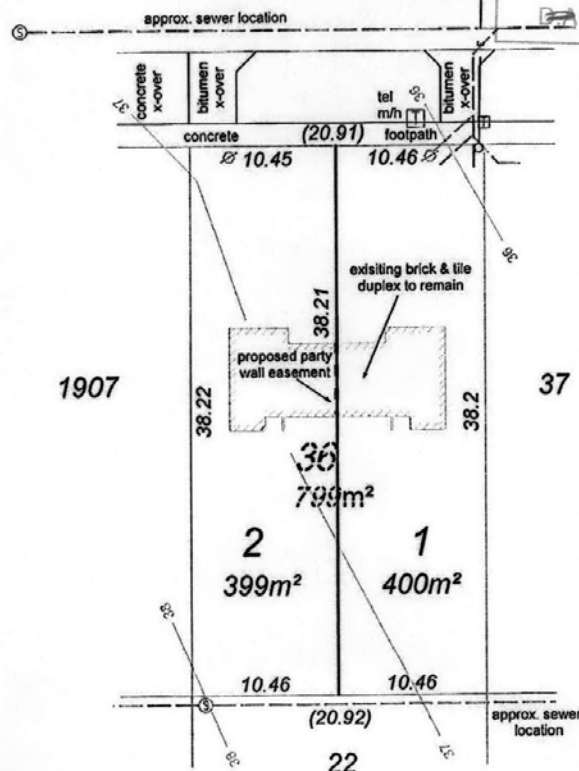
PROPOSED SURVEY STRATA OF FREMANTLE
THESE PLANS FORM PART OF

4 - JUL 2012

WAPC 526-12

COLLICK STREET

PLEASE ATTACH A3 PLANS FOR SCANNING
FILE COPY



20 COLLICK STREET
HILTON WA 6163

ZONED: R20/25

Total areas:
Lot 36 - 799m²
No. of original lots - 1
No. of proposed lots - 2

* ALL BUILDING OFFSETS ARE APPROXIMATE ONLY
AND ARE SUBJECT TO SURVEY.
Contours Plotted from Water Corporation Sewer E plans.
If A Proposed Building is less than 1m from the Sewer Main,
The Water Corporation will require a Surveyed Location of the
Sewer Main prior to Approval of the Building Application
ALL DIMENSIONS, LOT NOS & AREAS ARE SUBJECT TO SURVEY
AND APPROVAL OF WAPC & TITLES OFFICE.

SERVICE LEGEND	
LINE STYLES	
ON POWER LINE	—
PROPOSED BOUNDARY	—
TITLE BOUNDARY	—
BUILDING LINE	—
TOP OF FLEES	—
FEATURES	
STREET SIGN	P
BORER COVER	⊕
GAS METER	⊕
WATER	—
STOP VALVE	⊕
HYDRANT	⊕
WATER METER	⊕
TELSTRA	⊕
TELSTRA PIT	⊕
POWER	
CROSSOVER POLE	⊕
POWER POLE	⊕
LIGHT POLE	⊕
STAY POLE	⊕
CABLE DOWE	⊕
DRAINAGE	
SEW MANHOLE	⊕
GRATE	⊕
SOB ENTRY PIT	⊕
SEWERAGE	
SEWER MANHOLE	⊕

GIUDICE SURVEYS: ABN 90 910 482 646 as trustee for the JOHN GIUDICE & ASSOCIATES UNIT TRUST
PRINCIPALS Neil Davidson Dip Cart (A I C) Michael J Misson Licensed Surveyor Nigel J Simpson Licensed Surveyor

9312APP - A4 app

**PSC1210-162 SCHEDULE OF APPLICATIONS DETERMINED UNDER
DELEGATED AUTHORITY**

ATTACHMENT 1

- 1. LILLY STREET, NO. 48 & 50 (LOTS 1 & 2) SOUTH FREMANTLE - FOUR LOT SURVEY STRATA SUBDIVISION (JWJ WAPC637-12)**
- 2. QUEEN VICTORIA STREET, NO.11 (LOT 348), FREMANTLE – ALTERATIONS TO EXISTING APPROVED THREE - SIX STOREY, MIXED USE DEVELOPMENT WITH BASEMENT CAR PARKING – (JL DA0372/12)**
- 3. WOOD STREET NO. 42 (LOT 1), WHITE GUM VALLEY – SHADE STRUCTURE (VERGOLA) ADDITIOIN TO SINGLE HOUSE – (KS & YZ DA0410/12)**
- 4. WOOD STREET, NO. 63A (LOT 2) WHITE GUM VALLEY - AMENDMENT TO PREVIOUS APPROVAL DA466/10 (TWO STOREY GROUPED DWELLING) (JWJ DA0390/12)**
- 5. BANNISTER STREET, NO.2/16 (LOT 3), FREMANTLE – PARTIAL CHANGE OF USE TO OFFICE & WAREHOUSE – (JL DA0414/12)**
- 6. WOOD STREET NO. 46B (LOT 2), WHITE GUM VALLEY– CARPORT ADDITION TO THE EXISTING GROUPED DWELLING– (YZ & JWJ DA0381/12)**
- 7. QUARRY STREET, NO. 27 (LOT 4), FREMANTLE – TWO STOREY ADDITIONS AND ALTERATIONS TO EXISTING GROUPED DWELLING – (JS DA0338-12)**
- 8. BANNISTER STREET NO.16 (LOT 2), FREMANTLE – SECTION 40 CERTIFICATE REPORT – (JL LL0010/12)**
- 9. HOPE STREET, NO. 6A (LOT 4), WHITE GUM VALLEY – TWO STOREY GROUPED DWELLING – (JS DA0330/12)**
- 10. NICHOLAS CRESCENT NO. 31B (LOT 1), HILTON – SINGLE STOREY SINGLE HOUSE – (KS DA0348/12)**
- 11. HARVEST ROAD NO.23 (LOT 7), NORTH FREMANTLE – INTERNAL AND SECONDARY STREET FENCE ADDITIONS TO EXISTING RESIDENTIAL BUILDING (NURSING HOME) – (JL DA0391/12)**
- 12. FULLSTON WAY NO.2 (LOT 88), BEACONSFIELD – TWO STOREY SINGLE HOUSE – (JL DA0289/12)**
- 13. COLLEGE CORNER NO.29 (LOT 110), O’CONNOR – SINGLE STOREY SINGLE HOUSE – (JL DA0394/12)**

- 14. PRICE STREET NO. 28 (LOT 6), FREMANTLE – VARIATION TO PREVIOUS PLANNING APPROVAL FOR DA0221/12 (ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE AND SMALL SECONDARY DWELLING ADDITION) – (KS VA0034/12)**
- 15. PASS CRESCENT NO. 4 (LOT 94), BEACONSFIELD - EXTENSION TO TERM OF PLANNING APPROVAL FOR DA0419/10 (REAR DECK ADDITION TO EXISTING SINGLE HOUSE – (KS ET11/12)**
- 16. WRAY AVENUE NO.14 (LOT 3), FREMANTLE EXTENSION TO TERM OF APPROVAL FOR DA0123/10 (THREE STOREY MIXED USE ADDITION TO EXISTING BUILDING) (JL ET15/12)**
- 17. HIGH STREET NO.314 (LOT 1572), FREMANTLE – RETROSPECTIVE APPROVAL FOR OUTBUILDING ADDITION AND REAR SINGLE STOREY ADDITIONS, ALTERATIONS TO, AND RE-ROOFING OF EXISTING SINGLE HOUSE – (AD DA0230/12)**
- 18. CUREDAL STREET, NO. 52 (LOT 130), BEACONSFIELD – TWO STOREY SINGLE HOUSE – JS DA0357/12)**
- 19. LIVINGSTONE STREET, NO. 15 (LOT 303), BEACONSFIELD - LIFT EXTENSION TO EXISTING SINGLE HOUSE (SB DA0416/12)**
- 20. CHADWICK STREET NO. 14A (LOT 2), HILTON – TWO STOREY GROUPED DWELLING – (KS DA0356/12)**
- 21. KEELING WAY NO.20 (LOT 239), SOUTH FREMANTLE – TWO STOREY SINGLE HOUSE – (JL DA0325/12)**

PSC1210-163 PROPOSED PAW CLOSURE - LOT 247 (NO.29) LONGFORD ROAD, BEACONSFIELD (KSW)

ATTACHMENT 1



Your Ref : DA134198
Enquiries : Hannah Clowes (Ph 9264 7618)

Chief Executive Officer
City of Fremantle
P O Box 807
FREMANTLE WA 6959

**Approval Subject To Condition(s)
Freehold (Green Title) Subdivision**

Application No : 134198

Planning and Development Act 2005

Applicant	: Plan-It Town Planning & Development P O Box 182 NORTH FREMANTLE WA 6159
Owner	: Moltoni No 1 Pty Ltd 1/32 Ledger Road BALCATTA WA 6021
Application Receipt	: 22 March 2007

Lot number	: 9002
Location	: -
Diagram/Plan	: DP 42137
C/T Volume/Folio	: 2588/243
Street Address	: Lefroy Road, Beaconsfield
Local Government	: City of Fremantle

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped 22 March 2007 once the condition(s) set out have been fulfilled.

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

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 10 September 2014 or this approval no longer will remain valid.

Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
e-mail: corporate@wapc.wa.gov.au; web address: <http://www.planning.wa.gov.au>
ABN 35 482 341 493

CITY OF FREMANTLE	
Date Rec	16 SEP 2010
Class	
Subject	059/002.
DA/Legal	DA 134198
Property	5-43 LONGFORD Rd.
Related No	
By	DTO J. Lawrence
	SA.



Reconsideration - 28 days

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

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Deposited plan

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

Condition(s)

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

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

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

Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
e-mail: corporate@wapc.wa.gov.au; web address: <http://www.planning.wa.gov.au>
ABN 35 482 341 493



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

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

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

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

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

CONDITION(S)

1. The land being graded and stabilised. (Local Government)
2. The land being filled and/or drained. (Local Government)
3. Arrangements being made to the satisfaction of the WAPC to ensure that prospective purchasers of the proposed lots are advised of the following:

"This land is affected by contaminated groundwater associated with previous land uses and accordingly extraction of groundwater should not be undertaken. Further advice can be obtained from the Department of Environment and Conservation".
(Local Government)
4. Uniform fencing along the eastern and southern boundaries of the proposed lots, as depicted on the attached plan of subdivision, is to be constructed to the satisfaction of the WAPC. (Local Government)
5. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lots shown on the approved plan of subdivision. (Water Corporation)
6. Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
7. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lots shown on the approved plan of subdivision. (Western Power)

Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
e-mail: corporate@wapc.wa.gov.au; web address: <http://www.planning.wa.gov.au>
ABN 35 482 341 493



8. The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)

ADVICE

1. Given the redundancy of the existing PAW, due to the significant gradient from the eastern end of the PAW to the adjoining site, the WAPC advises that it supports permanent closure of the PAW and the land being incorporated into the adjoining lots, or alternatively, utilised as an additional lot.
2. Where the Water Corporation is the designated Utility Services Provider for the proposed subdivision relating to water, sewerage and/or drainage, the applicant/owner shall make satisfactory arrangements with the Corporation for the provision of the requisite services.
3. Where required, the applicant/owner shall provide service connections, make financial arrangements, set aside land, grant easements, apply notices or other requirements, to protect existing and proposed Corporation assets to the satisfaction of the Water Corporation.
4. Upon the receipt of a request from the applicant/owner, a Land Development Agreement under section 67 of the Water Agencies (Powers) Act 1984, will be prepared by the Water Corporation which will document the specific requirements for the proposed subdivision.
5. With regard to Condition 7, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground.
6. If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.
7. With regard to Condition 8, the specific location and area of land required is to be to the satisfaction of the WAPC on the advice of the local government and Western Power.

A handwritten signature in black ink, appearing to read "Tim Hillyard".

Tim Hillyard
Acting Secretary
Western Australian Planning Commission
10 September 2010

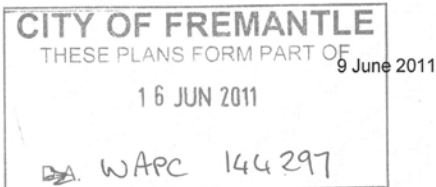
Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
e-mail: corporate@wapc.wa.gov.au; web address: <http://www.planning.wa.gov.au>
ABN 35 482 341 493



ATTACHMENT 2



Our Ref : 144297
Previous Ref :
Your Ref :
Enquiries : Rosa Rigali (Ph 9264 7612)



Chief Executive Officer
City Of Fremantle
P O Box 807
FREMANTLE WA 6959

Application No : 144297 - Lot 247 Longford Road, Beaconsfield

The Western Australian Planning Commission has received an application for planning approval as detailed below. Plans and documentation relating to the proposal are attached. The Commission intends to determine this application within 90 days from the date of lodgement.

Please provide any information, comment or recommended conditions pertinent to this application by the 21st July 2011 being 42 days from the date of this letter. The Commission will not determine the application until the expiry of this time unless all responses have been received from referral agencies. If your response cannot be provided within that period, please provide an interim reply advising of the reasons for the delay and the date by which a completed response will be made.

Send responses either to the address below or alternatively via email to referrals@planning.wa.gov.au.
Always quote reference number "144297" when responding.

No response to this request may be taken as an indication that there is no comment to offer.

This proposal has also been referred to the following organisations for their comments:
Western Power, Water Corporation and LG As Above.

Yours faithfully

Tony Evans
Secretary
Western Australian Planning Commission

CITY OF FREMANTLE

Date Rec 16 JUN 2011
Class

Subject 059/002

D/V Legal WAPC 144297

Property 29 Longford

APPLICATION DETAILS

Application Type	Subdivision	Application No	144297
Applicant(s)	Guidice Surveys		
Owner(s)	Department Of Regional Development And Lands, Moltoni No 1 Pty Ltd		
Locality	Lot 247 Longford Road, Beaconsfield		
Lot No(s).	247,9002	Purpose	Residential
Location		Local Gov. Zoning	Development
Volume/Folio No.	2588/242, 2588/243	Local Government	As Above
Plan/Diagram No.	P042137/247, P042137/900	Tax Sheet	Perth 08.12
	2		
Centroid Coordinates	383327mE 6451129mN		
Other Factors	MRS: URBAN, CCS SITE ID NO. 985		

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 9000; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: corporate@planning.wa.gov.au; web address <http://www.planning.wa.gov.au>
ABN 35 482 341 493

**GIUDICE
SURVEYS**

ESTABLISHED 1972

LICENSED LAND SURVEYORS

Land Subdivisions, Strata Consultants,
Engineering Surveys, Project Management

8 Stirling Street
Fremantle
PO Box 1219
FREMANTLE WA 6959

T: 9335 6222
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E: giudice@giudicesurveys.com

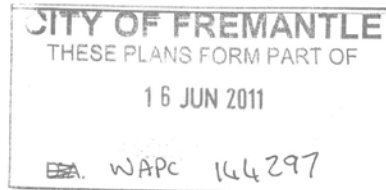
The Secretary
Department for Planning
Albert Facey House
469 Wellington Street
PERTH WA 6000

REF:79/07

23rd May 2011

Attn:

Dear Sir/Madam,



RE: LOTS 9002 & 247 (PAW) LONGFORD ROAD, BEACONSFIELD
SEE PREVIOUS APPROVAL #134198

Please find attached our **Proposed Subdivision Plan** for the above described
Amalgamation /Subdivision.

The PAW Included has previously been mentioned in WAPC Approval 134198 in Advice note 1 (see attached). City of Fremantle have advertised the closure and our client is in the process of purchasing the land through the Dept. of Regional Development and Lands. As shown on the Proposal Lot 247 will be amalgamated with the balance of Lot 9002 and Three new lots created.
Thankyou for receiving this application.

We await your positive reply.

Yours faithfully

NEIL DAVIDSON
Director/Manager

DEPARTMENT OF PLANNING	
DATE	FILE
27 MAY 2011	144297

GIUDICE SURVEYS: ABN 90 910 482 646 as Trustee for the John Giudice & Associates Unit Trust
PRINCIPALS: Neil Davidson, Dip Cart (AIC) Michael J Misson, Licensed Surveyor Nigel J Simpson, Licensed Surveyor
K:\Molteni\7907\Corres\GS DPL App.doc

WAPC Approval 134198



8. The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)

ADVICE

- * 1. Given the redundancy of the existing PAW, due to the significant gradient from the eastern end of the PAW to the adjoining site, the WAPC advises that it supports permanent closure of the PAW and the land being incorporated into the adjoining lots, or alternatively, utilised as an additional lot.
2. Where the Water Corporation is the designated Utility Services Provider for the proposed subdivision relating to water, sewerage and/or drainage, the applicant/owner shall make satisfactory arrangements with the Corporation for the provision of the requisite services.
3. Where required, the applicant/owner shall provide service connections, make financial arrangements, set aside land, grant easements, apply notices or other requirements, to protect existing and proposed Corporation assets to the satisfaction of the Water Corporation.
4. Upon the receipt of a request from the applicant/owner, a Land Development Agreement under section 67 of the Water Agencies (Powers) Act 1984, will be prepared by the Water Corporation which will document the specific requirements for the proposed subdivision.
5. With regard to Condition 7, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground.
6. If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.
7. With regard to Condition 8, the specific location and area of land required is to be to the satisfaction of the WAPC on the advice of the local government and Western Power.

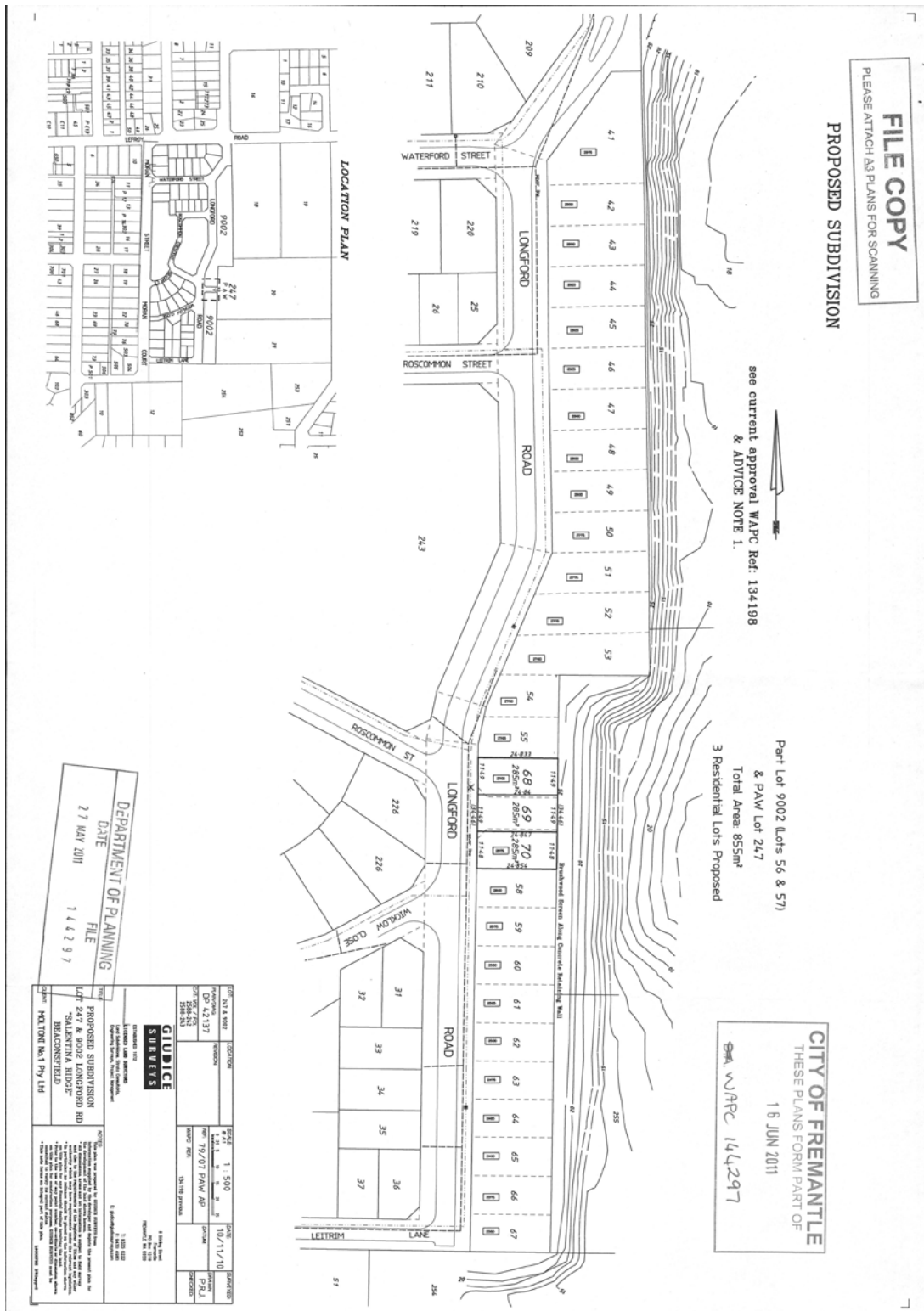
Tim Hillyard

Tim Hillyard
Acting Secretary
Western Australian Planning Commission
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DEPARTMENT OF PLANNING	
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27 MAY 2011	144297

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ATTACHMENT 3



**PSC1210-164 DRAFT LOCAL PLANNING POLICY LPP2.18 - NEW
RESIDENTIAL DEVELOPMENTS IN THE CITY CENTRE ZONE -
NOISE FROM AN EXISTING SOURCE - ADOPTION FOR PUBLIC
ADVERTISING**

**ATTACHMENT 1 - D.F.5 New Residential Developments – Noise from an
Existing Source**

**D.F.5 NEW RESIDENTIAL DEVELOPMENTS - NOISE FROM AN EXISTING
SOURCE**

OBJECTIVE

The objective of this policy is to address the issue of noise problems when considering new residential developments in close proximity to existing noise producing uses.

POLICY

Where, in the view of Council, proposed residential developments are in proximity to recognised existing commerce or industry in Fremantle, the following policy shall apply:

1. All residential developments that are, in the view of Council, in proximity to recognised existing commerce or industry shall be designed and constructed in such a manner so that noise levels from activities associated with existing commerce or industry that could potentially affect future occupiers can be successfully attenuated. The details of such attenuation shall be to the satisfaction of Council's Urban Environment & Control Section.
2. Any developer or owner shall, in writing, advise purchasers of residential units in proximity to existing recognised industry or commerce that:
 - (a) It may be subject to activities or noise not normally associated with a typical residential development.
 - (b) Council advises that purchasers should recognise that in selecting to reside in this locality that noise, traffic and other factors that constitute part of normal commercial or industrial activity are likely to occur.
 - (c) That in selecting to live in this locality purchasers are recognising and accepting the possibility that there may be noise and other factors not normally associated with typical residential developments.

Adopted: 18/7/94

ATTACHMENT 2 - Local Planning Policy 2.3 - Fremantle Port Buffer Area Development Guidelines



CITY OF FREMANTLE

LOCAL PLANNING POLICY 2.3

FREMANTLE PORT BUFFER AREA DEVELOPMENT GUIDELINES

ADOPTION DATE: 08/03/2007

AUTHORITY: LOCAL PLANNING SCHEME NO.4

STATUTORY BACKGROUND

STRATEGY

The Fremantle Planning Strategy and Fremantle City Plan 2000 - 2005 recognise the contribution of the Port to the Fremantle region. A viable working Port is identified as instrumental to maintaining the economic wellbeing of the area, including the attraction of a range of industries that generate income and employment to the region.

Nevertheless, in the future it will be important to ensure that the Port and its' surrounding area are well integrated, particularly in terms of the management of potential impacts. Potential impacts and risks include, but are not necessarily limited to, public risk, noise and odour. To this end, clause 5.1.4.2 {10.(ii)} of the Fremantle Planning Strategy recommends that the City develop, in conjunction with Fremantle Ports, a policy that provides for appropriate development controls for the area surrounding the Port.

The objectives of the Fremantle Planning Strategy are also consistent with the State Industrial Buffer Policy prepared by state government in 1997. The policy calls for the introduction of planning controls in town planning schemes to manage potential land use conflicts between industrial facilities and adjoining areas.

Buffer areas

Fremantle Ports has recently (May 2002) completed the Fremantle Inner Harbour Buffer Definition Study. The study has identified the need for an offsite buffer around the Port. The buffer was determined on the basis of a range of potential amenity impacts and risks including noise, odour and public risk.

Three buffer areas around the Port have been identified: Area 1, Area 2 and Area 3. The policy defines separate land use and built form requirements for each area. The areas are identified in Appendix A.

DEFINITIONS

Buffer Area - is the area within which some land use and development is either restricted or prohibited.

Sensitive Use - includes residential dwellings, major recreational areas, childcare facilities, aged persons facilities, prisons, hospitals, schools and other institutional uses involving accommodation and any other use that the City considers may be affected by proximity to the inner harbour of the Port of Fremantle.

Residential uses - means "Residence - private", "Residence other", hotel rooms and serviced apartments and backpacker accommodation.

PURPOSE

The policy has the following objectives:

- To provide clear development guidelines that seek to minimise potential impacts that may arise from the Port.
- To promote land use compatibility between the Port and surrounding urban area.
- To enable continued urban development around the port whilst maintaining efficient operation of the Port.
- Outline clear administrative processes for referral and liaison between the Fremantle Ports and Fremantle City Council.

Scope

This policy applies to land use and development for the land area identified in Appendix A. The City recognises that this policy is one aspect of the total management requirements that may be required now and in the future for the Port.

POLICY

4.1 Area 1

Potential Risk and Amenity Considerations

Within Area 1, there is a requirement to control development in order to minimise the following potential impacts:

- a) Ingress of toxic gases in the event of an incident within the Port,
- b) Shattering or flying glass as a consequence of an explosion within the Port,
- c) Noise transmission emanating from the Port (attenuation in the order of 35dB(A) is required), and
- d) Odour.

The following land use and built form requirements are intended to address the above potential impacts in order to maintain compliance with the Environmental Protection Act 1986.

Land Use

Non residential sensitive uses

The City shall not support the following sensitive uses within Area 1:

- a) Childcare facilities,
- b) Aged persons facilities,
- c) Prisons,
- d) Schools, and
- e) Hospitals.

Residential use

The City may support residential uses within Area 1 subject to compliance with:

- a) Built form requirements outlined below, and
- b) All other relevant Council policies and provisions.

Residential density

Development applications proposing greater than 50 dwellings shall be supplemented with a formal risk assessment. The assessment shall clearly demonstrate how the development will be designed and constructed in order to ensure that the risk impacts from port operations to the occupants will be maintained to "as low as reasonably practical" (ALARP):

The applicable criteria and guidelines are provided in the following EPA Bulletins.

- a) *EPA Bulletin 611, February 1992, Criteria for the Assessment of Risk from Industry.*
- b) *EPA Bulletin 627, May 1992, Criteria for the Assessment of Risk from Industry – expanded discussion.*

Built Form - (all development)

Within Area 1, buildings shall be designed so as to incorporate all of the following design and construction features:

Windows and openings

- a) The aggregate area of windows and doorways shall not exceed 40%* of the total area of the façade facing the Port Inner Harbour.
- b) Any glass used for windows or other openings shall be laminated safety glass of minimum thickness 12 mm or "double glazed" utilising laminated or toughened safety glass of minimum thickness 6 mm.
- c) Windows shall be fixed (non opening), however where this is not possible, windows shall be of a "hopper or "awning" style with a maximum opening arc of 12.5 degrees.
- d) All safety glass shall be manufactured and installed to an appropriate Australian Standard.
- e) All doors facing the port shall have automatic closure to a sealed state.

Balconies

- f) Balconies shall not be provided to any facades facing the Port Inner Harbour.

Air - conditioning systems

- g) All air conditioning systems shall incorporate the following features:
 - i) multiple systems to have internally centrally located shut down point and associated procedures for emergency use,
 - ii) preference for split "refrigerate" systems

Construction

- h) All residential development shall incorporate the following minimum standards of construction:
 - i) cavity masonry construction for external walls of residential buildings, and
 - ii) roof insulation.

Note: 1) The City recognises that this requirement may not be possible to achieve in the case of the proposals involving the adaptation / reuse of buildings of conservation and heritage significance.

2) The City may accept alternative built form treatments subject to the applicant satisfactorily demonstrating fulfilment of the potential risk and amenity considerations outlined above. Alternative treatments shall be justified to the City through submission of professionally prepared and certified reports.

Notification and Memorials on Title

- a) All residential development approvals shall be conditioned in order to require a notification to be placed on title advising of the potential amenity impacts associated with living/working in proximity of the Port.
- b) In the case of all residential subdivision, the City and Fremantle Ports shall request the Western Australian Planning Commission to support the placing of memorials on new titles advising of the potential amenity impacts associated with living in proximity of the Port.
- c) Notification and memorial statements shall be as per the standard wording contained in Appendix B.

4.2 Area 2

Potential Risk and Amenity Considerations

The potential impacts in Area 2 are not as great as in Area 1. Nevertheless, consideration is given to the following potential impacts:

- a) Ingress of toxic gases in the event of an incident within the Port,
- b) Shattering or flying glass as a consequence of explosion within the Port,
- c) Noise transmission emanating from the Port (attenuation in the order of 30dB(A) is required), and
- d) Odour.

Built Form Requirements

The following built form requirements shall apply to the following categories of development:

- a) All residential development other than alterations and additions to existing dwellings.
- b) All non-residential development other than refurbishment / renovations (not involving a nett increase in floor area) to existing buildings and non-residential change of use proposals.

Within Area 2, buildings shall be designed so as to incorporate all of the design and construction features outlined as follows:

Windows and openings

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

Air - conditioning systems

- c) As per Area 1 (f) above)

Construction

- d) Quiet house design guidelines shall be applied to residential developments.
- e) All developments shall incorporate roof insulation.

Note: 1) Council recognises that this requirement may not be possible to achieve in the case of the proposals involving the adaptation / reuse of buildings of conservation and heritage significance.

2) Council may accept alternative built form treatments subject to the applicant satisfactorily demonstrating fulfilment of the potential risk and amenity considerations outlined above. Alternative treatments shall be justified to Council through submission of professionally prepared and certified reports.

Notification and Memorials on Title

Where development, including subdivision, incorporates additional sensitive uses notification or a memorial shall be placed on the title as outlined in Area 1 above.

4.3 Area 3

Potential Risk and Amenity Considerations

Generally the potential risk and amenity impacts from the Port are considerably less in Area 3. Nevertheless, the Fremantle Inner Harbour Buffer Definition Study has identified the potential for some noise and odour impacts in this area.

The intent of the policy for Area 3 is the management, as opposed to the control, of sensitive uses.

Development Controls

There are no general buffer related development controls for Area 3. However, where a specific location within this area is known to be impacted from port operations (eg through a history of formal complaints), the City may, in consultation with Fremantle Ports, apply some or all of the development controls outlined in Section 4.2 above.

Notification and Memorials on Title

Where development, including subdivision, incorporates additional sensitive uses, notification or a memorial shall be placed on the title as outlined in Area 1 above if the specific location is known to be impacted from port operations as described above.

5.0 ADMINISTRATIVE PROCEDURES

Advice to Applicants - Areas 1 - 3

Where applicable, applicants should be advised as soon as possible of the requirements of this policy. Ideally, this should be prior to lodging a formal application for development, including proposals for subdivision and scheme amendments.

Applicants should be encouraged to liaise with relevant staff including those at Fremantle Ports, in order to understand the requirements of this policy.

Referral to Fremantle Ports

Area 1

All applications for development, including subdivision, shall be referred to Fremantle Ports as soon as possible for comment prior to determination of the application.

In the case of scheme amendments that effect the development potential of land, the City shall notify Fremantle Ports as soon as practicable prior to initiating the amendment.

Area 2

All applications for developments having the potential to accommodate 20 or more persons on a full or part-time basis shall be referred to Fremantle Ports as soon as possible for comment prior to determination of the application.

In the case of scheme amendments that would result in an increase or intensification of sensitive uses, the City shall notify Fremantle Ports as soon as practicable prior to initiating the amendment.

Area 3

The City shall refer a proposal to Fremantle Ports where the proposal falls within a specific location that has been formally notified to Council as being impacted from port operations.

In the case of scheme amendments that would result in an increase or intensification of sensitive uses, the City shall notify Fremantle Ports as soon as practicable prior to initiating the amendment.

General

The City shall refer a proposal to Fremantle Ports where a proponent seeks any significant variation to the development controls contained within this policy.

Receipt of Referral Comments

Fremantle Port shall within 14 days of notification, advise the City of Fremantle of its assessment of a development proposal referred as per the requirements outlined above.

Clearance of Conditions of Development Approval

In terms of conditions of development approval that arise from the requirements of this policy, the City shall require a building surveyor or suitably qualified structural engineer to certify that the requirements of the conditions have been fulfilled in accordance with the approved plans.

Where appropriate, certification shall be provided prior to the issue of a building licence, certificate of clearance / classification or strata / subdivision clearance.

The applicant shall arrange for certification to be endorsed by Fremantle Ports prior to lodgement of appropriate documentation with the City of Fremantle.

6.0 REFERENCES

Draft City Planning Scheme Four – March 2002 - Prepared by City of Fremantle Strategic Planning and Corporate Development Unit

Fremantle Inner Harbour Buffer Definition Study – May 2002. Prepared by HGM Maunsell on behalf of Fremantle Port

Fremantle Planning Strategy - July 2001 - Prepared by City of Fremantle Strategic Planning and Corporate Development Unit

