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# Additional Documents

## Ordinary Meeting of Council

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Wednesday, 26 September 2018, 6.00pm

## OFFICER'S AMENDED RECOMMENDATION

### SPT1809 - 1 Amendment No. 1 to Lefroy Road Quarry Local Structure Plan - Outcomes of Community Engagement and Recommendation for Final Approval

#### Officer's additional comment

In response to issues raised during debate on this item at the Strategic Planning and Transport Committee meeting on 19 September 2018, officers propose the following amended recommendation for council's consideration. The amended recommendation responds to the concerns raised by the proponent about the implications of the recommendations in relation to increased setbacks and open space, and the Committee's indication that it was supportive of investigation of the alternatives suggested by the proponent to address the issues underlying these.

After further investigation of these matters, officers recommend amended wording for modifications 3, 5 and 8 in the table in part 2 of the recommendation below. The amended wording is shown in italics and strikethrough.

#### Amended officer's recommendation

#### That Council:

1. **Note the submissions received as detailed in the report relating to Amendment 1 to the Lefroy Road Quarry Local Structure Plan considered at the meeting of the Strategic Planning and Transport Committee on 19 September 2018 and Attachment 3 to that report.**
2. **Pursuant to Regulation 20 of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, submit the report referred to in (1) above relating to Amendment 1 to the Lefroy Road Quarry Local Structure Plan and its attachments to the Western Australian Planning Commission with a recommendation that the Amendment be approved subject to modifications addressing the issues outlined in the officers report, as follows:**

No.	Structure Plan Section	Modification Required	Reason
1	Page 10 Part 3.1 – Land Use Zones and Reserves	Insert new point b as follows, and renumber point b accordingly:  b. Land Use: Notwithstanding the Residential zoning of Lot 5 Strang Street, the following land uses shall be considered as Additional Uses, with an 'A' use permissibility, where	LAND USE: <ul style="list-style-type: none"> <li>• The applicant had indicated intent to use the site for an aged care development or similar. The City does not have a land use class accommodating contemporary aged care facilities. Additional</li> </ul>

		<p>proposed as incidental uses forming part of a comprehensive aged care and/or aged and dependant persons development and provided primarily to service residents of the facility</p> <ul style="list-style-type: none"> <li>• Hospital</li> <li>• Consulting Rooms</li> <li>• Medical Centre</li> <li>• Health Studio</li> </ul>	<p>uses are recommended to ensure that there is no land use permissibility issues upon assessment of a development application for the site. The uses listed are all 'X' permissibility within the Residential Zone.</p>
2	Page 11 - Part 3.3	<p>Renumber points 1, 2, 3 and 4 to a, b, c and d</p>	<p><b>NUMBERING</b></p> <ul style="list-style-type: none"> <li>• Apply consistent numbering protocol and allow easier reference.</li> </ul>
3	Page 11 – Part 3.3 – Paragraph 1 (a)	<p>Reword first development standard applicable to Lot 5 Strang Street to read as follows:</p> <p><i>A portion of the lot area, not less than 15.0 metres in width, along the length of the western boundary of the lot shall be provided as <b>public open space</b>. This portion of land shall be <b>transferred at no cost to the City of Fremantle landscaped, lit, incorporate a continuous footpath and passive surveillance in accordance with an approved plan, and shall be subject to an enduring Easement in Gross to provide a north-south pedestrian and open space linkage connecting the future public open space areas to the north, as outlined within this local structure plan, with Strang Street and the Clontarf Road Area to the south.</b></i></p>	<p><b>GREEN LINKAGE</b></p> <ul style="list-style-type: none"> <li>• Width of open space linkage increased to 15.0 metres to reflect Liveable Neighbourhoods standard for linear POS.</li> <li>• Increased width also takes into account required public open space provision equating to approximately 10 percent of the lot area.</li> <li>• Public open space provision reflects the current LSP and linkages in Greening Strategy 2020.</li> <li>• Provides greater security of tenure.</li> </ul>
4	Page 11 – Part 3.3 – Paragraph 3 (c)	<p>Replace the words 'Additional Development Requirements' with 'Criteria listed in'</p>	<p><b>TERMINOLOGY CORRECTION</b></p> <ul style="list-style-type: none"> <li>• Maintain consistent terminology</li> </ul>
5	Page 11 – Table 1 – Criteria 2	<p>Re-word point 2 as follows:</p> <p><i>All buildings shall be set back a minimum of 6.0 metres to the eastern and</i></p>	<p><b>BOUNDARY SETBACKS</b></p> <ul style="list-style-type: none"> <li>• Provide greater separation to existing low density residential to the south east, and</li> </ul>

		<i>southern boundaries of the site and a minimum of <del>25m</del> 20m to the south-east corner of the lot.</i>	promote maintenance of the existing 'landscaped' batter.
6	Page 11 – Table 1 – Criteria 3	Delete point 3 relating to connectivity with existing road and footpath network and renumber subsequent points accordingly	<p><b>CONNECTIVITY CRITERIA</b></p> <ul style="list-style-type: none"> <li>This is a general provision that is already covered by Paragraph 1 (relating to publicly accessible pedestrian connection) and is also accounted for within the Design Advisory Committee assessment provisions (within Table 2).</li> </ul>
7	Page 11 – Table 1 – Criteria 4 (3)	<p>Re-word point 4 pertaining to open space provision and replace with the following:</p> <p>A minimum of 50 percent open space (including public open space) shall be provided across the site, including a minimum of 1 deep soil zone with a minimum dimension of 6.0 metres and comprising a minimum 12 percent of the site area (or as otherwise defined in subsequently approved State Planning Policy).</p>	<p><b>OPEN SPACE DEFINITION &amp; DEEP SOIL ZONE DEFINITION</b></p> <ul style="list-style-type: none"> <li>Retained heritage building should not contribute towards open space provision.</li> <li>Deep soil zone provision in accordance with relevant requirement in draft Design WA Apartment Code (Planning Control Element 3.4) .</li> </ul>
8	Page 11 – Table 1 – New Criterion	<p>Insert new criteria 5</p> <p><i>New development shall maintain views of the retained Healy residence from the north and north-east. To achieve this, buildings situated on the eastern side of the retained heritage building shall be set back a minimum of 25.0 metres from the northern boundary or otherwise demonstrate how the design maintains open and unimpeded views of the front portion of the residence (from the belvedere forward) from the north and north-east to maintain the building's visual prominence and landmark attributes from</i></p>	<p><b>VIEWS OF HEALY RESIDENCE</b></p> <ul style="list-style-type: none"> <li>Additional mandatory provision to ensure desired view lines of the retained heritage building are achieved from the north and north-east and reduce subjectivity of decision in this regard.</li> </ul>

		<i>surrounding areas.</i>	
9	Page 11 – Table 1 – Criteria 6	<p>Re-word point 6 pertaining to the Design Advisory Committee and replace with the following:</p> <p>Notwithstanding the zoning of the site, development applications for the site require referral to the City’s Design Advisory Committee and must demonstrate high quality design taking into account the matters outlined in Clause 78B – Advisory Committees of Local Planning Scheme No. 4 and any associated policy, as well as the additional site-specific design outcomes outlined in Table 2 below.</p>	<p><b>DESIGN CRITERIA</b></p> <ul style="list-style-type: none"> <li>Reference to the relevant clause in LPS4 pertaining to Advisory Committees, to ensure that all of the Committee’s general terms of reference are applicable to the subject site.</li> <li>Reference made to additional site-specific design requirements in revised Table 2.</li> </ul>
10	Page 11 – Note 1	Modify Note 1 to replace reference to minimum dimension of 4m with 6m.	<p><b>DEEP SOILS DEFINITION</b></p> <ul style="list-style-type: none"> <li>Maintain consistency with Design WA Apartment Code</li> </ul>
11	Page 11 – Table 1 – Additional Development Standard 1	Amend Standard 1 to stipulate ‘Maximum’ building height, and delete ‘measured from entry level to the building’.	<p><b>HEIGHT ASSESSMENT</b></p> <ul style="list-style-type: none"> <li>Clarify that standard represents a maximum height, not a mandatory height.</li> <li>Maintain consistent approach to measuring building height as per Local Planning Scheme No. 4 and R-Codes.</li> </ul>
12	Page 12 – Part 3.3 – Paragraph 4 (d) (High Quality Design Outcomes)	<p>Re-word paragraph 4 (d) to the following:</p> <p>High Quality Design: When assessing the proposal’s demonstration of high quality design, regard will be given to the general provisions outlined in Clause 78B of Local Planning Scheme No. 4 and associated planning policy, as well as the site-specific outcomes detailed in Table 2 below:</p> <p>Delete Table 2 and insert new table as per below.</p>	<p><b>HIGH QUALITY DESIGN CONSIDERATIONS</b></p> <ul style="list-style-type: none"> <li>New Table 2 to include provision of additional site-specific criteria only, to supplement the existing design review criteria in Council’s local planning policy and LPS.</li> </ul>
13	Plan	Modify the Structure Plan in accordance with below to:	<p><b>PLAN</b></p> <ul style="list-style-type: none"> <li>To graphically reflect</li> </ul>

		<ul style="list-style-type: none"> <li>• Designate the area abutting the north south pedestrian link along the western boundary of the site as public open space</li> <li>• Designate 'A' on Lot 5 to reference the Additional Uses provided for in Clause 3.1 and define this annotation in the Legend as 'Additional Use (Refer Clause 3.1 b)'</li> <li>• Incorporate Pedestrian Access Provision east to west across the south-east corner of the site and adjoining site to the east to enable greater connectivity and through movement in accordance with Heart of Beaconsfield Concepts, and annotate the extension of this south of the plan area as 'Pedestrian connection'</li> <li>• Include a graphic representation of the Healy residence on the plan and annotation of this</li> </ul>	<p>key requirements of the LSP and integration with adjoining site planning.</p>
14	<p>Page 13 Part 5.0 Additional Information</p>	<p>Modify part 5.0 of the LSP to include the following additional submission requirement:</p> <p>Additional Information: Intrusive investigation (Cone Penetration Testing or borehole testing) into composition, variability and composition of material underlying the site</p> <p>Approval Stage: Condition of subdivision or development approval</p>	<p><b>GEOTECH &amp; CONTAMINATION</b></p> <ul style="list-style-type: none"> <li>• To confirm composition of material underlying site and its suitability to support development, and the absence of landfill contamination intruding into Lot 5 Strang Street</li> </ul>

		<p>Consultation required: City of Fremantle with advice from Department of Water and Environmental Regulation</p>	
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Revised 'Table 2'  
(Attachment 1 to Schedule of Modifications)

<p><b>HIGH QUALITY SITE-SPECIFIC DESIGN OUTCOMES</b> Additional criteria to supplement <i>Local Planning Policy 1.9: Design Advisory Committee and Principles of Design</i></p>	
<p><b>Character</b></p>	<ul style="list-style-type: none"> <li>• Responds to existing residential development on Mather Road and Butterworth Place without significant impact on amenity, whilst accommodating an increase in building height and scale, reflecting the infill nature of the site.</li> <li>• Delivers a design which recognises the high visibility of the site from surrounding areas and contributes positively to the outlook from around the site, particularly from the north and east where views of the site are most prominent.</li> <li>• Integrates the original 1890s Healy residence identified on the City's Municipal Heritage Inventory and Heritage List into the development scheme in a sympathetic manner, maintaining prominent views of this building from the north and east <del>(including setback of any building east of the residence a minimum of 25m from the northern boundary of the site).</del></li> </ul>
<p><b>Quality of the Public Realm</b></p>	<ul style="list-style-type: none"> <li>• Contributes to the amenity of the area's public realm through appropriate interfaces to public areas (existing or planned) including pedestrian routes and public open space (taking into account Crime Prevention Through Environmental Design principles), and the design and treatment of publicly accessible areas (including on-site pedestrian connections).</li> <li>• Contributes to a well-functioning and amenable network of public open space, streets, pedestrian routes and green linkages within the locality that enhance the pedestrian experience.</li> </ul>
<p><b>Adaptability</b></p>	<ul style="list-style-type: none"> <li>• Includes the conservation and adaptive re-use of the original 1890s Healy residence identified on the City's Municipal Heritage Inventory and Heritage List to enhance the heritage value of the place.</li> </ul>
<p><b>Sustainability</b></p>	<ul style="list-style-type: none"> <li>• Development achieves a star rating of at least one star in excess of the current energy efficiency requirement of the National Construction Code (Building Code of Australia), as certified by an independent accredited energy assessor.</li> <li>• Water use to demonstrate consideration and implementation of sustainable systems for potential re-use, grey water techniques, consumption minimization methods and water wise landscape practices.</li> </ul>

3. *Notes that the alignment of the north-south pedestrian link referred to in item 3 of the table of modifications in part 2 of this resolution (above) will be considered further as part of the Heart of Beaconsfield (HoB) project. The outcome of the HoB project may warrant an amended spatial arrangement for the pedestrian link(s) and this shall be taken into account at subsequent planning stages.*

