



Additional information

Planning Committee

Wednesday, 13 January 2021, 6.00pm

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**PC2101 - 1 KNUTSFORD STREET, NO. 6 (STRATA LOT 2) FREMANTLE - TWO
STOREY SINGLE HOUSE (TG DA0180/20)**

Additional Information 1 - OCM Minutes from 28 October 2020 and Attachments

**PC2010-1 KNUTSFORD STREET, NO. 6 (STRATA LOT 2) FREMANTLE - TWO
STOREY SINGLE HOUSE (TG DA0180/20)**

Meeting Date: 7 October 2020
Responsible Officer: Manager Development Approvals
Decision Making Authority: Committee
Agenda attachments: 1. Amended Development Plans
Additional information: 1. Site Photos
2. State Heritage Assessment (DPLH)
3. Heritage Assessment
4. Limestone wall Heritage Assessment

SUMMARY

Approval is sought for a two storey Single House at 6 Knutsford Street, Fremantle.

The proposal is referred to the Planning Committee (PC) due to the nature of some discretions being sought and comments received during the notification period that cannot be addressed through conditions of approval. The application seeks discretionary assessments against the Local Planning Scheme No. 4 (LPS4), Residential Design Codes (R-Codes) and Local Planning Policies. These discretionary assessments include the following:

- Building height (external wall)
- Primary street setback
- Boundary wall (east and west)
- Lot boundary setback (east, west and north)
- Open space
- Vehicle sightlines
- Site works and retaining walls
- Visual privacy (north, east)

The application was considered by PC at its meeting on 2 September 2020 and deferred for the applicant to make amendments to the proposal and provide additional information to address the following concerns from PC:

- The dwelling could be set back further from the eastern property boundary to reduce the scale of the building as viewed by the eastern neighbour and minimise the impact that the setback has on their amenity, particularly access to light and ventilation;
- The proposal did not provide adequate sightlines for vehicle movement;
- Additional detail was required with respect to the existing limestone retaining wall and how the northern elevation of bedrooms 2 and 3 and the balcony will be screened.

Amended plans and additional details were provided by the applicant on 22 September 2020. In addition, the City's Heritage team provided an updated report on the proposal which addressed the removal of the existing limestone retaining wall, supporting its removal.

The application as amended is recommended for conditional approval.

PROPOSAL

Detail

Approval is sought for a two storey Single House to an existing vacant property at 6 Knutsford Street, Fremantle. The proposed works include:

- Ground floor.
 - Two car garage.
 - Study/Guest room.
 - Kitchen/Living Room.
 - Powder room.
 - Outdoor living area.
- Upper floor
 - Three bedrooms and bathrooms.
 - Balcony.

The applicant submitted amended plans on 18 August 2020 including the following:

- The atrium structure was reversed to reduce the prominence of this element when viewed from the street.
- Making amendments to the wall to the return to the western boundary to include a high level window to the first floor bathroom and, increase the height of the arch leading to the rear yard and adding a breeze wall.

The applicant submitted further amended plans on 21 September 2020 in response to the concerns raised by PC including the following amendments:

- The setback of the upper floor beyond the proposed boundary wall from the eastern property boundary was increased from 1.05m to 1.5m.
- The crossover and garage door width were reduced to 4.5 metres.
- A wall to the south east corner of the site was removed to improve vehicle sightlines.
- The sill of north facing bedroom windows was increased to 1.6m above floor level.
- A planter box balustrade was added to the proposed balcony to mitigate overlooking of the northern neighbouring property.
- The proposed material for the eastern boundary wall was confirmed (banded concrete blockwork).

The City's heritage team also completed an assessment concerning the age and condition of the existing limestone retaining wall on the subject site which supported the removal of the structure. The findings of this report are included in Additional Information document 4 and discussed further in the officer comment section below.

Amended development plans are included as attachment 1.

Site/application information

Date received:	29 May 2020
Owner name:	Wave Bay Holdings Pty Ltd as trustee for the Smith Family Trust
Submitted by:	Slavin Architects Pty Ltd
Scheme:	Residential R25
Heritage listing:	Ord Street Precinct Heritage Area, Heritage Listed

Existing land use: Vacant site
Use class: Single House
Use permissibility: P



CONSULTATION

External referrals

Heritage Service (DPLH)

The original application was referred to Heritage Services as the subject site is located in the Ord Street Heritage Area and adjoins several individually State Heritage Listed properties. Heritage Services recommended several amendments to the proposal so it better reflected the existing streetscape. The applicant incorporated these amendments into the design and upon review DPLH Heritage Services advised that they had no objection per the attached assessment. The amended plans were not required to be referred back the DPLH for additional comment.

Community

The original application was advertised in accordance with Schedule 2, clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015, as the development proposed variations to several deemed-to-comply criteria and policy requirements. The advertising period concluded on 22 June 2020, and two (2) submissions were received. The following issues were raised (summarised):

Submitter concern	Officer comment
The submitter was concerned that the new build does not attempt to relate to the existing visual language of the heritage streetscape beyond a superficial reference on the front facade. The flattened rooflines that sit behind the equally shallow front verandah pitch do not provide enough depth and articulation to the streetscape to relate to the rhythm of the existing pitched rooflines (note the contemporary Klopper style build opposite that does reference the angle of the surrounding pitched roofs).	The design of the building has been reviewed for its consistency with the existing streetscape of Knutsford Street by the City's internal Heritage Officers and the Heritage Services Department of the Department of Planning, Lands and Heritage. The application has been supported.

<p>The submitter was concerned with the double garage dominating the front elevation, and reading as a flat front to the streetscape. It was noted that there are no double roller door garages with minimum setback in the area. Where they do exist, they are recessed well back into a lot so as not to detract from the existing houses as a dominant feature.</p> <p>From an established heritage precinct perspective, this is an anomaly in the streetscape. Particularly when the verandah does not overhang the garage and it has been designed as a prominent feature fronting the ground level pedestrian streetscape.</p>	<p>While it is noted that none of the other dwellings have a garage facing the streetscape at a reduced setback, it is considered that the proposed garage responds well to the streetscape in contributing to the appearance of a solid foundation, resulting in the dwelling being more consistent with the streetscape.</p>
<p>The submitter was concerned with the materials that maybe chosen for the western side wall, particularly if it is a continuation of solid limestone. The submitters concern in this regard was as follows: "From our ground level to the rear in our courtyard in sections we already have over 3m in height of solid limestone retaining wall, to follow on top of that with the same material would read as a bit like Freo Prison". A change in materials above this would mitigate the look and feel of a contiguous solid wall of the same material that would reach a height of almost 5m from our ground level.</p>	<p>The applicant has submitted amended plans which specify the finish of the eastern boundary wall to be banded concrete blockwork. The proposed finish is considered to be suitable and assist in providing some visual interest to the wall given its height and length.</p>
<p>The submitter was concerned with the potential incursion of privacy from overlooking on the west from bathrooms, study window, and from the large void expanse.</p> <p>The submitter noted that obscured glass on these windows would help and additional confirmation of the angling and movement potential of the angled louvres that are proposed to restrict overlooking potential was requested.</p> <p><i>"Essentially its not so much whether they really physically can look into our rear courtyard(our only private area) but rather the perception of overlooking from several windows and a particularly large void window looking down on us."</i></p> <p>The front balcony was also of concern the</p>	<p>The applicant has demonstrated the barriers to overlooking through the submission of section B, the applicant has included a vertical blade privacy screen to protect mutual privacy between the two sites.</p> <p>Otherwise it is noted that overlooking from bathroom/ensuite windows and hallways such as the far side of the void is not able to be controlled by the R-Codes deemed-to-comply criteria.</p> <p>Overlooking from the upper floor master bedroom is controlled by a privacy screen which is required to meet the screening definition listed in the R-Codes. The applicant has also included a screen</p>

submitter from overlooking into neighbouring rear space, particularly should the existing Sugar Gum be pruned.	structure to the void. Overlooking towards the west from the front balcony and atrium/living area is discussed below in the officer comment section.
Proposed setbacks to the west were considered fairly minimal which unfortunately and were considered to increase the potential feel of overlooking to the neighbouring rear area.	Lot boundary setbacks facing west are considered to satisfy the relevant design principles of the R-Codes as discussed in the officer comment section below.
The submitter noted that it was 'difficult to imagine' how the building will insert itself into the rhythm of the existing heritage streetscape without confirmation of building materials and external paint finishes etc. Construction materials and render/paint finishes will have the potential to soften the insertion of the contemporary style of the build or create too much contrast and compete with the existing heritage buildings.	In accordance with the assessments completed by the DPLH and City's internal heritage officers the building is considered to respond positively to the prevailing streetscape character.
A submitter considered that the proposed house was 'grossly oversized' for such a small site, and out of scale in an historically sensitive area. The submitter felt that will be overwhelming and obstruct both natural breeze and views of importance.	Per the below assessment, the building is considered to satisfy the relevant design principles of the R-Codes with respect to on site open space, building height and street setbacks.
Submitter objected to the width of the crossover due to the impact it would have on street parking availability in the cul-de-sac. It was requested that the crossover be reduced to 4m or less and relocated to the western side of the frontage for safety and sightline reasons, and to preserve existing street parking.	The applicant has submitted amended plans which specify a crossover of 4.5m which is consistent with the requirements of LPP 2.9.
The submitter was concerned about the loss of south-westerly views which would be obscured by the atrium/clerestory.	The limited depth of this element and open character of the structure are considered to permit any views which will be enjoyed over the building and site to be at least partly retained.
The submitter was concerned upper that the proposed street setback did not allow for graduation in the street setback as the proposed atrium/clerestory is set well forward of the neighbouring floor.	The applicant has amended their plans to reverse the orientation of the atrium/clerestory element to the roof, resulting in the roofscape better reflecting the existing dwellings in the street and reducing the prominence of this element.

<p>The submitter objected to the boundary wall and reduced lot boundary setbacks to the eastern boundary for the following reasons:</p> <ul style="list-style-type: none"> ○ The bulk of the wall was considered visually overwhelming. ○ Ventilation would be inhibited, the submitter noted that their dwelling relies on cross ventilation from the south west which may be limited by the development. ○ The adverse impact of the development and setback upon access to views. 	<p>In accordance with the below assessment, the boundary wall to the eastern site boundary is considered to appropriately address the design principles of Local Planning Policy 2.4.</p>
<p>The submitter was concerned in relation to overlooking from bedroom 2 towards the property to the west and the potential impact upon the privacy of the neighbouring dining room.</p>	<p>It is recommended that this opening be appropriately screened to protect mutual privacy.</p>

The remaining comments are addressed in the officer comment below.

In accordance with LPP1.3, as the amended proposal does not include any further variation the amended plans were not required to be re-advertised.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4, the R-Codes and relevant Council local planning policies. Where a proposal does not meet the Deemed-to-comply requirements of the R-Codes, an assessment is made against the relevant Design principles of the R-Codes. Not meeting the Deemed-to-comply requirements cannot be used as a reason for refusal. In this particular application the areas outlined below do not meet the Deemed-to-comply or policy provisions and need to be assessed under the Design principles:

- Building height (external wall)
- Primary street setback
- Boundary wall (east and west)
- Lot boundary setback (east, west and north)
- Open space
- Vehicle sightlines
- Site works and retaining walls
- Visual privacy (north, east)

The above matters are discussed below.

Background

The subject site is located on the northern side of Knutsford Street, Fremantle. The site has a land area of approximately 287m² and is currently vacant. The site is zoned

Residential and has a density coding of R25. The site is not individually heritage listed but is located in the Ord Street Precinct Heritage Area.

The site is currently occupied by several retaining walls, having been subdivided from the rear yard of the adjoining property at 24 Ord Street. Topographical information indicates an approximate slope of 1.5m metres across the site.

The original application was considered by PC on 2 September 2020, where the Committee resolved to:

Refer the application to the Administration with the advice that the Planning Committee is not prepared to grant planning approval to the application for the construction of two storey Single house at No. 6 Knutsford Street, Fremantle based on the current submitted plans, and invite the applicant, prior to the next appropriate Planning Committee meeting, to consider amending the proposal to improve vehicle sightlines and increase the setback of the development from the eastern boundary to reduce the scale of the dwelling as viewed from the eastern neighbour and minimise the impact that the current setback has on the amenity of the adjoining dwelling in particular its access to light and ventilation. Additional details are to be provided in regard the existing limestone retaining wall and how the northern elevation of bedrooms 2 and 3 and the balcony will be screened.

On the 22 September, the applicant submitted amended plans in response to the above concerns. These plans are the subject of this amended officers report.

Heritage

In addition to being considered and supported by the State Heritage officers, the proposal has been considered by the City's Heritage Officers. The subject site is individually heritage listed, located in the Ord Street Precinct Heritage Area and adjoins several properties which are individually State Heritage Listed.

The Heritage Council's documentation on the property contains Management Strategies for the precinct that confirm that new development should be controlled so as to retain the heritage significance of the precinct and its diverse components. While the need for the evolution of the place is recognised, change is to be managed to conserve the visual harmony of the precinct.

In considering the design of the proposed dwelling, the City's Heritage Officers found that many elements of the proposal were 'cleverly designed' and were able to be supported from a heritage perspective. The initial assessment identified two areas of concern with the proposal, being the orientation of the skylight/atrium structure, and the upper floor ensuite wall (located to the return in the western boundary) being a flat wall facing the street.

In response to these concerns, the applicant submitted amended plans reversing the orientation of the atrium and providing additional articulation to the ensuite wall. These amended plans were supported by the City's Heritage Officers as they had appropriately addressed their concerns. Accordingly the development is considered to be worthy of approval with respect to its impact on the heritage significance of the immediate streetscape.

Existing Limestone Wall – Additional Heritage Comment

The subject site includes an existing retaining wall which is to be removed to accommodate the proposed dwelling and associated works. In response to concerns raised by PC with respect to the potential heritage significance of this wall, the City's Heritage officers completed a further investigation of this wall, which is attached to this report (Additional Information document 4). The findings of the report are summarised as follows:

- An 0.8 to 1.2m high retaining wall is located along the boundary of the site.
- The wall appears to have been constructed in various stages and is in various states of condition.
- This wall has not been identified as a heritage wall in either the HCWA listing for the Ord Street precinct or the City's listing in the Municipal Heritage Inventory.
- The City's mapping identifies two features running along the boundary of the site, a limestone wall of later construction and a retaining wall. This does not date the wall but does indicate that the wall is not an original wall and dates to sometime after 1910.
- An inspection of the site found that the wall was in poor condition.
- The construction date of the wall is considered to be between 1975 to 1986.
- In regard to its condition, the wall generally in poor condition, it is patchy in nature, features later poor repairs which would require removal, and is likely to be impacted further on by the removal of existing vegetation around the wall.

Given the above review, the wall is not considered to be worthy of retention and its removal is supported on heritage grounds.

Primary Street setback

Element	Requirement	Proposed	Extent of Variation
Ground Floor – Garage and Study/Guest Room	5m	0.8m-1.5m	4.2m (max)
Upper Floor – Master Bedroom	7m	2.6-3.5m	4.4m (max)

The upper floor setbacks are considered to satisfy the discretionary criteria of Local Planning Policy 2.9 – Residential Streetscapes for the following reasons:

- The proposed dwelling design is considered to appropriately reflect the streetscape character through the provision of a modern dwelling which still reflects the character of the setbacks of the buildings in the streetscape.
 - a) The ground floor is considered to be consistent with the large limestone foundations for the remaining dwellings in the streetscape, with the upper floor sitting above this structure consistent with the ground floors of the other dwellings in the streetscape. The windows into the study will be partially screened by the retained limestone wall to the street boundary.
 - b) The upper floor, with the verandah element in front of the main building is likewise consistent with the design characteristics of the other dwellings along Knutsford Street which all exhibit verandahs facing the street.
- Overall the height of the dwelling appropriately steps down the street in accordance with the character of the streetscape, with higher elements such as the clerestory set back from the street and not as readily visible to pedestrians.
- The development is considered to appropriately reflect the streetscape character and will therefore not result in a projecting element into the street.

- The initial proposal included the roof clerestory element however this was oriented to face south, resulting in a bulkier structure facing the street. This element was not supported by DPLH Heritage Services, nor the City's Heritage officers and accordingly the applicant reversed the orientation of this element.
- The imagery submitted by the applicant below demonstrates how the development will exist in the Knutsford Street streetscape.



Figure 1: View of dwellings along Knutsford Street with proposed dwelling inserted.



Figure 2: 3D view of proposed dwelling and adjoining property.

Building Height (external wall)

Element	Requirement	Proposed	Extent of Variation
Atrium roof structure (light well) – wall height	6m	8.4m	2.4m
Wall height (east)	7m (wall with concealed roof)	7.1m	0.1m

The height of the roof light well atrium structure is considered to meet the Design principles of the R-Codes in the following ways:

- The subject lot is oriented such that shade from the building at midwinter generally falls over the streetscape, the lightwell structure is located centrally on site and therefore shade cast by this element will generally be contained by the development.
- The limited depth of this element and open character of the structure permits any views which will be enjoyed over the building and site to be at least partly retained.

- The lightwell is set back from the front of the building and oriented such that it will not be readily visible from the streetscape in front of the property and will not result in an impression of building bulk onto the streetscape.



Figure 3: Eastern elevation showing area of atrium above 6m wall height requirement

The height of the eastern wall of the building exceeds the 7m permitted wall height for walls with concealed roofs. This minor variation considered to meet the Design principles of the R-Codes in the following ways:

- The minor variation to height requirements results from the approximate 0.5m fall across the subject site, the area of discretion is considered to be minor with the area of wall exceeding the applicable height requirement highlighted below in green.
- Any views across the subject site are not unduly impacted by this element, as the opposite side of the building is the same height above AHD and meets the deemed-to-comply requirement.
- The shade cast by this portion of wall will predominantly fall over the streetscape when measured at midday on midwinter, when shade cast by buildings is greatest.



Figure 4: Portion of western wall which exceeds height requirements for walls with concealed roofs.

Boundary walls

The amended plans do not alter the height, length or location of the originally proposed boundary wall, however the applicant has specified that the wall is intended to be finished as banded concrete blockwork.

Notwithstanding the additional criteria of LPP2.4, in general, boundary walls are assessed in accordance with the lot boundary setback requirements of the R-Codes. In accordance with the deemed to comply requirements, a wall may be built up a lot boundary where the wall does not exceed certain dimensions relating to its length and height. Where a wall does not meet these requirements, it is still defined as a boundary wall, being a wall built up to the lot boundary, however this component of the proposal requires an assessment against the design principles of the R-Codes (and Council's Local Planning Policy 2.4) for lot boundary setbacks (P3.2 and P3.1) which relate to building bulk, access to sun light and ventilation, loss of privacy, the effective use of space and the contribution to the prevailing context and streetscape.

Element	Requirement	Proposed	Extent of Variation
Garage and Master (East)	2m	Nil	2m
Ensuite (South/West)	1.2m	Nil	1.2m

It is noted that the Officer's assessment above has been amended to update the required setback of the eastern boundary wall from 1.5m (stated in the original report) to 2m due to a review of the interpretation of the setback requirements for walls with multiple articulations (figure 4c of the R-Codes), where the setback of the boundary wall is determined from the entire length of the eastern elevation. As the assessment against the design principles of the R-Codes is a qualitative assessment against specific design objectives (the design principles), Officers consider the potential impacts of the proposed nil setback to be the same as originally reported as follows:

The eastern boundary wall is considered to meet the Design principles of the R-Codes and the discretionary criteria of LPP2.4 in the following ways:

- The majority of the high portion of this boundary wall abuts a section of wall to the adjoining property which does not exhibit openings. The wall is also set behind the line of the adjoining verandah, thereby not unduly limiting views out towards the streetscape.
- The remainder of the boundary wall element is set at a similar height to a dividing fence (approximately 1.8m).
- The wall/building will cast shade at midwinter over the street, rather than adjoining properties due to lot orientation.
- Based on the attached heritage assessments, the development as amended is considered to positively contribute to the prevailing development context and streetscape.
- With respect to privacy, the wall is not considered to impose significant privacy impact due to a lack of openings in the wall.

The western/southern boundary wall is considered to meet the Design principles of the R-Codes and the discretionary criteria of LPP2.4 in the following ways:

- The wall is of a minimal dimension along the boundary and is angled perpendicular to the adjoining property, resulting in limited bulk impact.
- The applicant has amended the wall to include 'green wall' elements which contribute to a reduction in building bulk.
- Shade cast by the wall would fall over the extended rear yard and retaining wall areas of the adjoining property.
- Based on the attached heritage assessments, the development as amended is considered to positively contribute to the prevailing development context and streetscape.
- With respect to privacy, the wall is not considered to impose significant privacy impact due to a lack of openings in the wall.

Lot boundary setback

It is noted that the original proposal included a 1.1m setback from the eastern boundary to the upper level stair, ensuite and Bed 2 in lieu of a 1.5m deemed-to-comply requirement. In response to the PC's concerns, the applicant amended the proposal to increase this setback to 1.5m, being compliant with the deemed-to-comply requirement and no longer an individual variation. This amendment is considered to improve access to light and ventilation of the windows of the property located to the east. The windows of this immediately adjacent property are elevated above ground level and noted to be habitable rooms including a bedroom, study and kitchen (referenced from Building Permit Plans in Council Records from 2016). Given the location of the windows, as indicated on the eastern elevation of the amended plans, the increased setback of the proposed upper floor is considered to improve the separation between the portions of the two dwellings containing windows to minimise the impact the overall development may have on the amenity of the adjoining dwelling.

The remaining setbacks are detailed as follows:

Element	Requirement	Proposed	Extent of Variation
Kitchen (GF East)	1.5m	1.1m	0.4m
Garage nib (GF East)	1m	0.8m	0.2m
Verandah (UF East)	3.3m	0.7m	2.6m
Living -Atrium (GF West)	1.5m	1m	0.5m
Void – Verandah (UF West)	1.5m	1.1m (minimum to screen)	0.4m

It is noted that the Officer's assessment above has been amended to update the required setback from the eastern boundary of the proposed verandah from 1m (stated in the original report) to 3.3m due to a review of the interpretation of the setback requirements for raised unenclosed outdoor living areas, which are to be setback as if they included a wall with a major opening to a habitable room. As the assessment against the design principles of the R-Codes is a qualitative assessment, Officers consider the potential impacts of the proposed 0.7m setback to be the same as originally reported as follows:

The reduced setbacks to the eastern boundary are considered to meet the Design principles of the R-Codes in the following ways:

- The walls along this property boundary are appropriately articulated with a variety of openings and materials to appropriately reduce building bulk impacts.
- With respect to privacy, the windows along this boundary are either onto non-habitable spaces or set well below the level of the adjoining property such as the windows onto the kitchen.
- The shade cast by these walls will predominantly fall over the subject site, especially at midwinter due to lot orientation.

The reduced setbacks to the western boundary are considered to meet the Design principles of the R-Codes in the following ways:

- The building utilises varied setbacks and materials in order to assist in ameliorating building bulk, the building facing this boundary is also well articulated with a variety of openings and screens.

- With respect to privacy, the development generally provides non-major openings along this boundary or openings onto habitable rooms are otherwise screened.
- The shade cast by these walls will predominantly fall over the subject site, especially at midwinter due to lot orientation.

Open Space

Element	Requirement	Proposed	Extent of Variation
On site open space	50% (143.5m ²)	41.2% (118m ²)	25.5m ²

The provision of open space for the building is considered to meet the Design principles of the R-Codes in the following ways:

- The building is considered to reflect the existing and desired streetscape character for the immediate area in being designed so as to appropriately reflect the appearance of adjoining dwellings.
- The dwelling is provided with outdoor living area open to northern sunlight in winter at the rear of the building.
- Open space is predominantly provided to the side and rear of the dwelling, as the dwelling has been located close to the street in accordance with the streetscape character.
- External facilities and fixtures are provided for appropriately on site.
- The building is provided with additional outdoor living areas in the form of the balcony and verandah to the front and rear of the dwelling.

Vehicle Sightlines

In response to the PC's concerns with respect to the vehicle sightlines, the applicant has submitted amended plans which remove the 'return' of the front wall (also proposed to be demolished) located along the eastern boundary between the front boundary and the location of the pedestrian gate of property to the east. This section of wall previously encroached into the view of reversing vehicles from the proposed garage as well as the view towards the garage from pedestrians heading west along the existing footpath. Although the amendment does not result in compliant sightlines due to the 1m to 1.3m setback of the garage, the amendment considerably improves views between the footpath and the garage. The technical assessment remains as follows:

Element	Requirement	Proposed	Extent of Variation
Garage sightlines	1.5x1.5m truncation at vehicle access point	1mx1.5m (east) 1.3x1.5m (west)	Per proposed

The amended proposal considerably improves the sightlines for the garage access point and the variation is considered to meet the Design principles of the R-Codes in the following ways:

- The removal of the eastern boundary portion of the front wall is considered to substantially improve the sightlines between the footpath and the garage particularly close to the eastern boundary of the site.
- The proposed sightlines do facilitate views to and from the garage and the footpath and is clear of further obstructions including proposed fencing, utilities and/or planters etc.

In addition to amending the plans to improve the sightlines the applicant also amended the previously proposed width of the crossover to a maximum width of 4.5m consistent with Council policy.

Site works and retaining walls

Element	Requirement	Proposed	Extent of Variation
Site fill and retaining (western boundary)	0.5m (max)	0.9m	0.4m

The fill to the western boundary is considered to meet the Design principles of the R-Codes in the following ways:

- The levels across the site generally provide for the appreciation of the natural slope along Knutsford Street while bringing the western portion of the site level with the remainder of the property.
- With respect to privacy the building itself is provided with an angled privacy screen and the side access of the dwelling is not an active habitable space, being an accessway only but is otherwise screened by a standard dividing fence.

Visual Privacy

In response to the PC's concern regarding how the applicant will intend to screen the rear facing openings of bedrooms 2 and 3 and the balcony, which were considered to overlook the adjoining properties to the west, east and north, the applicant has submitted amended plans modifying the bedroom openings to highlight windows and the inclusion of a planter box located in front of the balcony intended to block views from the balcony down into the property located to the north. The proposed amendments result in bedrooms 2 and 3 being compliant with the deemed to comply visual privacy requirements of the R-Codes, however as the proposed method of screening for the balcony is not consistent with the R-Codes a discretionary assessment is still required. Officers revised assessment is as follows:

Element	Requirement	Proposed	Extent of Variation
Front verandah (west)	7.5m	2.5m	5m
Rear balcony (north/east)	7.5m	3.5m	4m
Atrium/Living (west)	6m	2.1m	3.9m

Overlooking from the front verandah is considered to meet the Design principles of the R-Codes in the following ways:

- Although the verandah partially overlooks the extended rear yard of the neighbouring property to the west, the property's primary outdoor living areas are well set back beyond the cone of vision from the proposed verandah..
- Although the verandah may afford views behind the front setback of the property to the east, the views are towards an unscreened verandah in view of the street, the front portion of the neighbours western elevation that does not feature any windows and a pedestrian walkway between the house and boundary. The verandah does not afford views towards the primary outdoor living areas of the adjoining property which are located behind the dwelling.

- Generally the verandah is oriented towards the streetscape and accordingly any overlooking would be likely to be oblique only, with users of the balcony generally facing south.

With respect to the ground floor atrium/living area, this area is raised greater than 0.5m above natural ground level and therefore subject to visual privacy assessment. This area is considered to satisfy the design principles of the R-Codes for the following reasons:

- The area is considered to be a transitional zone between the dwelling entry and living area and is unlikely to be occupied frequently or for long periods of time.
- Section B submitted by the applicant demonstrates how overlooking towards the rear yard of 24 Ord Street will be limited by existing fencing due to the difference in lot levels and the inclusion of the void screen.
- The below extract from section B submitted by the applicant demonstrates measures to limit overlooking towards the neighbouring property.

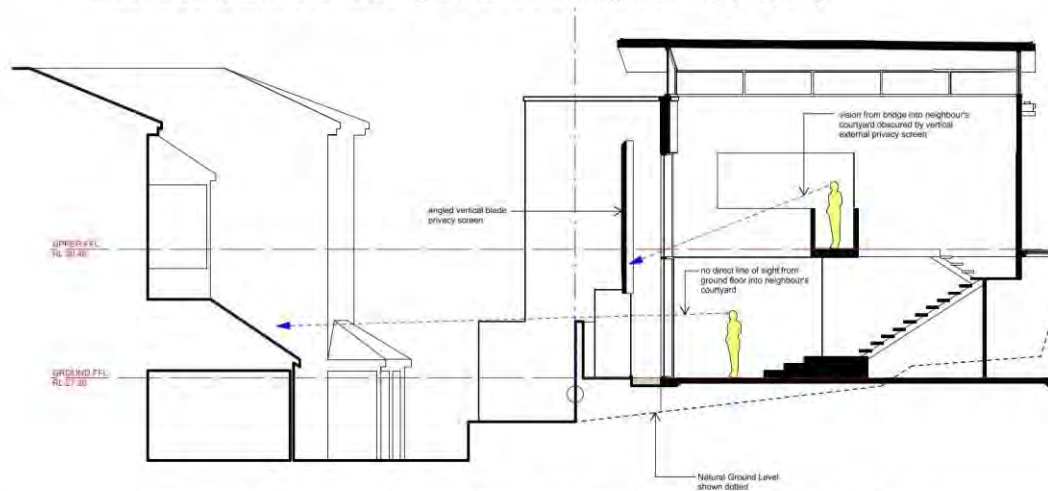


Image 5: Section B, illustrating the view towards 24 Ord Street

Although the amended plans introduce a planter box across the length of the rear balcony, the proposal is still considered to afford views into the outdoor living area of the property to the north. In this regard, the overlooking from the rear balcony is not considered to meet the Design principles of the R-Codes for the following reasons:

- The balcony provides for almost full overlooking of the rear yard of the neighbouring property to the north and partial overlooking to the eastern property.
- The inclusion of a planter box to provide some additional screening and potential vegetative screening to the rear balcony helps to address the design principles of the R-Codes, however it is considered that in accordance with the submitted section below, the balcony will remain with significant view into the adjoining property and should therefore be screened in accordance with the relevant deemed-to-comply criteria of the R-Codes (generally a 1.6m high opaque screen).
- While it is noted that heavy vegetation provides some screening at this time, in the future the mutual privacy of these properties may be unduly impacted.

In accordance with the above consideration, it is considered that screening should be provided to the rear balcony. A condition of development approval is recommended to this effect.

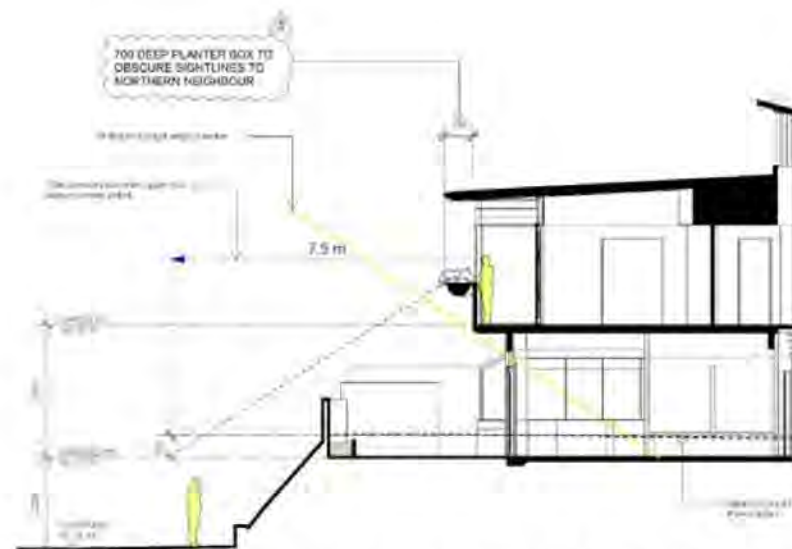


Image 6: Section A, illustrating the view towards the northern property

CONCLUSION

As discussed above, the majority of the development as amended is considered to appropriately satisfy the relevant deemed-to-comply criteria or design principles of the Residential Design Codes and relevant Local Planning Scheme No. 4 and Local Planning Policy Requirements. Some elements such as visual privacy overlooking from the rear of the building to the north is considered to require modification to appropriately protect the privacy of adjoining properties. Conditions of approval are recommended to address this.

Generally, the development is considered to comprise an appropriate addition to the immediate streetscape and is supported by State Heritage Officers and the City's Heritage Officers, utilising design elements which reflect the streetscape while providing for a modern dwelling. Further investigation of the existing limestone wall on site has led the City's Heritage Officers to conclude that the wall most likely dates from the later part of the 20th century and due to its age and condition does not warrant retention on heritage significance grounds.

In accordance with the above considerations, the development is considered to be worthy of support, subject to conditions.

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

OFFICER'S RECOMMENDATION

Moved: Cr Bryn Jones

Seconded: Mayor, Brad Pettitt

Planning committee acting under delegation 1.1:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Two storey Single House at No. 6 (Strata Lot 2) Knutsford Street, Fremantle, subject to the following condition(s):

1. This approval relates only to the development as indicated on the approved plans, dated 18 August 2020 and 21 September 2020. 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 unless otherwise approved by the City of Fremantle.
3. Prior to the occupation of the development hereby approved, vehicle crossovers shall be constructed to the City's specification and thereafter maintained to the satisfaction of the City of Fremantle.
4. All works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.
5. The pedestrian access and / or vehicle gate, as indicated on the approved plans, shall swing into the subject site only when open or closed and shall not impede the adjoining road reservation of the subject site.
6. Prior to the issue of a Building Permit for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the Department of Planning, Lands and Heritage (Heritage Services).
7. Prior to the issue of a Building Permit for the development hereby approved, a detailed drawing showing how the Balcony, located on the northern elevation, are to be screened in accordance with Clause 5.4.1 C1.1 of the Residential Design Codes by either:
 - a) fixed obscured or fixed translucent glass to a minimum height of 1.60 metres above internal floor level, or
 - b) fixed screening, with openings not wider than 5cm and with a maximum of 25% perforated surface area, to a minimum height of 1.60 metres above the internal floor level, or
 - c) a minimum sill height of 1.60 metres above the internal floor level

Prior to occupation of the development hereby approved, the approved screening method shall be installed and maintained to the satisfaction of the City of Fremantle.

8. Prior to the issue of a Building Permit for the development hereby approved, a detailed drawing showing how the screen to the upper floor master bedroom window to the western elevation is to satisfy the deemed-to-comply requirements of Clause 5.4.1 C1.1 of the Residential Design Codes is to be submitted to the satisfaction of the City of Fremantle. Prior to occupation of the development hereby approved, the approved screening method shall be installed and maintained to the satisfaction of the City of Fremantle.
9. Prior to occupation/ use of the development hereby approved, the boundary walls located on the eastern southern boundaries shall be of a clean finish in any of the following materials:
 - coloured sand render,
 - face brick,
 - painted surface,and be thereafter maintained to the satisfaction of the City of Fremantle.
10. Prior to the issue of a Building Permit for the development hereby approved, the design and materials of the development shall adhere to the requirements set out within City of Fremantle policy L.P.P2.3 - Fremantle Port Buffer Area Development Guidelines for properties contained within Area 2. Specifically, the development shall provide the following:
 - a) Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b) Air conditioners shall provide internal centrally located 'shut down' points and associated procedures for emergency use.
 - c) Roof insulation in accordance with the requirements of the Building Codes of Australia.
11. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues

Advice Notes

- i) A building permit is required to be obtained for the proposed building work. The building permit must be issued prior to commencing any works on site.
- ii) Fire separation for the proposed building works must comply with Part 3.7.1 of the Building Code of Australia.
- iii) The owner is advised that an obstruction permit may be required from the City for any future obstruction of the Knutsford Street road reserve. An application for obstruction permit can be found via www.fremantle.wa.gov.au

- iv) The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. New/modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.
- v) Levels as per existing footpath and/or ROW
 - a) Levels at the property boundary including any driveways and pedestrian access points shall match existing footpath and/or right of way levels;
 - b) Any adjustment in levels is to be achieved within the property boundaries;
 - c) Details of all existing and proposed levels to be shown in the submitted working drawings for a building permit, to show that existing footpath levels are maintained.

Minimum floor level to be road reduced level plus kerb height (150 mm) plus 2% slope towards to the property boundary. All levels are to be in AHD.

The floor level of any new structure capable of being occupied is to be a minimum of above 150 mm plus 2% slope towards to the property boundary. Basement car parks and similar areas may be permitted below this level if the structure and any access to the structure is tanked to a level of above. Please contact the Infrastructure Business Services department via info@fremantle.wa.gov.au or 9432 9999.

Lost: 0/7

Mayor Brad Pettitt, Cr Bryn Jones, Cr Geoff Graham, Cr Andrew Sullivan,
Cr Su Groome, Cr Rachel Pemberton, Cr Sam Wainwright

PROCEDURAL MOTION

At 6.35 the following procedural motion was moved:

COMMITTEE DECISION

Moved: Cr Rachel Pemberton

Seconded: Cr Bryn Jones

That the item be referred to the Ordinary Council meeting on 28 October 2020 with a request for officers to prepare a recommendation for refusal based on the adverse amenity impacts of the eastern boundary setback variations, the potential for overlooking to the north from the first floor balcony and the detailing of the front elevation.

Carried: 7/0

Mayor Brad Pettitt, Cr Bryn Jones, Cr Geoff Graham, Cr Andrew Sullivan,
Cr Su Groome, Cr Rachel Pemberton, Cr Sam Wainwright

ADDITIONAL OFFICER COMMENT

At its meeting held on 7 October 2020, the Planning Committee referred the item to the Ordinary Meeting of Council and requested officers prepare a recommendation for refusal.

As such, the following recommendation for refusal is provided:

ALTERNATIVE COMMITTEE RECOMMENDATION

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Two storey Single house at No. 6 (Strata Lot 2) Knutsford Street, Fremantle, as detailed on plans dated 18 August 2020 and 21 September 2021, for the following reasons:

1. The boundary wall to the eastern boundary does not satisfy the discretionary criteria of Local Planning Policy 2.4 and the design principles of State Planning Policy 7.3 (Residential Design Codes of WA) as the boundary wall will result in undue building bulk and adverse access to light and ventilation impacts onto the neighbouring property.
2. The design of the front elevation, in particular the width, proportions and materials of the garage door and the limited setback of the garage from the street boundary, has a detrimental impact on the streetscape character of the part of the Ord Street Precinct Heritage Area within which the site is located, having regard to matters to be considered under clauses 67(l) and (n) of the Deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.
3. The design of the north facing (rear) balcony does not satisfy the deemed to comply or discretionary criteria of State Planning Policy 7.3 (Residential Design Codes of WA) as the balcony does not include satisfactory screening to mitigate overlooking of the neighbouring property to the north.

PROCEDURAL MOTION

Moved: Mayor, Brad Pettitt

Seconded: Cr Bryn Jones

The item be referred to the next appropriate Planning Committee to allow the applicant to amend the plans to address the Planning Committee's concerns in relation to the amenity impacts resulting from the eastern boundary setback variations, overlooking to the north from the first floor balcony and the detailing of the front elevation.

AMENDMENT 1

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Geoff Graham

To include the words shown in green text below:

The item be referred to the next appropriate Planning Committee meeting to allow the applicant to amend the plans to address the Planning Committee's concerns in relation to the amenity impacts resulting from the eastern boundary setback variations, overlooking to the north from the first floor balcony and the detailing of the front elevation, and request staff to endeavour to facilitate face to face discussions between the applicant and neighbours regarding amendments to the plans.

Amendment carried: 8/4

For

Mayor Brad Pettitt, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Bryn Jones, Cr Marija Vujcic, Cr Andrew Sullivan,
Cr Rachel Pemberton, Cr Adin Lang

Against

Cr Su Groome, Cr Jenny Archibald,
Cr Frank Mofflin, Cr Doug Thompson

AMENDMENT 2

Moved: Mayor, Brad Pettitt

Seconded: Cr Bryn Jones

To include the words shown in green text:

The item be referred to the next appropriate Planning Committee meeting *(with delegated authority to determine the application)* to allow the applicant to amend the plans to address the Planning Committee's concerns in relation to the amenity impacts resulting from the eastern boundary setback variations, overlooking to the north from the first floor balcony and the detailing of the front elevation, *and request staff to endeavour to facilitate face to face discussions between the applicant and neighbours regarding amendments to the plans.*

Amendment carried: 11/1

For

Mayor Brad Pettitt, Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Frank Mofflin, Cr Doug Thompson,
Cr Bryn Jones, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

Against

Cr Marija Vujcic,

COUNCIL DECISION ITEM PC2010-1

Moved: Mayor, Brad Pettitt

Seconded: Cr Bryn Jones

The item be referred to the next appropriate Planning Committee meeting *(with delegated authority to determine the application)* to allow the applicant to amend the plans to address the Planning Committee's concerns in relation to the amenity impacts resulting from the eastern boundary setback variations, overlooking to the north from the first floor balcony and the detailing of the front elevation, *and request staff to endeavour to facilitate face to face discussions between the applicant and neighbours regarding amendments to the plans.*

Carried: 11/1

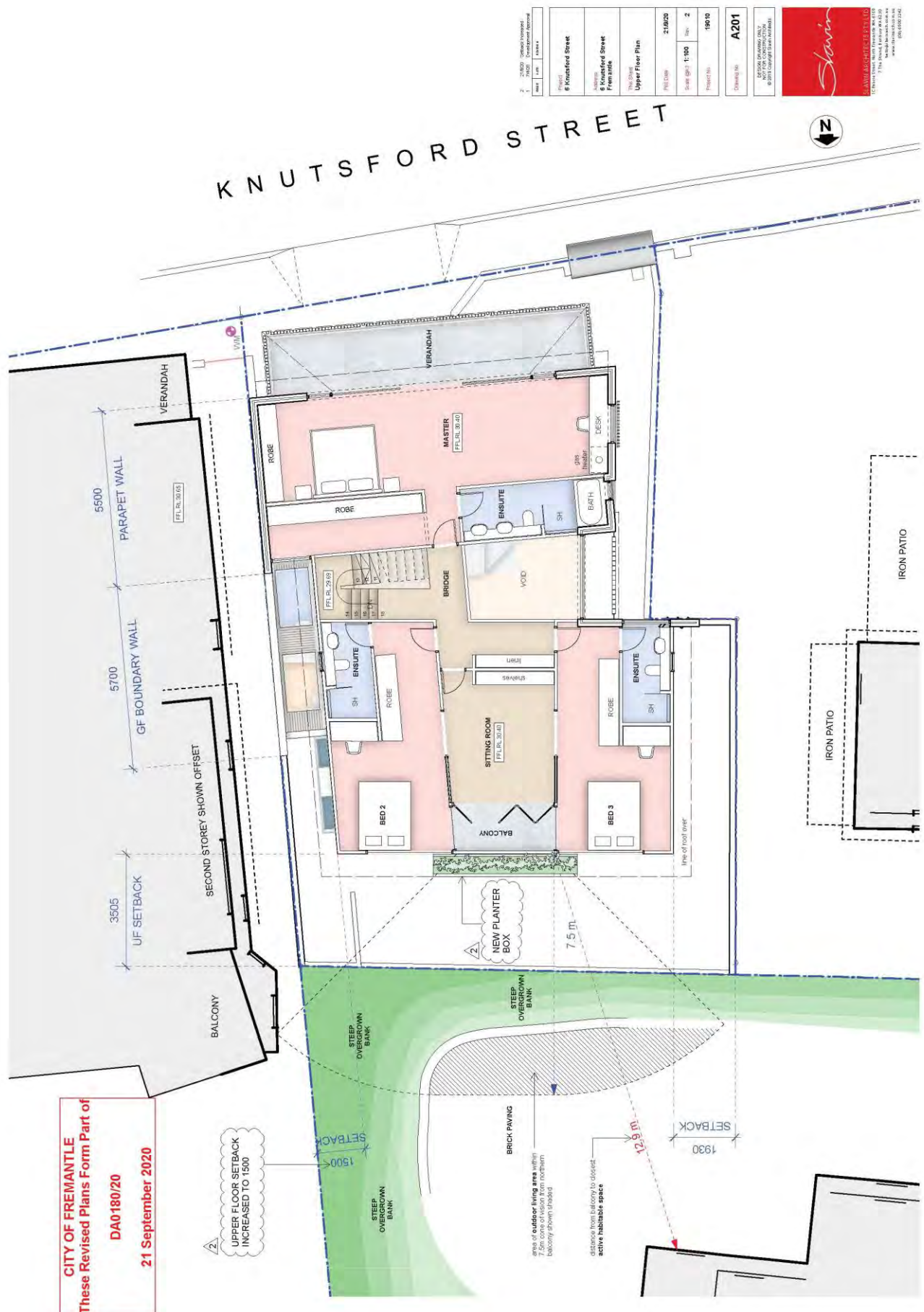
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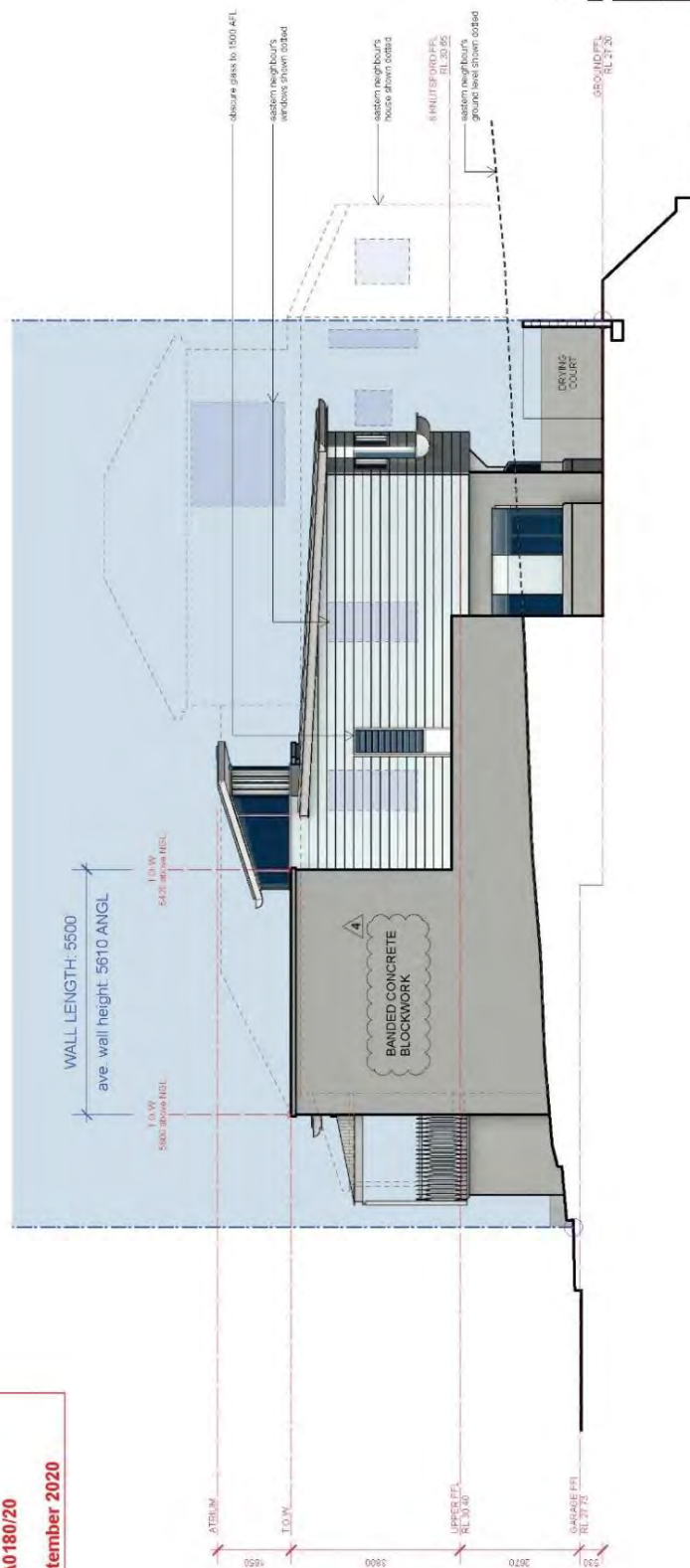
Mayor Brad Pettitt, Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Frank Mofflin, Cr Doug Thompson,
Cr Bryn Jones, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

Against

Cr Marija Vujcic,



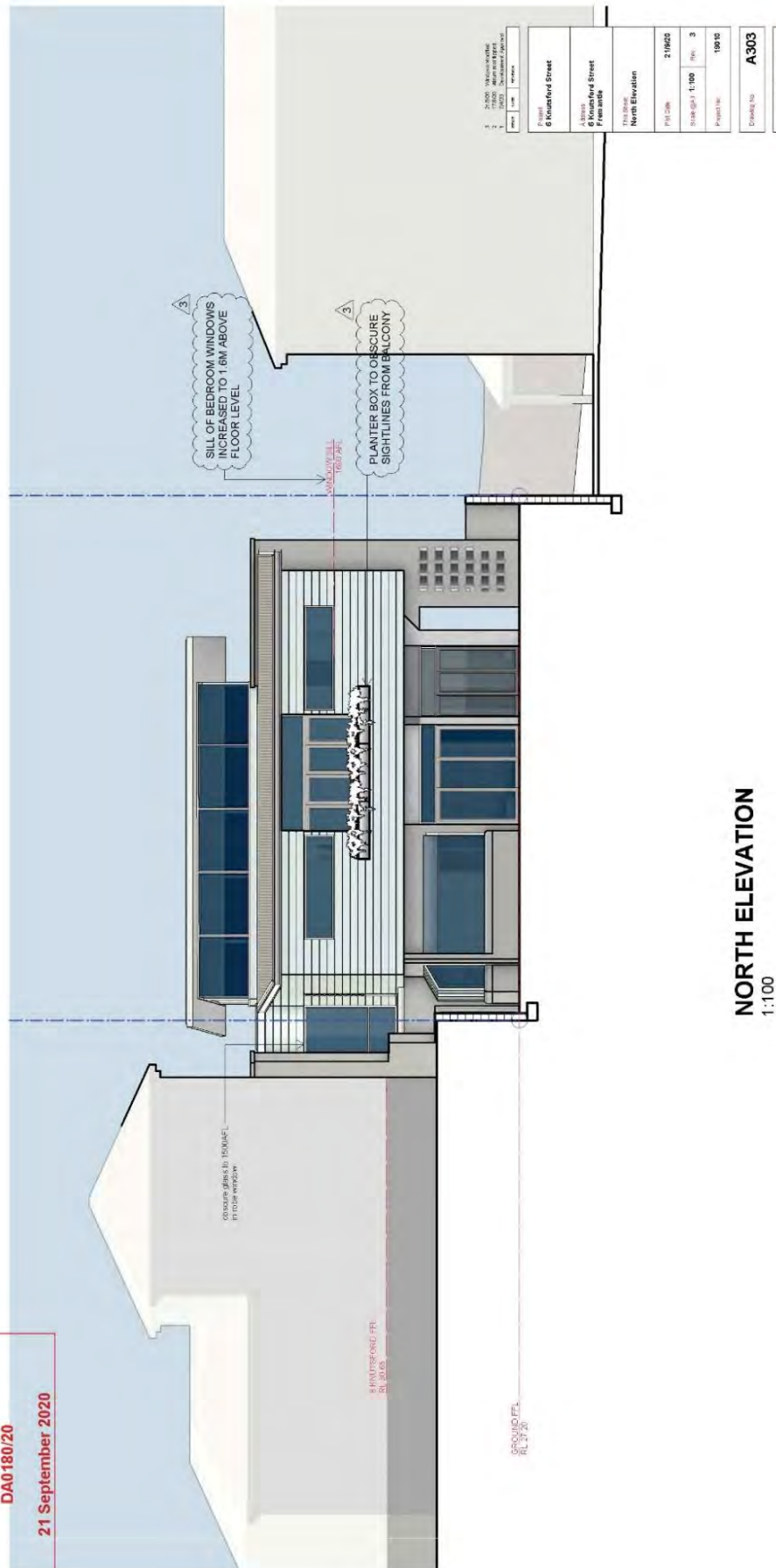




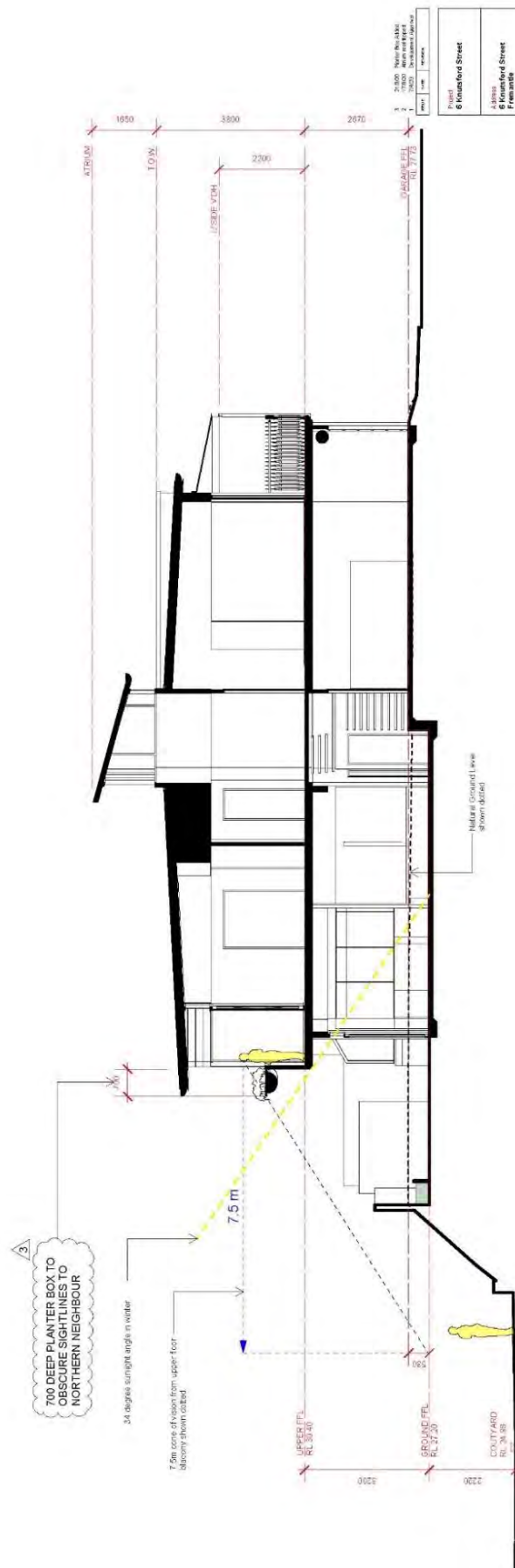
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5	25000	Planned repairs (Foundation)
6	25000	Planned repairs (Exterior)
7	25000	Planned repairs (Interior)
8	25000	Planned repairs (Kitchen)
9	25000	Planned repairs (Bathroom)
10	25000	Planned repairs (Bedroom)
11	25000	Planned repairs (Living Room)
12	25000	Planned repairs (Hallway)
13	25000	Planned repairs (Closet)
14	25000	Planned repairs (Staircase)
15	25000	Planned repairs (Front Porch)
16	25000	Planned repairs (Back Porch)
17	25000	Planned repairs (Garage)
18	25000	Planned repairs (Driveway)
19	25000	Planned repairs (Fence)
20	25000	Planned repairs (Landscaping)
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22	25000	Planned repairs (Softscaping)
23	25000	Planned repairs (Irrigation)
24	25000	Planned repairs (Lighting)
25	25000	Planned repairs (Security)
26	25000	Planned repairs (Alarm)
27	25000	Planned repairs (Fire Insurance)
28	25000	Planned repairs (Auto Insurance)
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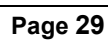


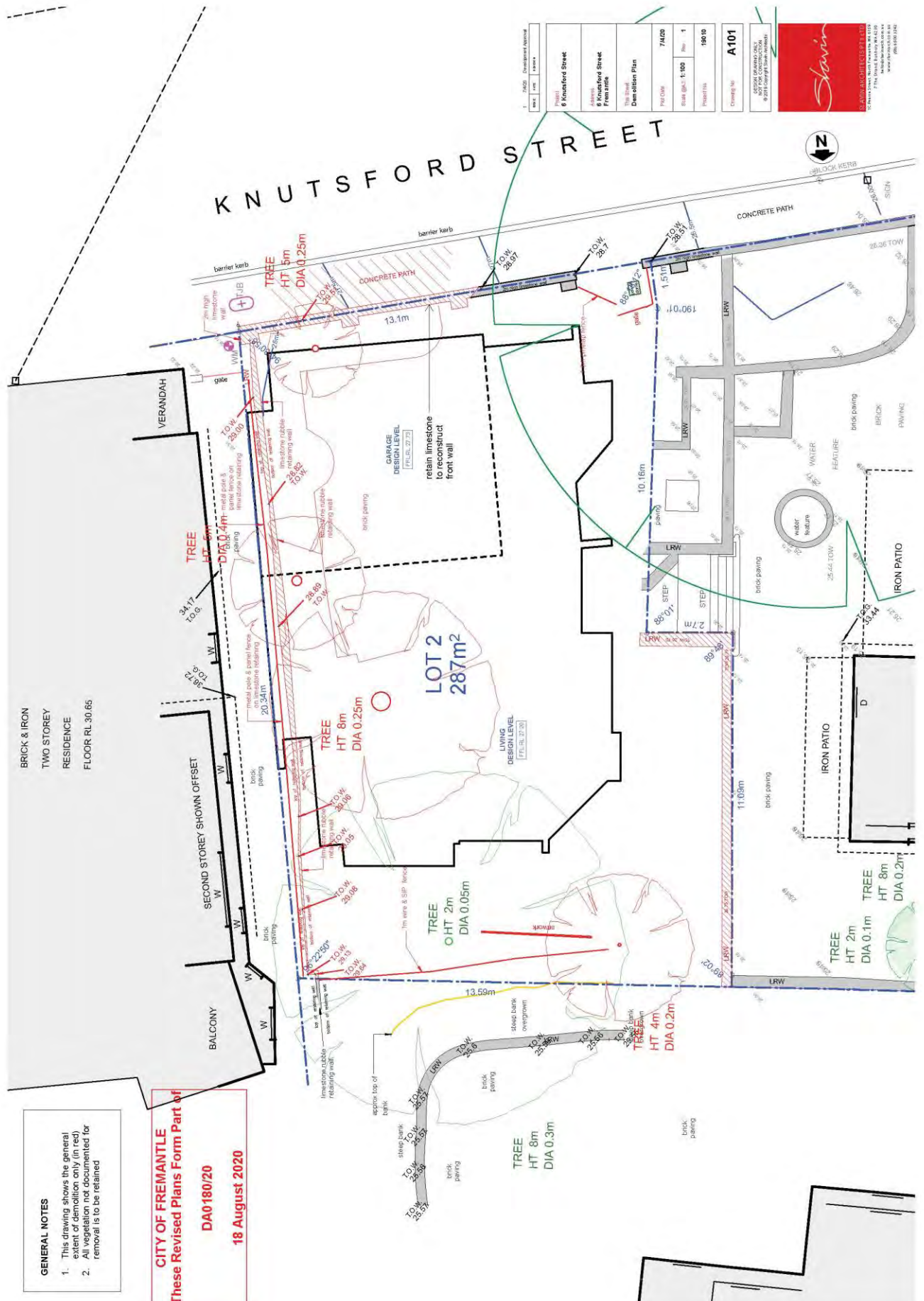
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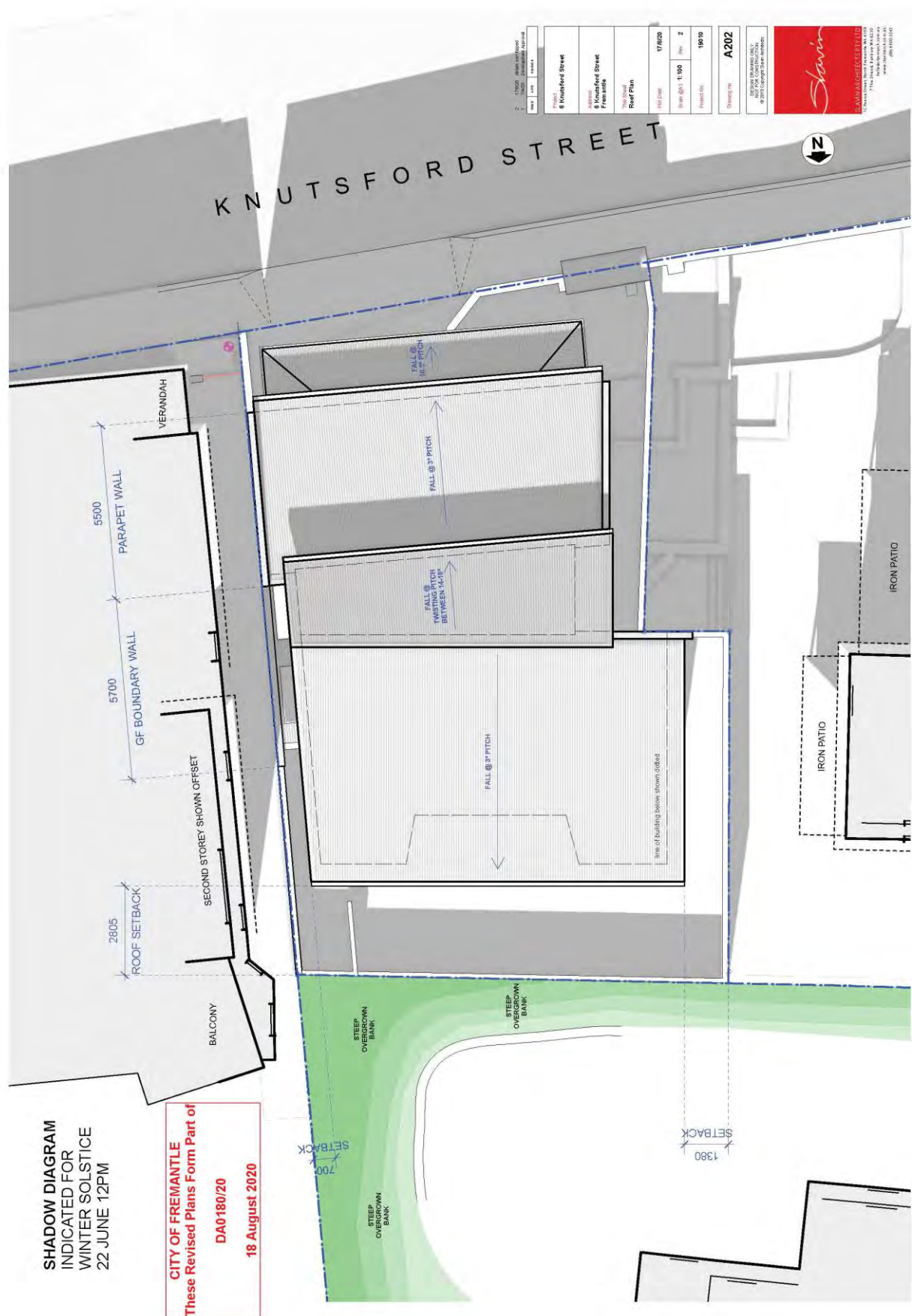
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Address	6 Knutsford Street Fremont
Title/Issue	Section A
PIN Code	218023
Scale (in)	1:100
Project No.	15010
Drawing No.	A400

Issued: 10/20/2014
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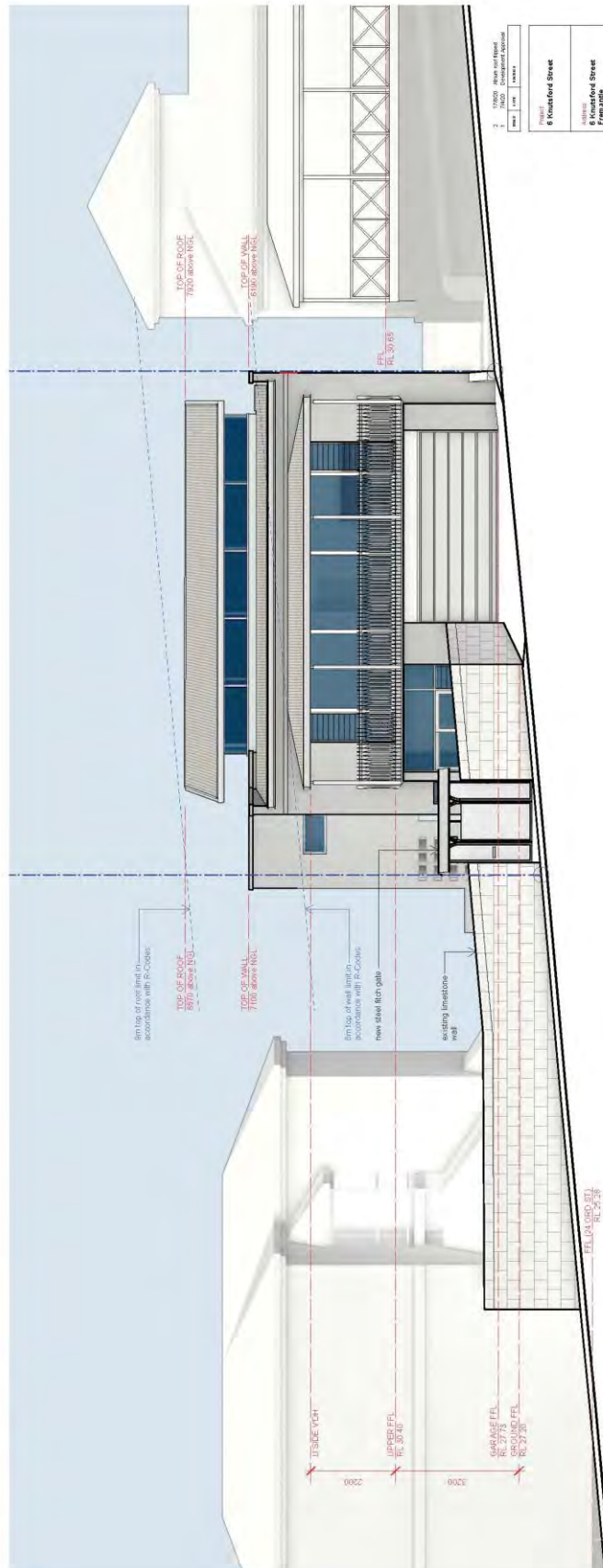




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DA0180/20

18 August 2020



SOUTH ELEVATION (from Knutsford Street)
1:100

[illegible]

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DA0180/20
18 August 2020

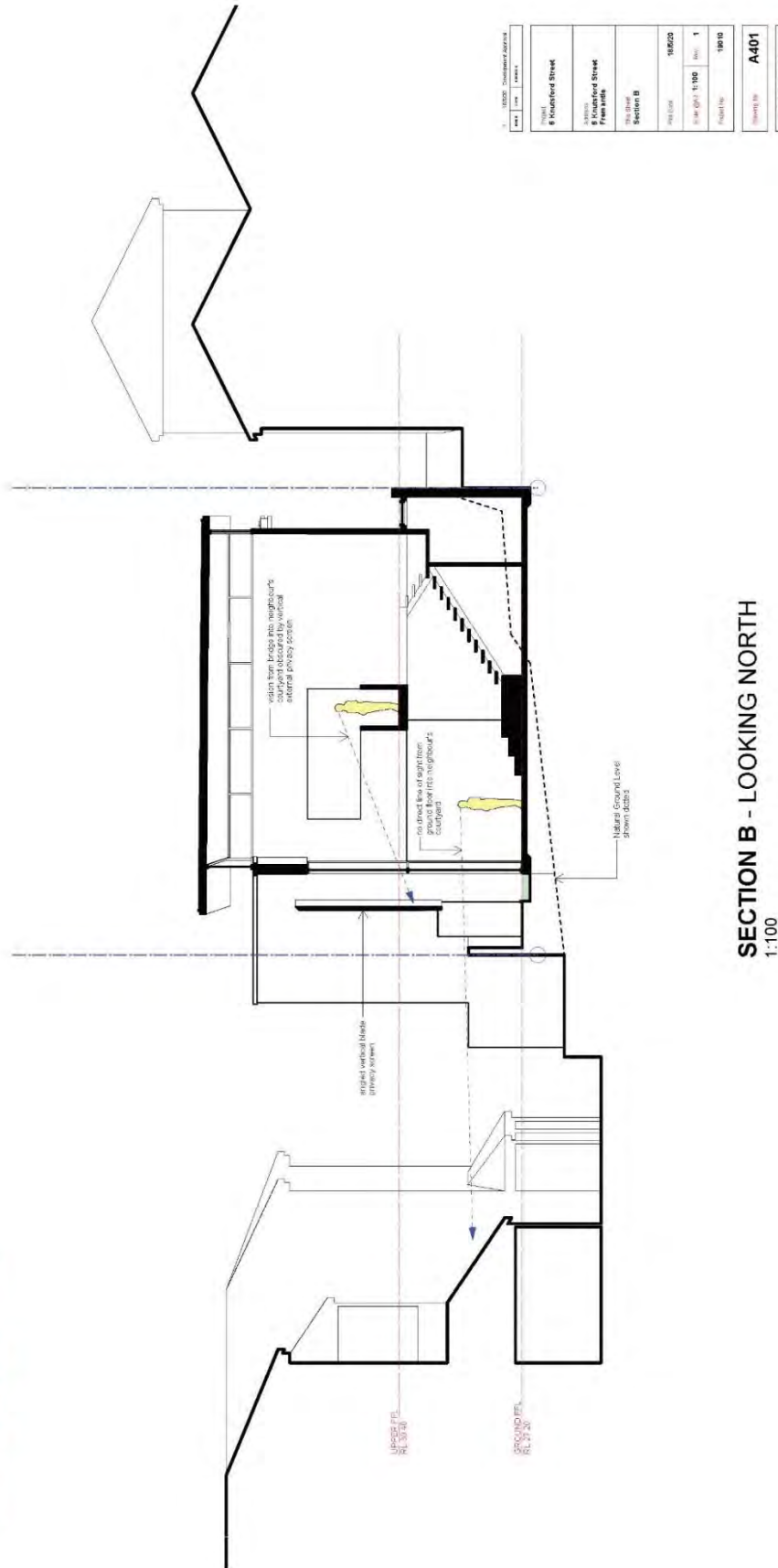


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CITY OF FREMANTLE
These Revised Plans Form Part of
DA0180/20
18 August 2020



SECTION B - LOOKING NORTH
1:100

NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT APPLICATION			
2	REVISED FOR PERMIT APPLICATION			
3	REVISED FOR PERMIT APPLICATION			
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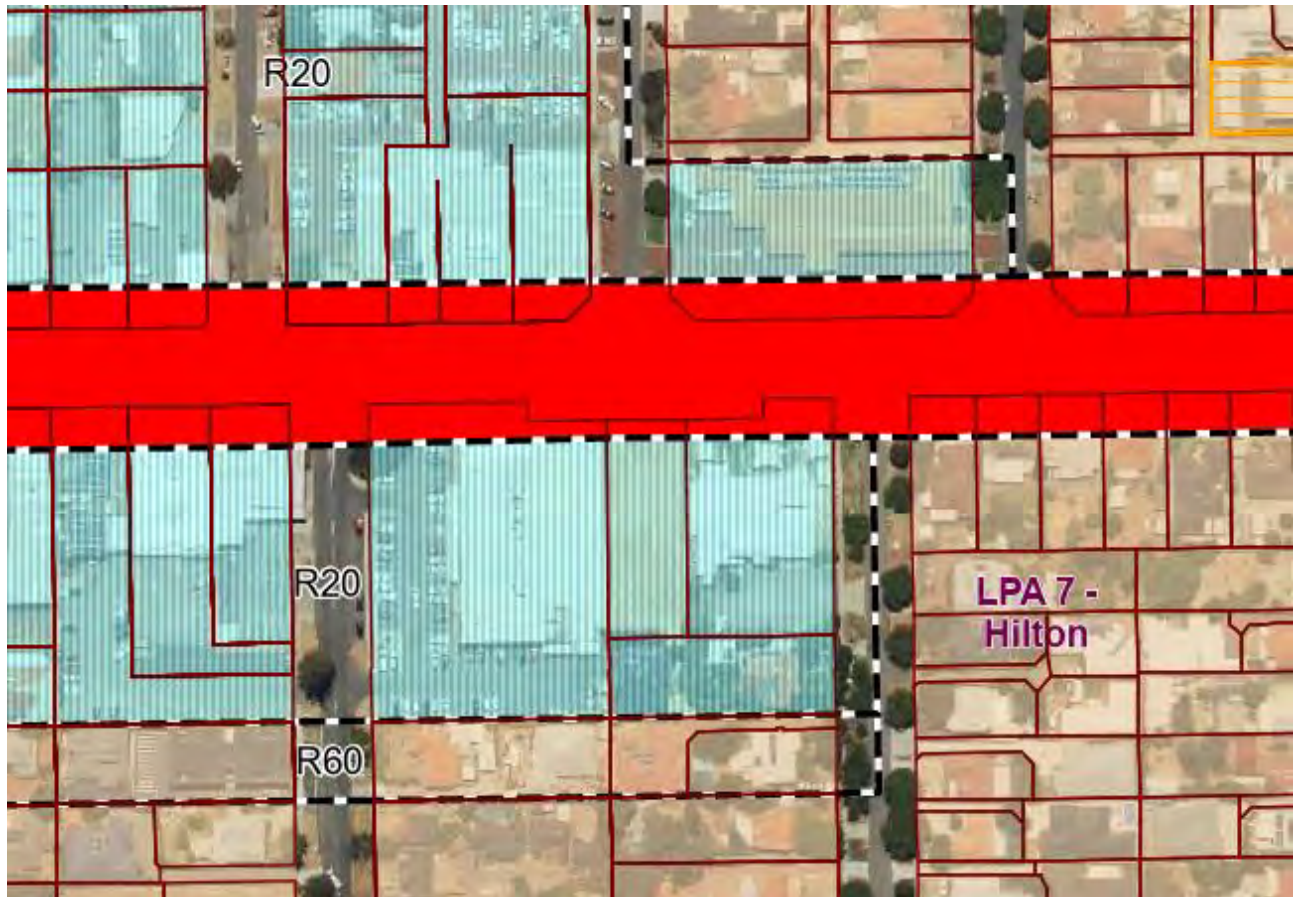






**PC2101 - 2 SOUTH STREET, NO. 285 AND 297 (LOTS 500, 501 AND 80), HILTON
– SINGLE STOREY SHOP, RESTAURANT AND LIQUOR STORE
WITH BASEMENT (TG DAP007/20)**

Additional Information 1 – Aerial Plan



Additional Information 2 – Schedule of Submissions (summarised)

Schedule of Summarised Submissions

#	Submission
1	<i>Support</i> Support proposal generally and support operating hours.
2	<i>Support/Comment</i> Support proposal generally, request that landscaping be water wise and the building incorporate additional sustainability initiatives.
3	<i>Comment</i> Support development provided IGA remains on site.
4	<i>Object</i> Object to national supermarket chain occupying site.
5	<i>Comment</i> Request further landscaping to site, querying potential for green roof.
6	<i>Object</i> Object to national supermarket chain occupying site. Traffic and access concerns. Object to proposed liquor store. Object to removal of existing street trees.
7	<i>Support</i> Support development and proposed design.
8	<i>Support</i> Support design of development and proposal generally.
9	<i>Support</i> Support development, facilities need to expand to support the areas growing population.
10	<i>Object</i> Design of development does not reflect aesthetic of locality. Object to increased traffic and opening hours due to issues with road safety, noise and light pollution.
11	<i>Support</i> Supports proposed development as it responds to the changing population in the area
12	<i>Object</i> Object to the loss of IGA and potential for a large national supermarket operator to occupy the site.
13	<i>Object</i>

	<p>Object to a lack of bicycle parking in the development. Request inclusion of bicycle parking on Paget Street.</p> <p>Concerns in relation to the Paget Street pedestrian environment.</p> <p>Request additional landscaping on site and request increased street setbacks to increase landscaping.</p>
14	<p><i>Object</i></p> <p>Concern in relation to 24 hour operations on site.</p> <p>Concerns in relation to increased traffic and noise affecting neighbourhood character.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues.</p>
15	<p><i>Object</i></p> <p>Object to proposed liquor store due to potential antisocial behaviour and health issues.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p>
16	<p><i>Object</i></p> <p>The development may negatively impact property values.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>The development will impact traffic access to Fremantle by slowing traffic.</p>
17	<p><i>Object</i></p> <p>The development does not reflect the design of other buildings in the suburb and local centre.</p> <p>Concerns in relation to traffic safety.</p> <p>Object to the inclusion of a large national supermarket chain in the development, requesting that the large shop be split into two or three.</p>
18	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to the inclusion of a liquor store in the development</p> <p>The development may result in closure of other businesses in the local centre</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to due to competition with existing businesses.</p> <p>Object to the design of the development not reflecting local characteristics.</p>

19	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p>
20	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p> <p>Object to design of development</p>
21	<p><i>Support</i></p> <p>General support for development.</p>
22	<p><i>Object</i></p> <p>Concerns in relation to traffic congestion</p> <p>Concerns in relation to the basement attracting antisocial behaviour.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>The development may result in closure of other businesses in the local centre</p> <p>Object to the inclusion of a large national supermarket chain in the development</p>
23	<p><i>Object</i></p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Concerns in relation to antisocial behaviour resulting from operating hours and inclusion of liquor store in development.</p>
24	<p><i>Object</i></p> <p>Object to the inclusion of a large national supermarket chain in the development</p>
25	<p><i>Object</i></p> <p>Object to the inclusion of a large national supermarket chain in the development</p>
26	<p><i>Object</i></p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to additional café inclusion due to competition with existing businesses.</p> <p>Object to the inclusion of a liquor store in the development as the area is already well served with outlets.</p> <p>Support underground car parking.</p>

27	<i>Object</i> Object to the inclusion of a large national supermarket chain in the development
28	<i>Object</i> Concerns in relation to traffic congestion and the impact on pedestrian safety in the area. Concerns in relation to 24 hour operations with regard to safety and noise impacts. Object to the inclusion of a liquor store in the development due to antisocial behaviour issues and the provision of existing services in the locality. Object to the inclusion of a large national supermarket chain in the development
29	<i>Object</i> Concerns in relation to traffic congestion and safety Object to the inclusion of a liquor store in the development due to antisocial behaviour issues and proximity to a childcare centre Object to the inclusion of a large national supermarket chain in the development Object to control of the carpark by a parking management company as a public carpark.
30	<i>Object</i> Object to the lack of landscaping for the development. Object to a lack of bicycle parking for the development. Object to the lack of sustainability inclusions in the development Concerns in relation to traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety. Object to the design of the development not reflecting local characteristics.
31	<i>Object</i> Concerns in relation to traffic congestion and safety Object to the inclusion of a liquor store in the development due to antisocial behaviour issues Object to 24 hour operations due to potential anti social behaviour.
32	<i>Object</i> Object to the increase in traffic to South and Paget street and the potential to exacerbate existing traffic issues in the immediate area. Object to potential increased traffic movements through local streets, especially in the context of 24 hour trading, with additional traffic movements throughout the day and night. Object to the proportion of building vs landscaping and public area on site.

	Object to due to competition with existing businesses..
33	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to due to competition with existing businesses.</p> <p>Object to the design of the development not reflecting local characteristics.</p>
34	<p><i>Support</i></p> <p>General support for development.</p>
35	<p><i>Object</i></p> <p>Concerns in relation to traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site</p> <p>Object to the inclusion of a liquor store</p>
36	<p><i>Object</i></p> <p>Concerns in relation to the basement attracting antisocial behaviour.</p> <p>Object to the design of the development not reflecting local characteristics.</p>
37	<p><i>Object</i></p> <p>Object to development generally and requests that site be left as existing.</p>
38	<p><i>Object</i></p> <p>Object to scale of development</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to the design of the development not reflecting local characteristics.</p>

39	<p><i>Object</i></p> <p>Object to development generally.</p>
40	<p><i>Object</i></p> <p>Concerns with 24 hour operations on site due to noise and disruption and 24 hour safety issues</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p>
41	<p><i>Object</i></p> <p>Object to loss of IGA from the site and loss of local jobs.</p>
42	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p>
43	<p><i>Object</i></p> <p>Concerns with 24 hour operations on site due to noise disruption</p> <p>Object to access from Paget Street due to noise and traffic issues.</p> <p>Object to development not addressing adjoining buildings and surrounds.</p>
44	<p><i>Object</i></p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to potential traffic increases in the surrounding locality.</p> <p>Object to 24 hour operations and inclusion of liquor store as unnecessary for the locality.</p>
45	<p><i>Object</i></p> <p>Object to proposed basement carpark resulting in 'one stop shopping' on subject site only rather than at surrounding businesses.</p> <p>Concerns in relation to the basement attracting antisocial behaviour.</p> <p>Concerns with 24 hour operations on site due to noise and disruption and potential antisocial behaviour</p> <p>Concerns in relation to tunnel effect of northern façade of building on vehicle speeds.</p>

46	<p><i>Support</i></p> <p>General support for proposal.</p>
47	<p><i>Support</i></p> <p>General support for proposal.</p>
48	<p><i>Object</i></p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to demolition of existing building in lieu of adaptive reuse</p> <p>Object to due to competition with existing businesses.</p> <p>Object to number of on site car parking bays discouraging walking and riding.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>
49	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to loss of existing jobs at IGA.</p>
50	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise, disruption and potential antisocial activities.</p> <p>Object to potential noise impact of development generally</p>
51	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development</p>
52	<p><i>Object</i></p> <p>The development does not reflect the development outcomes anticipated for the site</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>

	<p>Concerns in relation to increased traffic in surrounding residential streets.</p> <p>Object to lack of bicycle parking on site.</p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p>
53	<p><i>Support</i></p> <p>Support development generally.</p>
54	<p><i>Support</i></p> <p>Support development generally and notes increased local employment.</p>
55	<p><i>Object</i></p> <p>Object to lack of landscaping on site.</p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Concern in relation to a lack of noise attenuation for the development itself, in protecting visitors from noise from South Street.</p>
56	<p><i>Object</i></p> <p>Concerns in relation to traffic congestion at the South/Paget street intersection. Requested access to be through the site – onto site from Paget Street and exiting onto South Street.</p>
57	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p>
58	<p><i>Object</i></p> <p>Object to removal of IGA and the potential for a national supermarket chain to occupy site.</p>
59	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>
60	<p><i>Object</i></p> <p>Object to development not including multistorey infill apartments above proposed shop.</p> <p>Object to hours of operation as unnecessary</p> <p>Object to the inclusion of a liquor store in the development as the area is already serviced sufficiently.</p>
61	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p>

	Object to the inclusion of a large national supermarket chain in the development
62	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p>
63	<p><i>Object</i></p> <p>Object to loss of IGA from site.</p>
64	<p><i>Object</i></p> <p>Object to loss of IGA from site.</p>
65	<p><i>Object</i></p> <p>Object to loss of IGA from the site and submitter considers development to be unnecessary.</p>
66	<p><i>Object</i></p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to the design of the development not reflecting local characteristics and overwhelming the local centre</p>
67	<p><i>Object</i></p> <p>The development does not reflect the development outcomes anticipated for the site</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns in relation to increased traffic in surrounding residential streets.</p> <p>Object to lack of bicycle parking on site.</p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p>
68	<p><i>Object</i></p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Concern with regard to lack of inclusion of residential dwellings in development</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption and potential antisocial activities.</p>
69	<p><i>Object</i></p>

	Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.
	Concerns with 24 hour operations on site due to noise and disruption
70	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p>
71	<p><i>Object</i></p> <p>Object to proposal generally.</p>
72	<p><i>Object</i></p> <p>Concerns in relation to traffic congestion.</p> <p>Object to noise impact of 24 hour trading.</p> <p>Object to proposed liquor store on the basis of potential social impacts.</p>
73	<p><i>Object</i></p> <p>Object to loss of IGA from site and object to additional liquor outlet and café in the local centre.</p>
74	<p><i>Object</i></p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p> <p>Object to underground carpark restricting ability to quickly access site for quick shopping trips</p>
75	<p><i>Object</i></p> <p>Concerns in relation to traffic congestion and management.</p>
76	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p>

77	<p><i>Object</i></p> <p>Scale of development does not reflect local population needs</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to due to competition with existing businesses.</p>
78	<p><i>Object</i></p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p>
79	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the development as unnecessary as the area is already served by various outlets</p> <p>Object to the design of the development not reflecting local characteristics.</p>
80	<p><i>Support</i></p> <p>General support for development</p>
81	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to due to competition with existing businesses.</p>
82	<p><i>Object</i></p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p>

83	<p><i>Object</i></p> <p>Object to removal of IGA and the potential for a national supermarket chain to occupy site.</p> <p>Object to proposed liquor store.</p>
84	<p><i>Object</i></p> <p>Concerns in relation to shade cast over neighbouring properties and the interface of the development with neighbouring properties.</p> <p>Request modifications to the acoustic wall to reduce bulk impact on neighbouring properties.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Request dilapidation survey of property.</p>
85	<p><i>Object</i></p> <p>Object to removal of IGA.</p>
86	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>Object to due to competition with existing businesses.</p>
87	<p><i>Object</i></p> <p>Object to liquor store but supports larger supermarket.</p> <p>Objects to proposal due to increased traffic in the locality and the loss of existing jobs at IGA.</p>
88	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p>
89	<p><i>Object</i></p> <p>Concerns with 24 hour operations on site due to noise and disruption</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p>

90	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns in relation to shade cast over neighbouring properties and the interface of the development with neighbouring properties.</p> <p>Object to the inclusion of a large national supermarket chain in the development.</p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Object to loss of IGA from the site.</p> <p>Object to lack of sustainability initiatives in development.</p> <p>Object to lack of bicycle parking for development.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets.</p> <p>Object to loss of existing employment at IGA.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p>
91	<p><i>Object</i></p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Object to scale of development as oversupplying community needs.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>
92	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p>
93	<p><i>Object</i></p> <p>Object to removal of IGA and the potential for a national supermarket chain to occupy site.</p> <p>Object to additional café and liquor store in the precinct.</p>
94	<p><i>Object</i></p> <p>Object to removal of IGA and the potential for a national supermarket chain to occupy site.</p> <p>Object to additional liquor store in the precinct.</p>

95	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p>
96	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to due to competition with existing businesses.</p>
97	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>
98	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the design of the development not reflecting local characteristics and not interfacing appropriately with adjoining properties with respect to shade and building bulk</p> <p>The development is out of scale with the needs of the community</p> <p>Concerns in relation to a lack of sustainability initiatives</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p>
99	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p>

100	<p><i>Object</i></p> <p>Object to car parking location limiting ability to quickly shop.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p>
101	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>Object to lack of on site parking.</p>
102	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>
103	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the development as unnecessary as the area is already served by various outlets</p>
104	<p><i>Object</i></p> <p>Object to removal of IGA.</p>
105	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with respect to being able to enter/exit property if development is approved.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p>
106	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>Object to due to competition with existing businesses.</p>

107	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>
108	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p>
109	<p><i>Object</i></p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to lack of bicycle parking for development.</p> <p>Concern with delivery timing and noise impacts, especially if development will provide home delivery services.</p>
110	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to due to competition with existing businesses.</p>
111	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Object to lack of bicycle parking for development.</p>
112	<p><i>Object</i></p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p>

	Object to the design of the development not reflecting local characteristics.
	Object to increased noise and disruption from traffic movements
113	<i>Object</i> Object to loss of IGA from the site. Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.
114	<i>Object</i> Object to the inclusion of a large national supermarket chain in the development
115	<i>Object</i> Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety. Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets. Object to loss of IGA from the site.
116	<i>Object</i> Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian and cyclist safety. Request modifications to the Paget Street pedestrian environment to improve safety.
117	<i>Object</i> Object to the design of the development not reflecting local characteristics. Object to scale of development not reflecting community needs. Concerns with 24 hour operations on site due to noise and disruption. Object to scale of proposed signage.
118	<i>Object/Suggestion</i> Object to the development as unnecessary as the area is already served by various outlets Suggest development of four way intersection at South Street/Ethelwyn Street for access to the site.
119	<i>Object</i> Object to loss of IGA from the site. Object to the development as unnecessary as the area is already served by various outlets
120	<i>Object</i> Object to loss of IGA from the site. Object to the inclusion of a large national supermarket chain in the development

	<p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to due to competition with existing businesses.</p>
121	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Request modifications to the Paget Street pedestrian environment to improve safety.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets.</p>
122	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p>
123	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets.</p> <p>Object to lack of sustainability initiatives in development.</p> <p>Object to impact of 24 hour operations on staff.</p>
124	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to loss of existing employment at IGA.</p> <p>Object to due to competition with existing businesses.</p>
125	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to loss of existing employment at IGA</p>
126	<p><i>Object</i></p>

	<p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Object to development as oversupplying local requirements.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues.</p>
127	<p><i>Support/Object</i></p> <p>Larger store required to service growing Hilton population</p> <p>The development may catalyse redevelopment throughout the local centre</p> <p>Increased local employment</p> <p>Support redevelopment of existing building</p> <p>Support increased on site car parking</p> <p>Support development potentially attracting customers from outside locality.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>
128	<p><i>Object</i></p> <p>Object to noise from the development</p> <p>Object to building bulk of proposed development</p> <p>Concerns in relation to waste collection and bin store location.</p> <p>Concerns in relation to shade cast by development</p> <p>Concerns in relation to lack of on site landscaping and deep planting zones.</p>
129	<p><i>Support</i></p> <p>General support for the development due to the appearance of the development improving the amenity of the area.</p> <p>Submitter hoped that the development would be a catalyst for further development in the streetscape and general on site amenity in the local centre</p>
130	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p>
131	<p><i>Object</i></p>

	<p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Concern that the development will generally impact the amenity of the Hilton area.</p> <p>Concern that basement parking will reduce convenience for customers.</p>
132	<p><i>Object</i></p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Concern that development does not appropriately retain existing trees.</p> <p>Concern that development does not include sufficient sustainability initiatives.</p> <p>Object to loss of IGA from the site.</p> <p>Object to loss of existing employment at IGA.</p> <p>Object to the inclusion of a large national supermarket chain in the development.</p>
133	<p><i>Suggestion</i></p> <p>Suggest inclusion of greater landscaping to western side of site and additional trees.</p> <p>Suggest inclusion of restaurant style café to serve community outside of usual shopping hours</p>
134	<p><i>Support</i></p> <p>General support for development and request for on site artwork.</p>
135	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p>
136	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the design of the development not reflecting local characteristics.</p>
137	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption</p>

	<p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>Object to the design of the development not reflecting local characteristics.</p>
138	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets.</p> <p>Object to the inclusion of a large national supermarket chain in the development.</p> <p>Object to due to competition with existing businesses.</p>
139	<p><i>Object</i></p> <p>Object to size of development.</p> <p>Object to parking location in basement limiting access for quick shopping trips.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to due to competition with existing businesses.</p>
140	<p><i>Object/Suggestion</i></p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Object to removal of existing trees</p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development</p> <p>Object to the design of the pedestrian realm in South Street road reserve</p> <p>Concern that size of café is inadequate for the preparation of fresh food</p> <p>Object to lack of onsite landscaping</p> <p>Object to lack of sustainability inclusions</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Suggest inclusion of community restaurant in development.</p>
141	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>

	<p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets</p> <p>Object to lack of sustainability initiatives in development.</p>
142	<p><i>Object</i></p> <p>The scale of the development will serve a larger area than just the local community.</p> <p>Object to the lack of residential use in development.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concern that the development will negatively impact the pedestrian environment on Paget Street as the footpath interfaces with vehicle access.</p>
143	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development.</p>
144	<p><i>Object</i></p> <p>Object to the loss of the IGA on site.</p>
145	<p><i>Object</i></p> <p>Object to the loss of the IGA on site and the development being in competition with existing businesses.</p>
146	<p><i>Object</i></p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Support retention of existing trees.</p> <p>Object to loss of IGA from the site.</p>
147	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development.</p> <p>Object to underground parking being unsafe and inconvenient.</p>
148	<p><i>Object</i></p> <p>Object to proposed building bulk facing Paget Street.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concern that scale of development is not commensurate with community needs.</p>

149	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development.</p> <p>Object to the development as unnecessary as the area is already served by various outlets.</p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Concern with regard to the shade cast by the proposed development.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development due to antisocial behaviour issues.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets.</p>
150	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets.</p> <p>Object to oversupply of onsite parking.</p>
151	<p><i>Object</i></p> <p>Object to the inclusion of a liquor store and cafe in the development as unnecessary as the area is already served by various outlets.</p>
152	<p><i>Object</i></p> <p>Object to the design of the development not reflecting local characteristics.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets.</p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development.</p> <p>Concern that development will potentially devalue property.</p>
153	<p><i>Support</i></p>

	Submitter supported the development as proposed as the development reflected the needs of the increasing population in the area.
154	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Concern that development will potentially devalue property.</p>
155	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development.</p> <p>Object to the inclusion of a liquor store in the development as unnecessary as the area is already served by various outlets.</p> <p>Object to lack of shopping facilities while development is undertaken.</p>
156	<p><i>Object</i></p> <p>Concern in relation to lack of landscaping on site and design of development not being sympathetic to the Hilton local area.</p> <p>Concern in relation to increased traffic.</p>
157	<p><i>Object</i></p> <p>Concern in relation to loss of existing IGA.</p>
158	<p><i>Object</i></p> <p>Concerns in relation to traffic congestion and increased traffic in immediate locality and side streets.</p> <p>Concerns in relation to pedestrian safety.</p>
159	<p><i>Object</i></p> <p>Concerns in relation to traffic in Paget Street.</p> <p>Concerns in relation to 24 hour operations.</p> <p>Concerns in relation to previous demolition of building at 297 South Street.</p> <p>Concerns in relation to proposed liquor store.</p> <p>Concerns in relation to lack of landscaping.</p> <p>Concerns in relation to construction processes.</p>
160	<p><i>Object</i></p> <p>Submitter considered development unnecessary.</p>
161	<p><i>Object</i></p> <p>Concern in relation to traffic and pedestrian safety.</p> <p>Submission suggested alternative access arrangement not proposed as a part of this application.</p>
162	<p><i>Object</i></p> <p>Concerns in relation to traffic and delivery congestion and pedestrian safety.</p>
163	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to loss of IGA from the site.</p>

	Concerns with 24 hour operations on site due to noise and disruption.
164	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p>
165	<p><i>Object</i></p> <p>Object to loss of IGA from the site.</p> <p>Object to the inclusion of a large national supermarket chain in the development.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>
166	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to home delivery vehicles using the site</p> <p>Object to lack of on site landscaping and concerns that the landscaping requirements applicable to higher density developments had not been addressed in this application.</p>
167	<p><i>Object</i></p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to home delivery vehicles using the site on the basis of congestion, safety and amenity.</p>
168	<p><i>Object</i></p> <p>Object to due to competition with existing businesses.</p> <p>Object to the inclusion of a large national supermarket chain in the development and the general centralisation of shopping facilities.</p>
169	<p><i>Object</i></p> <p>Object to potential loss of existing vegetation on site.</p> <p>Object to removal of existing street furniture.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Object to home delivery vehicles using the site on the basis of congestion, safety and amenity.</p>

	<p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p> <p>Concerns in relation to public transport service delays as a result of traffic congestion.</p>
170	<p><i>Object</i></p> <p>Concerns with 24 hour operations on site due to noise and disruption.</p> <p>Object to home delivery vehicles using the site on the basis of congestion, safety and amenity.</p> <p>Concerns in relation to increased traffic congestion and potential safety impacts upon the surrounding road network and pedestrian safety.</p>

Additional Information 3 – MRWA Referral Response



Enquiries: Malcolm Somers on (08) 9323 5876
Our Ref: 20/3495 (D20#1090203)
Your Ref: DAP/20/01880

2 December 2020

Chief Executive Officer
City of Fremantle
70 Parry Street
FREMANTLE WA 6180

Email: tomge@fremantle.wa.gov.au

Dear Sir/Madam,

**PROPOSAL – DEVELOPMENT APPLICATION REFERRAL – SHOP, RESTAURANT AND
LIQUOR STORE – LOT 500 (285) & LOT 80 (297) SOUTH STREET, HILTON –
DAP/20/01880 – LGA DAP007/20**

In response to your correspondence received on 20 October 2020, Main Roads has no objections subject to the following conditions being imposed:

Conditions

1. Pursuant to Section 129 BA of the *Transfer of Land Act 1893* (as amended) a restrictive covenant preventing vehicular access onto South Street being lodged on the certificates of title of the proposed development at the full expense of the landowner/applicant. The covenant is to prevent access, to the benefit of Main Roads WA as shown on the attached plan dated 1 December 2020 and the covenant is to specify:

"No vehicular access is permitted to and from South Street."
2. No development or car parking other than landscaping and pedestrian paving shall be permitted on the land required for future road purposes, as depicted on the enclosed extract of Main Roads drawing number 06310012.
3. Any signage, awning, fixture or structure that encroaches within the Primary Regional Road reservation must be removable and not impact the structural integrity of the building.
4. The applicant shall upon receipt of a notice from Main Roads, remove any signage, awning or structure that encroaches within the Primary Regional Road reservation at their own expense.
5. No earth works shall encroach onto the South Street Road Reserve.

Main Roads Western Australia
Don Aitken Centre, Waterloo Crescent, East Perth WA 6004
PO Box 6202, East Perth WA 6892

mainroads.wa.gov.au
enquiries@mainroads.wa.gov.au
138 138



6. Stormwater discharge (if any) shall not exceed pre-development discharge to the South Street Road Reserve or the widened road reservation.
7. No waste collection is permitted from the South Street Road Reserve or widened road reservation.
8. Redundant vehicle crossover(s) to be removed and kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the City of Fremantle and to the specifications of the local government.
9. The landowner/applicant shall make good any damage to the existing verge vegetation within the road reserve.

Advice

1. Further to Conditions 2 – 4, it is noted that the proposed awning is partially located over land reserved in the Metropolitan Region Scheme. This land will be required for road purposes sometime in the future. Any structures encroaching within the Primary Regional Road Reservation must be non-permanent and capable of removal.
2. Any services, infrastructure or roadside furniture that requires relocation as a result of the development works will be at the applicant's cost.
3. The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.
4. The upgrading/widening of Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability for the information provided.

Should the City disagree with or resolve not to include as part of its conditional approval any of the above conditions or advice, Main Roads requests an opportunity to meet and discuss the application further, prior to a final determination being made.

Main Roads advises that it offers a free of charge pre-lodgement consultation service. Main Roads encourages both the Local Government in liaising with applicants to promote and capitalise on this free advisory service offered by the road authority prior to lodgement of strategic or statutory planning proposals, especially where development plans involve land adjacent to or have the potential to impact on the State road network. Further information on the pre-lodgement consultation process can be found on Main Roads website at mainroads.wa.gov.au > Technical & Commercial > Planning & Development



Main Roads requests a copy of the City's final determination on this proposal to be sent to planninginfo@mainroads.wa.gov.au quoting the file reference above.

Yours sincerely


Zeljko Zagorac
Statutory Road Planning Manager

Enclosed:
Main Roads Mark Up 1 December 2020
Main Roads Drawing 06310012

Additional Information 4 – Site photos



Photo 1 - Subject site from across Paget Street



Photo 2 - Existing supermarket building facing South Street



Photo 3 – Existing building and existing vegetation



Photo 4 – Existing supermarket and parking area

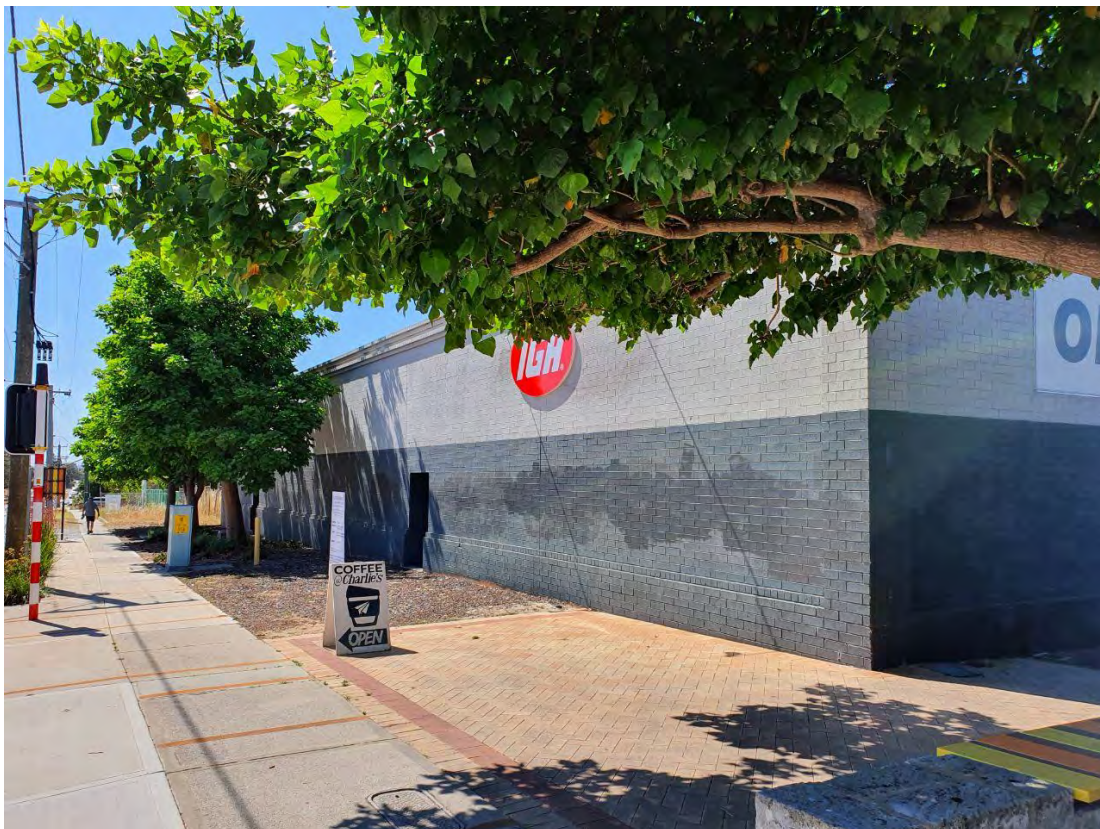


Photo 5 – Existing building façade facing South Street



Photo 6 – Adjoining vacant site



Photo 7 – Adjoining vacant site

**PC2101 - 3 HIGH STREET, NO. 39 (LOT 62) FREMANTLE – PARTIAL CHANGE OF
USE TO TAVERN AND ALTERATIONS TO EXISTING BUILDING (JL
DA0314/20)**

Additional Information 1 – Site Photo



Photo 1: Subject site from corner of Henry Street and High Street



Photo 2 and 3: Henry Street elevation showing area of new rooms

**Additional information 2 - Acoustic Report – Prepared by Acoustic Engineers
Consultants**

ACOUSTIC REPORT

FOR

PROPOSED LOUNGE BAR



AES-890139-R01-0-18112020

Acoustic Engineering Solutions
www.acousticengsolutions.com.au

Client: NORDA Architects Pty Ltd
Project: Acoustic Report



DOCUMENT CONTROL

Environmental Noise Impact Assessment

Prepared for: NORDA Architects Pty Ltd

5/35 High Street
Fremantle WA 6160

Contact: Ian Wilkes

Prepared by: Dr. Roy Ming

Acoustic Engineering Solutions

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Revision: 0

Date: 18 November 2020

Doc NO: AES-890139-R01-0-18112020

Acoustic Engineering Solutions

ABN: 64 451 362 914

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AES-890139-R01-0-18112020

Page II

Client: NORDA Architects Pty Ltd
Project: Acoustic Report



EXECUTIVE SUMMARY

Acoustic Engineering Solutions (AES) has been commissioned by NORDA Architects Pty Ltd to prepare an acoustic report as a supporting document for the development approval of proposed lounge bar. This report presents an environmental noise impact assessment of the proposed lounge bar operations. The aim of this assessment is to determine whether or not the proposed operations would comply with the Environmental Protection (Noise) Regulations 1997 (the Regulations).

Site noise measurements were undertaken in the evening of Thursday 12th November 2020 to assess:

- the noise levels inside the bar Orient; and
- background noise at the most affected residential location.

An acoustic model is created and three worst-case operational scenarios are modelled for the proposed lounge bar:

Scenario 1: represents the worst-case operation of air-conditioners.

Scenario 2: represents the worst-case operation with low level background music played.

Scenario 3: represents the worst-case operation with a live music performance.

For scenarios 2 and 3, all of the 10 windows in both rooms (facing both Henry Street and the south lane) are fully closed. The 15-minute average noise levels $L_{Aeq,15minutes}$ inside the proposed lounge bar area (two rooms) are assumed to be:

- 77.2 dB(A) for scenario 2.
- 81.9 dB(A) for scenario 3.

Two closest residential receivers are selected for the detailed assessment of noise impact. Noise levels are predicted for worst-case meteorological conditions. The predicted worst-case noise levels are much lower than the measured background noise $L_{Aeq,15minutes}$. Any tonality or music characteristic for noises radiated from the proposed lounge bar will be inaudible and masked by background noise. Therefore no tonality or music adjustment is required for the predicted noise levels.

The predicted noise levels are assessed against the assigned noise levels set by the Regulations. The compliance assessment concludes that full compliance is achieved with the Regulations for the proposed lounge bar operations.

Client: NORDA Architects Pty Ltd
Project: Acoustic Report



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Client: NORDA Architects Pty Ltd
Project: Acoustic Report



1.0 INTRODUCTION

NORDA Architects Pty Ltd (NORDA Architects) engages in a development approval of a change of use to a lounge bar facility at the Orient Hotel - 39 High Street Fremantle. An acoustic report is required to undertake an environmental noise impact assessment to determine whether or not the noise emissions from the proposed lounge bar would comply with the Environmental Protection (Noise) Regulations 1997 (the Regulations).

Acoustic Engineering Solutions (AES) has been commissioned by NORDA Architects to prepare the acoustic report.

1.1 ORIENT HOTEL

The Orient Hotel is a bar/tavern business which leases and operates within the majority of the ground floor of a 3 storey heritage building. It is proposed to increase the ground floor lease area of the 'Orient' to incorporate two rooms which were previously leased to the backpackers business and revert use to lounge bar and function spaces. Figure 1¹ in APPENDIX A presents an aerial view of the subject building and surrounding area. The subject building is surrounded by mostly commercial premises. Residential apartments are located to the east across Henry Street.

Figure 2 in APPENDIX A presents the floor plan of ground floor of the subject building while Figure 3 shows the floor plan of the proposed lounge bar area. The proposed Lounge Bar will be managed as an extension of the existing Orient Hotel operations and consists of two rooms, which are connected by two double doors. One of the two rooms will have a new bar facility. Two wall-mounted speakers will be installed close to the ceilings in each room to play low level background music during the opening hours. Live music may be performed sometimes between 7:30pm and 12am on Wednesday to Sunday in one of the rooms.

The external walls of the rooms are solid brickwork of minimum 600mm thickness with render finish both sides between 20mm and 50mm thickness. The windows are original timber framed with 4mm clear float glass and leadlight glazing. Window glazed is approximately 850mm wide and 1800mm high.

The Lounge Bar can be accessed via an entrance door to a corridor and then an internal door from Henry Street, as shown in Figure 3 in APPENDIX A. During the opening hours the entrance door is open while the internal door is closed except for entry and exit. The internal door is a mix-structure of solid timber and glazing.

The Lounge Bar is proposed to have a maximum capacity of 137 patrons and 3 staff, and open 7 days a week:

- Between 11am and 12pm on Sunday to Thursday.
- Between 11am and 1am on Friday and Saturday.

¹ Image in Figure 1 is obtained from Google map.

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2.0 NOISE CRITERIA

Noise management in Western Australia is implemented through the Environmental Protection (Noise) Regulations 1997 (the Regulations). The Regulations set noise limits which are the highest noise levels that can be received at noise-sensitive (residential), commercial and industrial premises. These noise limits are defined as 'assigned noise levels' at receiver locations. Regulation 7 requires that "noise emitted from any premises or public place when received at other premises must not cause, or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind".

Table 2-1 presents the assigned noise levels at various premises.

Table 2-1: Assigned noise levels in dB(A)

Type of Premises Receiving Noise	Time of Day	Assigned Noise Levels in dB(A) ²		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday	45 + Influencing factor	55 + Influencing factor	65 + Influencing factor
	0900 to 1900 hours Sunday and public holidays	40 + Influencing factor	50 + Influencing factor	65 + Influencing factor
	1900 to 2200 hours all days	40 + Influencing factor	50 + Influencing factor	55 + Influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	35 + Influencing factor	45 + Influencing factor	55 + Influencing factor
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial premises	All hours	60	75	80
Industrial and utility premises other than those in the Kwinana Industrial Area	All hours	65	80	90

² Assigned level L_{A1} is the A-weighted noise level not to be exceeded for 1% of a delegated assessment period.
Assigned level L_{A10} is the A-weighted noise level not to be exceeded for 10% of a delegated assessment period.
Assigned level L_{Amax} is the A-weighted noise level not to be exceeded at any time.

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For highly noise sensitive premises, an “influencing factor” is incorporated into the assigned noise levels. The influencing factor depends on road classification and land use zonings within circles of 100 metres and 450 metres radius from the noise receiver locations.

2.1 CORRECTIONS FOR CHARACTERISTICS OF NOISE

Regulation 7 requires that that “noise emitted from any premises or public place when received at other premises must be free of:

- (i) tonality;
- (ii) impulsiveness; and
- (iii) modulation.

when assessed under Regulation 9”.

If the noise exhibits intrusive or dominant characteristics, i.e. if the noise is impulsive, tonal, or modulating, noise levels at noise-sensitive premises must be adjusted. Table 2-2 presents the adjustments incurred for noise exhibiting dominant characteristics. That is, if the noise is assessed as having tonal, modulating or impulsive characteristics, the measured or predicted noise levels have to be adjusted by the amounts given in Table 2-2. Then the adjusted noise levels must comply with the assigned noise levels. Regulation 9 sets out objective tests to assess whether the noise is taken to be free of these characteristics.

Table 2-2: Adjustments for dominant noise characteristics

Adjustment where noise emission is not music. These adjustments are cumulative to a maximum of 15 dB.			Adjustment where noise emission is music	
Where tonality is present	Where Modulation is present	Where Impulsiveness is present	Where Impulsiveness is not present	Where Impulsiveness is present
+5 dB	+5 dB	+10 dB	+10 dB	+15 dB

2.2 INFLUENCING FACTOR

Two closest noise-sensitive (residential) receivers to the east of Orient Hotel building are selected for detailed assessment of noise assessment, as shown in Figure 1 in APPENDIX A. Both are the first floor receivers.

According to the WA Main Roads traffic flow data, no roads are classified as the major road within 450m or secondary road within 100m from the selected receivers. Therefore the transport factor is zero for both the receivers.

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Figure 4 in APPENDIX A presents the town planning scheme map 3 of the City of Fremantle. It is shown that both the receivers are located within the city centre zone. The Local Planning Scheme 4 of the City of Fremantle states that "city centre zone" provides "for a full range of shopping, office, administrative, social, recreation, entertainment and community services, consistent with the region-serving role of the centre and including residential uses".

Regulation Schedule 3 (2A) states that "If the land within either of the circles is categorised on the land use map as land in respect of which mixed uses are permitted, the use of that land that results in the highest influencing factor is to be used in the determination of the influencing factor". Therefore, the city centre zone is treated as a "commercial land zone" in the calculation of influencing factors.

No industrial zones are presented in the vicinity (within 450m in radius) of the receivers. Table 2-3 presents the calculation of influencing factors and Table 2-4 presents the assigned noise levels for the selected receivers.

Table 2-3: Calculation of influencing factors.

Closest Residents	Transport Factor in dB	Commercial Land			Influencing Factor in d(B)
		Within 100m Radius	Within 450m Radius	dB	
R1 and R2	0	100%	91%	10	10

Table 2-4: Assigned noise levels L_{A10} in dB(A)

Closest Residences	Assigned Noise Levels L_{A10} in dB(A)		
	Day ³ Monday to Saturday	Evening ⁴ Day ⁵ for Sunday & Public Holiday	Night ⁶
R1 and R2	55	50	45

³ 0700 to 1900 hours for Monday to Saturday.

⁴ 1900 to 2200 hours for all days.

⁵ 0900 to 1900 hours for Sunday and public holidays.

⁶ 2200 to 0700 hours for Monday to Saturday and 2200 to 0900 hours for Sunday and public holidays.

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3.0 NOISE MEASUREMENTS

Site measurements were undertaken between 6:50pm and 8:20pm on Thursday 12th November 2020, when it was clear night with light winds and a temperature of about 16°C.

Noise levels were recorded using a Nor139 Type 1 Sound Level Meter (SLM). The SLM complies with the instrumentation requirements of AS2702:1984⁷. The SLM was programmed to record the S (slow) and A weighted noise levels of L_{A510} , L_{A90} , L_{A5max} and L_{ASeq} . The SLM was calibrated using a SV33A Class 1 Sound Calibrator immediately before and after the measurements. No level difference was observed between the two calibrations.

The noise monitoring was conducted in accordance with the procedures outlines in AS 1055⁸ and the Regulations.

3.1 INDOOR NOISE LEVELS

The proposed Lounge Bar area is not open yet.

Because multiple speakers played music with patron conversations inside the bar Orient (an enclosed space), it is unable to measure the individual source sound power levels. Noise monitoring was performed in the indoor bar/dining area before and during a solo performance.

Before the solo performance, the indoor bar area has 4 wall-mounted speakers playing low level music. It was noticed during the measurements that customers were talking privately and not in raised voices.

During the solo performance, the soloist sang songs via two wall-mounted speakers while playing guitar, as shown in Figure 5 in APPENDIX A. The 4 wall-mounted speakers were connected to the solo control panel to play live music. Customers were talking privately but also cheering and clapping at the end of each song.

During the monitoring:

- All external windows (facing both High Street and Henry Street) were fully closed.
- The door in the corner of High Street and Henry Street was closed and blocked.
- The two entrance doors facing High Street were closed except for entry and exit.
- Three TV Screens were muted.
- The SLM microphone was placed at 1.5m above the floor.

For each set of measurements, the noises were continuously recorded:

- at five randomly selected locations in the indoor bar/dining area; and
- for 15 minutes.

⁷ Australian Standard 2702-1984 Acoustics – Methods for the Measurement of Road Traffic Noise.

⁸ Australian Standard AS 1055 Acoustics – Description and measurement of environmental noise.

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The measured noise levels $L_{Aeq,15minutes}$ are:

- 77.2 dB(A) before the solo performance.
- 81.9 dB(A) during the solo performance.

3.2 OUTDOOR BACKGROUND NOISE

Outdoor background noise was monitored in a 15-minute interval (between 7:58pm and 8:13pm) at location R1 (ground level), as shown in Figure 6 in APPENDIX A.

Figure 7 presents the logged background noise level $L_{Aeq,15minutes}$. During the measurements, it was noticed:

- The live music in the bar Orient is inaudible at all time.
- The patron conversations in the outdoor alfresco area along High Street are audible sometimes but in low levels.
- Local traffic (on Henry Street) was present intermittently.
- People talked and walked passing the noise logger for several times.
- A noisy motorcycle drove on Henry Street at 8:12pm (corresponding to the peak level in Figure 7).

Table 3-1 summarises the measured background noise levels. If the motorcycle noise is considered to rarely occur and removed, background noise level $L_{Aeq,15minutes}$ reduces from 60.5 dB(A) to 55.6 dB(A).

Table 3-1: Measured background noise levels in dB(A)

Time Intervals	Measured Background Noise Levels in dB(A)				
	L_{A1}	L_{A10}	L_{A90}	L_{Aeq}	L_{Amax}
7:58pm – 8:13pm	69.5	58.2	46.5	60.5	85.2

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4.0 NOISE MODELLING

4.1 METHODOLOGY

An acoustic model is developed using SoundPlan v8.0 program, and the CONCAWE^{9,10} prediction algorithms are selected for this study. The acoustic model is used to predict noise levels at the selected receiver locations and generate noise level contours for the area surrounding the Orient Hotel.

The acoustic model does not include noise emissions from any sources other than from the proposed Lounge Bar. Therefore, noise emissions from neighbouring commercial premises, road traffics, aircrafts, existing bar Orient, etc are excluded from the modelling.

4.2 INPUT DATA

4.2.1 Topography

The ground for the Orient Hotel and surrounding area are flat. Therefore, a reflective flat ground is assumed in the acoustic model.

The Orient Hotel building and surrounding buildings are digitised to the acoustic model together with the boundary wall between the buildings of R1 and R2.

The alfresco roofs (along the streets) are modelled as floating panels.

4.2.2 Noise Sensitive Premises

Two residential receivers, R1 and R2, close to the proposed lounge bar are selected for the detailed assessment of noise impact, as shown in Figure 1 and Figure 8 in APPENDIX A. They represent the first floor receivers.

4.2.3 Source Sound Power Levels

The proposed Lounge Bar is assumed to have the same operational conditions as the bar Qrient, i.e. generating the same noise levels as these measured $L_{Aeq,15minutes}$ in section 3.1.

Three Mitsubishi split air-conditioners will be installed for the proposed Lounge Bar area. Their outdoor condensers will be mounted on the southern external wall of the proposed Lounge Bar. Table 4-1 presents their sound power levels.

⁹ CONCAWE (Conservation of Clean Air and Water in Europe) was established in 1963 by a group of oil companies to carry out research on environmental issues relevant to the oil industry.

¹⁰ The propagation of noise from petroleum and petrochemical complexes to neighbouring communities, CONCAWE Report 4/81, 1981.

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Table 4-1: Sound power levels

Equipment	Number	Overall Sound Power Levels in dB(A)
Mitsubishi Air-conditioner	3	67

4.3 METEOROLOGY

SoundPlan calculates noise levels for defined meteorological conditions. In particular, temperature, relative humidity, wind speed and direction data are required as input to the model. For this study the worst-case meteorological conditions¹¹ are assumed, as shown in Table 4-2. Since night and evening have the same worst-case meteorological conditions, only the night-time noise levels are modelled.

Table 4-2: Worst-case meteorological conditions.

Time of day	Temperature Celsius	Relative Humidity	Wind speed	Pasquill Stability Category
Day (0700 --- 1900)	20° Celsius	50%	4 m/s	E
Evening (1900 --- 2200)	15° Celsius	50%	3 m/s	F
Night (2200 --- 0700)	15° Celsius	50%	3 m/s	F

4.4 NOISE MODELLING SCENARIOS

NORDA Architects advised that this noise assessment is undertaken only for the proposed Lounge Bar facility (excluding the existing bar Orient), and:

- The proposed Lounge Bar opens 7 days a week.
- A maximum capacity of 137 patrons and 3 staff are proposed.
- The proposed Lounge Bar has two rooms connected through two double doors. One room (bar room) has bar facility while another room will be used for dining, dance or function area.
- All of the 10 windows in both rooms (facing both Henry Street and the south lane) are fully closed during the opening hours.

¹¹ The worst case meteorological conditions were set by the EPA (Environmental Protection Act 1986) Guidance note No 8 for assessing noise impact from new developments as the upper limit of the meteorological conditions investigated.

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- The entrance double door facing Henry Street will be open during the opening hours but the internal door to the corridor is closed except for the entry and exit.
- Two wall-mounted music speakers are installed on each of the two rooms to play low level background music.
- Live music will be performed sometimes at the bar room.
- When live music plays, a control panel will connect the speakers with live music.
- The 15-minute average noise levels $L_{Aeq,15minutes}$ including patron conversations and amplified or live music will not be above the measured levels (shown in section 3.1):
 - 77.2 dB(A) for playing amplified music; or
 - 81.9 dB(A) for live music.
- Three Mitsubishi split air-conditioners will be installed with their outdoor unit mounted on the southern external wall (top of the ground floor level).

Based on the provided information and requirements, two worst-case operational scenarios are modelled as followings:

- Scenario 1: The three Mitsubishi air-conditioners operate simultaneously.
- Scenario 2: The 4 speakers operate simultaneously with patron conversations in both rooms. The averaged noise levels in the two rooms are assumed to be 77.2 dB(A) (the same as that measured in the bar Orient, refer to section 3.1).
- Scenario 3: Live music performs at the bar room simultaneously with patron conversations in both rooms. The 4 speakers are connected to the live music control panel. The averaged noise levels in the two rooms are assumed to be 81.9 dB(A) (the same as that measured for the live music, refer to section 3.1).

Scenario 1 represents the worst-case operation of air-conditioning system while scenarios 2 and 3 represent the worst-case operations of the proposed lounge bar with amplified and live music. For scenarios 2 and 3, all of the 10 windows in both rooms (facing both Henry Street and the south lane) are fully closed.

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5.0 MODELLING RESULTS

5.1 POINT MODELLING RESULTS

Table 5-1 presents the predicted worst-case A-weighted noise levels. It shows that for the same scenario the predicted day and night-time noise levels are the same at the selected receivers. The highest noise level is predicted at R1 for scenario 1 but at R2 for scenarios 2 and 3.

Table 5-1: Predicted worst-case noise levels in dB(A).

Receivers	Scenario 1		Scenario 2		Scenario 3	
	Day	Evening/Night	Day	Evening/Night	Day	Evening/Night
R1	38.8	38.8	33.6	33.6	38.6	38.6
R2	33.1	33.1	34.1	34.1	39.0	39.0

5.2 NOISE CONTOURS

Figure 9 and Figure 11 in APPENDIX B present the worst-case noise level contours at 1.5m above the ground (for ground level receivers). These noise contours represent the worst-case noise propagation envelopes, i.e., worst-case propagation in all directions (from source to receiver) simultaneously.

Since the predicted day and night-time noise levels are the same, these noise level contours represent worst-case day, evening and night-time noise emissions from the proposed Lounge Bar.

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6.0 COMPLIANCE ASSESSMENT

6.1 TONALITY ADJUSTMENT

According to Table 2-2, the predicted noise levels shown in Table 5-1 should be adjusted by:

- 5 dB if the noise received exhibits tonality; or
- 10 dB if the noise received is music.

The noise radiated from an air-conditioning system may exhibit tonality.

Section 3.2 indicates that the measured background noise $L_{Aeq,15minutes}$ is about 61 dB(A) and the measured $L_{A90,15minutes}$ is about 47 dB(A) in the evening. It is expected that background noise becomes:

- higher during the days.
- above 47 dB(A) between 10pm and 1am.

The predicted noise levels are much lower than background noise. Any tonality or music characteristic for noises from the lounge bar will be inaudible and masked by background noise. Therefore no tonality or music adjustment is required for the predicted noise levels.

6.2 COMPLIANCE ASSESSMENT

All of the scenarios generate continuous noise emissions. Therefore, the assigned noise levels L_{A10} apply.

Table 2-4 shows that the night-time assigned noise levels are the lowest while Table 5-1 indicates that the predicted day and evening/night-time noise levels are the same at the selected receivers. This means that full compliance will be guaranteed if compliance is achieved with the Regulations for the night-time operations of proposed Lounge Bar.

Table 6-1 presents the night-time compliance assessment. It is shown that the predicted worst-case noise levels are much lower than the assigned noise levels at the receivers for all scenarios. This concludes that full compliance is achieved for the proposed Lounge Bar.

Table 6-1: Compliance assessment.

Receivers	Night-time Assigned Noise Levels L_{A10} in dB(A)	Predicted Noise Levels in dB(A)		
		Scenario 1	Scenario 2	Scenario 3
R1	45	38.8	33.6	38.6
R2	45	33.1	34.1	39.0

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APPENDIX A AERIAL VIEW

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Figure 1: Aerial view of the subject site and surrounding area.

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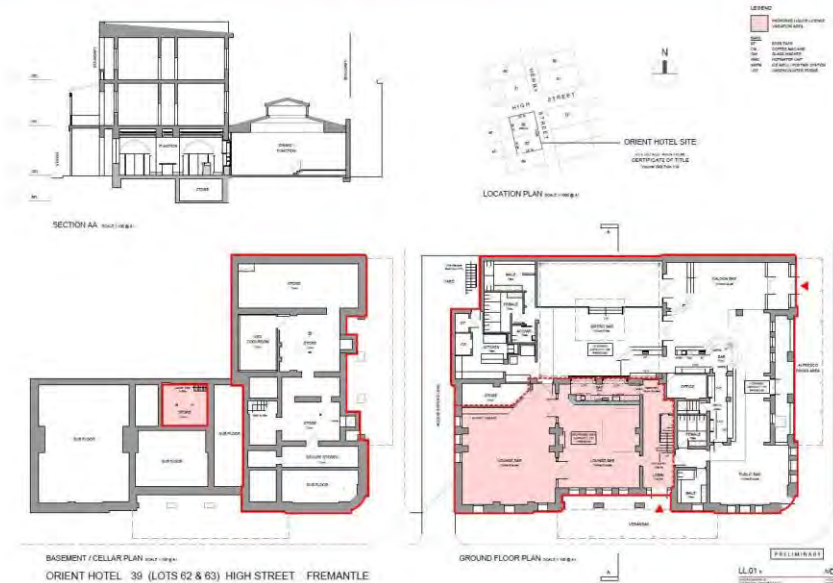


Figure 2: Floor plan.

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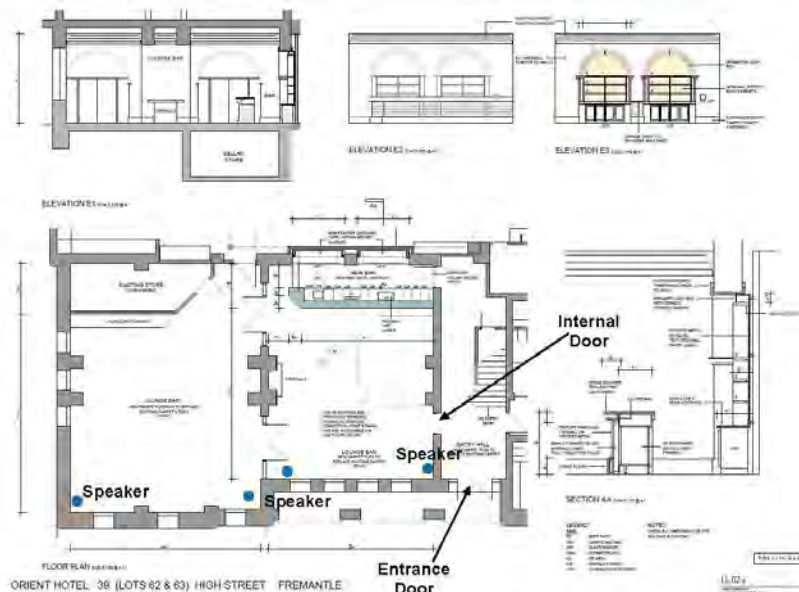


Figure 3: Proposed extension area.

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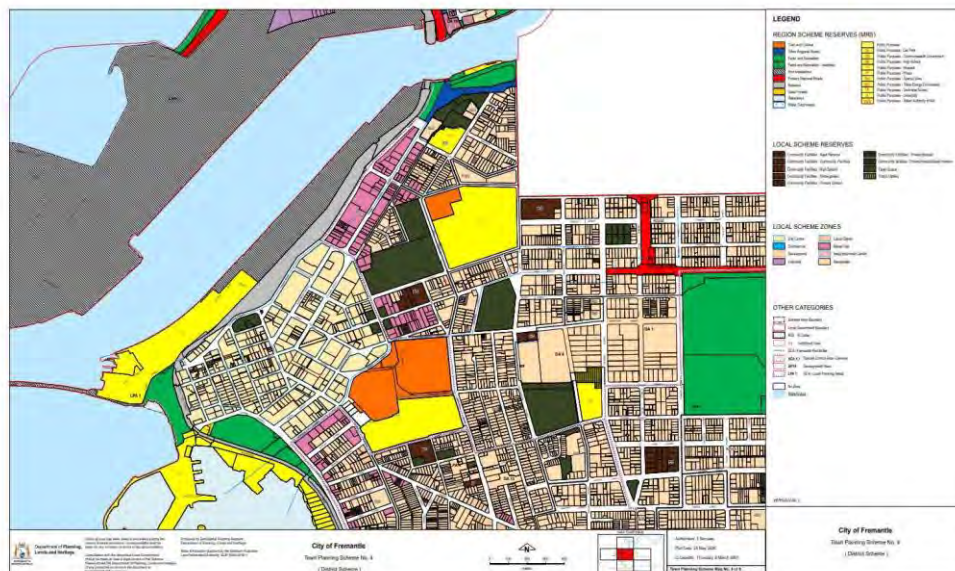


Figure 4: Town planning scheme map 3 of Fremantle City.

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Figure 5: Photo of solo performance.

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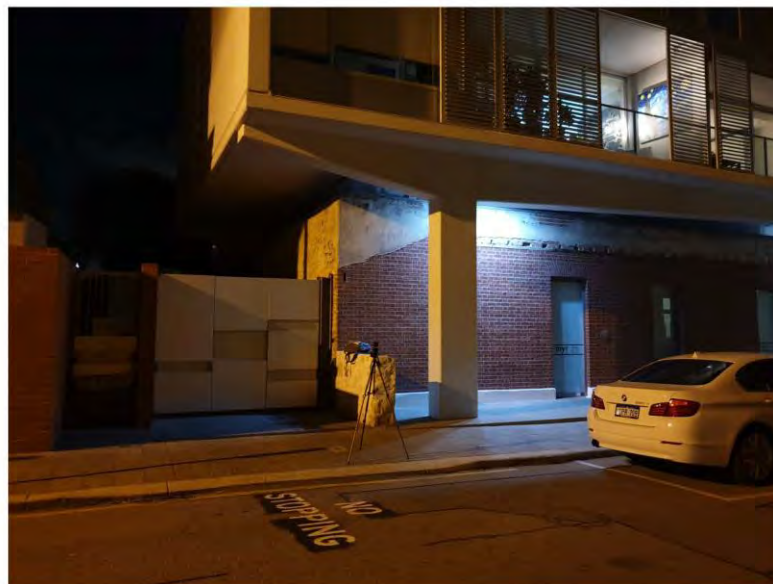


Figure 6: Photo of noise logger on Henry Street.

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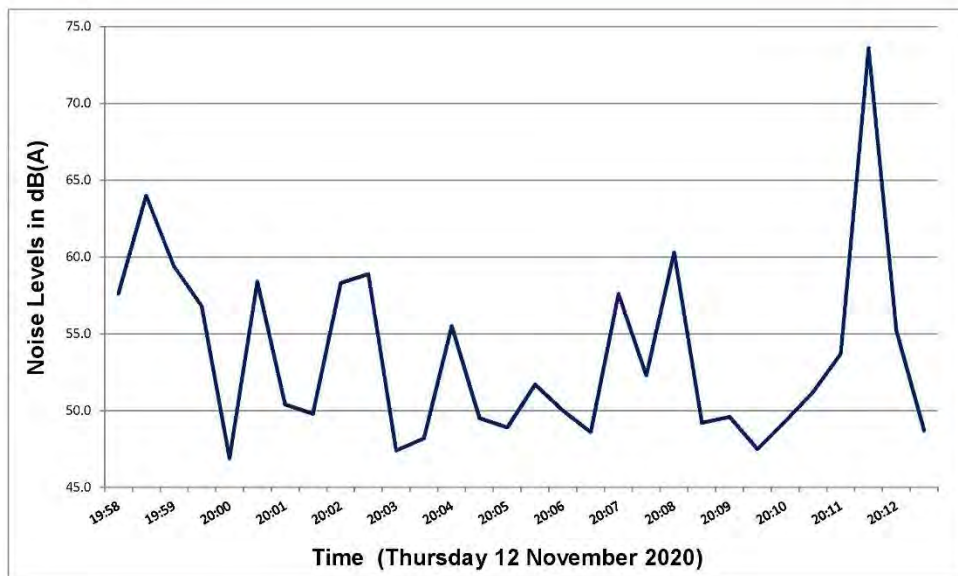


Figure 7: Logged noise level $L_{Aeq,15minutes}$ at R1 (ground).

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Figure 8: Locations of selected receivers on the first floors.

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APPENDIX B NOISE CONTOURS

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Figure 9: Worst-case noise level contours for scenario 1.

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Figure 10: Worst-case noise level contours for scenario 2.

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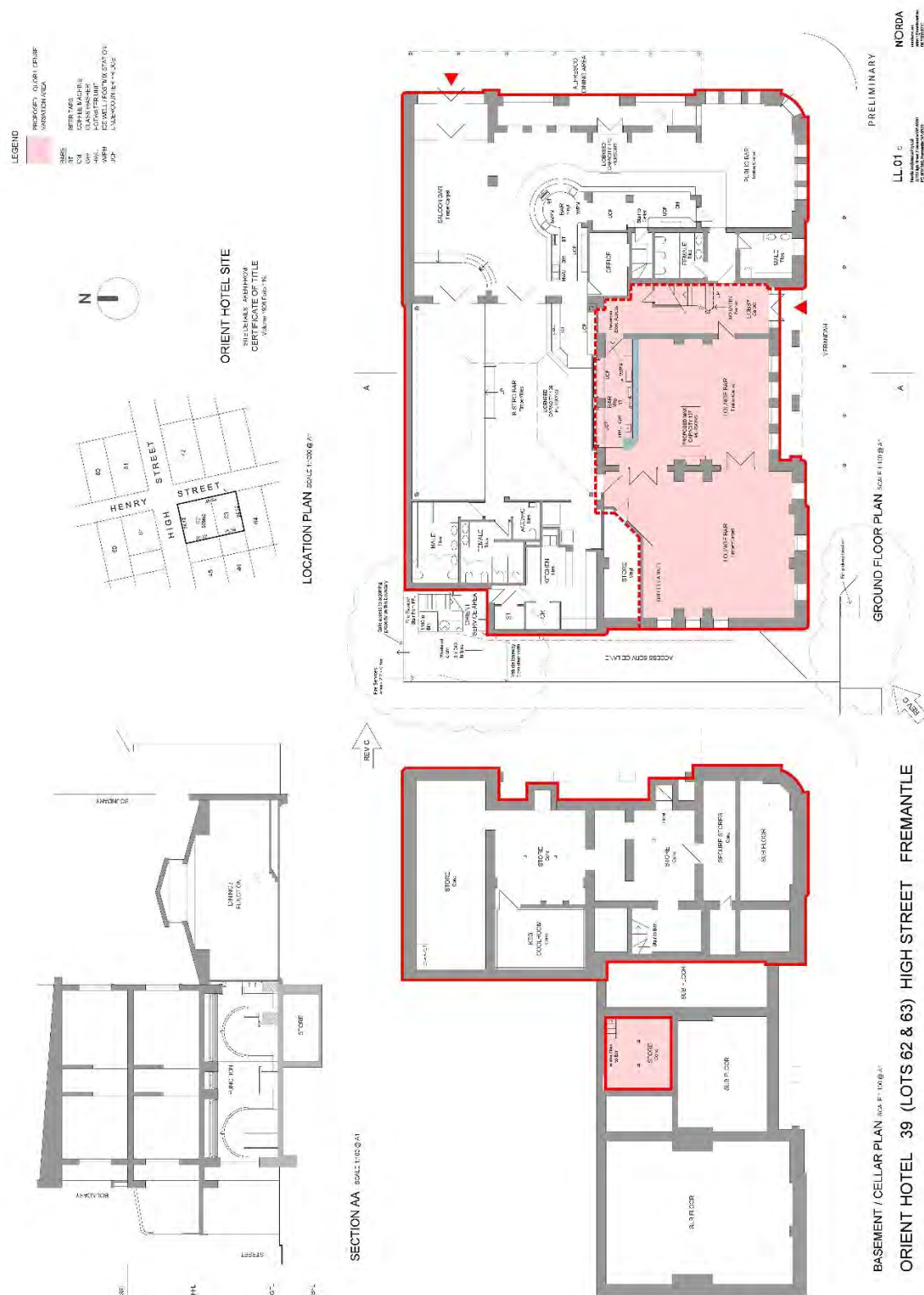


Figure 11: Worst-case noise level contours for scenario 3.

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Additional information 3 – Waste Management Plans



Additional Information 4 - Business Management Plan



MANAGEMENT PLAN

Contents

1. Objectives of Management Plan and Interpretation
2. Training
3. Customer Service
4. Refusal of Service
5. Juveniles
6. Entertainment
7. Crowd Control
8. Advertising and Drink Promotions
9. Creating a Safe Environment
10. Trading Hours

Objectives of Bar Orient's Management Plan and Interpretation

This Bar Orient Management Plan contains details of the means by which the Licensee intends to implement the provisions of the Licensee's *House Management Policy* and *Code of Conduct*, and the strategies and procedures which the Licensee will put and keep in place at the Premises to adopt and reinforce the principles of responsible service of liquor, pursuant to the Director of Liquor Licensing's *Policy Guideline on Harm Minimisation* dated 28 August 2000 insofar as it relates to tavern-licensed premises.

It is an aim of the Licensee, Fremantle Beverages Pty. Ltd. in adopting the provisions of this Management Plan and the principles of responsible service of liquor, to minimise incidents of harm or ill health that may be caused to people or any group of people due to the use of liquor within the Premises.

Management accepts that the minimising of harm not only applies to our patrons but also to the residents of homes located within the vicinity of the Premises and to others who are also members of our local community.

It is not an aim of this Management Plan to create legal obligations on the part of the Licensee in replacement of or additional to those legal obligations imposed upon the Licensee pursuant to the *Liquor Licensing Act 1988* and subsidiary legislation (as amended from time to time) and any other State or Commonwealth legislation relevant or having application to the business carried on by the Licensee at the Premises or the fact of the Licensee's proprietorship, occupation or use of the Premises, or to create obligations or liability on the part of the Licensee, whether contractual or tortious in nature, towards any person or entity at common law or otherwise.

In this Management Plan, unless the context demands otherwise, the following words and phrases shall have the following meanings:

- "Premises"** shall mean the tavern-licensed premises to which this Management Plan relates and is in force;
- "Management"** shall mean and include the Licensee, Approved Manager and any other person or persons directly involved in the practical management of the Premises;
- "Licensee"** shall mean the person or entity legally entitled to hold and operate the licence relating to the Premises, and by whom this Management Plan is adopted.

Training

Management believes that the proper and regular training of all bar staff in the responsible service of liquor is essential for the success of its business.

Management requires and encourages all staff to undertake appropriate training to a level that is commensurate with their roles and duties at the Premises.

In order to demonstrate its commitment to training Management will adopt the following training requirements

Licensee

The Licensee/at least one director of the Licensee will attend and successfully complete an accredited training course in Responsible Service of Liquor.

Approved Manager

The Approved Managers are required to attend and successfully complete an accredited training course in Responsible Service of Liquor.

Bar Staff

All staff on appointment will be given an introduction to and instructions in the principles of Responsible Service of Liquor and required to hold a current Responsible Service of Alcohol Certificate.

On Going Training

There will be regular meetings and training sessions convened by Management involving all staff. Training will be provided by in-house personnel, outside experts and others and will cover all matters relating to the responsible service of liquor and it's implementation within the hotel

Customer Service

There is a firm commitment by Management to provide well-run and friendly licensed premises. Patrons may be expected to feel confident that the sale of liquor and the provision of other services at the Premises will be provided by staff who are professional in their manner and who understand their responsibilities under the law as it applies to the sale of liquor.

The *Liquor Licensing Act 1988* requires staff at these Premises to sell liquor on the licensed premises at any time that the Premises are open for trade unless they have reasonable cause to refuse to sell liquor to a particular person. Refusal of service is necessary at times and is obligatory in certain circumstances. For example, it is obligatory to:

- ✓ Refuse to sell or supply liquor to a drunken person.
- ✓ Not allow a drunken person to consume liquor on licensed premises.
- ✓ Not allow violent, quarrelsome, disorderly or indecent behaviour to take place on licensed premises.
- ✓ Not permit drunkenness on licensed premises.
- ✓ Refuse to sell or supply liquor to a juvenile, or refuse to allow a juvenile to remain on licensed premises (see the section on *Juveniles* in this Management Plan).

In order to identify and emphasise the professionalism and commitment of staff the following conduct will be adopted.

- ✓ Staff will carry out their duties at all times in a friendly and professional manner.
- ✓ Staff will discourage any activity by patrons that may lead to the irresponsible consumption of liquor.
- ✓ Staff will not perform any act or engage in any activity that is immodest or lewd.

Refusal of Service

Refusal of service to a patron in appropriate circumstances is a fundamental aspect of the responsible service of liquor. The refusal of service in circumstances where the law requires refusal can be difficult. Individual patrons and some sections of the public do not readily accept that such refusals are obligatory and that the failure of the Licensee to apply the law could place the licence in jeopardy or result in charges being laid against the Licensee, its employees or agents. To minimise any potential hostility or anti-social behaviour on the part of a patron who has been refused service, such refusals should always be done in a professional, polite, discreet but firm manner and where appropriate the reasons for refusal of service should be explained to the patron.

Where refusal of service takes place the person or persons who have been refused service should be requested to leave the Premises. If the person/s refuse to leave at the request of the Licensee, Approved Manager or other staff member, other persons can be asked to remove the person using such force as may be necessary.

Management will support staff in the refusal of service by providing:

- ✓ Senior and supervisory staff available to assist bar staff in the refusal of service.
- ✓ Diversionary and alternative strategies to minimise conflict when service is refused.
- ✓ Appropriate signage prominently displayed within the Premises emphasising the Licensee's and the staff's duties under the law to refuse service.

No staff will be directed to sell or supply liquor to a person if the staff member reasonably believes that the person is drunk. The *Liquor Licensing Act 1988* provides that a person is "drunken" for the purposes of the Act if that person's speech, balance, co-ordination, or behaviour is noticeably affected by liquor.

Staff will be expected, for the purposes of the responsible service of liquor, to identify at an early stage patrons whose behaviour may appear to be affected by liquor. Staff who consider that a patron is drunk or suspect that a person may be drunk should bring the matter to the attention of a supervisor or manager prior to the refusal of service.

Staff who observe that patrons are becoming violent, quarrelsome or disorderly will, where possible, bring the matter to the attention of a supervisor or manager prior to taking steps to having the activity stopped.

It is important that patrons who are refused service or who are asked to leave are dealt with in a professional but firm manner. The patron should be directed to the provisions of the *House Management Policy* and *Code of Conduct* in force at the Premises, and refreshment alternatives such as non-alcoholic drinks, water and assistance to obtain taxis should be offered.

Juveniles

The *Liquor Licensing Act 1988* prohibits juveniles being present on licensed premises except in certain circumstances. A juvenile will only be permitted to be present on the Premises if:

- ✓ the juvenile is at all times accompanied by and under the supervision of a responsible adult while and during a private function; or
- ✓ the juvenile is on part of the Premises, which has been approved by the Licensing Authority for the provision of entertainment mainly for juveniles and where liquor is not being sold, supplied or consumed.

Management undertakes that it will support staff refusing service to and/or denying a patron access to the Premises, and will facilitate that patron's removal from the Premises, if the staff member has reason to believe that the patron is a juvenile. Juveniles must not be on the premises after 10pm unless it falls under the category of the above *Liquor Licensing Act 1988* exceptions. The Licensee Approved Manager and staff will have reason to remove a patron from the Premises whom they suspect to be a juvenile if that patron cannot produce acceptable ID verifying their age, or if the patron is confirmed to be a juvenile and does not fall within one of the exceptions listed above.

An acceptable ID will only include the following documents:

- ✓ a current Australian driver's licence with a photograph;
- ✓ a current passport with a photograph; or
- ✓ a Proof of Age Card as specified in Regulation 18B of the *Liquor Licensing Regulations 1989*.

The Licensee, Approved Manager and a staff member or agent of the Licensee is an "authorised person" under the *Liquor Licensing Act 1988* and as such is authorised to ask a suspected juvenile to produce evidence of their age. If the juvenile does not satisfy the Licensee, Approved Manager, staff member or agent as to their age, or if the ID produced is not acceptable, the staff member is legally entitled to ask the suspected juvenile to leave the Premises and can remove the juvenile (or ask any other person to do so) using such force as may be necessary. The juvenile commits an offence if he or she does not leave the Premises.

Staff should be aware that although there may be controlled access to the Premises and ID is required for entry to the Premises, there is still an obligation on serving staff to be sure that no juvenile is sold or supplied with liquor.

Staff who suspect that:

- ✓ a juvenile (who does not fall within one of the exceptions listed above) is present on the Premises; or
- ✓ a juvenile has attempted to purchase liquor or is consuming liquor;

should request the production of an acceptable ID by the suspected juvenile and if no acceptable ID is produced the suspected juvenile should be immediately refused service and asked to leave the Premises. The assistance of supervisory staff or security staff if any should be obtained if the suspected juvenile refuses to leave.

Staff must not:

- ✓ sell or supply liquor to juveniles either on or off the Premises;
- ✓ permit a juvenile to consume liquor on the Premises; or
- ✓ permit liquor to be sold or supplied to a juvenile on the Premises.

Entertainment

The provision of entertainment, which is appropriate and suitable to the Premises, is an important part of our business.

The entertainment provided has to be of a kind that is acceptable to our patrons but at the same time does not cause undue offence, noise or disturbance to persons who live in close proximity to the Premises.

All live entertainment will occur inside the premises between the hours of 19:00 and 00:30 Wednesday to Sunday, with the exception of the annual Fremantle Arts Festival, where music will be played outside of the venue between 11:00 and 19:00.

In order to minimise any undue offence, noise or disturbance:

- ✓ Entertainment will be of a kind that complies with the law and any conditions imposed on the license by the Licensing Authority, or any requirements of or directions given by other relevant authorities.
- ✓ The providers of entertainment will be made aware by the Management of requirements both general and special that are in place concerning the provision of entertainment at the Premises.
- ✓ Any complaint by a member of the public that they are experiencing undue offence, noise or disturbance as a result of entertainment being provided at the Premises will be brought to the attention of the Duty Manager or Approved Manager who will take reasonable steps to resolve the matter (if possible).

Private functions - private functions with live music / DJs will be a limited number throughout the year, house music is the main preference. Typically, these events start entertainment at approximately 19:30 and the recorded music played by a DJ or a live band will conclude by 00:30. Once more, music and entertainment will be appropriate for the venue and manner of trade. Venue management will be equipped with the skills to monitor sound levels to ensure they do not cause harm or annoyance to local residents in these instances.

Crowd Control

Over-crowding at licensed premises can lead to disruptive behaviour within licensed premises and a subsequent loss of proper control by Management and staff.

Management, subject to the appropriate authorities, will determine the maximum number of patrons permitted to be on the Premises at any one time.

It will be the responsibility of Management to control and monitor the number of persons on the Premises to ensure that numbers are kept within acceptable limits.

It is in the venues best interests to ensure residents or other business operators are not offended by the venues operations to continue to receive their patronage and support. Strategies that have been put in place, include the following:

- Staff will be trained in warning signs, appropriate response interpersonal/ diffusing aggression skills, recognising signs of potential trouble via nonverbal behavior and how to deal with bad behavior.
- It will be stressed to staff that failure in dealing with, or reporting, bad behavior / language may cause offence, annoyance, disturbance or inconvenience to other patrons or nearby residents / businesses in the immediate future.
- Mid strength and non-alcoholic drinks will be available in addition to side dishes encouraging the consumption of food with drinks.
- Large boisterous groups such as buck's nights or sporting club 'pub crawls' will not be permitted entry
- A complaints file will be available for all staff to record any complaints received in person or by any other means. This ensures complaints can be addressed at the time in addition to providing better customer service by following up issues that needs additional investigation. It also ensures the applicant can review any complaints over time to identify problems and address issues that would subsequently be forgotten or not communicated.
- Closed Circuit TV is installed throughout the venue including all entrance and exit points. This system provides vision / footage that enables identification.
- Security guards are employed in the venue from Wednesday to Sunday from 20:00 to closing on a weekly basis. The amount of guards required on any individual night will largely be determined by expected numbers and function bookings in accordance with our licence.
- All security guards are equipped with body cameras with audio and also radios with a connecting line to each guard and the venue manager on duty.

Advertising and Drink Promotions

No advertising will be displayed nor will incentives be promoted at the Premises, which encourage patrons to consume liquor in a manner that is considered irresponsible.

There will be no drink discount cards, contests or games allowed that are in conflict with the list of acceptable and unacceptable practices identified by the Director of Liquor Licensing in *Liquor Licensing Guideline - No. 4/1998*. The unacceptable practices identified by the Director of Liquor Licensing in *Liquor Licensing Guideline - No. 4/1998* are as follows:

1. *Drinks that offer alcohol in non-standard measures and/or by virtue of their emotive titles such as - "laybacks", "shooters", "slammers", "test tubes", "blasters" - and their method of consumption encourage irresponsible drinking habits and are likely to result in rapid intoxication.*
2. *Drink cards that provide a multiple of free drinks, extreme discounts or discounts of limited duration on a given day or night and have a capacity to be readily stockpiled by patrons or transferred to other patrons. In other words, the drink card must not, by design or potential misuse, create an incentive for patrons to consume liquor more rapidly than they otherwise might.*
3. *Promotional cards, vouchers or incentives providing free or discount drinks which are distributed away from the licensed premises.*
4. *Promotions, for a limited duration, in which cheap alcohol is the enticement for people to consume liquor on the premises and which may encourage the irresponsible consumption of liquor.*
5. *Any labelling or titling of promotions that may encourage patrons to consume liquor irresponsibly and excessively to an intoxicated state.*
6. *The refusal to serve half measure of spirits on request or provide reasonably priced non-alcoholic drinks.*
7. *Any promotion that encourages a patron to consume liquor excessively - "all you can drink offers", "free drinks for women", "free drinks for women all night", "two for one" - and to consume it in an unreasonable time period.*

Staff will discourage and deter patrons from indulging in activities within the Premises that have been identified as being of the kind that are likely to lead to binge or irresponsible drinking of liquor. Staff are to endorse the consumption of non-alcoholic, "light" or low alcohol drinks. Staff are to indicate a willingness to serve half measures of spirits.

Creating a Safe Environment

The creation of a safe environment within the Premises and the local neighbourhood is a commitment of Management.

Within the Premises patrons are entitled to feel safe and relaxed. Patrons should not be made to feel uncomfortable, embarrassed or threatened by the behaviour of other patrons. It is one of the aims of Management in adopting responsible service practices at the Premises to create an environment at the Premises where the safety and enjoyment of patrons of the Premises can be maximised as far as may be possible.

In addition, residents of houses within the vicinity of the Premises should not have their peace and quiet unduly disturbed by noise from the Premises or the behaviour of patrons as they leave the Premises. To facilitate these objectives:

- ✓ Staff should ensure that reasonable measures are in place to minimise the escape of undue noise from the Premises.
- ✓ Staff should promote and encourage amongst patrons a respect for the amenity of the neighbourhood in which the Premises is situated, and rights of residents not to be unduly disturbed by patrons' behaviour on or off the Premises.
- ✓ Staff will take reasonable steps to prevent patrons from leaving the Premises with open cans, bottles or with glasses.
- ✓ Staff will collect on a regular basis empty and discarded glasses, cans and bottles throughout the Premises.
- ✓ Management will provide electronic surveillance inside and outside the Premises to properly monitor the behaviour of patrons.
- ✓ Management will make provision for the engagement of crowd controllers and security personnel (where necessary).
- ✓ Management will arrange for the removal of litter from residential areas surrounding the Premises, if it is established that such litter is directly linked to products sold at the Premises and the established behaviour of patrons of the Premises.
- ✓ Management if required will arrange and facilitate regular meetings with local residents and other interested persons relating to activities at the Premises.
- ✓ Any complaint by a member of the public that they are experiencing undue offence, noise or disturbance as a result of the operation of the Premises will be brought to the attention of Management who will take reasonable steps to resolve the matter (if possible). All complaints are to be recorded in the appropriate register.

Opening Hours

The legal opening hours for a tavern licence issued by the Department of Racing Gaming and Liquor for Bar Orient are as follows:

- Monday to Saturday from 6 a.m. to 12 midnight;
- Sunday from 10 a.m. to 12 p.m.;
- Christmas Day and Good Friday from 12 noon to 10 p.m. where the liquor is sold ancillary to a meal supplied by the licensee
- New Year's Eve from 12 midnight to 2 a.m. on New Year's Day;
- No trading is permitted before noon on Anzac Day

Our extended trading permit allows the trading hours to extend from 12 midnight to 1am on a Friday and Saturday. Trading hours are subject to change, however, our consistent opening times are 11am, Monday to Sunday.

The kitchen trading hours are 11:00 to 22:00 Monday and Tuesday and 11:00 to 00:00 Wednesday to Sunday.

PC2101 - 4 ADELAIDE STREET, NO.28 (LOT 3), FREMANTLE – ALTERATIONS AND ADDITIONS TO EXISTING BUILDING (CS DA0261/20)

Additional Information 1 – Site Photos



Photo 1: Subject site from Adelaide Street

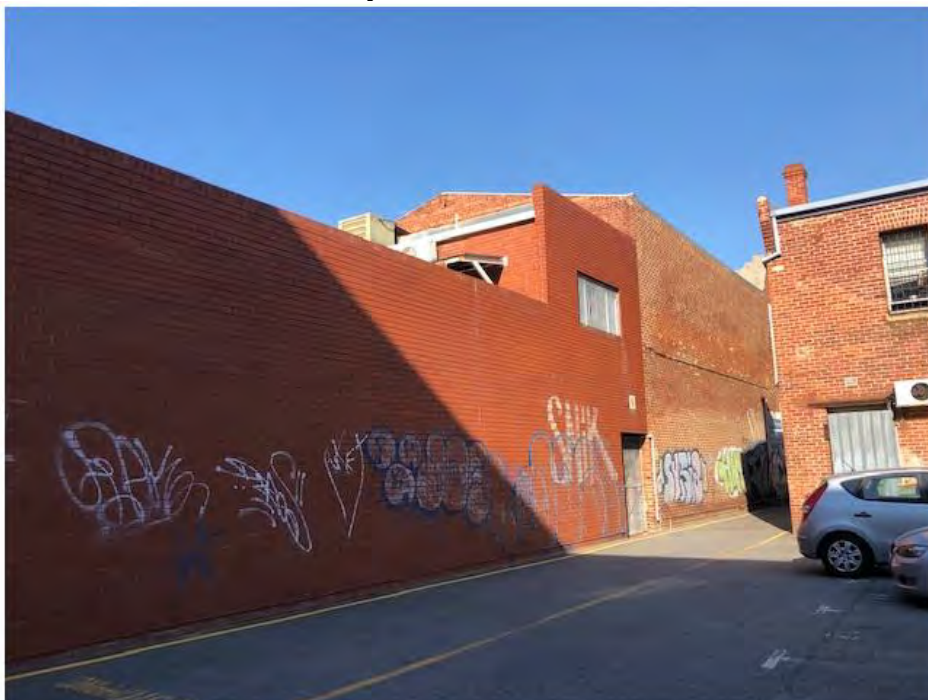


Photo 2: Subject site from the ROW/adjacent lot



Photo 3: Residential property(s) to the rear (west)

Additional information 2 – Applicants Heritage Impact Statement

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14 Jul 2020



**28 ADELAIDE STREET,
FREMANTLE
ALTERATIONS AND
ADDITIONS**

Heritage Impact Statement

Prepared for Silverleaf Investments

June 2020

Griffiths Architects





Griffiths Architects is a leading architectural firm in Perth, Western Australia. *Griffiths Architects* was born out of a practice of which Philip Griffiths was a co-director for over 20 years.

The new company emerged from a desire to diversify the range of work covered by the practice, and to take a fresh approach to design.

The practice undertakes commissions in architecture, heritage, urban, interior design, interpretation and heritage assessments. *Griffiths Architects* provides professional advice on a range of issues related to these areas of our discipline.

The practice has won architectural, planning, and heritage awards for a wide range of projects located throughout the state.

Griffiths Architects has a great depth of experience across numerous project types and delivers innovative solutions that embrace environmental responsibility with elegant and simple solutions. The projects are the product of working closely with clients, carefully assessing their expectations, and delivering high quality results.

Cover: 28 Adelaide Street, Fremantle, Griffiths Architects June 2020

Revision History

Date of this revision: 01st July 2020

Document	Version	Author	Status	Date	Distribution
HIS	01	Griffiths Architects	Draft	30 June 2020	MSA
HIS	02	Griffiths Architects	Final	01 July 2020	MSA

CITY OF FREMANTLE
These Plans Form Part of
DA026120
14 Jul 2020

Griffiths Architects

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CITY OF FREMANTLE
These Plans Form Part of
DA0261/20
Griffiths Architects
14 Jul 2020

Introduction

This Heritage Impact Statement (HIS) responds to a range of alterations to 28 Adelaide Street, Fremantle. The alterations will result in almost all of the significant fabric and façade being conserved. Also, the shop awning will be re-furbished, access to the first floor enhanced and utility much improved.

The date of construction of the building was not confirmed, but 1899 seems to be likely. Since its construction, one timber staircase has been removed, the shopfronts removed, suspended ceiling introduced on the ground floor and by 1983, outbuildings to the rear were removed and utilitarian additions constructed to the rear of the building in their place.

This HIS was prepared to satisfy the requirements of the City of Fremantle for a Development Application to alter a place that is included in the City Planning Scheme Heritage List and the Municipal Inventory as a Management Category Level 1B place. The City of Fremantle provide a summary description of this level as a place being, "of exceptional cultural heritage significance in its own right within the context of Fremantle and its conservation is required. It is recommended that this place be considered for entry in the Heritage Council of Western Australia's Register of Heritage Places."

This HIS is based on the Development Application drawings prepared by Meyer Shircore Architects for Silverleaf Investments and dated June 2020.

The work proposed in this proposal are simple and will have a significant positive impact on the appearance and utility of the place and improve its marketability. Its improvement in the manner indicated will also have a positive impact on Kings Square and the other buildings in the Adelaide Street streetscape.

Heritage Listings

28 Adelaide Street has the following listings:

- Heritage Council of Western Australia (Heritage Place No 22727 not included in Register)
- City of Fremantle, Municipal Inventory, 28 September 2011
- City of Fremantle, Heritage List, 28 September 2011



Background

According to the City of Fremantle's MHI:

Adelaide St is one of the earliest streets of Fremantle, appearing in the 1833 survey. It is named for Queen Adelaide, consort of William IV.

In 1880 a dwelling house was present on the lot belonging to John Joseph Clarke, a carpenter. On a lot 332 a dwelling house was owned and occupied by DB Francisco. In 1889 on lot 331 there were two shops and a house. One shop was owned by a butcher, John Lannetty and the other shop and house were owned by Richard W Woods. On lot 332 there was a house owned by DB Francisco. By 1889 lot 331 consisted of two lots of shops and rooms and one dwelling. Lot 332 had five offices, two shops and rooms, two offices and warehouses, one dwelling and surgery and one lot of counselling rooms. It appears that there is some confusion of the lots as originally lot 332 is owned by DB Francisco and later lot 331 is owned by his widow. By 1940/41 number 24 is owned by Eliza Loxton, number 26-28 is owned by Jane Edna, number 30-32 is owned by Freecom Ltd and number 34/36 is owned by Charlie Carters Ltd.

Figure 01 26-28 Adelaide Street circa 1935, *SROWA_series634_cons4156_item2048*

The sewerage plan above indicates the pair of shops with a house to the rear of 26-28 Adelaide Street and other minor outbuildings.

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Photograph 01 A view down Adelaide Street in 1956 with 20 to 30 Adelaide Street at third from the left. Orbs have been removed from the tops of the pilasters.
Courtesy Batty Library 114128PD



Photograph 02 The same view in 1980 and little has changed. *Courtesy Batty Library BA3060/11*

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Photograph 03 Adelaide Street shops 1972. City of Fremantle - Reference number ES00372 digital



Photograph 04 Aerial view of Fremantle centred on St. Johns Square 1957,
City of Fremantle - Reference number 543



Figure 02 Aerial View 1983, indicating that the rear extensions were complete and the yards covered in. Landgate aerial photography

Description

The Existing Buildings

The place comprises two shops and offices above, expressed in the Federation Free Classical style in a loose sense, with single and two storey 1983 additions to the rear.

The historic building is constructed in brick with a painted tuck pointed brick and render façade. The place is divided into two bays with rendered pilasters. It is likely that the pilasters were topped with orbs. The entablature has a decorative floral motif.

Upper windows are timber with rounded headed architraves capturing sets of major windows flanked by minor windows. The west windows are authentic timber windows and the sashes to the eastern window are replacement aluminium. The side walls are blank brickwork, both original and 1983 vintage.

There is a suspended awning across the front of the building and recent vintage shopfronts on the lot alignment.

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14 JUL 2020

The original sections of the building are basically large rectangular plan spaces, with rich pressed metal ceilings and a suspended timber floor. The western shop retains a timber staircase that was accessible from the rear of the building, but this access was removed with the 1983 addition.



Photograph 05 28 Adelaide Street from the south. Griffiths Architects June 2020



Photograph 06 West wall of 28 with the addition in the distance. Griffiths Architects June 2020

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Photograph 07 West wall and awning to No 28 indicating the state of the fabric.
Griffiths Architects June 2020



Photograph 08 West wall of No 28 looking south. These walls in the foreground are from 1983.
Griffiths Architects June 2020

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Photograph 09 Part of the upper floor. Later partition to the right. *Griffiths Architects June 2020*



Photograph 10 Typical shop fit out that will be removed as part of the works to reveal pressed metal ceilings. *Griffiths Architects June 2020*



Photograph 11 Ground floor ceiling concealed by present shopfitting.
Griffiths Architects June 2020

The structure appears to be in sound condition, but roofing and rainwater goods are in need of replacement.

Proposals

The proposed works comprise maintenance, conservation and improvements to make the property a more attractive and practical building, to improve its presentation and utility.

Adelaide Street Awning

The awning structure and stays will be retained. The roof, box gutter, fascias and soffit will be reclad. Although the present soffit is lined with pressed metal, it is clear that this is a replacement treatment. Roofing and downpipes will be replaced.

Shopfronts

The present aluminium framed shopfronts and replaced with frameless glass shopfronts, together with a new door to provide direct access from Adelaide Street to the first floor. This will increase the utility and viability of the first floor and provide proper access to it.



Main Roof

Roofing is to be replaced along with gutters, flashings and downpipes.

Adelaide Street Façade

Paint will be carefully removed, and the underlying fabric conserved. The windows will be removed and replaced with new timber windows to match the original detail. The existing west windows will be used as a template. Bars will be removed.

Internal Partitions

All internal partitions are late additions and are to be removed and fabric to which they are attached made good.

West Wall

To improve natural lighting, it is proposed to make a series of new windows along the right of way, in both the historic walls at both levels and the later additions.

Dividing walls

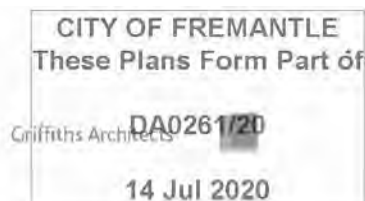
The building comprises two premises at present. The proposal is to make a number of openings at both levels and in the historic part. Piers are to be retained as is normal practice. New openings are to be supported by with steel portals. These works will allow the walls to be read in the floors and in the brickwork carried over the portals. It will also allow the ceiling to remain undisturbed.

Existing timber staircase

The timber staircase is currently buried at the back of the building and it is proposal to disassemble it, re-configure it and supplement it to serve as the main stair accessible from the proposed new front door.

Pressed Metal Ceilings

The existing pressed metal ceiling and cornices will be revealed, retained and conserved. There are some minor repairs to complete.



Statement of Significance

Conservation and adaptation work is guided in the first instance by the assessment of significance, and summarised by the Statement of Significance. The Statement of Significance included below is from the Heritage Inventory (Heritage Place no 22727).

The place is a modest example of a commercial building dating from the first decades of the twentieth century that forms part of a group of similar places and makes a contribution to the Fremantle Town Centre streetscape.

By contemporary standards this is a very brief statement of significance that captures the overall significance of the building and its contribution to the setting...

Conservation Policy

There is no conservation management plan for the place so that works need to be guided by the Statement of Significance, the relative significance of the place and its parts, and good conservation practice, to accord with Australia ICOMOS Burra Charter principles.

Enhancement of Significance

The main elements that will enhance significance will be the conservation of the significant building envelopes, conservation of built fabric, an amount of paint removal and conservation.

Finally, the enhanced utility of all the buildings will increase their capacity to attract tenants and thus underpin the long-term conservation objectives of the City and the owners.

Detrimental Impact and Mitigation.

In this review of Impacts and mitigation, the values in the Statement of Significance. The values in the statement have been divided up so that each valued can be addressed.

Value	Impact	Mitigation
The place is a modest example of a commercial building dating from the first decades of the twentieth century that forms part of a group of similar places and makes a contribution to the Fremantle Town Centre streetscape.	At the present time, the place does not present very well. The proposed works involve some internal change, renewal of shopfronts and conservation of the building front and substantial amounts of internal fabric.	In terms of the value, the outcomes will all be positive and not mitigation is required. Minor concessions on the interior in terms of new openings and re-location of the stair will allow most internal heritage fabric to be revealed.

CITY OF FREMANTLE
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14 Jul 2020

Conclusion

The work proposed in this proposal are simple and will have a significant positive impact on the appearance and utility of the place and improved its marketability. Its improvement in the manner indicated will also have a positive impact on Kings Square and the other buildings in the Adelaide Street streetscape..

References

Heritage Inventory Assessment Manning Buildings (Heritage Place 22272)

Proposed Alterations and Additions to 28 Adelaide Street, Fremantle, Myer Shircore Architects June 2020

Additional information 3 – Officers Heritage Assessment and photos

Heritage Comment - Internal

Address: 28 Adelaide St Fremantle
Application number: DA0261/20
Proposal: Alterations and Additions (Amended Dwgs dated 17/11/2020)
Requesting officer: Catherine Sullivan
Date: 11/12/2020



Place and Address, Aerial photograph, CoF, 8/09/2020

INTRODUCTION

The purpose of this heritage comment is to assess the changes to the place that are proposed in DA0261/20 and the affect that they will have upon the heritage values of 28 Adelaide St, Fremantle. The proposed changes include:

- Alterations and Additions

HERITAGE LISTINGS

State Register of Heritage Places

The place is not included in the State Register of Heritage Places, however it is located opposite a State Registered Place – a referral to DPLH Heritage is required. Further, the place is listed as a level 1B which means that it is considered of possible State Heritage significance but is yet to be assessed by the Heritage Council.

Inherit

Inherit Database number - 22727

Heritage List and LHS

28 Adelaide Street is included on the City of Fremantle's Heritage List it is of exceptional cultural heritage significance in its own right within the context of Fremantle and its conservation is required. It is recommended that this place be considered for entry in the Heritage Council of Western Australia's Register of Heritage Places.

RELEVANT PREVIOUS DEALINGS

Recent meetings or discussions:

- Site visit by Gena Binet

Previous relevant DAs:

- Previous DA0261/20 assessed 9 September 2020

Previous relevant legal dealings: N/A

BACKGROUND

Historical Information

Adelaide St is one of the earliest streets of Fremantle, appearing in the 1833 survey. It is named for Queen Adelaide, consort of William IV.

In 1880 a dwelling house was present on the lot belonging to John Joseph Clarke, a carpenter. On a lot 332 a dwelling house was owned and occupied by DB Francisco. In 1889 on lot 331 there were two shops and a house. One shop was owned by a butcher, John Lannetty and the other shop and house were owned by Richard W Woods. On lot 332 there was a house owned by DB Francisco. By 1889 lot 331 consisted of two lots of shops and rooms and one dwelling. Lot 332 had five offices, two shops and rooms, two offices and warehouses, one dwelling and surgery and one lot of counselling rooms. It appears that there is some confusion of the lots as originally lot 332 is owned by DB Francisco and later lot 331 is owned by his widow. By 1940/41 number 24 is owned by Eliza Loxton, number 26-28 is owned by Jane Edna, number 30-32 is owned by Freecorns Ltd and number 34/36 is owned by Charlie Carters Ltd.

The construction date is somewhere between 1889 to 1899.

Since its construction, one timber staircase has been removed, the shopfronts removed, suspended ceiling

introduced on the ground floor and by 1983, outbuildings to the rear were removed and utilitarian additions constructed to the rear of the building in their place.

Physical Description

Two storey rendered and parapeted roofed building which has decorative stucco frieze between engaged pilasters. The ground floor windows and awnings are not original. Woodson's arcade is situated on the north side of the building.

From the Heritage Impact Statement written by Griffiths Architects, July 2020, the following adds to the physical description:

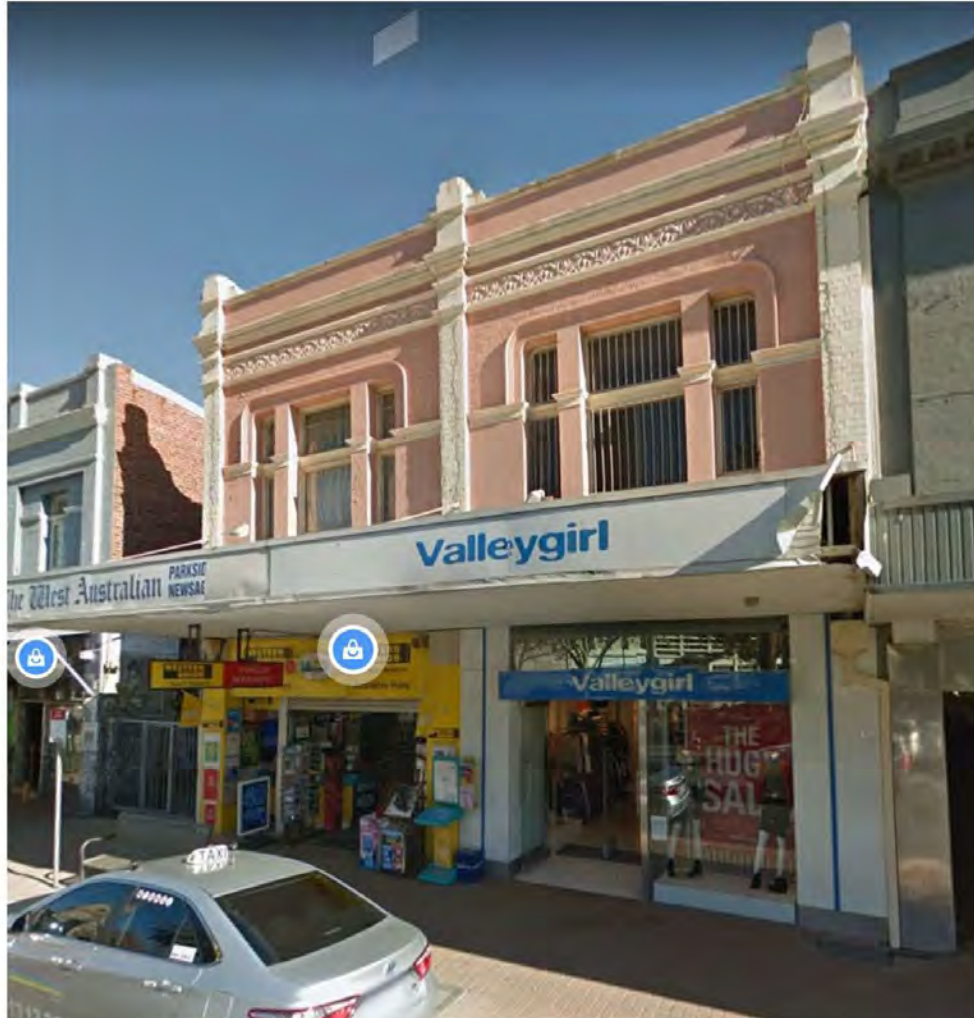
The place comprises two shops and offices above, expressed in the Federation Free Classical style in a loose sense, with single and two storey 1983 additions to the rear.

The historic building is constructed in brick with a painted tuck pointed brick and render facade. The place is divided into two bays with rendered pilasters. It is likely that the pilasters were topped with orbs. The entablature has a decorative floral motif.

Upper windows are timber with rounded headed architraves capturing sets of major windows flanked by minor windows. The west windows are authentic timber windows and the sashes to the eastern window are replacement aluminium. The side walls are blank brickwork, both original and 1983 vintage.

There is a suspended awning across the front of the building and recent vintage shopfronts on the lot alignment.

The original sections of the building are basically large rectangular plan spaces, with rich pressed metal ceilings and a suspended timber floor. The western shop retains a timber staircase that was accessible from the rear of the building, but this access was removed with the 1983 addition.



Place and Address, Street view, Googlemaps, 8/09/2020

IMPACT ASSESSMENT

Statement of Significance

The place is a modest example of a commercial building dating from the first decades of the twentieth century that forms part of a group of similar places and makes a contribution to the Fremantle Town Centre streetscape.	Medium impact
---	---------------

Impact on Significance

Aesthetic value	Medium impact	Condition	Positive impact
Historic value	No discernible impact	Integrity	Medium impact
Scientific value	No discernible impact	Authenticity	Medium impact
Social value	No discernible impact	Historical evolution	No discernible impact
Rarity	No discernible impact	Streetscape	Medium impact
Representativeness	Medium impact		

Heritage Impact Comments

The proposed works include:

Adelaide Street Awning

The awning structure and stays will be retained. The roof, box gutter, fascias and soffit will be reclad. Although the present soffit is lined with pressed metal, it is clear that this is a replacement treatment. Roofing and downpipes will be replaced.

These works are supported.

Shopfronts

The present aluminium framed shopfronts and replaced with frameless glass shopfronts, together with a new door to provide direct access from Adelaide Street to the first floor.

The existing shop fronts can be replaced, however a contemporary interpretation of the original or typical early shop front details should be introduced including recessed entry for the ground floor shop, fine metal framing and a low, solid upstand to the base of the large shop front windows.

Main Roof

Roofing is to be replaced along with gutters, flashings and downpipes.

These works are supported.

Adelaide Street Facade

Paint will be carefully removed, and the underlying fabric conserved. The windows will be removed and replaced with new timber windows to match the original detail. The existing west windows will be used as a template. Bars will be removed.

These works are supported.

Internal Partitions

All internal partitions are late additions and are to be removed and fabric to which they are attached made good.

These works are supported.

West Wall

To improve natural lighting, it is proposed to make a series of new windows along the right of way, in both the historic walls at both levels and the later additions.

These works are supported.

Dividing walls

The building comprises two premises at present. The proposal is to make a number of openings at both levels and in the historic part. Piers are to be retained as is normal practice. New openings are to be supported by with steel portals. These works will allow the walls to be read in the floors and in the brickwork carried over the portals. It will also allow the ceiling to remain undisturbed.

These works are supported.

Existing timber staircase

The timber staircase is currently buried at the back of the building and it is proposal to disassemble it, re-configure it and supplement it to serve as the main stair accessible from the proposed new front door.

Preference to retain staircase in situ.

Pressed Metal Ceilings

The existing pressed metal ceiling and cornices will be revealed, retained and conserved. There are some minor repairs to complete.

These works are supported.

RECOMMENDATIONS:

Generally this proposal is supported on heritage grounds on the condition that:

1. The existing shop fronts can be replaced, however a contemporary interpretation of the original or typical early shop front details should be introduced including recessed entry for the ground floor shop, fine metal framing and a low, solid upstand to the base of the large shop front windows.
2. The staircase in is retained situ.

Please note that the current proposal does not provide an interpretation or reinstatement of early shop front details. The large glazed, non recessed shop fronts could be accepted if the staircase (which is original fabric) remains in situ and the signage above the entry doors is altered to be a window with signage elements on the glazing.

Images of original staircase:



PHOTOGRAPH 1
Detail to ceiling around stairway opening and
upper flight of stair.



PHOTOGRAPH 2
First floor balustrade and upper flight of stair.

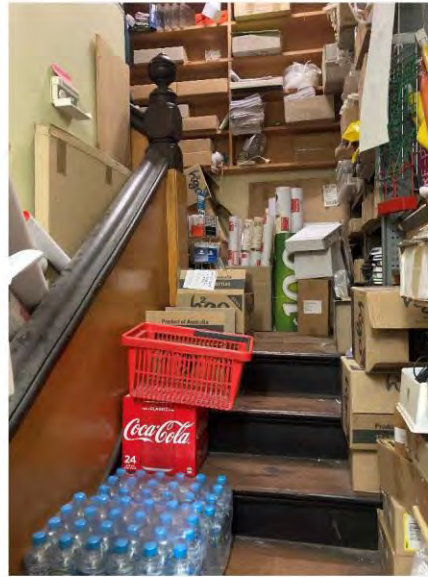


28 ADELAIDE STREET – Historic timber stair and internal fabric – Site Visit 16/10/2020
DA0261/20 – Refurbishment and extension of heritage building

Record Photographs



PHOTOGRAPH 1
Base of timber stair to rear of southern shop.
Balusters concealed behind plywood sheeting.



PHOTOGRAPH 2
Lower flight of stair and mid landing with newel
post



PHOTOGRAPH 3
Detail to ceiling around stairway opening and
upper flight of stair.



PHOTOGRAPH 4
First floor balustrade and upper flight of stair.

28 ADELAIDE STREET – Historic timber stair and internal fabric – Site Visit 16/10/2020
DA0261/20 – Refurbishment and extension of heritage building



PHOTOGRAPH 5
Original ground floor ceiling and cornice concealed by suspended ceiling below.



PHOTOGRAPH 6
First floor balustrade to upper floor.

28 ADELAIDE STREET – Historic timber stair and internal fabric – Site Visit 16/10/2020
DA0261/20 – Refurbishment and extension of heritage building



PHOTOGRAPH 7
Upper floor ceiling and cornice – southern tenancy

**PC2101 - 5 ELLEN STREET, NO. 59 (LOT 6) FREMANTLE, GROUPED
DWELLING ADDITION TO EXISTING SITE CONTAINING A
VETERINARY HOSPITAL (JCL DA0473/20)**

Additional Information 1 – Site photos



Photo 1: view from location of development looking north



Photo 2: view of location of development looking west



Photo 3: view of location of development (left side of frame) and neighbouring property looking south-west.



Photo 4: view of location of development (left side of frame) and neighbouring property looking south.



Photo 5: view of location of development (top terrace) looking south.



Photo 6: western neighbours boundary wall to subject site.



Photo 7: view of western neighbours covered outdoor living area



Photo 9: view of location of development looking south

Additional Information 2 – Heritage Assessment

Heritage Comment - Internal

Address: 59 Ellen Street
Application number: DA0473/20
Proposal: Ancillary dwelling addition
Requesting officer: Josh Loveridge
Date: 11/11/2020



Place and Address, Aerial photograph, ESRI, 11/11/2020

INTRODUCTION

The purpose of this heritage comment is to assess the changes to the place that are proposed in DA0473/20 and the affect that they will have upon the heritage values of 59 Ellen Street. The proposed changes include:

- Ancillary dwelling addition

HERITAGE LISTINGS

State Register of Heritage Places

The place is not included in the State Register of Heritage Places – a referral to DPLH Heritage is **not** required.

Inherit

Inherit Database number - 20622

Heritage List and LHS

Place is included on the City of Fremantle's Heritage List – Level 2

Heritage Area

The place is not included in a Heritage Area.

RELEVANT PREVIOUS DEALINGS

Recent meetings or discussions:

- N/A

Previous relevant DAs:

- N/A

Previous relevant legal dealings: N/A

BACKGROUND

Historical Information

Ellen Street was named for Ellen Mangles of Woodbridge, Surrey, England, wife of Sir James Stirling, the Governor.

In 1914/15 lots 525-529 were vacant and owned by Alice Pearse. In 1915 building plans were approved for the erection of a house for James and Elizabeth Davey. In 1927/28 the property passed to Dr Charles Rodger Dinkley. In 1925/26 he was the Senior Medical Officer at Fremantle hospital and he was an Honorary Medical Officer from 1927 to 1950. Dr Dinkley served in both world wars. Dr Dinkley was a board member at Fremantle Hospital in 1936/36 and 1939/41.

Physical Description

Single storey tuck pointed brick with rendered banding and a terracotta tile hipped and half timbered gable house. The roof has three brick and rendered chimneys with pots and extends over the verandah and is supported by timber posts between timber balustrades which are probably not the original.



59 Ellen Street, Street view, Googlemaps, 11/11/2020

IMPACT ASSESSMENT

Statement of Significance

The place is a good example of a masonry residence in the Federation Bungalow style	Minor impact
The place represents the expansion of Fremantle in the World War I period.	Minor impact
The place contributes to a substantially intact late nineteenth and early twentieth century streetscape close to the centre of Fremantle.	Minor impact

Impact on Significance

Aesthetic value	Minor impact	Condition	No discernible impact
Historic value	No discernible impact	Integrity	No discernible impact
Scientific value	No discernible impact	Authenticity	No discernible impact
Social value	No discernible impact	Historical evolution	No discernible impact
Rarity	No discernible impact	Streetscape	Minor impact
Representativeness	No discernible impact		

Heritage Impact Comments

The proposed new ancillary dwelling is single storey, simple in form, does not dominate or overpower the original dwelling, is separate from the original dwelling, is compatible with the materials of the original dwelling but does not mimic the detail. It is set well back from both street frontages.

RECOMMENDATIONS:

Generally this proposal is supported on heritage grounds.

**PC2101 - 6 FULLSTON WAY, NO.8 (LOT 85), BEACONSFIELD - TWO STOREY
SINGLE HOUSE (JL DA0477/20)**

Additional Information 1 – Site Photos



Photo 1 – No.8 Fullston Way, Beaconsfield

PC2101 - 7 CANTONMENT STREET NO. 28 (LOT 1), FREMANTLE AND ELDER PLACE NO. 20 (LOT 800), FREMANTLE – PROPOSED AMENDMENT TO 6 STOREY MIXED USE DEVELOPMENT (JK)

Additional Information 1 - Previous Determination Notice Dated 9 April 2020



Government of Western Australia
Development Assessment Panels

LG Ref: DAP003/19
DAP Ref: DAP/19/01688
Enquiries: (08) 6551 9919

Ms Gianni Da Rui
Meyer Shircore Architects
PO Box 1294
Subiaco WA 6904

Dear Ms Da Rui

METRO SOUTH-WEST JDAP - CITY OF FREMANTLE - DAP APPLICATION - DAP003/19 - DETERMINATION

Property Location:	Lot 1 (28) Cantonment Street and 20 Elder Street (1-6), Fremantle
Application Details:	Proposed six storey mixed use development retail, office, child care and hotel

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Fremantle on 24 October 2019 for the above-mentioned development.

This application was considered by the Metro South-West JDAP at its meeting held on 7 April 2020, where in accordance with the provisions of the City of Fremantle Local Planning Scheme No.4, it was resolved to **approve** the application as per the attached notice of determination.

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

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

Should you have any queries with respect to the conditions of approval, please contact Mr Tom Geddes on behalf of the City of Fremantle on 94329747.

Yours sincerely,

DAP Secretariat

9 April 2020

Encl. DAP Determination Notice
Approved Plans

Cc: Mr Tom Geddes
City of Fremantle



Government of Western Australia
Development Assessment Panels

Planning and Development Act 2005

City of Fremantle Local Planning Scheme No.4

Metro South-West Joint Development Assessment Panel

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

Property Location: Lot 1 (28) Cantonment Street and 20 Elder Street (1-6), Fremantle

Application Details: Proposed six storey mixed use development retail, office, child care and hotel

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 7 April 2020, subject to the following:

Approve DAP Application reference DAP/19/01688 and accompanying plans dated 17 March 2020 (Site Plan (0), Basement Floor Plan (1), Ground Floor Plan (2), First Floor Plan (3), Second Floor Plan (4), Third Floor Plan (5), Hotel Fourth, Fifth and Roof Plan (6), Overshadowing Diagram (7), West and South elevations (8), North and East elevations (9), Sections A and B (10), Sections C and D (11)) in accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the provisions of the City of Fremantle Local Planning Scheme No. 4, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans dated 17 March 2020. It does not relate to any other development on this lot and must substantially commence within 5 years from the date of the decision letter.
2. This approval does not relate to any works within the road reserves, with the exception of the proposed awnings. Any such works will be the subject of a separate agreement between the applicant/owner and the City of Fremantle.
3. Prior to the issue of a Building Permit for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.
4. Prior to the issue of a Building Permit for the development hereby approved, final details of the design, materials and method of attachment of the curved upper floor fins to the exterior of the Hotel building is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.
5. Prior to the issue of a building permit for the development hereby approved, amended plans showing the hotel lifts being contained within the curved design of the proposed building façade, are to be submitted to and approved by the City of Fremantle, on the advice of the City's Design Advisory Committee the final details of the Hotel lift location.



Government of **Western Australia**
Development Assessment Panels

6. Prior to issue of a Building Permit for the development hereby approved, No. 28 Cantonment Street (Lot 1) and 1-6/20 Elder Place are to be legally amalgamated into one lot on the Certificate of Title. Alternatively the owner may enter into a legal agreement with the City of Fremantle, drafted by the City's solicitors at the expense of the owner and be executed by all parties concerned. The legal agreement will specify measures to allow the development approval to operate having regard to the subject site consisting of two separate lots, to the satisfaction of the City of Fremantle.
7. All storm water discharge shall be contained and disposed of on site or otherwise approved by the City of Fremantle.
8. Prior to the issue of a building permit for the development hereby approved, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.
9. Prior to the issue of a Building Permit for the development hereby approved, a detailed landscaping plan, including information relating to species selection, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (i.e. mulch, lawn, synthetic grass etc), shall be submitted to and approved by the City of Fremantle.
10. Prior to the occupation of the development hereby approved, the approved landscaping shall be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the City of Fremantle. All landscaped areas are to be maintained on an ongoing basis for the life of the development, to the satisfaction of the City of Fremantle.
11. Prior to the issue of a building permit, an outdoor lighting plan shall be submitted to and approved by the City of Fremantle. The outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties and is to be implemented and maintained upon the completion of the development to the satisfaction of the City of Fremantle.
12. Prior to the issue of a building permit, an external signage strategy shall be submitted to the satisfaction of the City of Fremantle.
13. Prior to the issue of a building permit, the applicant/owner is to submit a copy of documentation from the Green Building Council of Australia or a suitably qualified professional stating how the development will achieve a Green Star rating of at least 4 Stars or equivalent, to the satisfaction of the City of Fremantle.
14. Prior to occupation, the applicant/owner is to submit a copy of documentation from the Green Building Council of Australia or a suitably qualified professional stating that the development as constructed achieves a Green Star rating of at least 4 Stars or equivalent, to the satisfaction of the City of Fremantle.



Government of **Western Australia**
Development Assessment Panels

15. Prior to the issue of a building permit, the design and materials of the development shall adhere to the requirements set out within City of Fremantle policy L.P.P2.3 - Fremantle Port Buffer Area Development Guidelines for properties contained within Area 2. Specifically, the development shall provide the following:
 - a. Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b. Air conditioners shall provide internal centrally located 'shut down' points and associated procedures for emergency use.
 - c. Roof insulation in accordance with the requirements of the Building Codes of Australia.
16. Prior to occupation of the development, a Delivery Management Plan is to be submitted and approved to the satisfaction of the City of Fremantle. The management plan is to including specific details as to how deliveries for the development will be managed, including timing, access and frequency of deliveries. The approved management plan is to be implemented, thereafter to the satisfaction of the City of Fremantle.
17. Prior to occupation of the development, the car parking and loading area(s), and vehicle access and circulation areas shown on the approved site plan, including the provision of disabled car parking, shall be constructed, drained, and line marked in accordance with the Australian Standard for parking facilities and off-street car parking the satisfaction of the City of Fremantle.
18. All car parking and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.
19. Prior to the occupation of the development, any redundant crossovers and kerbs shall be removed and the verge reinstated at the expense of the applicant and to the satisfaction of the City of Fremantle.
20. Prior to the issue of a building permit, the plans hereby approved being modified to include 13 class 3 bicycle parking bays and associated end-of-trip facilities consisting of 90 lockers in accordance with clause 4.15.1 and 4.15.2 of Local Planning Scheme No.4. The bays and end-of-trip facilities shall be provided and thereafter maintained to the satisfaction of the City of Fremantle.
21. Prior to issue of a building permit, the owner/developer is to submit a waste management plan for approval by the City of Fremantle detailing the storage and management of the waste generated by the development. The approved waste management plan is to be implemented and maintained for the life of the development to the satisfaction of the City of Fremantle.
22. Prior to occupation of the development, the owner shall contribute a monetary amount equal in value to one percent of the estimated development cost, as indicated on the Form of Application for Planning Approval, to the City of Fremantle for development of public art works and/or heritage works to enhance the public realm consistent with the City's LPP 2.19 and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$15 million the contribution to be made is \$150,000.



Government of **Western Australia**
Development Assessment Panels

23. Prior to the issue of a demolition permit and a building permit, a Demolition/Construction Management Plan shall be submitted to the satisfaction of the City of Fremantle addressing the following matters:
 - a. The protective measures for significant fabric during construction
 - b. Use of City car parking bays for construction related activities;
 - c. Protection of infrastructure and street trees within the road reserve;
 - d. Security fencing around construction sites;
 - e. Gentries;
 - f. Access to site by construction vehicles;
 - g. Contact details;
 - h. Site offices;
 - i. Noise - Construction work and deliveries;
 - j. Sand drift and dust management;
 - k. Waste management;
 - l. Dewatering management plan;
 - m. Traffic management; and
 - n. Works affecting pedestrian areas.
24. Prior to the issue of a Building Permit final details are to be provided to demonstrate how the recommendations contained within the Crime Prevention Assessment Report, prepared by JMG Safety Management dated 24 September 2019, will be implemented to the satisfaction of the City of Fremantle.
25. Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out to determine if remediation is required. If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to the subsequent planning approval and/or building licence to the satisfaction of the City of Fremantle on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use. Investigations and remediation are to be carried out in compliance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulation contaminated sites guidelines.
26. Prior to occupation of the development hereby approved, a Notification pursuant to Section 70A of the Transfer of Land Act 1893 shall be registered against the Certificate of Title to the land the subject of the proposed development advising the owners and subsequent owners of the land that the subject site is located in close proximity to the Fremantle Port, the Fremantle City Centre and freight rail lines and may be subject to noise, odour and activity not normally associated with noise sensitive land uses including the Hotel. The notification is to be prepared by the City's solicitors at the expense of the owner and be executed by all parties prior to occupation.
27. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.
28. Prior to the issue of a Building Permit, the proposed basement level is to be setback a minimum of 3.65m from the Queen Street boundary, to the satisfaction of the City of Fremantle.



Government of **Western Australia**
Development Assessment Panels

ADVICE NOTES

- i. A demolition permit is required to be obtained for the proposed demolition work. The demolition permit must be issued prior to the removal of any structures on site.
- ii. A Building permit is required for the proposed Building Works. A certified BA1 application form must be submitted and a Certificate of Design Compliance (issued by a Registered Building Surveyor Contractor in the private sector) must be submitted with the BA1.
- iii. In relation to the public art contribution, the applicant is advised that Council may waive the requirement for the public art/heritage work contribution in accordance with clause 6 of LPP 2.19 where the development incorporates public art in the development to the same value as that specified in Condition 17 that is located in a position clearly visible to the general public on the site of the development. In determining the appropriateness and artistic merit of the public art, council shall seek relevant professional advice.
- iv. New crossover(s) shall comply with the City's standard for standard crossovers, which are available on the City of Fremantle's web site. Prior to commencing construction of the crossover(s), the developer is to contact the Engineering Project Officer on 9432 9999 to arrange an inspection or alternatively via TECHSERVICES@fremantle.wa.gov.au.
- v. Local Planning Policy 1.10 Construction Sites can be found on the City's web site via <http://www.fremantle.wa.gov.au/development/policies>. The Infrastructure Engineering department can be contacted via TECHSERVICES@fremantle.wa.gov.au or 9432 9999.
- vi. The drop off bays, paving and landscaping depicted outside the boundaries of the subject property do not form part of this approval. For further queries relating to verge infrastructure modifications please contact the Infrastructure Engineering department via info@fremantle.wa.gov.au or 9432 9999.
- vii. The proponent must make application during the Building License application stage to Environmental Health Services via Form 1 - Application to construct, alter or extend a public building as a requirement of the Health (Public Buildings) Regulations 1992. For further information and a copy of the application form contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au.
- viii. Any removal of asbestos is to comply with the following –

Less than ten (10) square metres of bonded (non-friable) asbestos can be removed without a license and in accordance with the Health (Asbestos) Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001. Over 10 square metres must be removed by a licensed person or business for asbestos removal. All asbestos removal is to be carried out in accordance with the Occupational Safety and Health Act 1984 and accompanying regulations and the requirements of the Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)];



Government of **Western Australia**
Development Assessment Panels

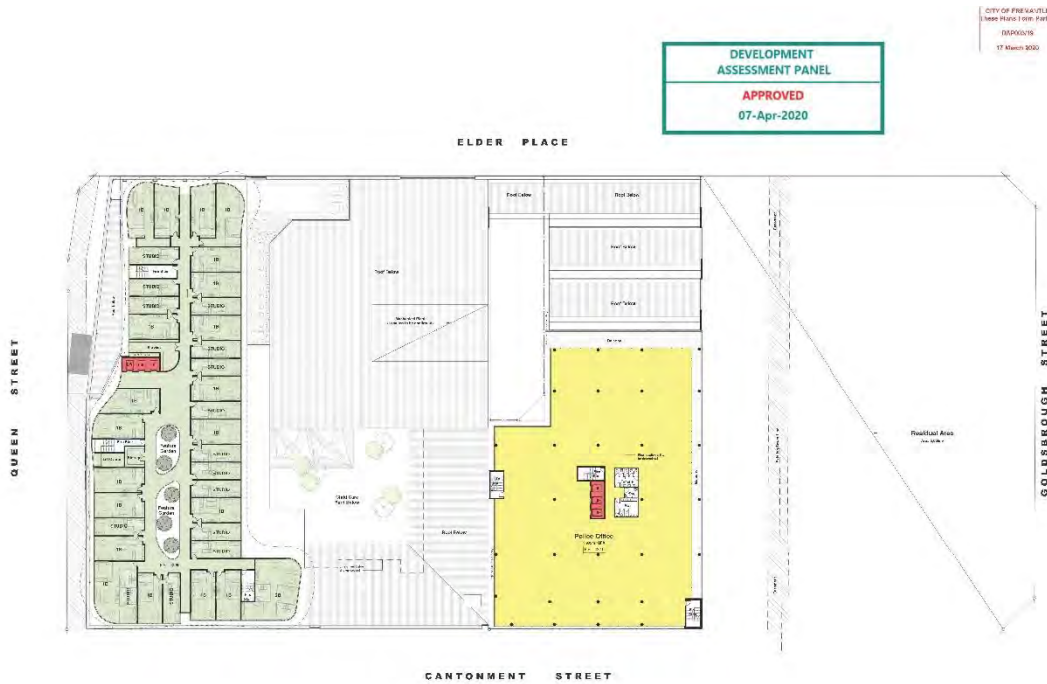
Note: Removal of any amount of friable asbestos must be done by a licensed person or business and an application submitted to WorkSafe, Department of Commerce. <http://www.docep.wa.gov.au>

- ix. The premises must comply with the Food Act 2008, regulations and the Food Safety Standards incorporating AS 4674-2004 *Design, construction and fit-out of food premises*. Detailed architectural plans and elevations must be submitted to Environmental Health Services for approval prior to construction. The food business is required to be registered under the Food Act 2008. For further information contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au.
- x. Work on construction sites shall be limited to between 7am and 7pm on any day which is not a Sunday or Public Holiday. If work is to be done outside these hours a noise management plan must be submitted and approved by the Chief Executive Officer, City of Fremantle prior to work commencing.
- xi. Design and install all mechanical service systems, including air-conditioners, pool filter motors, gym weight equipment, amplified music, kitchen exhaust ducts and refrigeration motors, etc. to prevent noise levels from exceeding the relevant assigned levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended). It is advised to seek the services of a competent acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.
- xii. Due to the historical use of the site for a potentially contaminating activity, the development of the site may intercept potentially contaminated soils. If potentially contaminated soils are identified, the site should be reported in accordance with section 11 of the Contaminated Sites Act 2003, and works appropriately managed to ensure that potential risks to human health and the environment are addressed. DWER recommends that the south west basement corner is constructed such that natural ventilation is optimized.
- xiii. In relation to the condition relating to contaminated site investigation and in accordance with regulation 31(1)(c) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with Condition 19. A current list of accredited auditors is available from www.dwer.wa.gov.au.
- xiv. The applicant is advised that any change to the proposed Civic Use (Police Station) will be subject to a separate application for approval at which time the application will be assessed against clause 1.3.2 (a)(iii) which requires minimum percentage of Office Use.
- xv. The applicant is advised that should the value of construction be substantially increased at the time of a Building Permit, the City will review the public art contribution in accordance with condition 22 and the required contribution may increase as a result.

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



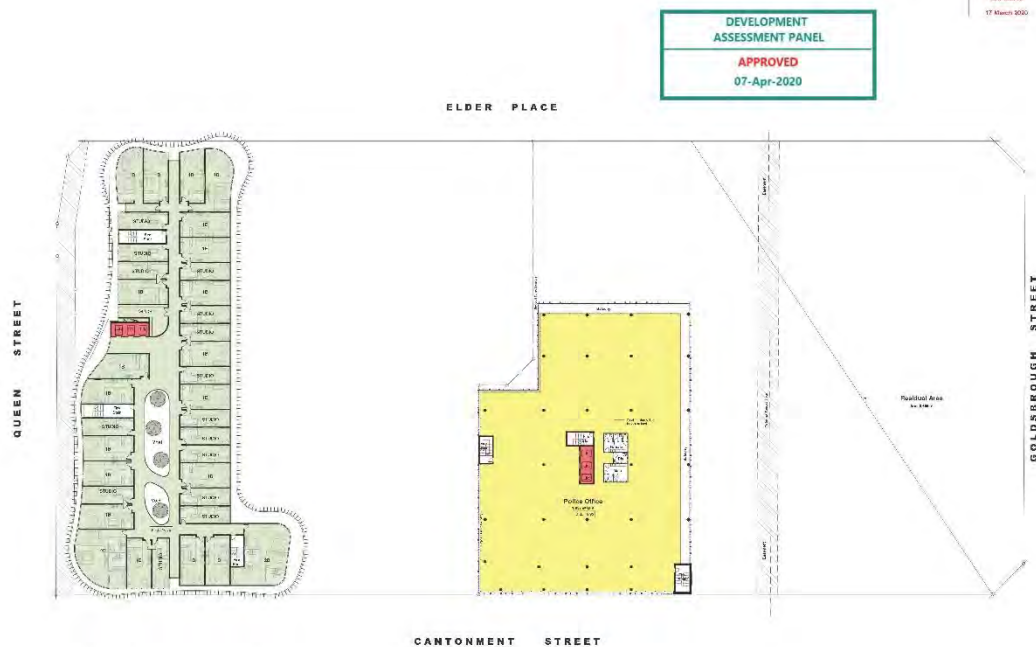




SECOND FLOOR PLAN

PROPOSED WOOLSTORES REDEVELOPMENT
LOCATION: 28 CANTONMENT ST, FREMANTLE
FOR: SILVERLEAF INVESTMENTS

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CITY OF FREMANTLE Item 10/21 - Part of DP2005/19 17 March 2020



HOTEL: THIRD FLOOR PLAN

POLICE STATION: THIRD & FOURTH FLOOR PLAN

THIRD FLOOR PLAN

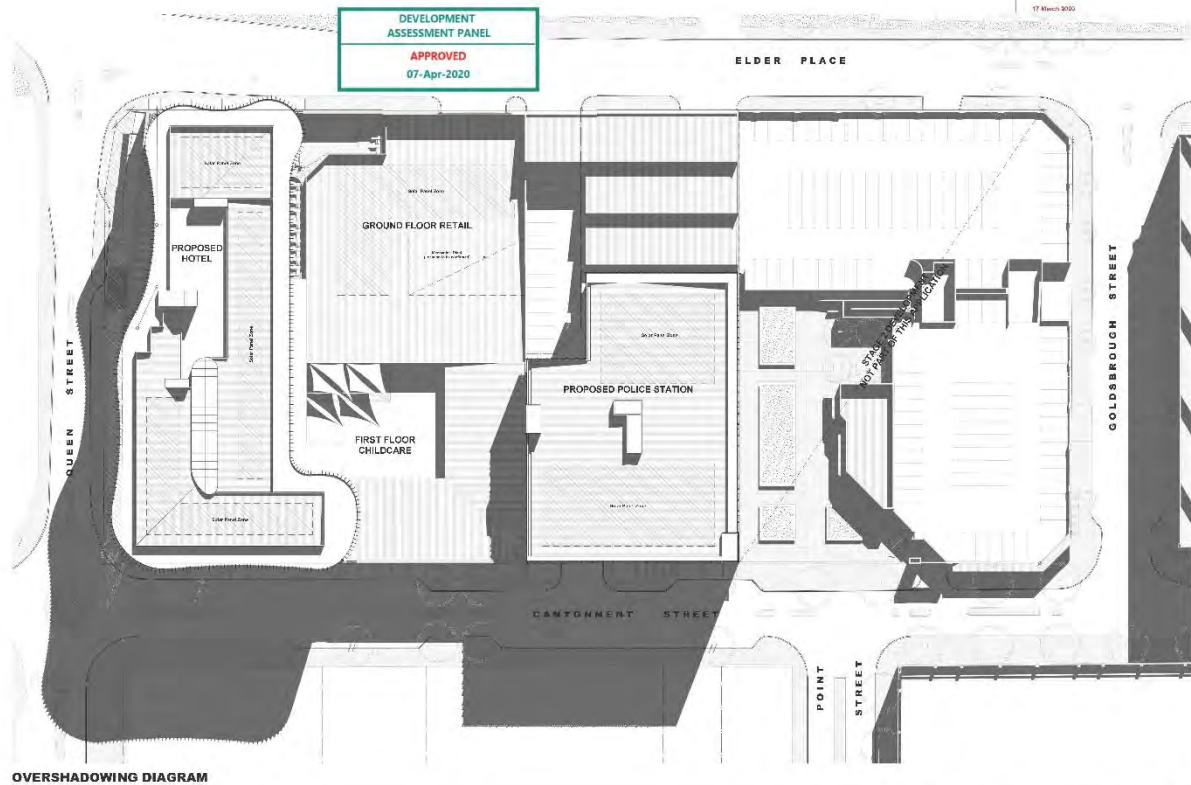
PROPOSED WOOLSTORES REDEVELOPMENT
LOCATION: 28 CANTONMENT ST, FREMANTLE
FOR: SILVERLEAF INVESTMENTS

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CITY OF FREMANTLE Item 10/21 - Part of DP2005/19 17 March 2020



PROPOSED WOOLSTORES REDEVELOPMENT
LOCATION: 28 CANTONMENT ST, FREMANTLE
FOR: SILVERLEAF INVESTMENTS

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PROPOSED WOOLSTORES REDEVELOPMENT
LOCATION: 28 CANTONMENT ST, FREMANTLE
FOR: SILVERLEAF INVESTMENTS

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CITY OF FREMANTLE
Item 10.1.1 - Part of
DEPOSITS
17 March 2020



WEST ELEVATION - ELDER PLACE

DEVELOPMENT
ASSESSMENT PANEL
APPROVED
07-Apr-2020

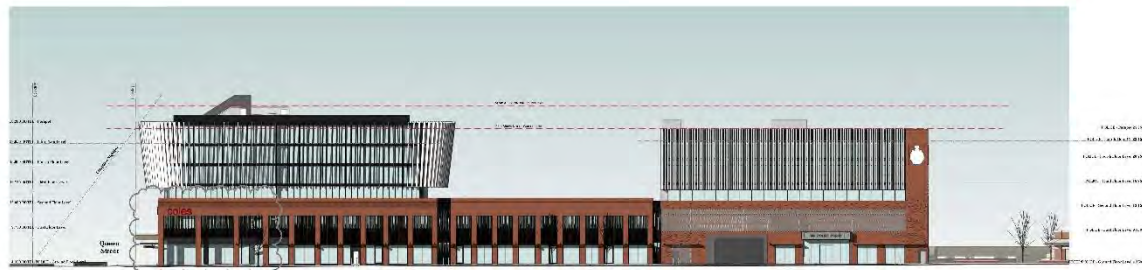


SOUTH ELEVATION - QUEEN STREET

PROPOSED WOOLSTORES REDEVELOPMENT
LOCATION: 28 CANTONMENT ST, FREMANTLE
FOR: SILVERLEAF INVESTMENTS

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CITY OF FREMANTLE
Item 10.1.1 - Part of
DEPOSITS
17 March 2020



EAST ELEVATION - CANTONMENT ST

DEVELOPMENT
ASSESSMENT PANEL
APPROVED
07-Apr-2020



NORTH ELEVATION

PROPOSED WOOLSTORES REDEVELOPMENT
LOCATION: 28 CANTONMENT ST, FREMANTLE
FOR: SILVERLEAF INVESTMENTS

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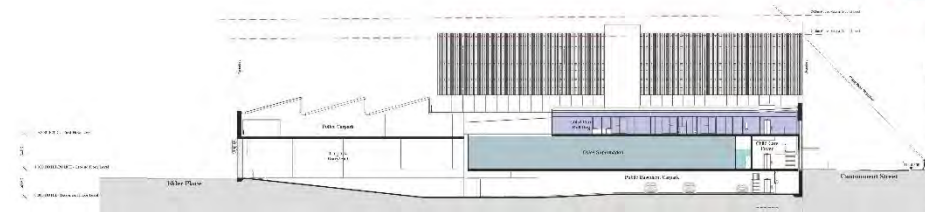
CITY OF FREMANTLE
Item 10.1.1 - Part of
DEPOSITS
17 March 2020

CITY OF FREMANTLE
Development Panel Part of
00000076
17 March 2020



A SECTION A
A1

DEVELOPMENT
ASSESSMENT PANEL
APPROVED
07-Apr-2020



B SECTION B
B1

PROPOSED WOOLSTORES REDEVELOPMENT
LOCATION: 28 CANTONMENT ST, FREMANTLE
FOR: SILVERLEAF INVESTMENTS

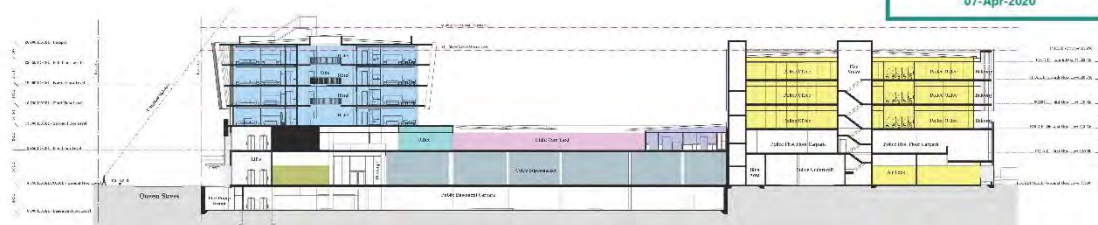
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CITY OF FREMANTLE
Development Panel Part of
00000076
17 March 2020



C SECTION C
C1

DEVELOPMENT
ASSESSMENT PANEL
APPROVED
07-Apr-2020



D SECTION D
D1

PROPOSED WOOLSTORES REDEVELOPMENT
LOCATION: 28 CANTONMENT ST, FREMANTLE
FOR: SILVERLEAF INVESTMENTS

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CITY OF FREMANTLE
Development Panel Part of
00000076
17 March 2020

**PC2101 - 8 HAMPTON ROAD, NO.229B (LOT 100), SOUTH FREMANTLE –
AMENDMENT APPLICATION - MIXED USE COMMERCIAL
DEVELOPMENT (PETROL FILLING STATION, OFFICE AND
WAREHOUSE – (JL DAPV003/20)**

Agenda attachment 1 – Original Determination Letter and Plans



Government of Western Australia
Development Assessment Panels

LG Ref: DAP002/20
DAP Ref: DAP/20/01757
Enquiries: (08) 6551 9919

Mr Ross Underwood
Planning Solutions
GPO Box 2709,
Cloisters Square PO WA 6850

Dear Mr Underwood

**METRO INNER-SOUTH JDAP - CITY OF FREMANTLE - DAP APPLICATION -
DAP002/20 - DETERMINATION**

Property Location:	Lot 100 (229B) Hampton Road, South Fremantle
Application Details:	Mixed Use Commercial Development (24 Hour Petrol Filling Station, Office and Warehouse)

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Fremantle on 28 February 2020 for the above-mentioned development.

This application was considered by the Metro Inner-South JDAP at its meeting held on 16 June 2020, where in accordance with the provisions of the City of Fremantle Local Planning Scheme No. 4, it was resolved to approve the application as per the attached notice of determination.

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

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

Should you have any queries with respect to the conditions of approval, please contact Mr Justin Lawrence on behalf of the City of Fremantle on 9432 9742.

Yours sincerely,

DAP Secretariat

17 June 2020

Encl: DAP Determination Notice
Approved Plans

Cc: Mr Justin Lawrence
City of Fremantle

Postal address: Locked Bag 2506 Perth WA Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 9919 Fax: (08) 6551 9961 TTY: 6551 9007 Infoline: 1800 626 477
daps@dph.wa.gov.au www.dph.wa.gov.au
ABN 68 565 723 484



Government of Western Australia
Development Assessment Panels

Planning and Development Act 2005

City of Fremantle Local Planning Scheme No. 4

Metro Inner-South Joint Development Assessment Panel

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

Property Location: Lot 100 (229B) Hampton Road, South Fremantle

Application Details: Mixed Use Commercial Development (24 Hour Petrol Filling Station, Office and Warehouse)

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 16 June 2020, subject to the following:

Approve DAP Application reference DAP/20/01757 and accompanying plans (DA01 Rev A, DA02 Rev B, DA03 Rev A, DA04 Rev B, DA05 Rev B, DA06 Rev B, DA07 Rev A, DA08 Rev A, DA09 Rev A, DA10 Rev A, DA11 Rev A, A-100, A-101, A-102 and A-103) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Fremantle Local Planning Scheme No. 4, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 28 February 2020. 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. Prior to the issue of a building permit for the development hereby approved, the owner is to submit a Delivery Management Plan for approval by the City, detailing the hours of fuel and goods delivery, and the methods for entering and exiting the site to the satisfaction of the City of Fremantle. The Delivery Management Plan is to be adhered to for the life of the development.
3. All storm water discharge shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.
4. All development hereby approved shall be contained within the property cadastral boundaries, to the satisfaction of the City of Fremantle.
5. Prior to the issue of a demolition permit, a Structural Engineers Report on the condition of the retained heritage buildings including a schedule of works required to ensure they will survive the proposed demolition and construction stages of the approved development, is to be submitted to the satisfaction of the City of Fremantle.



Government of Western Australia
Development Assessment Panels

6. Prior to the issue of a building permit for the development hereby approved a detailed schedule of works including details of:
 - Any demolition work to be undertaken and hazardous fabric to be removed from the heritage buildings.
 - The proposed conservation and stabilisation works to the heritage buildings is to be submitted and approved, to the satisfaction of the City of Fremantle. Prior to occupation of the development hereby approved the approved schedule of works is to be completed to the satisfaction of the City of Fremantle.
7. Prior to the issue of a demolition permit a dilapidation survey to record the condition of the retained heritage buildings is to be submitted to the satisfaction of the City of Fremantle.
8. Prior to the issue of a Building Permit for the development hereby approved, the landscaping plan is to be modified to comply with the shade tree requirements of LPP 3.8. The amended detailed landscaping plan, including information relating to species selection, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (i.e. mulch, lawn, synthetic grass, etc), shall be submitted to and approved by the City of Fremantle.
9. Prior to the occupation of the development hereby approved, the approved landscaping shall be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the City of Fremantle. All landscaped areas are to be maintained on an ongoing basis for the life of the development, to the satisfaction of the City of Fremantle.
10. Prior to the occupation of the development hereby approved, vehicle crossovers and any associated traffic management works shall be constructed, removed and the kerb and verge reinstated, and/or be modified to the City's specification and thereafter maintained to the satisfaction of the City of Fremantle.
11. Prior to the occupation of the development hereby approved, all car parking, and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.
12. Prior to issue of a building permit of the development hereby approved, the owner is to submit a waste management plan for approval by the City, detailing at a minimum the following:
 - Estimated waste generation
 - Proposed storage of receptacles
 - Collection methodology for waste
 - Additional management requirements to be implemented and maintained for the life of the development.The Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle.



Government of Western Australia
Development Assessment Panels

13. Prior to the issue of a Building Permit for the development hereby approved, One (1) Class 1 or Class 2 as defined in LPS4 bicycle racks shall be provided, to the satisfaction of the City of Fremantle. Prior to occupation of the development the approved bicycle racks must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
14. Prior to the issue of a Building Permit for the development hereby approved, 1 male and 1 female (or 2 unisex) shower and 1 locker for the Office shall be provided, to the satisfaction of the City of Fremantle. Prior to occupation of the development the end of trip facilities must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
15. Prior to the issue of a Demolition Permit and Building Permit for the development hereby approved, a Construction and Demolition Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
 - a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;
 - c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;
 - g) Site offices;
 - h) Noise - Construction work and deliveries;
 - i) Sand drift and dust management;
 - j) Waste management;
 - k) Dewatering management plan;
 - l) Traffic management; and
 - m) Works affecting pedestrian areas.The approved Demolition and Construction Management Plan shall be adhered to throughout the demolition of the existing building on site and construction of the new development.
16. The signage hereby permitted shall not contain any flashing or moving light or radio; animation or movement in its design or structure; reflective, retro-reflective or fluorescent materials in its design structure.
17. Prior to the issue of a building permit, any proposed building plant and equipment, including air conditioning units, piping, ducting and water tanks shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings.
18. Prior to the commencement of development, a notification, pursuant to section 70A of the Transfer of Land Act 1893, shall be placed on the certificate of title for the subject lot. The notification shall be at the owner/applicants' expense, and lodged with the Registrar of Titles for endorsement on the certificate of title. The notification is to state as follows:

'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner'.



Government of Western Australia
Development Assessment Panels

19. The works hereby approved shall be undertaken in a manner which does not irreparably damage any original or significant fabric of the building. Any damage shall be rectified to the satisfaction of City of Fremantle.
20. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice Notes:

- i) A Building permit is required for the proposed Building Works. A certified BA1 application form must be submitted and a Certificate of Design Compliance (issued by a Registered Building Surveyor Contractor in the private sector) must be submitted with the BA1.
- ii) A demolition permit is required to be obtained for the proposed demolition work. The demolition permit must be issued prior to the removal of any structures on site.
- iii) The applicant is advised that in regard to the condition for a Structural Engineers Report the report is to detail the works required to ensure that the buildings will survive the surrounding demolition, excavation and construction and any interim period before the approved conservation works are carried out.
- iv) The applicant is advised that in regard to the condition for a detailed schedule of demolition and conservation works the report is to include:
 - a) a description of the internal condition of the Jockeys Quarters including the condition of roof cladding and the capacity of rainwater goods.
 - b) specifications of construction techniques, mortar mixes, materials etc.
- v) The applicant is advised that in regard to the condition to complete the approved conservation works these works must be carried out by a suitably skilled contractor who has experience in working with heritage buildings and has appropriately skilled tradespeople working on the project who are experienced in traditional building construction techniques and the use of traditional building materials such as lime mortars. A heritage consultant should be engaged during the construction of the project to provide heritage advice when required.
- vi) The applicant is advised that the proposed works indicated outside of the lot boundaries of the subject site do not form part of this approval. Should the applicant wish to undertake these works separate approval is required from the City. Queries relating to these works should be directed to the City's Technical Officer, Parks and Landscape via info@fremantle.wa.gov.au or 9432 9999.



Government of Western Australia
Development Assessment Panels

- vii) Any removal of asbestos is to comply with the following –

Under ten (10) square metres of bonded (non-friable) asbestos can be removed without a license and in accordance with the *Health (Asbestos) Regulations 1992* and the *Environmental Protection (Controlled Waste) Regulations 2001*. Over 10 square metres must be removed by a licensed person or business for asbestos removal. All asbestos removal is to be carried out in accordance with the *Occupational Safety and Health Act 1984* and accompanying regulations and the requirements of the *Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)]*.

Note: Removal of any amount of friable asbestos must be done by a licensed person or business and an application submitted to WorkSafe, Department of Commerce. <http://www.docwp.wa.gov.au>

- viii) The premises must comply with the Food Act 2008, regulations and the Food Safety Standards incorporating AS 4674-2004 *Design, construction and fit-out of food premises*. Detailed architectural plans and elevations must be submitted to Environmental Health Services for approval prior to construction. The food business is required to be registered under the Food Act 2008. For further information contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au.
- ix) Work on construction sites shall be limited to between 7am and 7pm on any day which is not a Sunday or Public Holiday. If work is to be done outside these hours a noise management plan must be submitted and approved by the Chief Executive Officer, City of Fremantle prior to work commencing.
- x) Effective measures shall be taken to stabilize sand and ensure no sand escapes from the property by wind or water in accordance with the City's Prevention and Abatement of Sand Drift Local Law.
- xi) The applicant is advised that where contamination is detected, the site is required to be remediated in accordance with the requirements of the Department of Environment & Conservation for the remediation of contaminated sites.
- xii) All mechanical service systems including air-conditioners and pool filters etc are to be designed and installed to prevent emitted noise levels from exceeding the relevant decibel levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended).
- xiii) With regards to the landscaping conditions the applicant is advised that the *Agonis flexuosa* is not supported against heritage building.
- xiv) In regard to the condition requiring a Construction and demolition Management Plan, Local Planning Policy 1.10 Construction Sites can be found on the City's web site via <http://www.fremantle.wa.gov.au/development/policies>
- xv) With regards to condition no.10, the applicant is advised that appropriate measures will be required and will need to form part of future road works/ crossover applications which will prevent vehicles turning right on the south bound lanes of Hampton Road into the new crossover on Hampton Road.



Government of Western Australia
Development Assessment Panels

- xvi) A copy of the City's Construction and Demolition Management Plan Proforma which needs to be submitted with building and demolition permits can be accessed via:
<https://www.fremantle.wa.gov.au/sites/default/files/Construction%20and%20Demolition%20Management%20Plan%20Proforma.pdf>

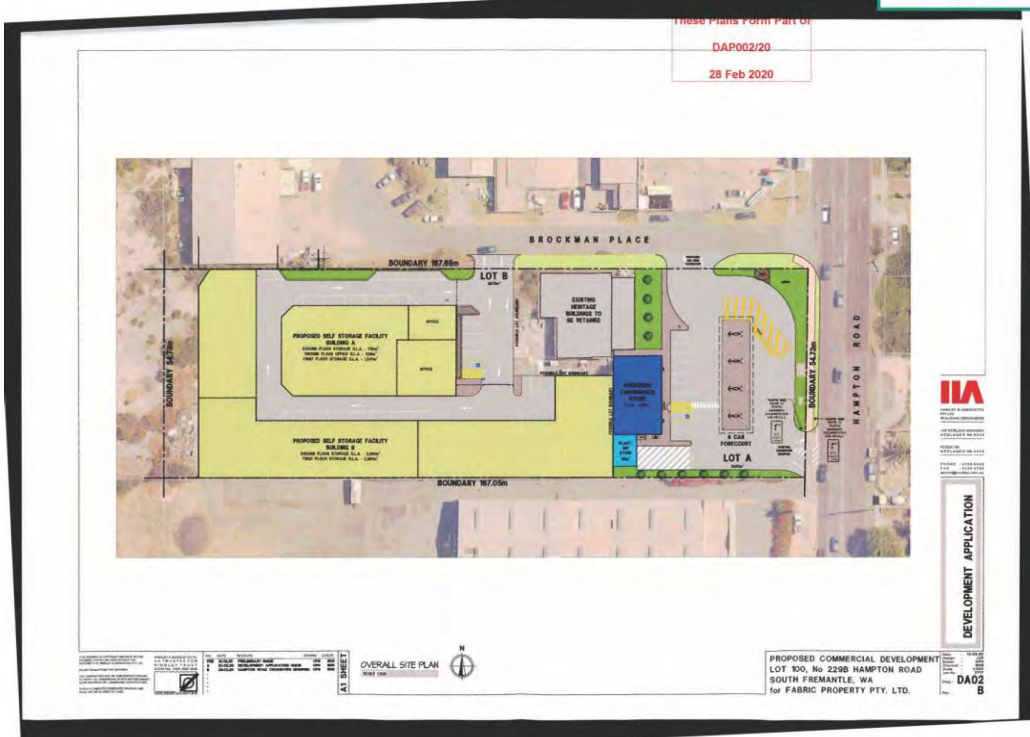
The Infrastructure Business Services department can be contacted via info@fremantle.wa.gov.au or 9432 9999.

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

DEVELOPMENT
ASSESSMENT PANEL
APPROVED
16-Jun-2020



DEVELOPMENT
ASSESSMENT PANEL
APPROVED
16-Jun-2020



DEVELOPMENT
ASSESSMENT PANEL
APPROVED
16-Jun-2020

These Plans Form Part of
DAP002/20
28 Feb 2020



IIA
INTEGRATED
IMAGE
ANALYSIS

DEVELOPMENT APPLICATION
DA03

PROPOSED COMMERCIAL DEVELOPMENT
LOT 100, No 229B HAMPTON ROAD
SOUTH FREMANTLE, WA
for FABRIC PROPERTY PTY. LTD.

PROPOSED COMMERCIAL DEVELOPMENT
LOT 100, No 229B HAMPTON ROAD
SOUTH FREMANTLE, WA
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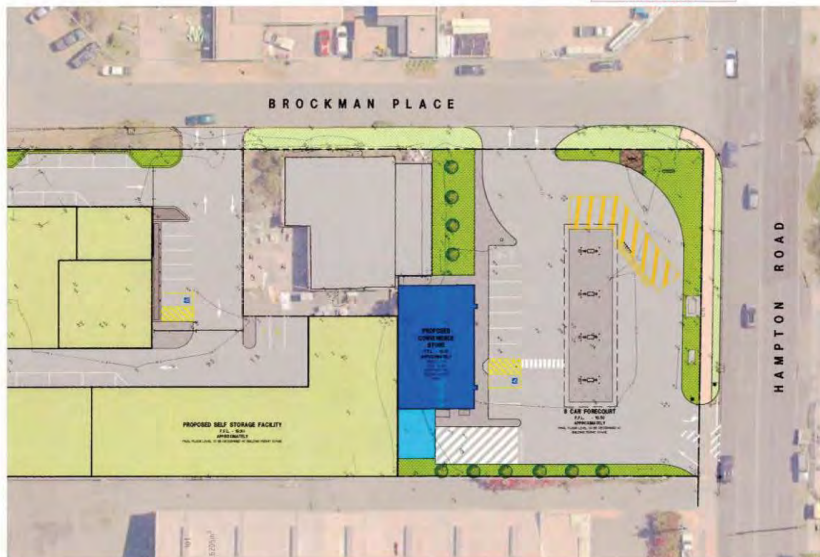
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DEVELOPMENT
ASSESSMENT PANEL
APPROVED
16-Jun-2020

These Plans Form Part of
DAP002/20
28 Feb 2020



IIA
INTEGRATED
IMAGE
ANALYSIS

DEVELOPMENT APPLICATION
DA04

PROPOSED COMMERCIAL DEVELOPMENT
LOT 100, No 229B HAMPTON ROAD
SOUTH FREMANTLE, WA
for FABRIC PROPERTY PTY. LTD.

PROPOSED COMMERCIAL DEVELOPMENT
LOT 100, No 229B HAMPTON ROAD
SOUTH FREMANTLE, WA
for FABRIC PROPERTY PTY. LTD.

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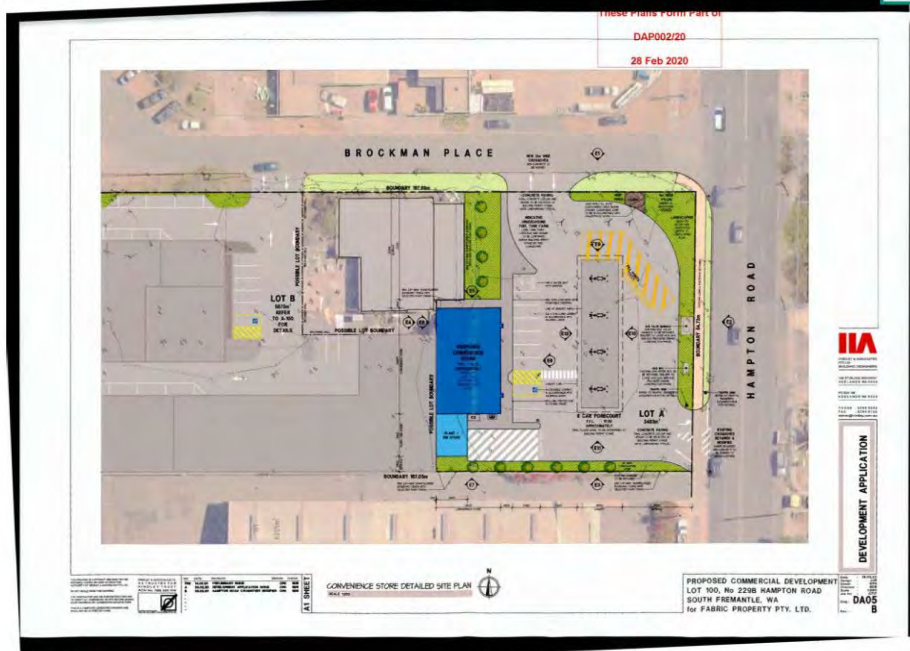
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SOUTH FREMANTLE, WA
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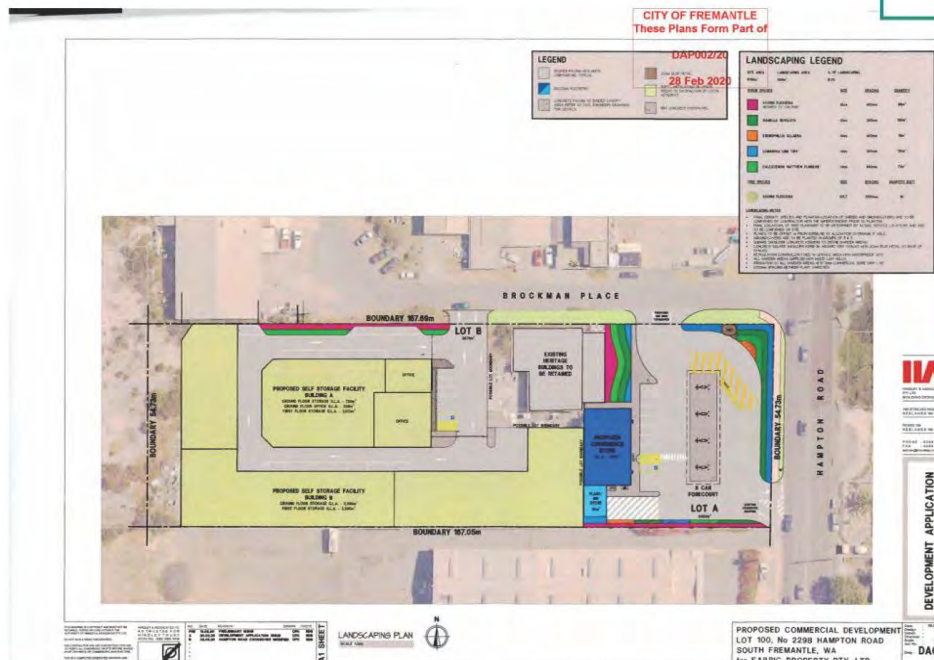
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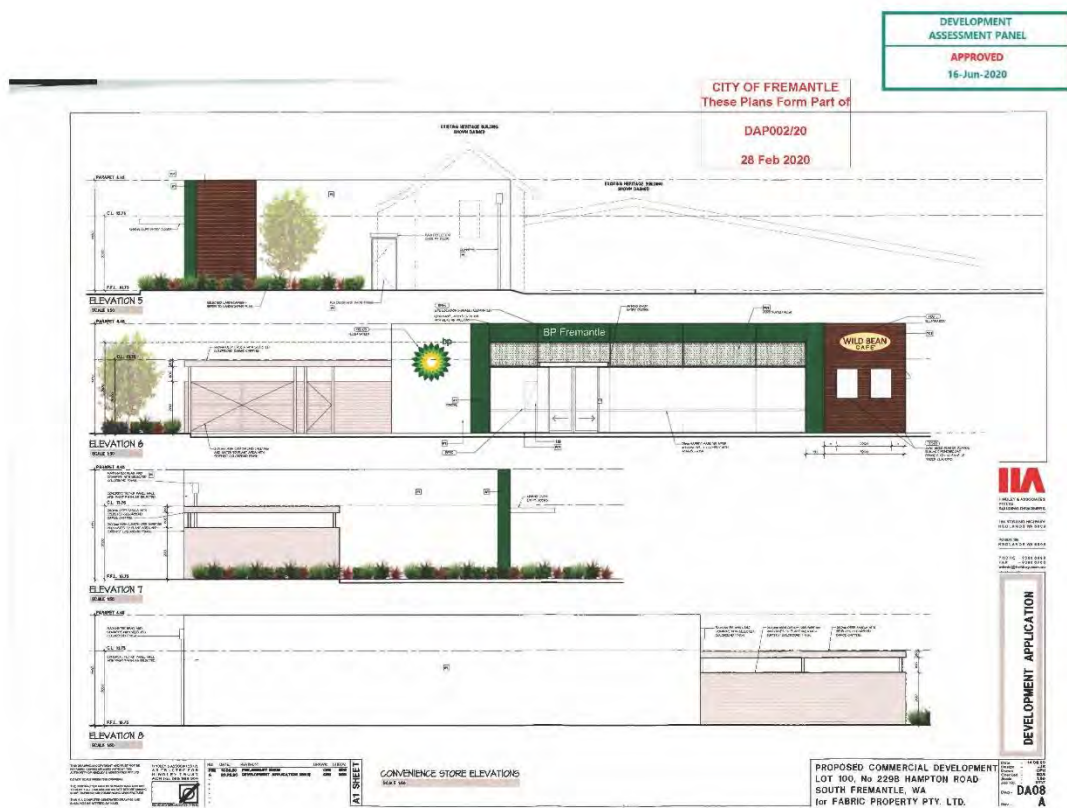
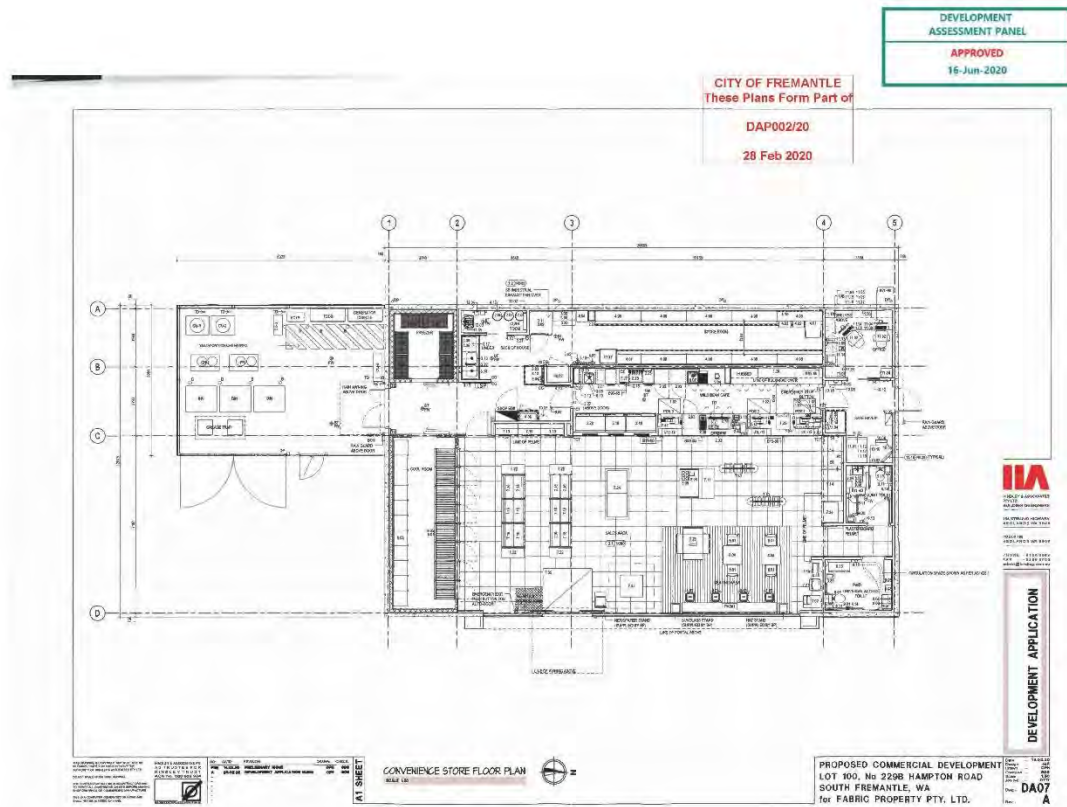
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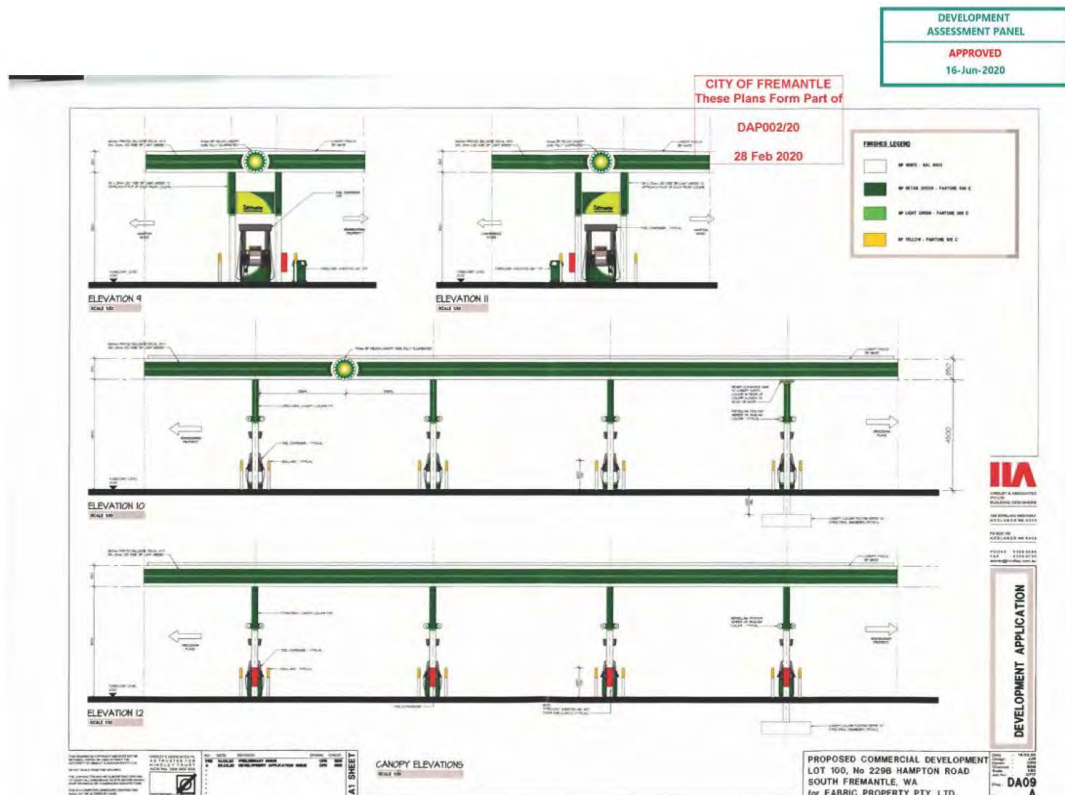
DEVELOPMENT
ASSESSMENT PANEL
APPROVED
16-Jun-2020

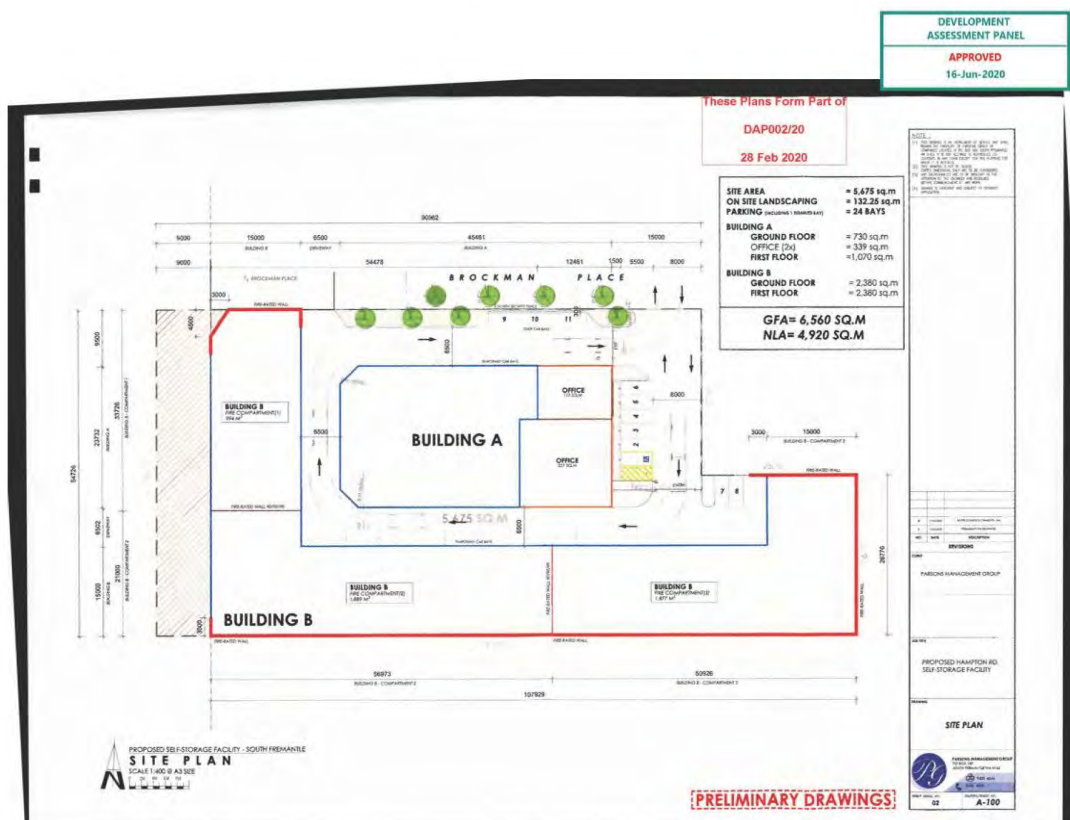
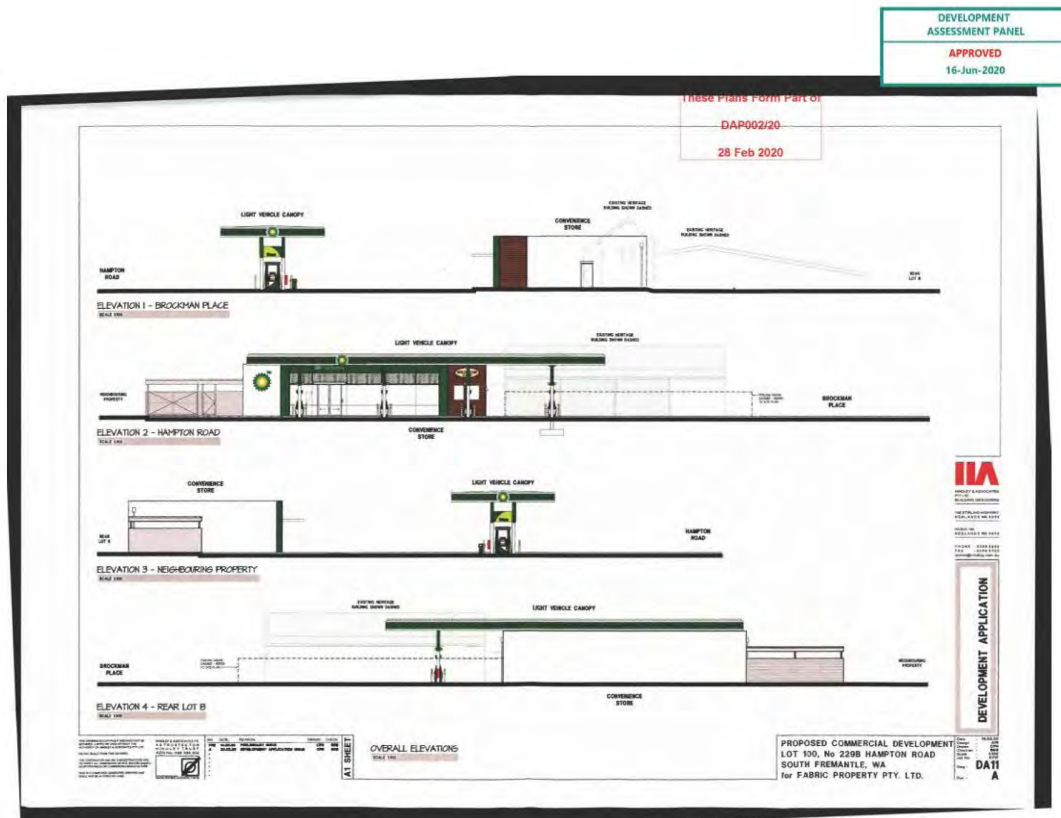


DEVELOPMENT
ASSESSMENT PANEL
APPROVED
16-Jun-2020

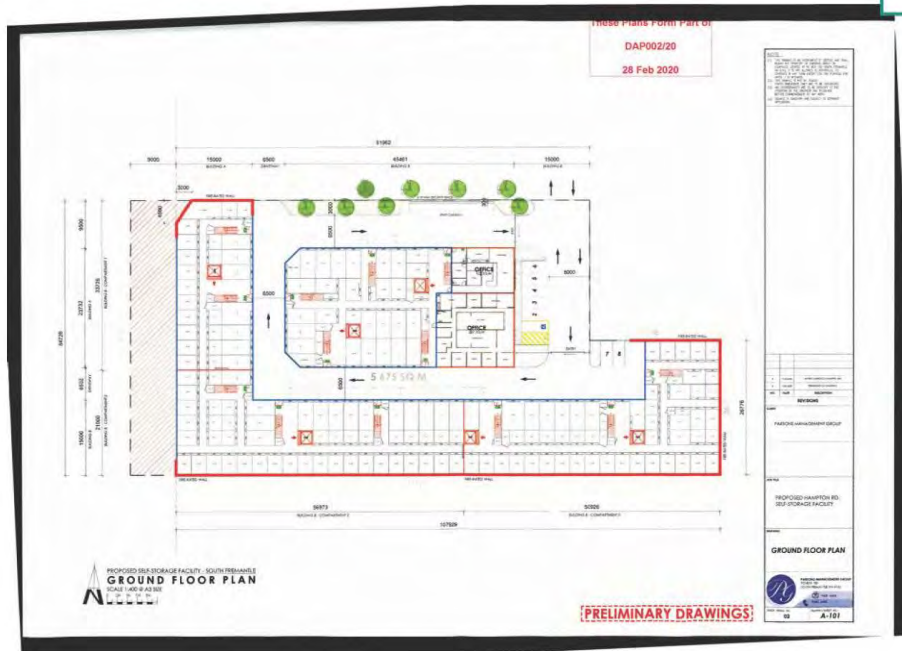




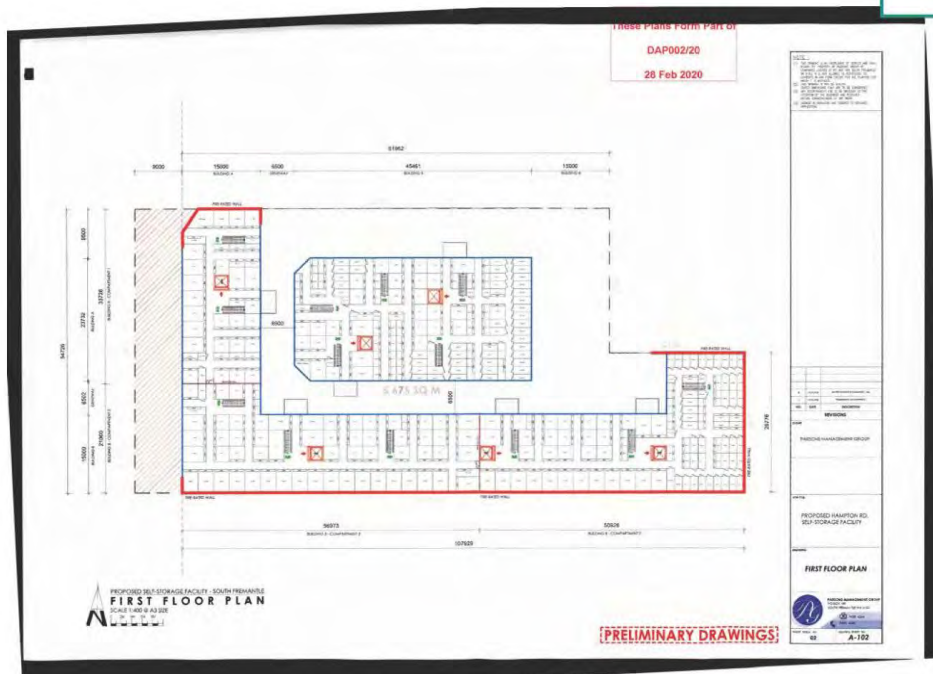


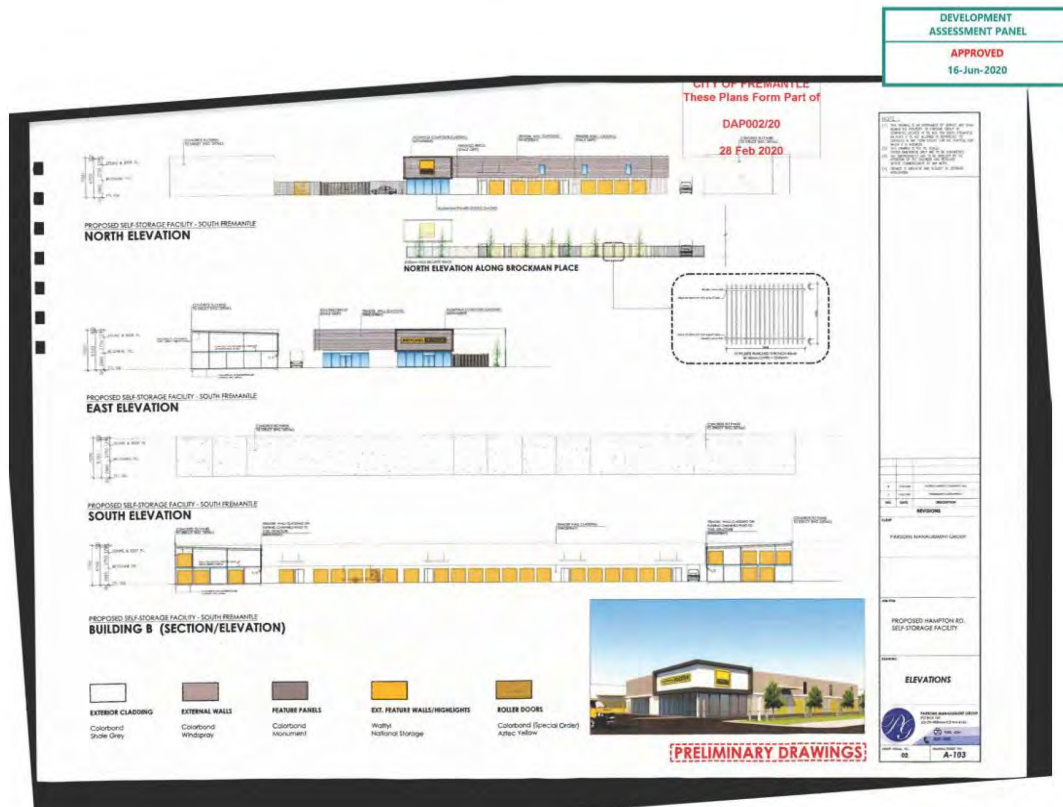


DEVELOPMENT
ASSESSMENT PANEL
APPROVED
16-Jun-2020




DEVELOPMENT
ASSESSMENT PANEL
APPROVED
16-Jun-2020





Additional Information 2 – Applicants Report (Pages 10 -30)

CITY OF FREMANTLE
 These Plans Form Part of



DAP/002/20
 18 Nov 2020
planning@mwurban.com.au

Our Ref: PMG-19(2)

10 November 2020

City of Fremantle
Fremantle Oval
70 Parry Street
FREMANTLE WA 6160

Attention: Julia Kingsbury, Manager Development Approvals

Dear Julia

METRO INNER-SOUTH JDAP – CITY OF FREMANTLE – DAP APPLICATION DAP002/20

This letter supports the Form 2 amending application for a mixed use commercial development on Lot 100 (No.229b) Hampton Road in South Fremantle.

BACKGROUND

At its 16 June 2020 meeting, the Metro Inner-South JDAP granted planning approval for a mixed use commercial development on the subject land comprising a 24 Hour Petrol Filling Station and Office/Warehouse. The application was conditionally approved with accompanying advice notes.

Recently, the demolition and clearing of the land has commenced, making way for the approved development.

The Office/Warehouse component is approved for the rear of the land, behind the Petrol Station fronting Hampton Road. Access to this portion of the land is from Brockman Place. The approved Office was to be occupied by a local Fremantle based business, the Warehouse a National Storage facility.

It is now proposed to remove the Office component from the approved development, to be replaced by additional Warehouse (self-storage) space.

DETAILS

Specifically, the following amendments, minor in nature, are proposed to the approved development:-

- The replacement of the approved Office floorspace at the ground floor level with self-storage units (classified as Warehouse space);
- The amount of additional Warehouse space being:-
 - 228m² gross floor area;

ABN 43 159 086 405 www.mwurban.com.au planning@mwurban.com.au PO Box 214 North Fremantle WA 6159



- o 171m² net lettable area.

The remainder of the National Storage component to the approved development remains as is, including the parking provided for the Office. That is, the 24 bays approved for this part of the overall development are to be retained, all for Warehouse (self-storage) use.

Condition 14

With the removal of the Office from the approved development, Condition 14 in the Notice of Determination is no longer relevant. Condition 14 reads as follows *Prior to the issue of a Building Permit for the development hereby approved, 1 male and 1 female (or 2 unisex) shower and 1 locker for the Office shall be provided to the satisfaction of the City of Fremantle. Prior to occupation of the development the end of trip facilities must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.*

The deletion of Condition 14 is also proposed.

PLANNING

The following commentary deals with the respective changes and is to be read in conjunction with the amended plans and elevations.

Use

The land is zoned 'Mixed Use' under the City of Fremantle's *Local Planning Scheme No. 4 (LPS4)*. Under the Zoning Table in LPS4 a 'Warehouse' is classified as a 'P' or permitted use in a Mixed Use zone.

Car Parking

As presented at the time of the original application *The City of Fremantle is familiar with the level of parking required for the use proposed. In recent times the City has granted approval to the 'KeepSafe' storage facility at 5 McNeece Place in O'Connor. Minimal parking is provided in conjunction with this development on the basis only a small amount is required. The same applies to the following establishments in close proximity to KeepSafe:-*

- *Fort Knox Self Storage, 22 Stockdale Road, O'Connor;*
- *National Storage, 22 Weatherburn Way, O'Connor; and*
- *Koala Storage, Leach Highway, O'Connor.*

In every instance the above sites are developed with builtform containing self-storage units, with minimal parking provided on-site. This reflects and recognises the manner in which self-storage facilities function. The



some applies to the self-storage facility proposed on the rear portion of 231 Hampton Road in South Fremantle. In total, 16 parking bays are proposed internal to the storage facility, with three (3) to be used by staff.

The amount of parking to be provided exceeds that required by demand. It has been shown on plan, however, on the basis it can be provided within the space available.

In addition to the above, a more recent and relevant reference includes the National Storage facility approved by the City for North Fremantle. In the presentation summary provided to the DAP secretariat prior to the JDAP meeting 16 June 2020, the following advice was provided:-

- *National Storage South Fremantle (proposed) is approximately 45% smaller than National Storage North Fremantle (based on GFA);*
- *National Storage South Fremantle will be provided with parking at a rate just higher than National Storage North Fremantle (approximately 1/411m² v 1/416m²);*
- *The number of daily vehicle movements into National Storage North Fremantle is averaging at 15 (minimal where traffic volumes are concerned).*

As a result of the proposed changes, being:-

- The removal of the Office from the Office/Warehouse component of the approved development;
- The subsequent increase in Warehouse (self-storage) space by 228m² (GFA); and
- The allocation of the eight (8) office bays to the Warehouse use;
- The parking rate for the approved National Storage facility increases to one (1) bay for every 283m² (45% more than what is ordinarily provided).

SUMMARY

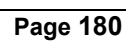
The amendments to the approved development are minor and immaterial in nature where the composition and scale of development are concerned. Accordingly, the support of the City of Fremantle and the approval of the Metro Inner-South JDAP is now sought.

In the event there are any questions arising from the information contained herein or further information required, please contact the undersigned on 0400382445.

Yours sincerely

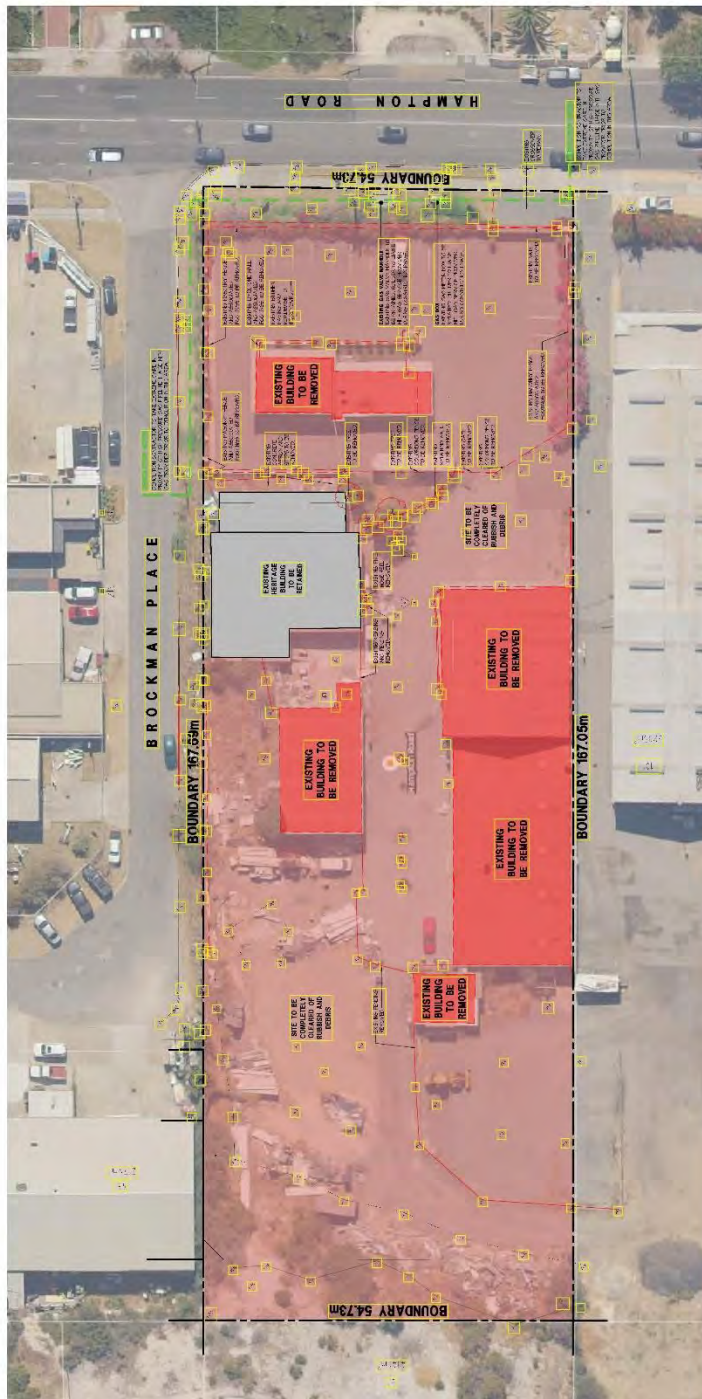
MW URBAN

Tony Watson





CITY OF FREMANTLE
These Plans Form Part of
DAPV00320
18 Nov 2020



SHIRLEY & ASSOCIATES
BUILDING DESIGNERS
180 ST. JAMES ROAD
MELBOURNE VIC 3000
03 9594 1111
www.shirleyandassociates.com.au

DEVELOPMENT APPLICATION

DA03
A

PROPOSED COMMERCIAL DEVELOPMENT
LOT 100, No 229B HAMPTON ROAD
SOUTH FREMANTLE, WA
for FABRIC PROPERTY PTY. LTD.

NOTE
THIS PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE CITY OF FREMANTLE.

DEMOLITION LEGEND
EXTENT OF EXISTING
INFRASTRUCTURE TO
BE REMOVED
EXTENT OF SITE TO BE
CLEARED OF RUBBISH



SITE DEMOLITION PLAN
SCALE 1:500

A1 SHEET

NO. 229B HAMPTON ROAD
LOT 100, No 229B HAMPTON ROAD
SOUTH FREMANTLE, WA
DA03
A1
18 Nov 2020
SHIRLEY & ASSOCIATES
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CITY OF FREMANTLE
These Plans Form Part of
DAPV00320
16 Nov 2020



WIA ASSOCIATES
ARCHITECTS
BUILDING DESIGNERS
LANDSCAPE ARCHITECTS
PLANNERS
ENGINEERS
INTERIORS DESIGNERS
LANDSCAPE ARCHITECTS
PLANNERS
ENGINEERS
INTERIORS DESIGNERS

DEVELOPMENT APPLICATION

DA04 C

PROPOSED COMMERCIAL DEVELOPMENT
LOT 100, No 229B HAMPTON ROAD
SOUTH FREMANTLE, WA
for FABRIC PROPERTY PTY. LTD.

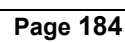


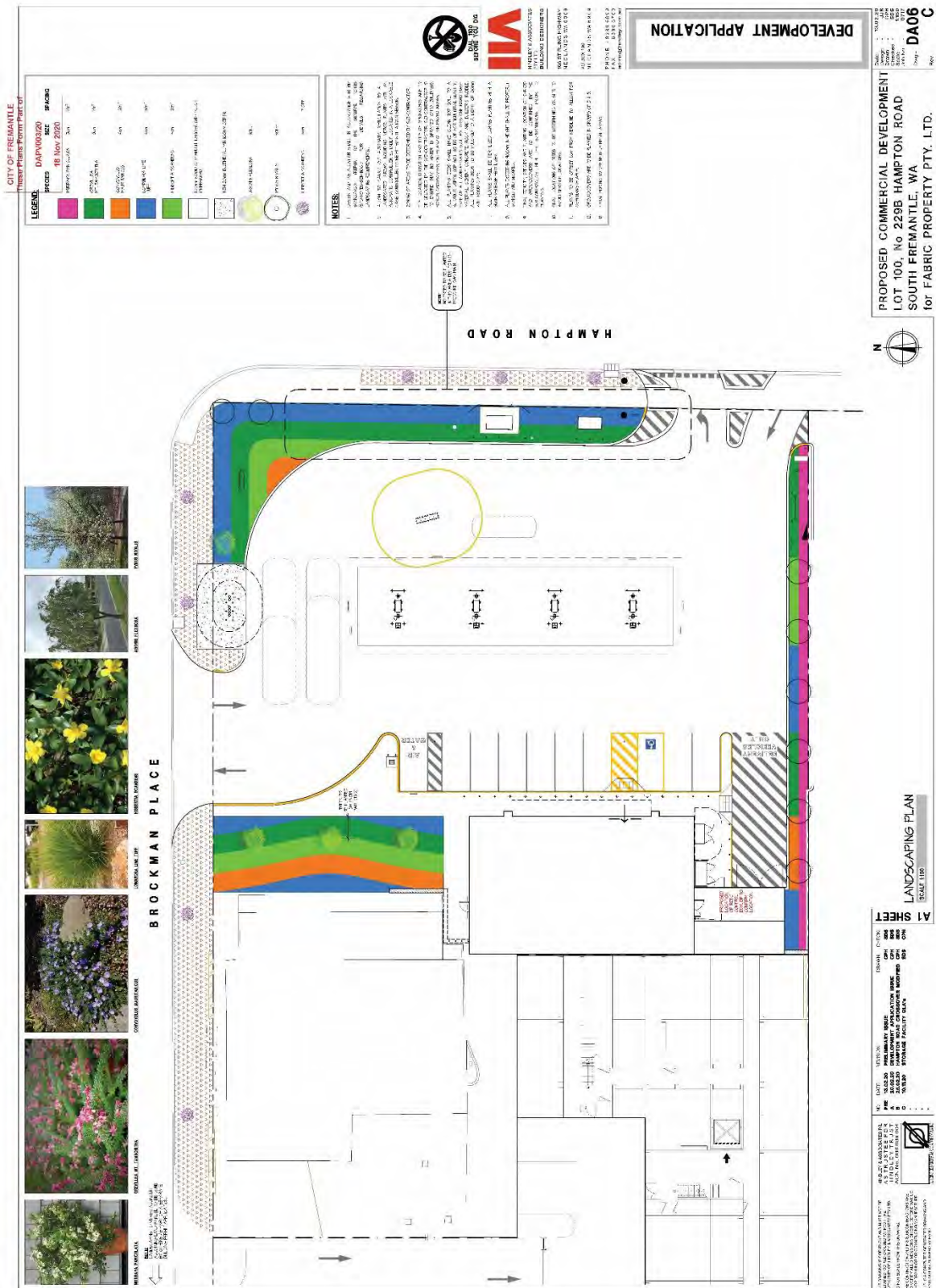
SITE LEVELS PLAN
SCALE 1:500

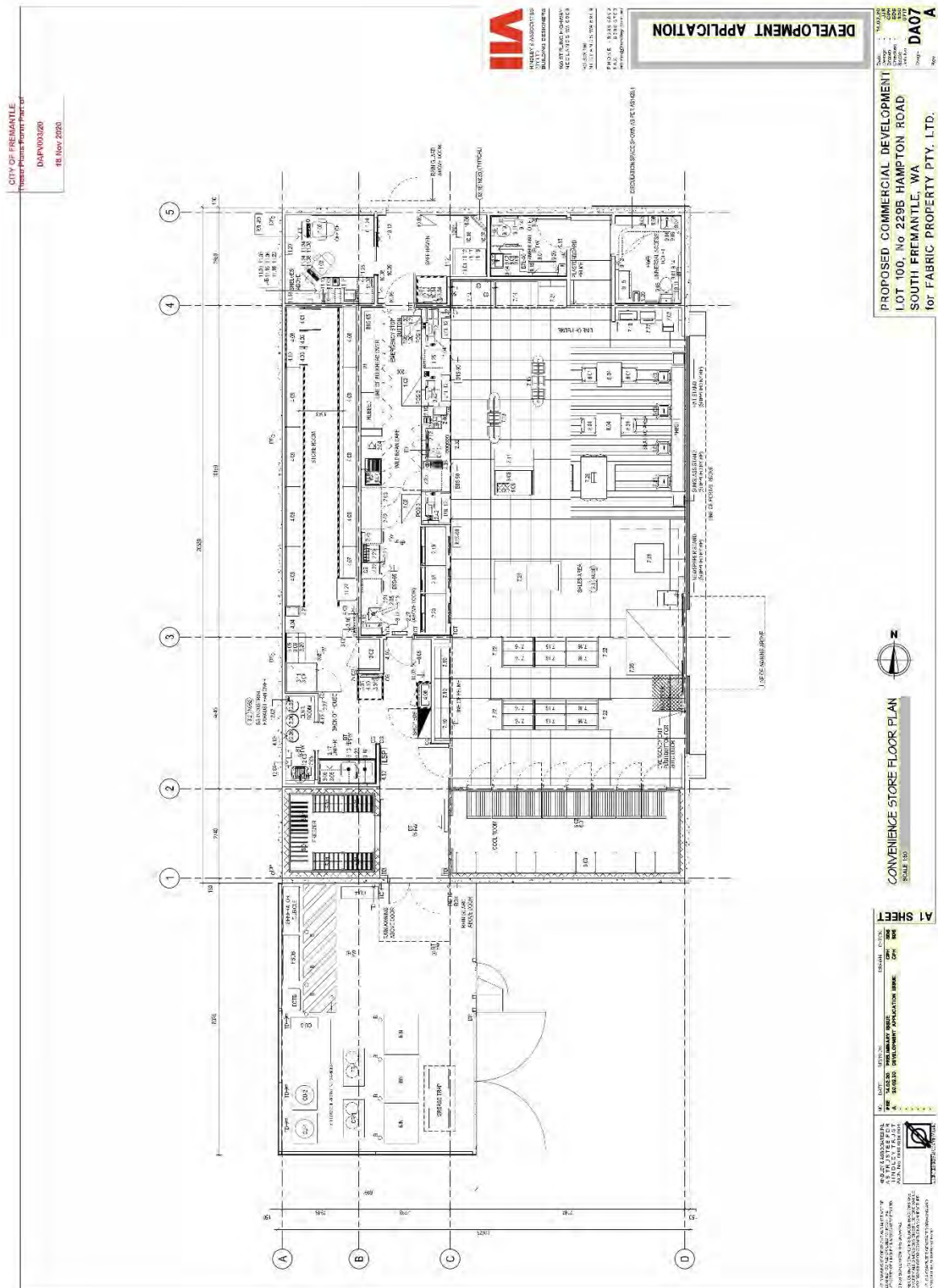
A1 SHEET

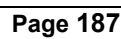
NO.	DATE	DESCRIPTION	BY	CHECKED
1	16/11/2020	PRELIMINARY PLAN	WIA	WIA
2	16/11/2020	AMENDMENT TO PRELIMINARY PLAN	WIA	WIA
3	16/11/2020	AMENDMENT TO PRELIMINARY PLAN	WIA	WIA
4	16/11/2020	AMENDMENT TO PRELIMINARY PLAN	WIA	WIA

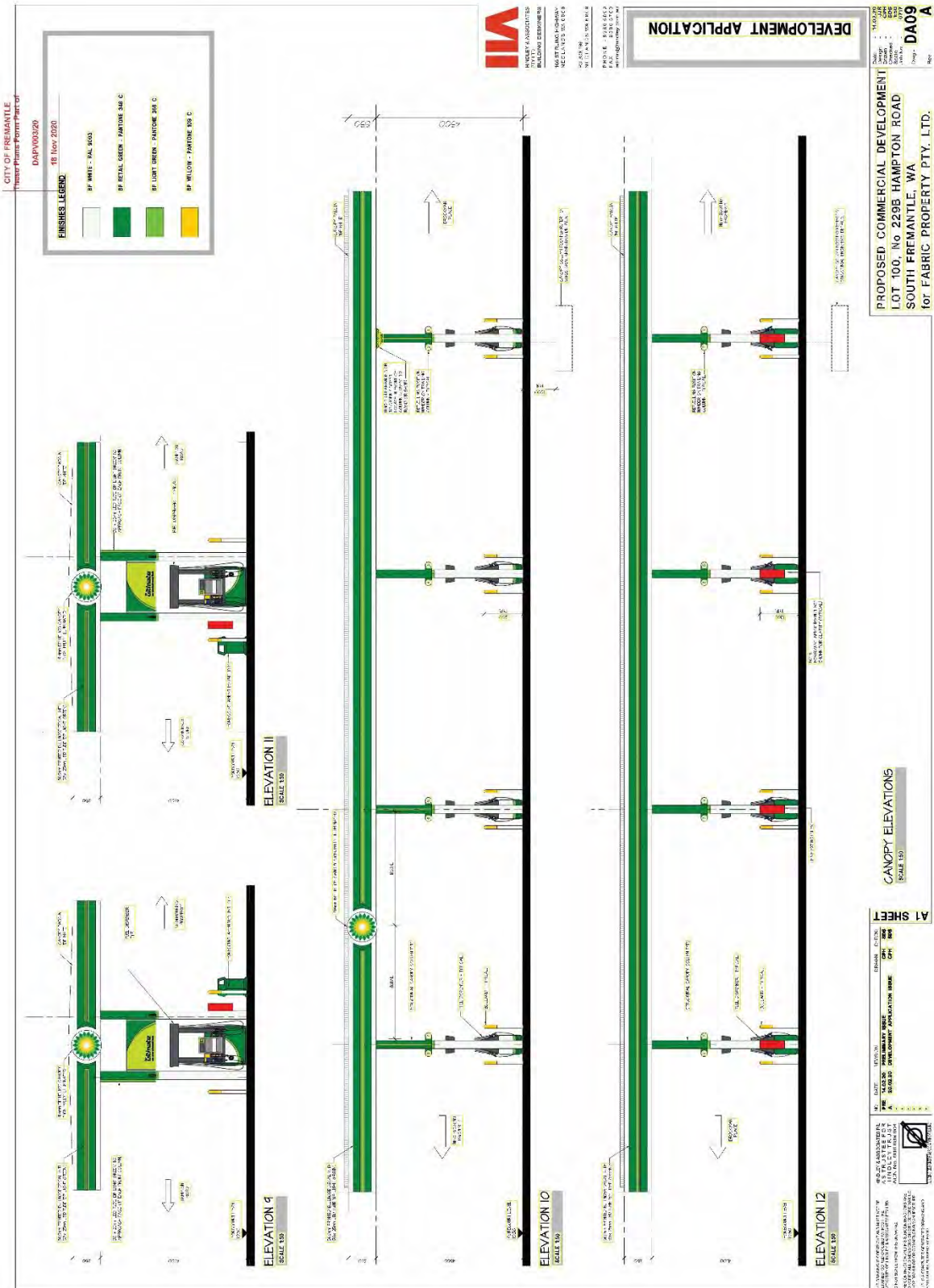
NOTES:
1. THE DEVELOPER SHALL OBTAIN ALL NECESSARY APPROVALS FROM THE LOCAL GOVERNMENT AND THE STATE GOVERNMENT.
2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY APPROVALS FROM THE LOCAL GOVERNMENT AND THE STATE GOVERNMENT.
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4. THE DEVELOPER SHALL OBTAIN ALL NECESSARY APPROVALS FROM THE LOCAL GOVERNMENT AND THE STATE GOVERNMENT.



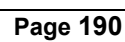


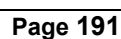






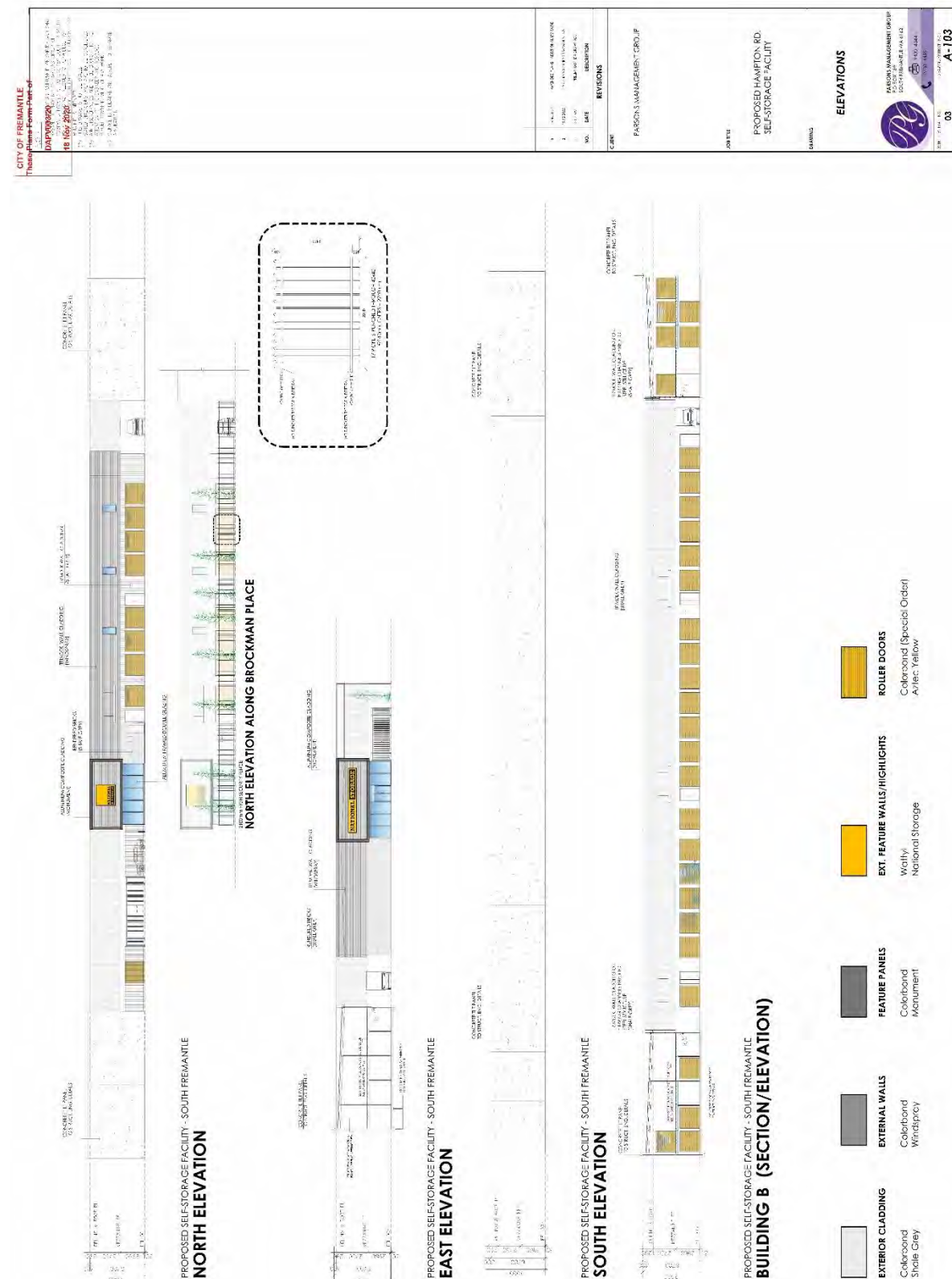
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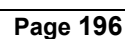










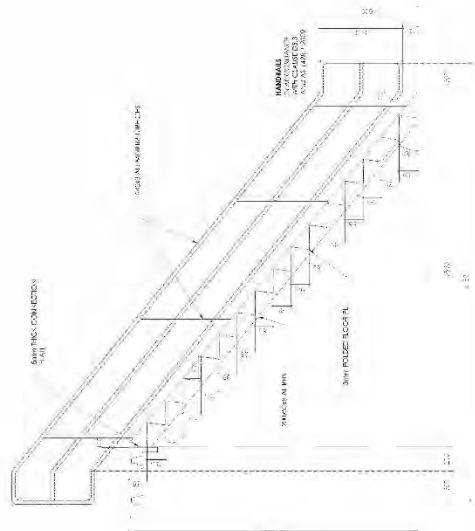
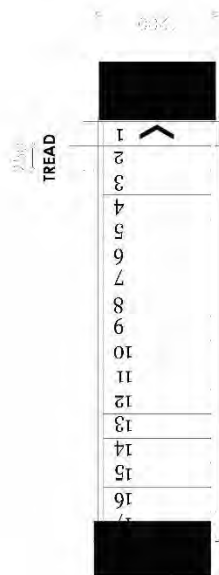


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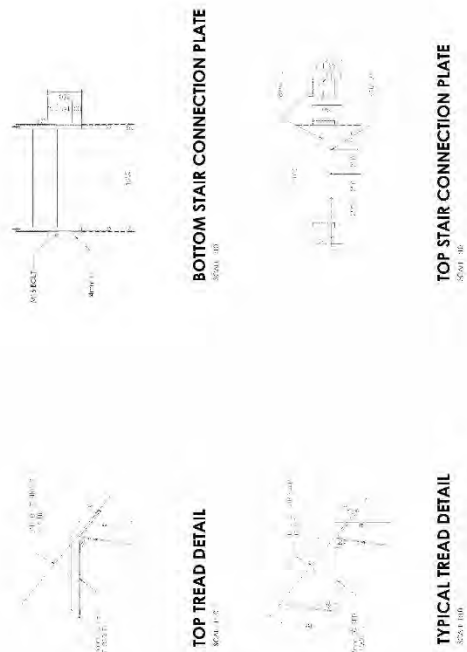
HANDRAILS
IN ACCORDANCE WITH CLAUSE D3.3 AND AS 1428.1:2009.

TACTILE INDICATORS 600x1200
ARE REQUIRED AT THE TOP, BOTTOM &
LANDINGS OF THE STAIRS IN ACCORDANCE AS 1428.4.1:2009

CONTRASTING NOSING
ARE REQUIRED AS PER AS1428.1 2009 TO BE PROVIDED ON EACH STAIR,



TYPICAL STAIR ELEVATION
SCALE 1/10



TYPICAL STAIR DETAILS

Additional Information 3 - Site Photos



Photo 1 – No.229b Hampton Road, South Fremantle



Photo 2 - No.229b Hampton Road, South Fremantle – Corner of Brockman Place and Hampton Road



Photo 3 – Subject site viewed from Brockman Place



Photo 4 - Neighbouring Southern properties to subject site



Photo 4 - Adjacent Northern properties to subject site



Photo 5 – Adjacent Eastern properties to subject site

