



Additional information

Planning Committee

Wednesday, 2 February 2022, 6.00pm

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PC2202-1 STIRLING HIGHWAY, NO.82-84 AND ALFRED ROAD, NO.5, NORTH FREMANTLE – EXTENSION AND UPPER FLOOR MULTIPLE DWELLING ADDITIONS TO EXISTING COMMERCIAL BUILDING – (CS DA0250/21)

Additional information 1 – Applicant's Covering Letter on Amended Plans



united studio

City of Fremantle
Planning Department
Att: Catherine Sullivan / Chloe Johnston

Re: 82 - 84 Stirling Hwy, North Fremantle
Proposed Changes and Additions
Response to Further Comments from Planning Committee

18.12.21

Hi Catherine, Chloe,

Further to our meeting this week we have made amendments to the design that address the concerns raised in the last Planning Committee meeting that resulted in the application being deferred.

Bulk of Northern Elevation

Concerns were raised about the bulk of the northern elevation and its impact on the residential neighbours immediately to the north, facing Alfred Rd.

We have reduced the height of the on boundary wall and have proposed a different architectural treatment to the upper level which will reduce its visual impact. We have also proposed apartments adjacent to the northern neighbours have a different layout which includes outdoor spaces that are set back 600mm from the boundary. This will result in a more articulated form for the upper level which will also reduce its visual bulk.

Overlooking

The original design of the northern apartments made use of a 1500mm high screen wall with integrated planting to prevent overlooking. The Committee had concerns that relying on planting for part of the screening was a risk as maintaining the plants would be a responsibility of the residents and therefore could not be guaranteed.

We have replaced this with a solid 1600mm high screen wall with internal planting which prevents all overlooking and ensures any planting is contained within the apartments.

Apartment Amenity

Though the concerns about this were not clearly articulated we have taken them to be in reference to the views and natural light entering the southern apartments.

We would like to assure the Committee that the apartments will have generous natural light through the articulated roof and the internal planted courtyard will provide adequate planting.

We have provided a more detailed cross section view to clarify this.

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CITY OF FREMANTLE
These Revised Plans Form Part of
DA0250/21

19 December 2021

Landscaping

The nature of the development, with extensive reuse of the existing structure and its boundary-to-boundary construction does place limitations on the opportunities for deep planting and large trees. The City's parking requirements, and the need for customer parking for the retail/commercial spaces also impacts on the opportunities for planting.

We have however worked with the Landscape Designers to maximise the amount of on structure planting and we believe, on balance, are proposing a great solution with generous planting throughout the project and maximising the opportunities for larger planting where possible.

It should be noted the developer has a current DA for a 100% commercial development on the site that was approved with comparatively little planting. We believe this current design will achieve a far superior outcome for residents and the community.

Summary

We appreciate the Committee's comments and have made changes to the design where required. We trust these will ensure the design can be supported for Development Approval.

Regards,



David Smith MDIA
Design Director
0402795775
david@unitedstudio.com.au

Additional information 2 – Site Photos



Photo 1: Subject site as viewed from Stirling Highway



Photo 2: Subject site as viewed from Stirling Highway



Photo 3: Subject site as viewed from southern side (shared driveway)



Photo 4: Subject site as viewed from eastern side (existing rear car parking area)



Photo 5: Subject site as viewed from rear (existing rear car parking area / access onto Alfred Road)

Additional information 3 – Landscaping Plan

CITY OF FREMANTLE
These Plans Form Part Of
DA0250/21
29 October 2021

82-84 Stirling Highway, North Fremantle Planting Report

28.10.2021

SEE DESIGN
WWW.AFTERDESIGN.NET.AU

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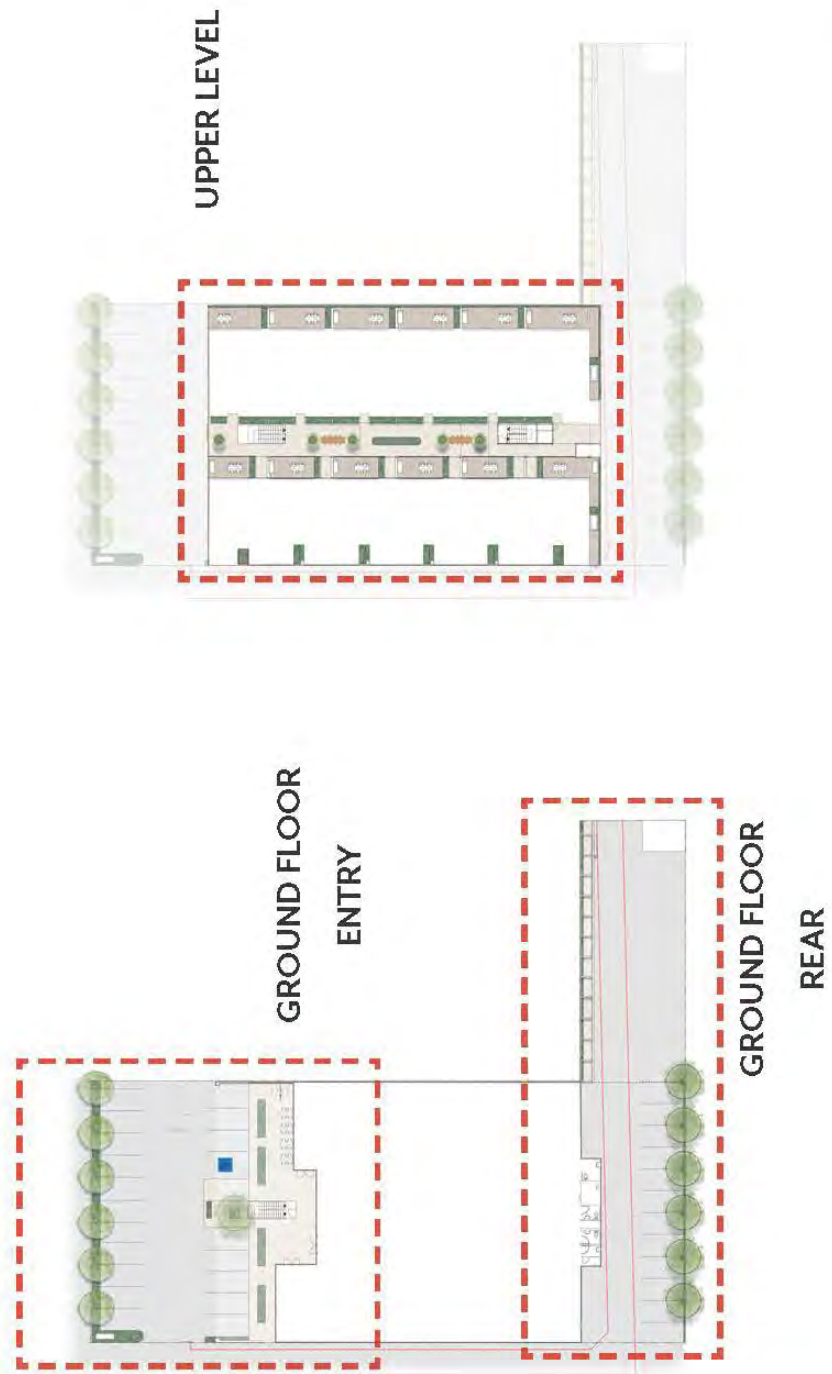
01. Overall Planting Plan

02. Tree Plan

03. Planting Plan

01. Overall Planting Plan

3 |



02. Tree Plan
GROUND FLOOR

Scientific Name	Native/Exotic	Size at maturity (HxW)	Pot size	Numbers
<i>Eucalyptus utilis</i> 'Coastal Mont'	Native	6 x 5m	200L	6
<i>Gleditsia 'Sunburst'</i>	Exotic	12 x 7m	200L	6
<i>Loganthea indica</i> x <i>fourieri</i>	Exotic	7 x 5m	100L	1



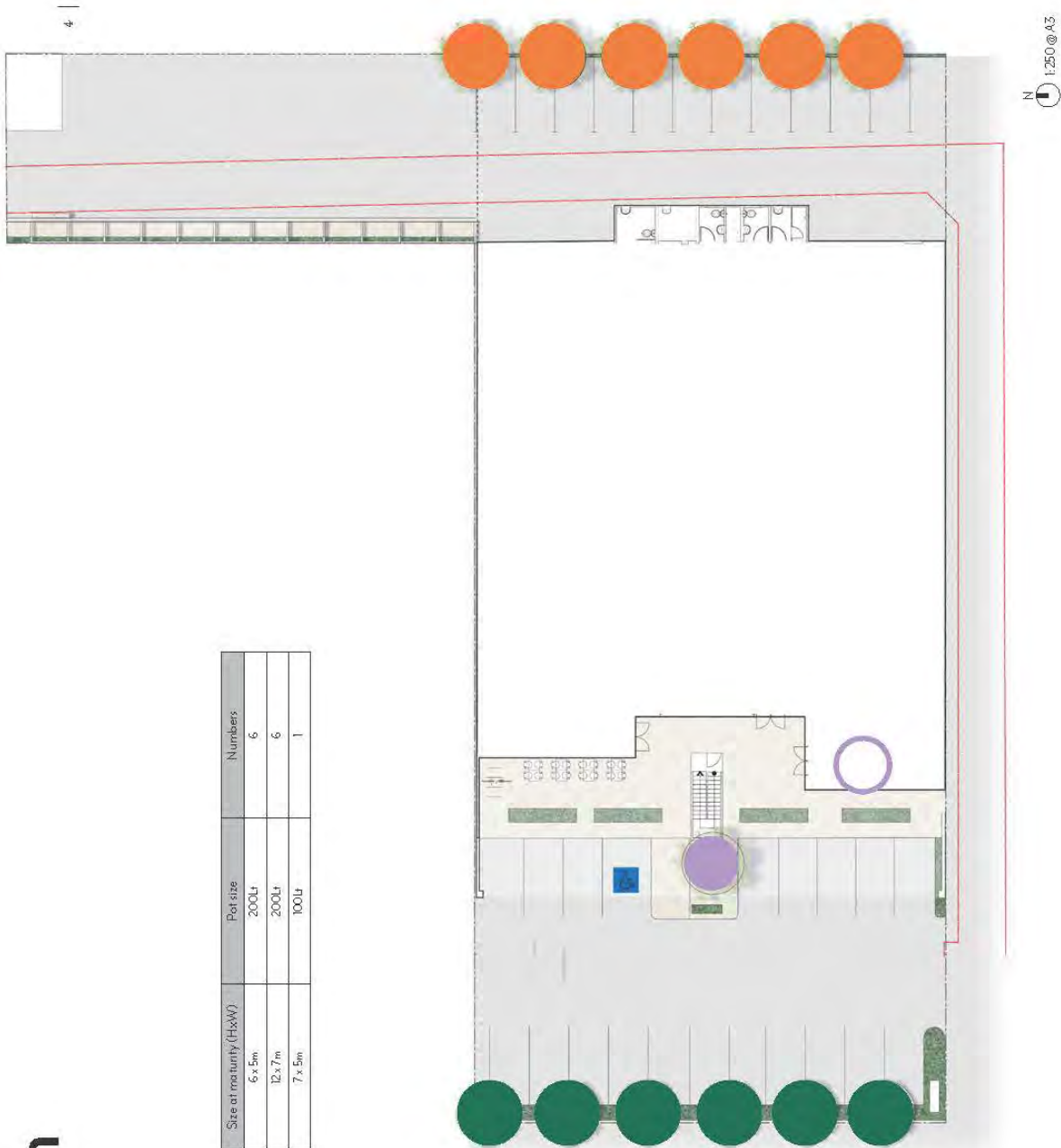
Eucalyptus utilis 'Coastal Mont'



Gleditsia 'Sunburst'



Loganthea indica x



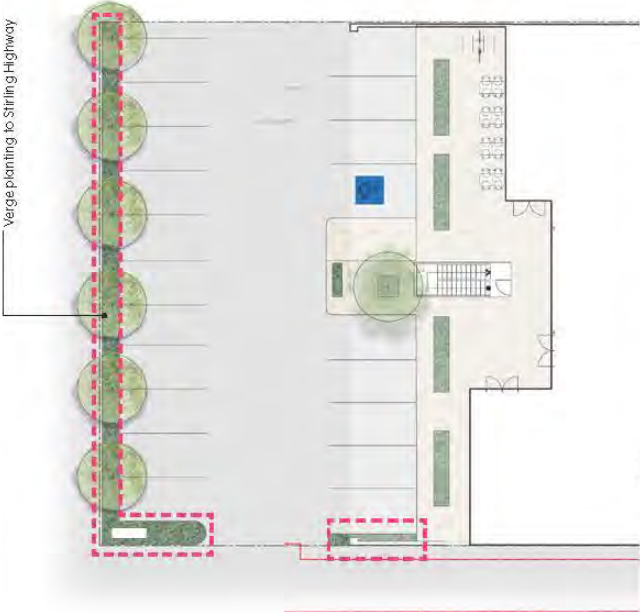
03_Planting Plan

GROUND FLOOR_ENTRY

Zone 1



Scientific Name	Native/Exotic	Size at maturity (HxW)	Pot size	Spacing/sqm
Anigozanthos 'Bush Pioneer'	Native	0.6 x 0.6	140mm	4
Anigozanthos 'Bush Balled'	Native	0.6 x 0.6	140mm	4
Eremophila 'Blue Horizon'	Native	0.5 x 1.0	140mm	3
Grevillea 'Gin Gin Gem'	Native	0.3 x 2.0	140mm	3
Grevillea 'Gold cluster'	Native	0.3 x 2.0	140mm	3
Myoporum parvifolium 'Yareena'	Native	0.3 x 1.5	140mm	3
Lomandra 'Tanika'	Native	0.6 x 0.6	140mm	4
Westringia 'Mundi'	Native	0.5 x 1.5	140mm	3



- Note:
- A comprehensive tree and plant list and location plan will be provided for comment and approval prior to construction.
 - Irrigation plan will be provided for comment and approval prior to construction.
 - To ensure appropriate species soil testing to be conducted prior to detail design and install.
 - Plant species subject to availability.

GROUND FLOOR_ENTRY

Zone 2



Grevillea 'Mt Tamboritha'

Scaevola 'Mauve Cluster'

Lomandra 'Tanika'



Lepidospermum 'Foreshore'

Senecio 'chalk sticks'

Westringia 'Mandl'

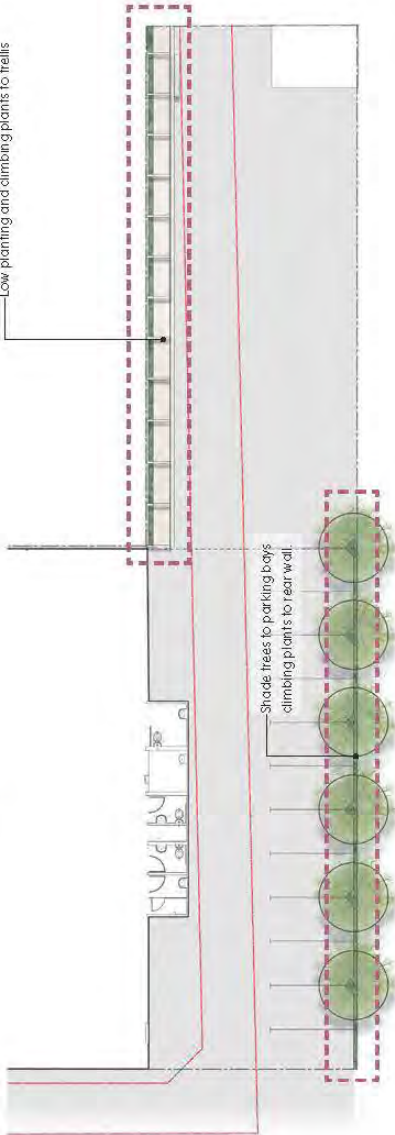
Scientific Name	Native/Exotic	Size at maturity (HxW)	Pot size	Spacing/sqm
Grevillea 'Mt Tamboritha'	Native	0.4 x 2.0	140mm	2
Lomandra 'Tanika'	Native	0.6 x 0.6	140mm	4
Lepidospermum 'Foreshore'	Native	0.5 x 1.0	140mm	2
Scaevola 'Maive Cluster'	Native	0.6 x 0.6	140mm	4
Senecio 'Chalk sticks'	Exotic	0.6 x 1.0	5L	4
Westringia 'Mandl'	Native	0.5 x 1.5	140mm	2



GROUND FLOOR _REAR

Zone 3

					Scientific Name	Native/Exotic	Size at maturity (HxW)	Pot size	Spacing/eqm
Crevilla 'Mt Tamboritha'	Hardenbergia 'Meena'	Helichrysum petiolare	Lomandra 'Tanika'	Lomandra 'Cracker Jack'	Grevilla 'Mt Tamboritha'	Native	0.4x2.0	140mm	2
Leptospermum 'Foresore'	Myoporum parvifolium 'Yareena'	Senecio 'chalk sticks'	Westringia 'Mundi'	Parthenocissus quinquefolia	Hardenbergia 'Meena'	Native	0.5x1.5	140mm	3
					Helichrysum petiolare	Exotic	0.3x1.0	140mm	3
					Lomandra 'Tanika'	Native	0.6x0.6	140mm	4
					Lomandra 'Cracker Jack'	Native	0.6x0.6	140mm	4
					Leptospermum 'Foresore'	Native	0.5x1.0	140mm	3
					Myoporum parvifolium 'Yareena'	Native	0.3x1.5	140mm	3
					Senecio 'Chalk sticks'	Exotic	0.6x1.0	5lt	4
					Westringia 'Mundi'	Native	0.5x1.5	140mm	3
					Parthenocissus quinquefolia	Exotic	3x3	5lt	Feature



UPPER LEVEL

Zone 4









				
Grevillea 'Royal Mantle'	Casuarina 'Cousin it'	Dichondra 'Silver Falls'	Grevillea 'Gin Gin Gem'	Grevillea 'Mt Tamboritha'
				
Grevillea 'Royal Mantle'	Lomandra 'Tanika'	Melaleuca linariifolia 'Little red'	Senecio 'chalk sticks'	Rosemary 'Blue Lagoon'



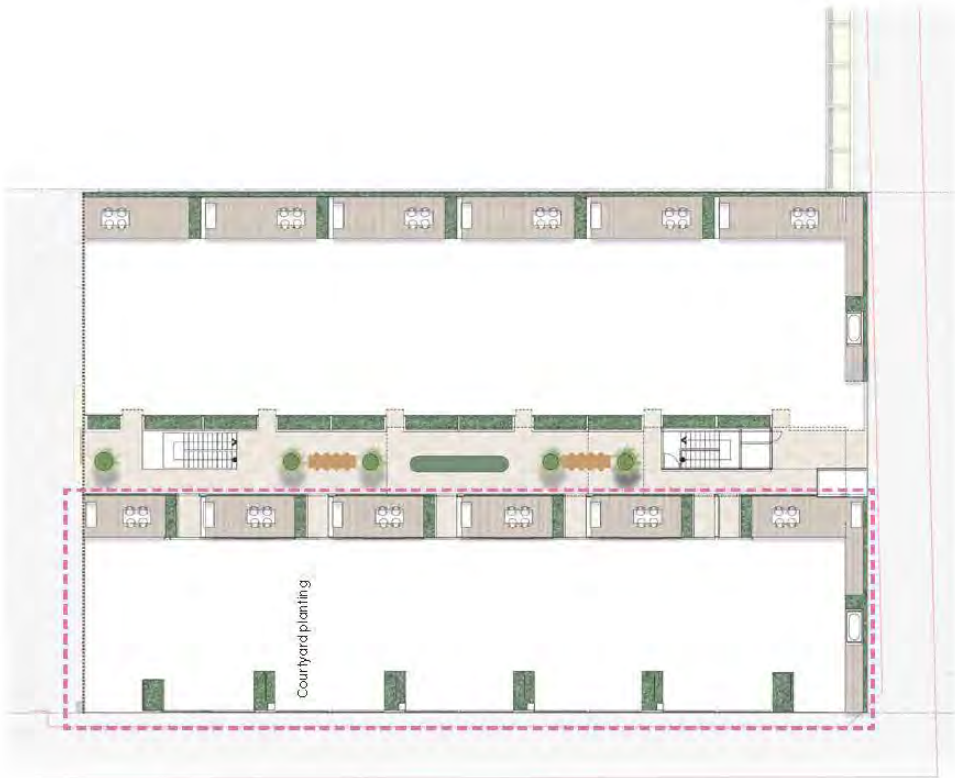
Courtyard planting
and hanging plants to
northern facade

UPPER LEVEL

Zone 5

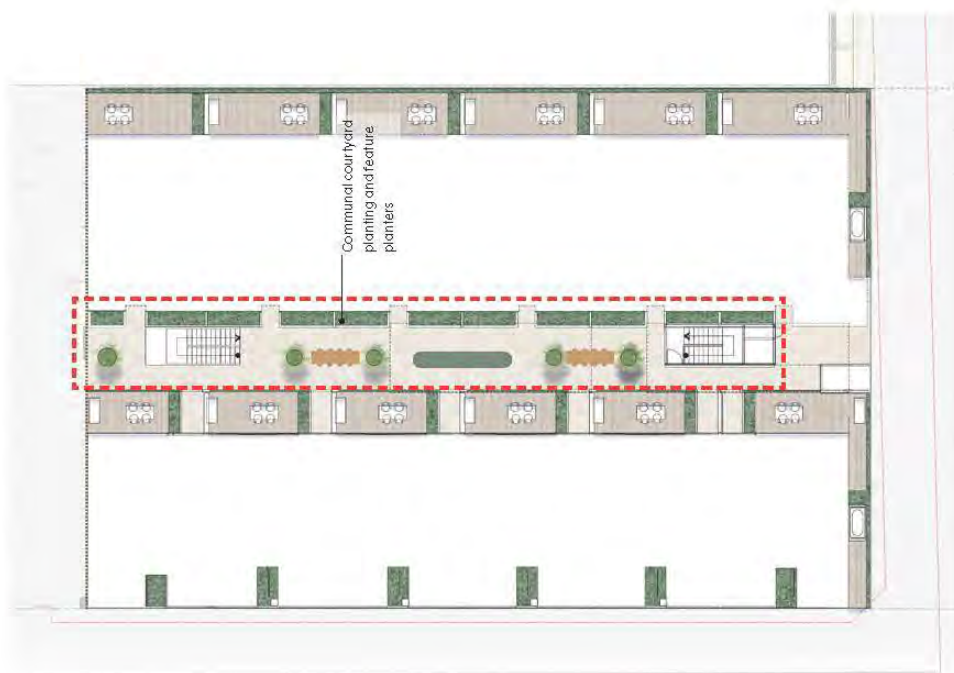
			
Cycas revoluta	Dichondra Silver Falls	Liriope Samantha	Pittosporum 'Miss Muffet'
			
Sansevieria tri (green)	Senecio 'chalk sticks'	Trachelospermum jasminoides	Viola hederacea

Scientific Name	Native/Exotic	Size at maturity (HxW)	Pot size	Spacing/strm
Cycas revoluta	Exotic	10x10	30lt	1
Dichondra 'Silver Falls'	Exotic	0.2x10	140mm	4
Liriope 'Samantha'	Exotic	0.4x0.5	140mm	4
Pittosporum 'Miss muffet'	Exotic	10x15	140mm	2
Sansevieria Tri	Exotic	10x10	5L	2
Senecio 'Chalk sticks'	Exotic	0.6x10	5L	4
Trachelospermum jasminoides	Exotic	3.0x 3.0	5L	1
Viola hederacea	Native	0.2x10	140mm	4



UPPER LEVEL

Zone 6

*Asplenium nidus**Cyrtomium falcatum**Dianella 'Little Joss'**Philodendron 'Little Phil'**Philodendron 'Rejo Congo'**Pittosporum 'Miss muffer'**Viola hederacea**Viburnum Emerald 'lustre'**Ficus 'Audrey'**Cyathea cooperi*

Scientific Name	Native/Exotic	Size at maturity (HxW)	Pot size	Spacing/sqm
<i>Asplenium nidus</i>	Native	0.5 x 1.0	5L	Feature
<i>Cyrtomium falcatum</i>	Native	0.3 x 0.3	140mm	4
<i>Dianella 'Little Joss'</i>	Native	0.3 x 0.3	140mm	4
<i>Philodendron 'Little Phil'</i>	Native	0.6 x 0.6	5L	Feature
<i>Philodendron 'Rejo Congo'</i>	Exotic	1.0 x 1.0	30L	Feature
<i>Pittosporum 'Miss muffer'</i>	Exotic	1.0 x 1.5	140mm	2
<i>Viola hederacea</i>	Native	0.6 x 1.0	140mm	4
<i>Viburnum 'Emerald lustre'</i>	Exotic	3.0 x 3.0	5L	1
<i>Ficus 'Audrey'</i>	Exotic	3.0 x 1.5	100L	Feature
<i>Cyathea cooperi</i>	Native	3.0 x 1.5	100L	Feature

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Please feel free to contact us on the below regarding any inquiries.

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SEE DESIGN

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Additional Information 4 – Transport Impact Assessment

Transport Impact Assessment

Proposed Mixed-Use Development -
No. 82-84 Stirling Highway, North
Fremantle

CW1046100

Prepared for
Woodward Assets Pty Ltd

6 September 2021



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Document Information

Prepared for Woodward Assets Pty Ltd

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Stirling Highway, North
Fremantle

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82-84 Stirling Hwy

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Author(s):

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Approved By:

Scott Lambie
Team Leader – Traffic Engineering

Date Approved 6/09/2021

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B	2/10/18	For Issue	BS	SJL
C	7/12/18	For Issue	BS	SJL
D	22/07/21	Update to Site Plan	DR/BS	SJL
E	06/09/21	Update to Site Plan/Parking	DR/BS	SJL

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1 Introduction

1.1 Background

Cardno has been commissioned by Woodward Assets Pty Ltd ('the Client') to prepare a Transport Impact Assessment (TIA) for a proposed mixed-use development located at No. 82-84 Stirling Highway, North Fremantle ('the Site').

This report aims to assess the impacts of the proposed development upon both the external road network and internal movement network, focusing on traffic generation, parking requirements and vehicle movements. This report has been prepared in accordance with the Western Australian Planning Commission (WAPC) *Transport Assessment Guidelines for Developments: Volume 4 – Individual Developments (2016)* and the checklist is included in **Appendix A**.

2 Existing Site Situation

2.1 Existing Site Location

The Site is located at No. 82-84 Stirling Highway, North Fremantle. **Figure 2-1** shows an aerial image of the Site.

Figure 2-1 Aerial Image of Site

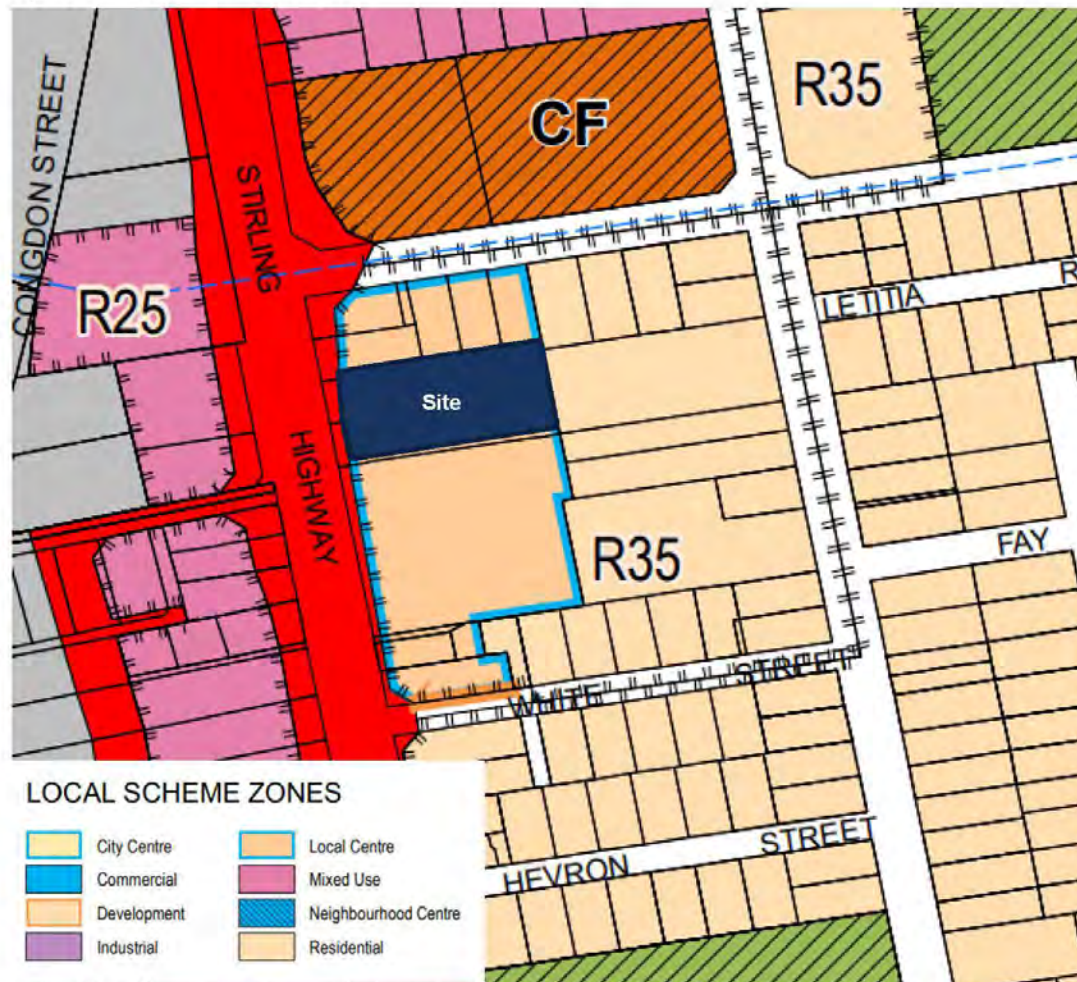


Source: MetroMap (2021)

2.2 Surrounding Land Use

Pursuant to the provision of the *City of Fremantle Town Planning Scheme No.4 (TPS4)*, the Site is zoned 'Local Centre' as shown in **Figure 2-2**. The Site is surrounded by residential land uses to the east, mixed-use to the west and other local centre to the north and south.

Figure 2-2 City of Fremantle Zoning Map



Source: City of Fremantle Town Planning Scheme No. 4

2.3 Existing Road Network

Road classifications are defined in the Main Roads Functional Hierarchy as follows:

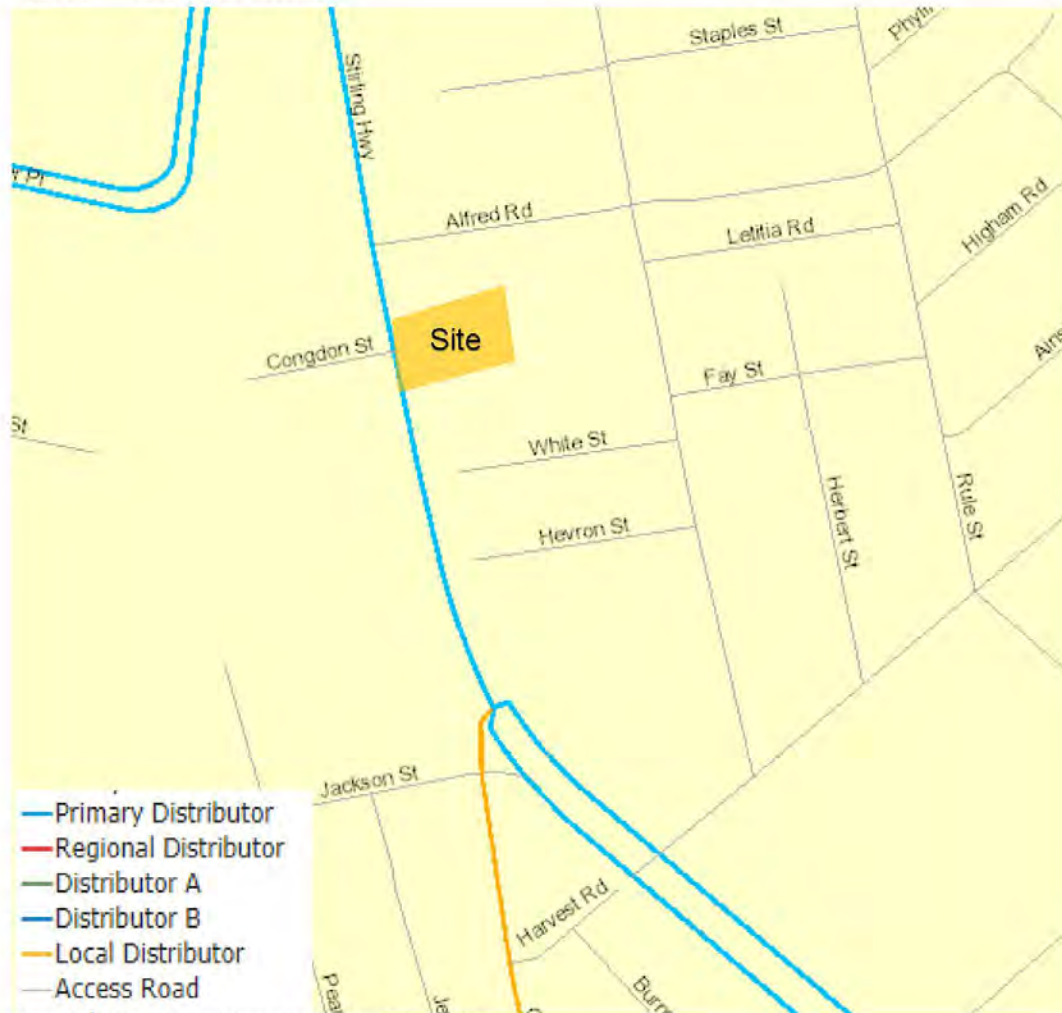
- **Primary Distributors (light blue):** Form the regional and inter-regional grid of Main Roads WA traffic routes and carry large volumes of fast-moving traffic. Some are strategic freight routes and all are National or State Roads WA.
- **Regional Distributors (red):** Roads that are not Primary Distributors, but which link significant destinations and are designed for efficient movement of people and goods within and beyond regional areas. They are managed by Local Government.
- **District Distributor A (green):** These carry traffic between industrial, commercial and residential areas and connect to Primary Distributors. These are likely to be truck routes and provide only limited access to adjoining properties. They are managed by Local Government.
- **Distributor B (dark blue):** Perform a similar function to District Distributor A but with reduced capacity due to flow restrictions from access to and roadside parking alongside adjoining property. These are often older roads with traffic demand in excess of that originally intended. District Distributor A and B roads run between land-use cells and not through them, forming a grid that would ideally be around 1.5 kilometres apart. They are managed by Local Government.
- **Local Distributors (orange):** Carry traffic within a cell and link District Distributors at the boundary to access roads. The route of the Local Distributor discourages through traffic so that the cell formed by the grid of District Distributors only carries traffic belonging to or serving the area. These roads should accommodate buses but discourage trucks. They are managed by Local Government.
- **Access Roads (grey):** Provide access to abutting properties with amenity, safety and aesthetic aspects having priority over the vehicle movement function. These roads are bicycle and pedestrian friendly. They are managed by Local Government.

The Site is bounded by Stirling Highway to the west. The surrounding road network is further described in **Table 2-1** and shows the road hierarchy classification as per the Main Roads WA Road Information Mapping System, whilst **Figure 2-3** shows the road hierarchy.

Table 2-1 Road network Description

Road Name	Road Hierarchy	Jurisdiction	Road Network			
			No. of Lanes	No. of Footpaths	Pavement Width (m)	Posted Speed Limit (km/h)
Stirling Highway	Primary Distributor	MRWA	4	2	14	60
Alfred Road	Access Road	Local Government	2	2	9.5	50

Figure 2-3 Road Network Classification



Source: Main Roads Road Mapping Information System (2021)

2.4 Existing Intersection

- > **Stirling Highway / Alfred Road** is located to the north-west of the Site and is a three-way signalised intersection with full pedestrian movements as shown in **Figure 2-4**.

Figure 2-4 Stirling Highway and Alfred Road

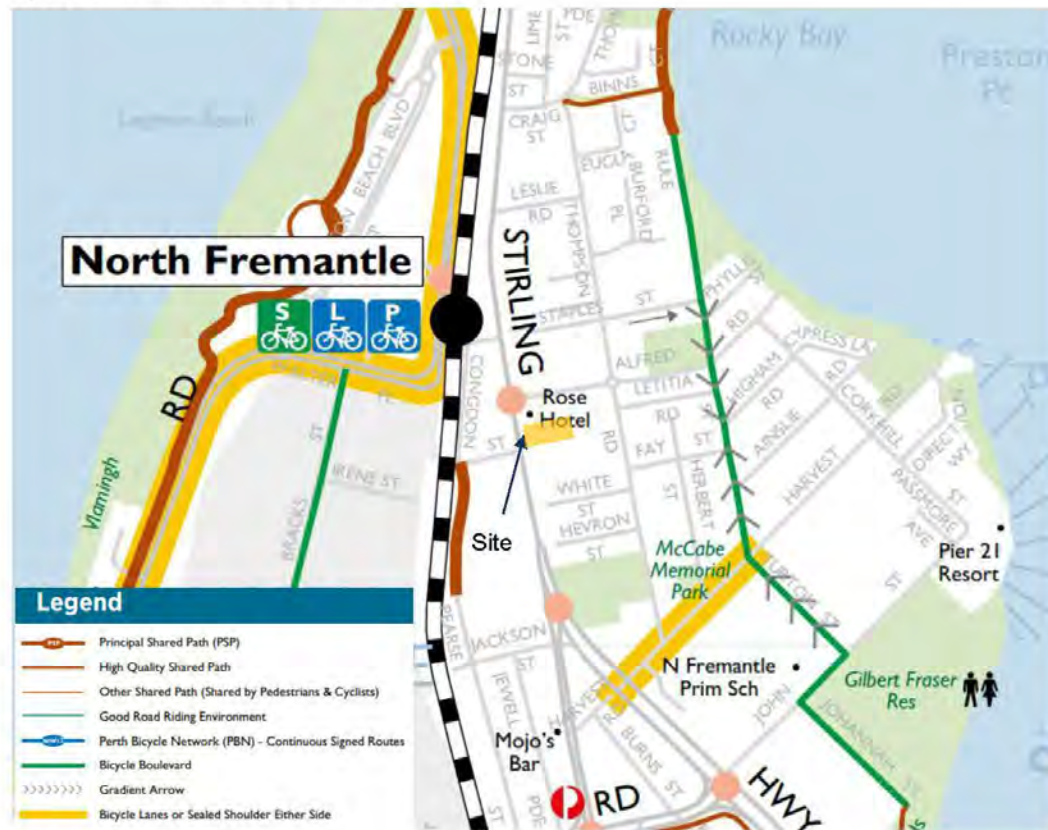


Source: MetroMap (2021)

2.5 Existing Pedestrian/ Cycle Networks

According to the *Department of Transport Fremantle Bike Map*, sealed bicycle lanes are available along Curtin Avenue and Port Beach Road. **Figure 2-5** shows that 'Bicycle Boulevards' run through Rule Street, with high quality shared paths abutting Port Beach Road.

Figure 2-5 Bike Map (Source: Department of Transport)

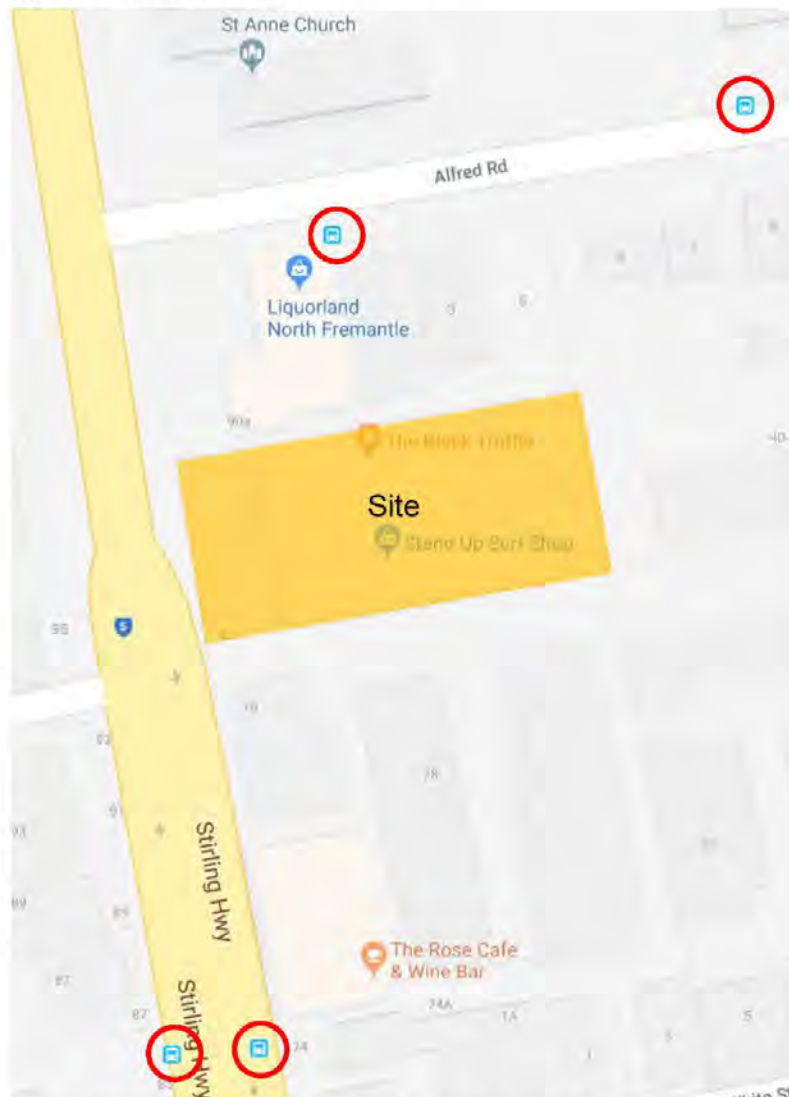


Source: Department of Transport

2.6 Existing Public Transport Facilities

Figure 2-6 shows the nearest bus stop to the Site is located approximately 30m north of the Site, along Alfred Road servicing Bus Route 107. Another bus stop is located approximately 90 m south of the Site, along Stirling Highway servicing Bus Route 103.

Figure 2-6 Nearest Bus Stops



The site is also approximately 240m from the North Fremantle Train Station, located along the Fremantle Train Line, which connects to South Fremantle and the CBD.

Figure 2-7 shows the routes of the public bus services in the vicinity of the Site. Bus Route 107 and 103 provide connections to the Fremantle Station. Additionally, Bus Route 107 provides services to Elizabeth Quay Bus Station. The frequencies of the bus routes are summarised in **Table 2-2**. Bus Route 107 only provides services to Cottesloe Station on weekends and to Elizabeth Quay Bus Station on weekdays.

Figure 2-7 Public Transport Facilities



Source: Transperth (2021)

Table 2-2 Bus Service Frequency

Bus Route	Route Description	Frequency	
		Weekdays	Weekends
107	To Elizabeth Quay Bus Station	20-60 minutes (7:10 AM – 6:39 PM)	-
107E	To Cottesloe Station	-	60 minutes (10:00AM – 7:00PM)
103	To East Perth	10-30 minutes (6:32 AM – 11:22 PM)	30-60 minutes (7:59AM – 10:50PM)

2.7 Existing Traffic Volume

Existing weekday traffic volumes were sourced from *Main Roads Western Australia's Traffic Map* and is given in **Table 2-3**.

Table 2-3 Traffic Volume

Road Name	Date	Average Two-Way Daily Traffic Volume	Average Two-Way AM Peak Traffic Volume	Average Two-Way PM Peak Traffic Volume
Stirling Highway (North of Queen Victoria street)	2015/2016	39,054	3,481	3,362

2.8 Crash Assessment

A search of the *Main Roads WA Reporting Centre* for crash data was undertaken. This search covered all recorded traffic accidents between 1 January 2016 and 31 December 2020 for the following roads and intersections surrounding the site:

- > Alfred Road & Alfred Road (midblock)
- > Stirling Highway and Alfred Road

The crash data obtained are given in **Table 2-4**, **Table 2-5** and **Table 2-6**.

Table 2-4 Alfred Road (Midblock crash)

Type of Crash (RUM Code)	Fatal	Hospital	Medical	Major Property Damage	Minor Property Damage	Total Crashes
Hit Object	-	-	-	1	-	1
Total	-	-	-	1	-	1

Table 2-5 Stirling Highway (midblock)

Type of Crash (RUM Code)	Fatal	Hospital	Medical	Major Property Damage	Minor Property Damage	Total Crashes
Rear End	-	-	4	12	8	24
Hit Pedestrian	-	1	-	1	2	4
Hit Object	-	-	-	1	-	1
Sideswipe Same Direction	-	-	-	2	3	5
Right Angle	-	-	-	4	3	7
Right Turn Thru	-	-	-	1	-	1
Unspecified	-	-	1	-	2	3
Total	-	1	5	21	18	45

Table 2-6 Alfred Road – Stirling Highway Intersection

Type of Crash (RUM Code)	Fatal	Hospital	Medical	Major Property Damage	Minor Property Damage	Total Crashes
Rear End	-	-	6	19	3	28
Sideswipe Same Direction	-	-	-	-	1	1
Right Angle	-	-	-	1	-	1
Total	-	-	6	20	4	30

A summary of the crash locations in the vicinity of the Site is presented in **Figure 2-8**.

Figure 2-8 Recorded Crash Locations

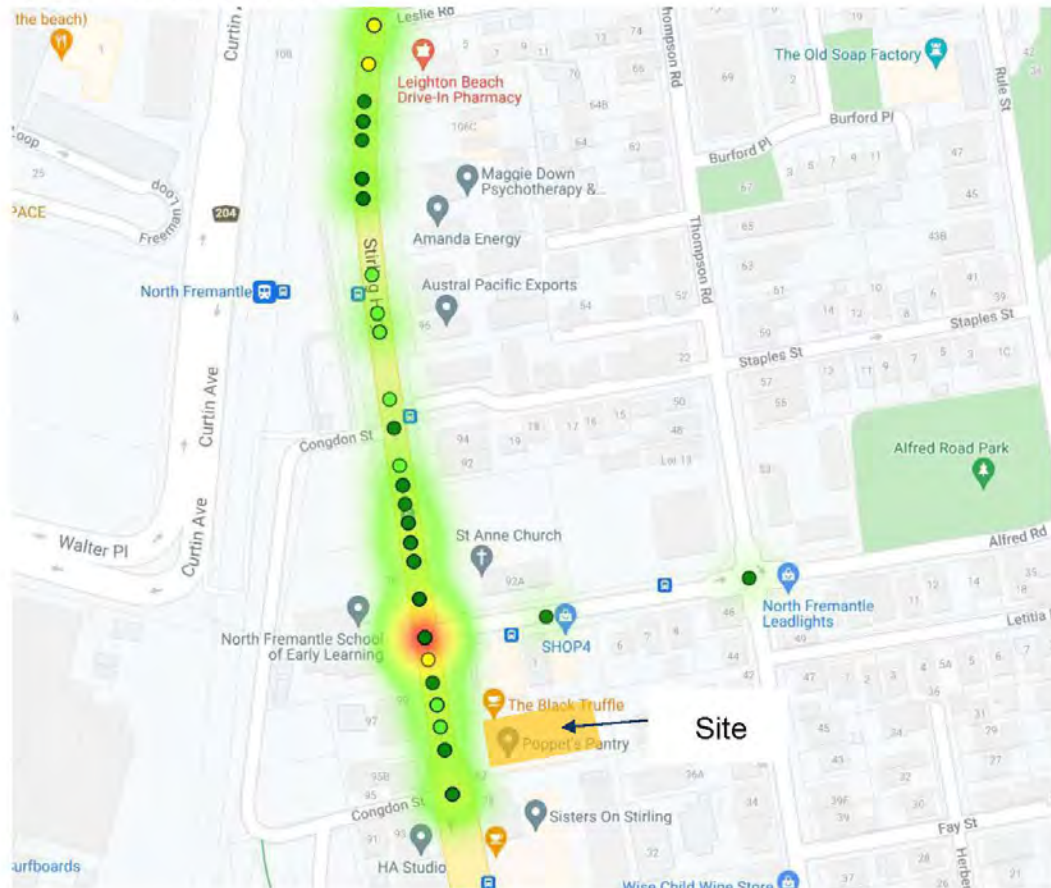


Figure 3-2 Ground Floor Plan



Source: United Studio (2021)

Figure 3-3 First Floor Plan



Source: United Studio (2021)

3.2 Site Access

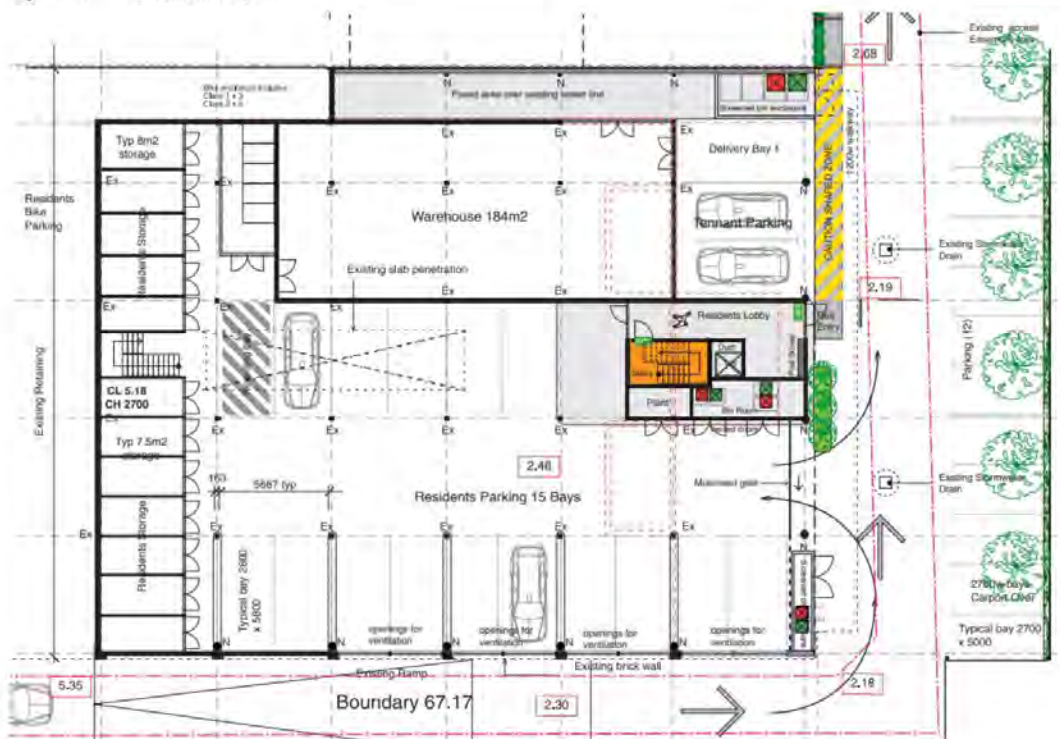
The existing Site consists of two access points from Stirling Highway to the west and one access point from Alfred Road to the north. **Figure 3-4** shows that the proposed development will retain two access points only, with the northern crossover being closed along Stirling Highway. Note that despite the fact the lot from which the site accesses Alfred Road (Lot 5) is not included within this development, access will still be permitted.

The southern access point leads to an easement which will be operating under a one-way traffic conditions, flowing from the west to the east. Heavy vehicles such as delivery trucks and waste trucks shall enter the Site from Stirling Highway and exit the Site from the Alfred Road access. Relevant signs and line marking are to be installed within the Site to delineate on site traffic flow.

Swept path analysis has been conducted for both passenger vehicles and waste trucks to ensure vehicles are able to access the Site. The potential swept path of passenger vehicles are shown in **Figure 3-5** and **Figure 3-5** and swept path of a waste truck servicing the Site is shown in **Figure 3-6**.

Importantly, swept paths for the waste vehicle show the truck is unable to turn at the rear of the property without encroaching on to 4 of the proposed car parking bays. To ensure the waste truck can adequately manoeuvre thought the Site, it is recommended that these bays provide signage indicating that they must be vacant during waste collection days/times.

Figure 3-4 Basement Carpark

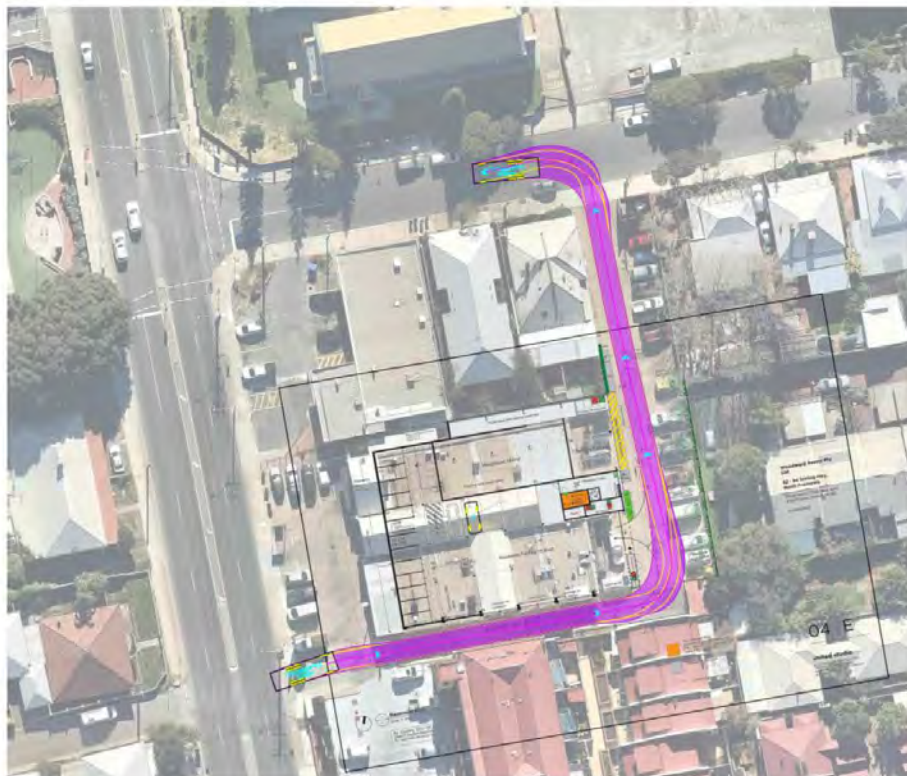


Source: United Studio (2021)

Figure 3-5 Passenger Vehicle Swept Path



Figure 3-6 Waste Truck Swept Path



3.3 Car Parking Provision

The Statutory parking requirements, in accordance with the *City of Fremantle Local Planning Scheme No. 4* and *State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments*, have been considered in the context of the proposed development and are summarised below in **Table 3-1**. For more information regarding car parking, please refer to the Development Application.

Table 3-1 Car Parking Requirements and Provision

Proposed Land Use	Requirements	Yield	Parking Required	Parking Provided
Residential	1-bedroom dwelling (0.75 bay per dwelling)	2	2 bays	47 bays
	2+bedroom dwellings (1 bay per dwelling)	10	10 bays	
Residential Visitor	1 bay per 4 dwellings 1 bay per eight dwellings for the 13 th dwelling and above		3 bays	
Showroom	1 bay per 50m ² gla (minimum of 4 spaces) Plus 1 delivery bay	405m ²	9 bays (+ 2 delivery bay)	
Warehouse	1 bay per 100m ² gla plus 1 delivery bay	138m ²	2 bays (+ 1 delivery bay)	
Shop	1 bay per 20m ² gla (minimum 2 bays)	293m ²	15 bays	
Total			44 bays (including 3 delivery bays)	47 bays (including delivery bays)

*For this assessment, NLA is assumed to be 75% of the GLA.

A total of 47 parking spaces are proposed on-site, which includes 3 delivery bays. 26 car bays are proposed on the basement level with 1 delivery bay, whilst 18 car parking bays are proposed on the ground floor with 2 delivery bays.

As shown above, the parking provision within the Site meets the parking requirement set out in the *City of Fremantle Local Planning Scheme No. 4* and *State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments*.

Up to 11 parking bays exist within the front of the Site. However, it is noted that Stirling Highway will be widened and upgraded in the future, with the amended road reserve encroaching on these parking bays. This will lead to a loss of the 11 parking bays, leading to an excess provision of 2 parking bays.

However, due to the road upgrade not being in Main Roads current 4-year forward estimated construction program and is considered as a long-term proposal, the parking bays would still be available within the site to augment the parking provision.

3.4 Bicycle Parking Provision

The statutory requirements for bicycle parking in relation to the proposed development at the Site, is defined in the *City of Fremantle Local Planning Scheme No.4* and *State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments* and have been summarised below in **Table 3-2**.

Table 3-2 Proposed Bicycle Parking Provision

Land Use	Bicycle Parking Requirements	Yield	Bicycle Parking Required	Bicycle Parking Provided
Residential	0.5 space per dwelling	12 apartments	6 spaces	11 spaces
Residential Visitor	1 space per 10 dwellings		2 spaces	
Showroom	Not applicable			
Warehouse	Not applicable			
Local Shop	Not applicable			
Total			8 spaces	11 spaces

11 bicycle spaces are provided on-site. 4 bicycle racks are provided on the ground floor for visitors of the residential apartments, with an additional 3 bays provided for the Shop and Showroom uses, within an enclosed bike store. For residents, additional bike parking may be provided using proposed storage spaces which are allocated to each apartment.

The proposed development also provides an End of Trip facility (two unisex showers) on the ground floor to accommodate the cyclists.

4 Changes to Surrounding Area

4.1 Road Network

It was noted that Stirling Highway will be upgraded in the future, according to Stirling Highway Carriageway Pattern Plan 1.7221. The widening of Stirling Highway will encroach onto the existing Site. However, no concrete date or plan has been set for construction. MRWA advised approx. 11 parking bays will be lost and should not be included in the development provision calculations. MRWA did concede however that no concrete date had been set for the widening and may be far into the future.

The WAPC only requires assessment to the 10-year horizon and it is expected that the widening work may not be undertaken within the 10-year window, therefore the existing parking bays can be used during this time and should be considered available.

4.2 Pedestrian/Cycle Networks

Cardno has contacted the City of Fremantle and was advised there will not be changes to the surrounding pedestrian and cycle networks.

4.3 Public Transport Services

Cardno has contacted the relevant authorities and there were no changes planned for the surrounding public transport network or services.

5 Integration with Surrounding Area

5.1 Surrounding Attractors/Generators

The major traffic generators around the Site will be the surrounding residential area, with attractors including the Early Learning School, St Anne Church, Alfred Road Park and other commercial facilities near the Site.

5.2 Proposed Changes to Surrounding Land Use

The *City of Fremantle Town Planning Scheme No. 4* does not indicate any significant changes to the zoning or land use in the area.

5.3 Level of Accessibility

The Site is located on Stirling Highway which is a primary distributor road providing major regional and inter-regional traffic movement and easy access from surrounding suburbs. Main access to the Site is proposed to be via Stirling Highway into the basement car park. Public transport access is via bus routes 103 and 107. The bus stop fronting the development on Alfred Road before Stirling Highway is one-minute walk away. The bicycle boulevard stretches along Rule Street with sealed shoulders (100 m away) and high-quality shared paths (400m away) near the Site.

6 Analysis of Transport Network

6.1 Analysis Parameters

6.1.1 Assessment Years and Time Period

As identified in the WAPC's *Transport Impact Assessment Guidelines: Individual Developments* (August 2016), it is recommended that, for analysis purposes, the appropriate assessment years include the year of full opening of the development and 10 years after full opening.

A conservative growth rate of 2.0% per annum has been adopted based on recorded traffic volumes on Stirling Highway.

6.1.2 Key Intersection

A SIDRA analysis has been undertaken for the intersection of Stirling Highway and Alfred Road as shown below in **Figure 6-1**.

Figure 6-1 Key Intersection



Source: Metromap, 2021

6.1.3 Signal Phasings

Signal phasing and timing for Stirling Highway/Alfred Road intersection has been referenced using the existing signal phasing provided by MRWA through (Intersection Diagnostics Monitor) IDM data.

6.2 Development Trip Generation

Trip generation for the proposed development has been calculated by utilising the trip generation rates from the Institute of Transportation Engineering (ITE) "Trip Generation" 10th Ed and WAPC.

Table 6-1 and **Table 6-2** represents the trip generation rate and the estimated trip generation of the proposed development.

Table 6-1 Trip Generation Rate and Directional Distribution

Land Use	Source	Trip Generation Rate		AM Directional Distribution		PM Directional Distribution	
		AM	PM	IN	OUT	IN	OUT
Multifamily Housing (Low-Rise)	ITE 220	0.56 trips per unit	0.67 trips per unit	28%	72%	59%	41%
Shop (Non-Food)	WAPC	1.25 trips per 100m ²	4 trips per 100m ²	80%	20%	50%	50%
Showroom	ITE 715	1.9 trips per 100m ²	1.8 trips per 100m ²	89%	11%	15%	85%
Warehouse	ITE 150	0.22 trips per 100m ²	0.24 trips per 100m ²	65%	35%	24%	76%

Table 6-2 Estimated Trip Generation of the Proposed Development

Land Use	Yield	Trip Generation			
		AM Peak		PM Peak	
		IN	OUT	IN	OUT
Multifamily Housing (Low-Rise)	12 Apartments	2	5	5	3
Shop (Non-Food)	391m ²	4	1	8	8
Showroom	540m ²	9	1	1	8
Warehouse	184m ²	1	1	1	1
Total		24		35	

The proposed development will generate approximately 24 trips during the AM peak and 35 trips during the PM peak. This level of additional trips is considered low and will have no material impact to the road network.

6.3 Development Traffic Distribution

It was observed during the site visit that right turn movement from Stirling Highway onto Alfred Road have been prohibited during the AM peak. Additionally, it was observed that approximately 10% of the total vehicles accessed the existing site did so by doing a right turn movement from Stirling Highway into the existing car park. It is estimated that the proposed development will have a similar traffic distribution to the existing site. The potential traffic distribution of the proposed development is shown in **Figure 6-2**.

Figure 6-2 Traffic Distribution



6.4 Background Traffic

Background traffic volumes were sourced from existing MRWA SCATs data for the Stirling Highway and Alfred Road intersection and supplemented by on site manual counts and queue length observations for calibration.

For a robust assessment, a conservative growth rate of 2% per annum has been applied to background traffic of the future years. **Figure 6-3** to **Figure 6-5** show the traffic distribution of existing background traffic (2018), estimated opening year (2019) and future year (2029) respectively.

Figure 6-3 Existing Background Traffic (2021)

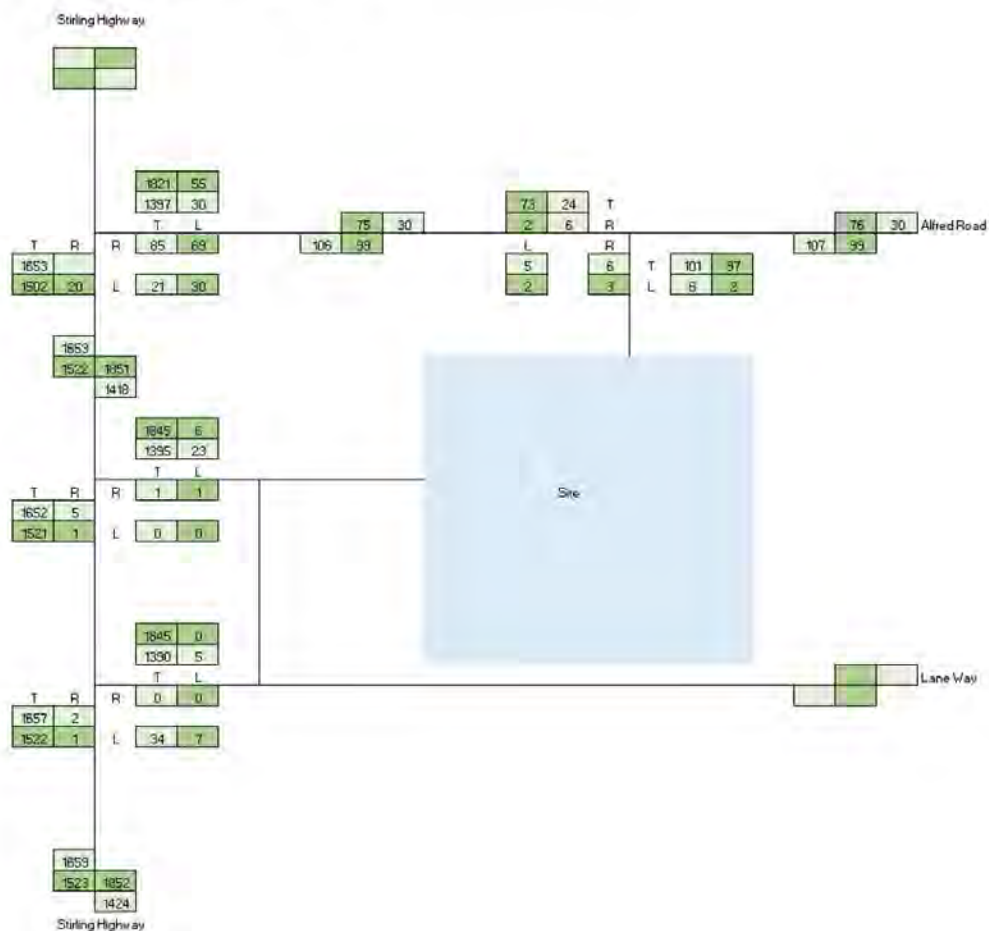


Figure 6-4 Opening Year Background (2023) + Development Traffic

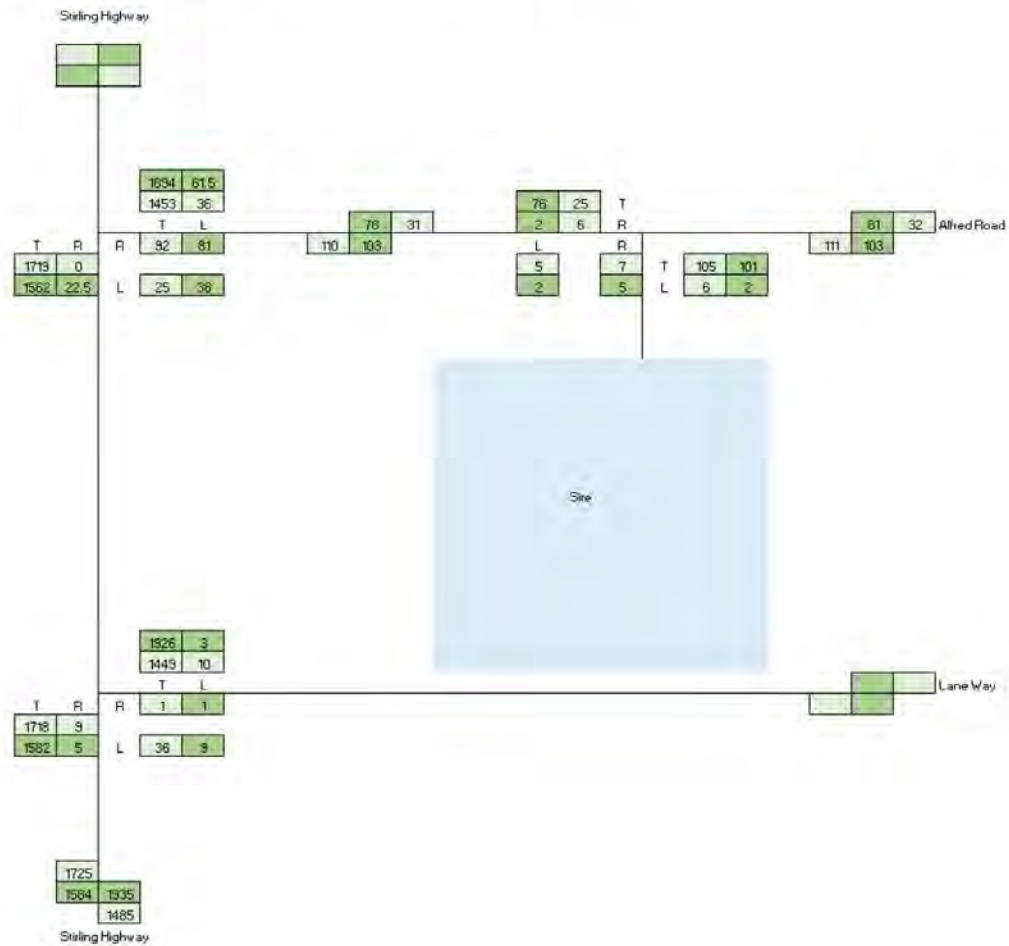
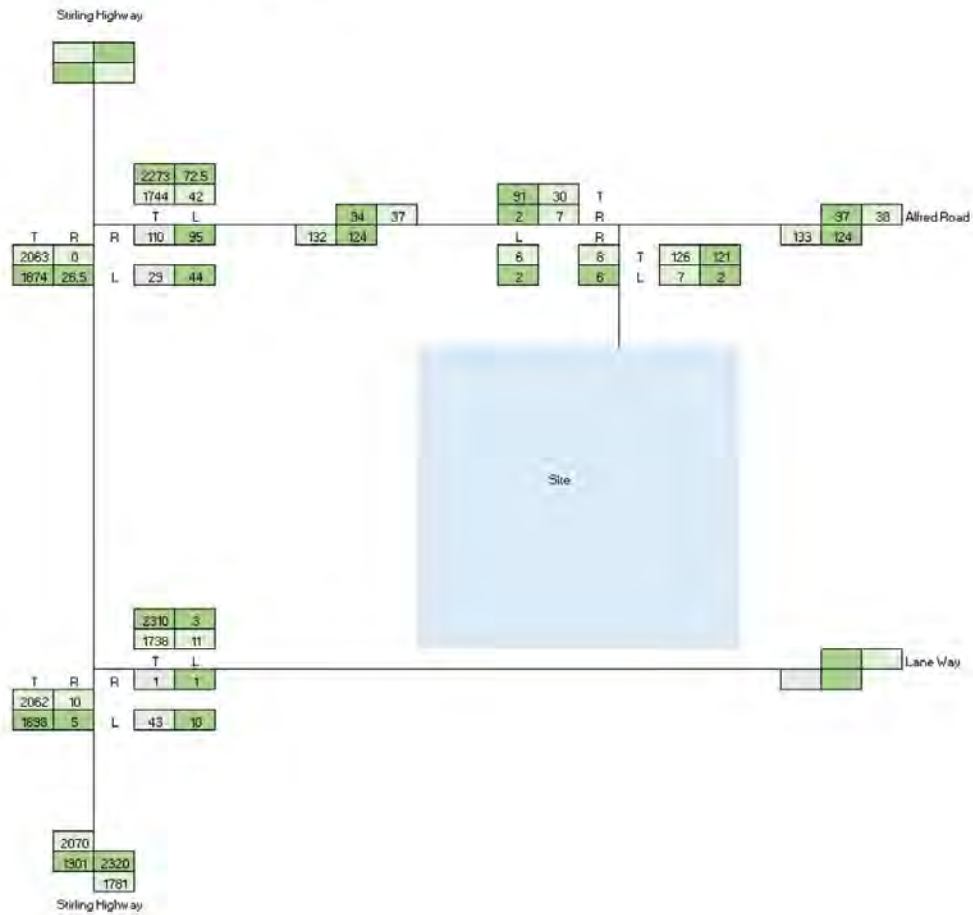


Figure 6-5 Future Background Traffic (2033)



6.5 Intersection Performance

SIDRA results for each approach are presented below in the form of Degree of Saturation (DOS), Average Delay, Level of Service (LOS) and 95th Percentile Queue. These characteristics are defined as follows:

- **Degree of Saturation (DOS):** is the ratio of the arrival traffic flow to the capacity of the approach during the same period. The theoretical intersection capacity is exceeded for an signalized intersection where $DOS > 0.90$;
- **95% Queue:** is the statistical estimate of the queue length up to or below which 95% of all observed queues would be expected;
- **Average Delay:** is the average of all travel time delays for vehicles through the intersection. An signalised intersection can be considered to be operated at capacity where the average delay exceeds 55 seconds for any movement; and
- **Level of Service (LOS):** is the qualitative measure describing operational conditions within a traffic stream and the perception by motorists and/or passengers. The different levels of service can generally be described as shown in **Table 6-3**.

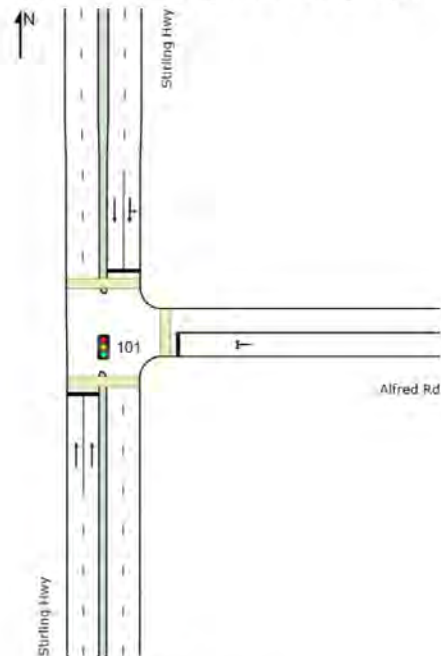
Table 6-3 Level of Service (LOS) Performance Criteria

LOS	Description	Signalised Intersection	Unsignalised Intersection
A	Free-flow operations (best condition)	≤10 sec	≤10 sec
B	Reasonable free-flow operations	10-20 sec	10-15 sec
C	At or near free-flow operations	20-35 sec	15-25 sec
D	Decreasing free-flow levels	35-55 sec	5-35 sec
E	Operations at capacity	55-80 sec	35-50 sec
F	A breakdown in vehicular flow (worst condition)	≥80 sec	≥50 sec

6.5.2 Stirling Highway / Alfred Road Intersection

Figure 6-6 represents the SIDRA layout for Stirling Highway and Alfred Road intersection.

Figure 6-6 SIDRA Layout for Stirling Highway / Alfred Road Intersection



6.5.3 Signal Phasings

Signal phasing data was obtained from SCAT's data provided by Main Roads WA and shown in **Figure 6-7**.

Figure 6-7 Signal Phasings



6.5.4 SIDRA Analysis Results

The analysis results for all scenarios are shown below from **Table 6-4** to **Table 6-4**.

Table 6-4 Stirling Highway / Alfred Road – (2021)

Intersection Approach	Weekday AM Peak					Weekday PM Peak			
		DOS	Delay (s)	LOS	Ave. Back of Queue (m)	DOS	Delay (s)	LOS	Ave. Back of Queue (m)
South: Stirling Hwy	T	* 0.643	9.4	A	204.1	0.703	10.9	B	196.0
	R	0.000	0.0		0.0	* 0.703	18.6	B	164.1
East: Alfred Rd	L	0.662	70.9	E	50.5	0.667	58.5	E	37.9
	R	* 0.662	70.9	E	50.5	* 0.667	58.5	E	37.9
North: Stirling Hwy	L	0.551	13.8	B	155.4	0.750	15.5	B	224.0
	T	0.551	8.3	A	155.8	0.750	10.0	A	224.8
All vehicles		0.662	11.0	B	204.1	0.750	11.8	B	224.8

Table 6-5 Stirling Highway / Alfred Road – (2023 + Development)

Intersection Approach	Weekday AM Peak					Weekday PM Peak			
		DOS	Delay (s)	LOS	Ave. Back of Queue (m)	DOS	Delay (s)	LOS	Ave. Back of Queue (m)
South: Stirling Hwy	T	* 0.676	10.3	B	226.4	0.745	11.9	B	220.5
	R	0.000	0.0		0.0	* 0.745	20.3	C	180.0
East: Alfred Rd	L	0.670	70.0	E	55.5	0.802	61.6	E	47.6
	R	* 0.670	70.0	E	55.5	* 0.802	61.6	E	47.6
North: Stirling Hwy	L	0.581	14.6	B	171.8	0.782	16.0	B	245.2
	T	0.581	9.0	A	172.3	0.782	10.5	B	246.1
All vehicles		0.676	11.9	B	226.4	0.802	12.9	B	246.1

Table 6-6 Stirling Highway / Alfred Road (2033 + Development)

Intersection Approach		Weekday AM Peak				Weekday PM Peak			
		DOS	Delay (s)	LOS	Ave. Back of Queue (m)	DOS	Delay (s)	LOS	Ave. Back of Queue (m)
South: Stirling Hwy	T	* 0.811	12.7	B	336.4	0.930	37.8	D	500.9
	R	0.000	0.0		0.0	0.930	53.7	D	357.9
East: Alfred Rd	L	0.796	73.6	E	68.8	0.936	73.4	E	62.5
	R	* 0.796	73.6	E	68.8	* 0.936	73.3	E	62.5
North: Stirling Hwy	L	0.697	16.1	B	241.1	0.938	39.5	D	524.4
	T	0.697	10.6	B	241.8	* 0.938	33.9	C	526.3
All vehicles		0.811	13.9	B	336.4	0.938	37.1	D	526.3

6.5.5 SIDRA Analysis Summary

- > The SIDRA analysis results show that the existing intersection has an overall LOS of B.
- > **Table 6-5** shows that that the traffic generation by the proposed development is expected to increase the overall delay slightly. However, the impact is expected to be insignificant.
- > **Table 6-6** indicated that the overall level of service is expected to decrease to LoS D in 10-year horizon. However, the main factor of this is expected to be the background traffic growth.
- > The delay on Alfred Road will generally be acceptable as the Stirling Highway has a long through movement phase.

7 Summary

This report has been prepared in accordance with the Western Australian Planning Commission (WAPC) *Transport Assessment Guidelines for Developments: Volume 4 – Individual Development*.

The following conclusions have been made in regards to the proposed development:

- The Site is proposed a mixed-use development at the Site;
- The proposed development is estimated to generate 24 trips during the AM peak and 35 trips during the PM Peak. This level of additional trips is considered low and will have no material impact to the road network;
- The proposed development satisfies the parking requirement set out in the *City of Fremantle Local Planning Scheme No. 4* and *Residential Design Codes: Volume 2 – Apartments*;
- The widening of Stirling Highway is not in Main Roads current 4-year forward estimated construction program and is considered long term, therefore the parking bays to be lost could be included within the sites parking provision;
- The site is well connected by public transport, being nearby several bus spots and North Fremantle Train Station;
- SIDRA analysis results show that the Stirling Highway and Alfred Road intersection will perform satisfactory during the opening year of the proposed development; and
- SIDRA analysis shows LOS E for Alfred Road in 10-year horizon assessment. However, the overall intersection is expected to perform satisfactory with LOS B (AM) and LOS D (PM).

APPENDIX

A

WAPC CHECKLIST



Item	Provided	Comments/Proposals
Summary		
Introduction/Background		
name of applicant and consultant	Section 1	
development location and context	Section 1	
brief description of development proposal	Section 2	
key issues	N/A	
Background information	Section 1	
Existing situation		
existing site uses (if any)	Section 1	
existing parking and demand (if appropriate)	N/A	
existing access arrangements	Section 3	
existing site traffic	Section 2, Section 6	
surrounding land uses	Section 2	
surrounding road network	Section 2	
traffic management on frontage roads	N/A	
traffic flows on surrounding roads (usually am and pm peak hours)	Section 2	
traffic flows at major intersections (usually am and pm peak hours)	Section 2	
operation of surrounding intersections	Section 2	
existing pedestrian/cycle networks	Section 2	
existing public transport services surrounding the development	Section 2	
Crash data	Section 2	
Development proposal		
regional context	Section 3	
proposed land uses	Section 3	
table of land uses and quantities	Section 3	
access arrangements	Section 3	
parking provision	Section 3	
end of trip facilities	Section 3	
any specific issues	N/A	
road network	Section 4	
intersection layouts and controls	N/A	
pedestrian/cycle networks and crossing facilities	Section 3	

Item	Provided	Comments/Proposals
public transport services	Section 2	
Integration with surrounding area	Section 5	
surrounding major attractors/generators	Section 5	
committed developments and transport proposals	N/A	
proposed changes to land uses within 1200 metres	Section 4	
travel desire lines from development to these attractors/generators	N/A	
adequacy of existing transport networks	Section 2	
deficiencies in existing transport networks	Section 2	
remedial measures to address deficiencies	N/A	
Analysis of transport networks		
assessment years	Section 6	
time periods	Section 6	
development generated traffic	Section 6	
distribution of generated traffic	Section 6	
parking supply & demand	Section 3	
base and "with development" traffic flows	Section 6	
analysis of development accesses	N/A	
impact on surrounding roads	N/A	
impact on intersections	Section 6	
impact on neighbouring areas	N/A	
traffic noise and vibration	N/A	
road safety	N/A	
public transport access	Section 2	
pedestrian access / amenity	Section 2	
cycle access / amenity	Section 2	
analysis of pedestrian / cycle networks	Section 2	
safe walk/cycle to school (for residential and school site developments only)	N/A	
Traffic management plan (where appropriate)	N/A	



APPENDIX
B
DEVELOPMENT PLANS

About Cardno

Cardno is a professional infrastructure and environmental services company, with expertise in the development and improvement of physical and social infrastructure for communities around the world. Cardno's team includes leading professionals who plan, design, manage and deliver sustainable projects and community programs. Cardno is an international company listed on the Australian Securities Exchange [ASX:CDD].

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Additional Information 5 – Noise Management Plan SPP5.4



UNITED STUDIO

**82 - 84 STIRLING HIGHWAY
NORTH FREMANTLE**

SPP 5.4 NOISE MANAGEMENT PLAN

SEPTEMBER 2021

OUR REFERENCE: 28325-1-21349

Tradeable Holdings Pty Ltd A.B.N. 85 008 089 087 trading as
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**SPP 5.4 NOISE MANAGEMENT PLAN
82 - 84 STIRLING HIGHWAY
NORTH FREMANTLE**

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FOR

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2.	ACOUSTIC CRITERIA	1
2.1	State Planning Policy 5.4	1
3.	MEASUREMENTS AND OBSERVATIONS	4
4.	MODELLING	5
5.	TRAFFIC NOISE ASSESSMENT	5
6.	CONCLUSION	6

APPENDICES

A	DETAILED DESIGN DEVELOPMENT
B	CALCULATED NOISE LEVELS AND REQUIRED $R_w + C_{tr}$ RATINGS
C	MRWA TRAFFIC DATA

1. INTRODUCTION

Herring Storer Acoustics were commissioned by United Studio to carry out an acoustic study with regards to traffic related noise for the proposed development at 82 - 84 Stirling Highway, North Fremantle.

The purpose of the study was to:

- Assess the noise that would be received within the development area from vehicles travelling on Stirling Highway for future traffic volumes.
- Compare the results with accepted criteria and if exceedances exist, develop the framework for the management of noise.

It is noted that with regard to State Planning Policy 5.4, that this forms a specialist acoustic assessment, taking into account the provided building design and as of such is more specific than a "Quiet House Design Package" typically recommended with State Planning Policy.

A plan is attached in Appendix A.

2. ACOUSTIC CRITERIA

2.1 STATE PLANNING POLICY 5.4

The Western Australian Planning Commission (WAPC) released on 6th September 2019 State Planning Policy 5.4 "Road and Rail Noise". The requirements of State Planning Policy 5.4 are outlined below.

POLICY APPLICATION (Section 4)

When and where it applies (Section 4.1)

SPP 5.4 applies to the preparation and assessment of planning instruments, including region and local planning schemes; planning strategies, structure plans; subdivision and development proposals in Western Australia, where there is proposed:

- a) *noise-sensitive land-use within the policy's trigger distance of a transport corridor as specified in **Table 1**;*
- b) *New or major upgrades of roads as specified in **Table 1** and maps (**Schedule 1, 2 and 3**); or*
- c) *New railways or major upgrades of railways as specified in maps (**Schedule 1, 2 and 3**); or any other works that increase capacity for rail vehicle storage or movement and will result in an increased level of noise.*

Policy trigger distances (Section 4.1.2)

Table 1 identifies the State's transport corridors and the trigger distances to which the policy applies.

The designation of land within the trigger distances outlined in **Table 1** should not be interpreted to imply that land is affected by noise and/or that areas outside the trigger distances are un-affected by noise.

Where any part of the lot is within the specified trigger distance, an assessment against the policy is required to determine the likely level of transport noise and management/mitigation required. An initial screening assessment (**guidelines: Table 2: noise exposure forecast**) will determine if the lot is affected and to what extent."

TABLE 1: TRANSPORT CORRIDOR CLASSIFICATION AND TRIGGER DISTANCES

Transport corridor classification	Trigger distance	Distance measured from
Roads		
Strategic freight and major traffic routes Roads as defined by Perth and Peel Planning Frameworks and/or roads with either 500 or more Class 7 to 12 Austroads vehicles per day, and/or 50,000 per day traffic volume	300 metres	Road carriageway edge
Other significant freight/traffic routes These are generally any State administered road and/or local government road identified as being a future State administered road (red road) and other roads that meet the criteria of either >=23,000 daily traffic count (averaged equivalent to 25,000 vehicles passenger car units under region schemes)	200 metres	Road carriageway edge
Passenger railways	100 metres	Centreline of the closest track
Freight railways	200 metres	Centreline of the closest track

Proponents are advised to consult with the decision making authority as site specific conditions (significant differences in ground levels, extreme noise levels) may influence the noise mitigation measures required, that may extend beyond the trigger distance.

POLICY MEASURES (Section 6)

The policy applies a performance-based approach to the management and mitigation of transport noise. The policy measures and resultant noise mitigation will be influenced by the function of the transport corridor and the type and intensity of the land-use proposed. Where there is risk of future land-use conflict in close proximity to strategic freight routes, a precautionary approach should be applied. Planning should also consider other broader planning policies. This is to ensure a balanced approach takes into consideration reasonable and practical considerations.

Noise Targets (Section 6.1)

Table 2 sets out noise targets that are to be achieved by proposals under which the policy applies. Where exceeded, an assessment is required to determine the likely level of transport noise and management/mitigation required.

In the application of the noise targets the objective is to achieve:

- indoor noise levels as specified in **Table 2** in noise sensitive areas (for example, bedrooms and living rooms of houses, and school classrooms); and
- a reasonable degree of acoustic amenity for outdoor living areas on each residential lot. For non-residential noise-sensitive developments, for example schools and child care centres the design of outdoor areas should take into consideration the noise target.

It is recognised that in some instances, it may not be reasonable and/or practicable to meet the outdoor noise targets. Where transport noise is above the noise targets, measures are expected to be implemented that balance reasonable and practicable considerations with the need to achieve acceptable noise protection outcomes.

TABLE 2: NOISE TARGETS

Proposals	New/Upgrade	Noise Targets		
		Outdoor Day ($L_{Aeq}(\text{Day})$ dB) (6 am-10 pm)	Night ($L_{Aeq}(\text{Night})$ dB) (10 pm-6 am)	Indoor (L_{Aeq} dB)
Noise-sensitive land-use and/or development	New noise sensitive land use and/or development within the trigger distance of an existing/proposed transport corridor	55	50	$L_{Aeq}(\text{Day})$ 40 (Living and work areas) $L_{Aeq}(\text{Night})$ 35 (bedrooms)
Roads	New	55	50	N/A
	Upgrade	60	55	N/A
Railways	New	55	50	N/A
	Upgrade	60	55	N/A

Notes:

- The noise target is to be measured at one metre from the most exposed, habitable façade of the proposed building, which has the greatest exposure to the noise-source. A habitable room has the same meaning as defined in State Planning Policy 3.1 Residential Design Codes.
- For all noise-sensitive land-use and/or development, indoor noise targets for other room usages may be reasonably drawn from Table 1 of Australian Standard/New Zealand Standard AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors (as amended) for each relevant time period.
- The 5dB difference in the criteria between new and upgrade infrastructure proposals acknowledges the challenges in achieving noise level reduction where existing infrastructure is surrounded by existing noise-sensitive development.
- Outdoor targets are to be met at all outdoor areas as far as is reasonable and practical to do so using the various noise mitigation measures outlined in the guidelines. For example, it is likely unreasonable for a transport infrastructure provider to achieve the outdoor targets at more than 1 or 2 floors of an adjacent development with direct line of sight to the traffic.

Noise Exposure Forecast (Section 6.2)

When it is determined that SPP 5.4 applies to a planning proposal as outlined in Section 4, proponents and/or decision makers are required to undertake a preliminary assessment using **Table 2: noise exposure forecast in the guidelines**. This will provide an estimate of the potential noise impacts on noise-sensitive land-use and/ or development within the trigger distance of a specified transport corridor. The outcomes of the initial assessment will determine whether:

- no further measures is required;
- noise-sensitive land-use and/or development is acceptable subject to deemed-to-comply mitigation measures; or
- noise-sensitive land-use and/or development is not recommended. Any noise-sensitive land-use and/or development is subject to mitigation measures outlined in a noise management plan.¹⁰

3. MEASUREMENTS AND OBSERVATIONS

The noise measurements were conducted on 6 September 2021 for a short term period during peak hour to determine the L_{A10} noise level. Utilising this measurement, reference to the DEFRA publication has been sought and the difference between the $L_{A10,15hr}$ and the $L_{Aeq,9hr}$ and the $L_{Aeq,15hr}$ has been calculated. The results of the measurement and the determination of the $L_{Aeq}(Day)$ and $L_{Aeq}(Night)$ are shown in Table 3.1.

Noise measurements were conducted with a Larson Davis 831 Sound Level Meter. The Sound Level Meter was calibrated prior to and after use with a Bruel and Kjaer 4230 Calibrator. All equipment used is currently NATA laboratory calibrated. Calibration certificates are available on request.

TABLE 3.1 : SUMMARY OF MEASURED NOISE LEVELS

Measurement Location	Measured/Calculated Noise Level, dB(A)		
	L_{A10}	$L_{Aeq, day}$ (5am to 10pm)	$L_{Aeq, night}$ (10pm to 5am)
84 Stirling Highway	73.2	70.5	62.1

4. MODELLING

To determine the noise levels from traffic on Stirling Highway, acoustic modelling was carried out using SoundPlan, using the Calculation of Road Traffic Noise (CoRTN)¹ algorithms.

The input data for the model included:

- Topographical and cadastral data supplied by client (Shown in Appendix A);
- Traffic data as per Table 4.1;
- Adjustments as listed in Table 4.2.

TABLE 4.1 - NOISE MODELLING INPUT DATA

Parameter	Stirling Highway (Current) 2020	Stirling Highway (Future) 2041
Traffic Volumes	30,900 vpd	46,850 vpd*
Percentage traffic 0600 – 2400 hours (Assumed)	94%	94%
Heavy Vehicles (%) (Assumed)	8.7%	8.7%
Speed (km/hr)	60km/hr	60km/hr

* Sourced from Main Roads Traffic Map (Shown in Appendix C). Assumed 2% Increase Per Annum.

TABLE 4.2 – ADJUSTMENTS FOR NOISE MODELLING

Description	Value
Façade Reflection Adjustment	+2.5 dB
Conversion from $L_{A10}(15\text{ hour})$ to $L_{Aeq}(15\text{ hour})$ (Day)	-2.7 dB*

* Based on measured results listed in Table 3.1.

5. TRAFFIC NOISE ASSESSMENT

Using the data contained in Tables 3.1, 4.1 and 4.2 modelling was carried out under existing conditions for calibration. The SoundPlan model for the site has been set up for the 2041 scenario as defined in Table 4.1. The following assumptions have been made:

- 18 hour traffic count will be 94% of daily figures;
- Noise model calibrated to measured noise level as per Table 3.1;
- The same diurnal relationship will exist in the future between the $L_{A10}(15\text{ hour})$ and the $L_{Aeq}(15\text{ hour})$ parameters; and
- 2.5 dB(A) has been added to the results for façade reflection.

The results of the noise modelling as well as required R_w ratings for windows are shown in Appendix B.

¹ Calculation of Road Traffic Noise UK Department of Transport 1987

6. CONCLUSION

In accordance with the WAPC Planning Policy 5.4, an assessment of the noise that would be received within the development of 82 - 84 Stirling Highway, North Fremantle, from vehicles travelling on Stirling Highway has been undertaken.

In accordance with the Policy, the following would be the acoustic criteria applicable to this project:

External

Day	55 dB(A) $L_{A(0.5)}$
Night	50 dB(A) $L_{A(0.5)}$

Internal

Sleeping Areas	35 dB(A) $L_{Aeq(10hr)}$
Living Areas	40 dB(A) $L_{Aeq(10hr)}$

The results of the acoustic assessment indicate that noise received at the development from future traffic, exceed external noise level criteria. Therefore, noise amelioration in the form of quiet house design upgrades as listed in Appendix B is required.

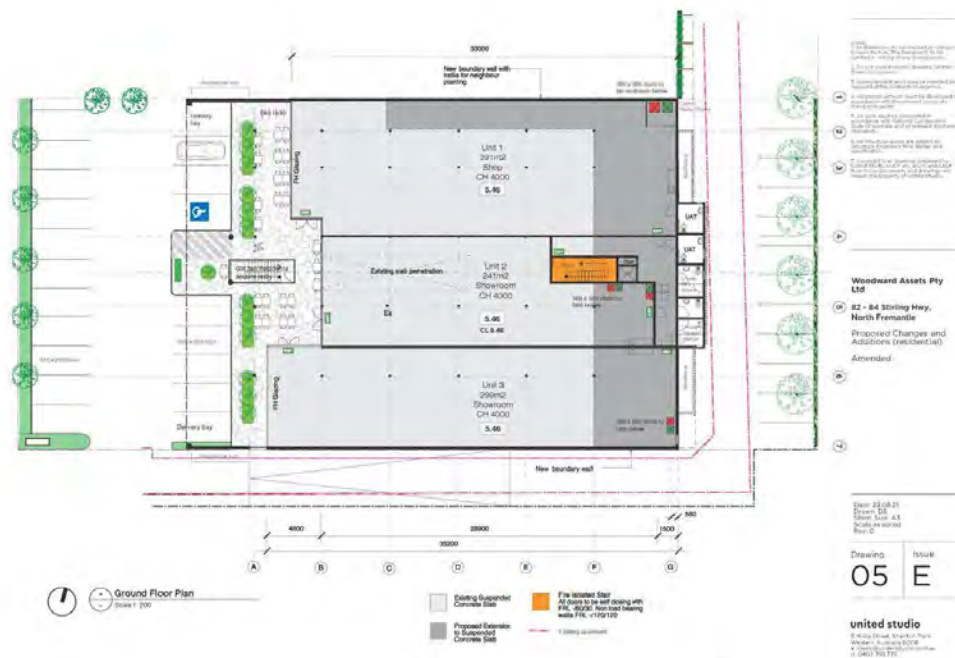
NOTE : R_w ratings are a function of outdoor noise levels combined with glazing size. A reduction of half to glazing size results in a reduction of 3 dB(A) required R_w .

Similarly, walls have been assumed to be masonry, or tilt up concrete panel. If a lightweight construction is desirable, exact construction will need to be investigated and specified.

Additionally, notifications on the title for the development would be required.

APPENDIX A

Detailed Design Development





1. The proposed development is a residential building with a total of 12 units. The units are arranged in a grid of 2 rows and 6 columns. The units are labeled U1 to U12. The units are arranged as follows:

- Row 1: U1, U2, U3, U4, U5, U6
- Row 2: U7, U8, U9, U10, U11, U12

Woodward Assets Pty Ltd
82 - 84 Spring Hwy,
North Fremantle
Proposed Changes and
Additions (revised 04/01/2021)
Amended

Drawn by
06

House
E

united studio
Architectural & Engineering
Studio & Design
100/102 Victoria Road
Fremantle WA 6155

APPENDIX B

Calculated Noise Levels and Required $R_w + C_{tr}$ Ratings

Calculated Noise Levels and Required R_w and C_v Ratings		
Location	Noise Level	$R_w + C_v$ dB
U1 LIVING NORTH	58	24
U1 LIVING WEST	70	36
U1 BEDROOMS	66	37
U1 BATH	70	30
U2 LIVING	55	23
U2 BEDROOMS	61	32
U3 LIVING	53	23
U3 BEDROOMS	58	29
U4 LIVING	52	23
U4 BEDROOMS	56	27
U5 LIVING	50	23
U5 BEDROOMS	55	26
U6 LIVING	50	23
U6 BEDROOMS	53	24
U7 LIVING	66	31
U7 BEDROOM EAST	63	34
U7 BEDROOM WEST	70	38
U7 CORRIDOR	63	27
U8 LIVING	58	24
U8 BEDROOMS	57	28
U8 CORRIDOR	57	23
U9 LIVING	54	23
U9 BEDROOMS	53	24
U9 CORRIDOR	53	23
U10 LIVING	51	23
U10 BEDROOMS	51	23
U10 CORRIDOR	51	23
U11 LIVING	50	23
U11 BEDROOMS	49	23
U11 CORRIDOR	49	23
U12 LIVING	48	23
U12 BEDROOMS	48	23
U12 CORRIDOR	48	23
U1-6 Front Doors	-	28 (R_w Only)
U7-12 Front Door	-	24 (R_w Only)

Notes: The required R_w rating can be reduced by reducing the area of glazing.
The above R_w values have an assumed C_v of 3.

APPENDIX C

MRWA TRAFFIC DATA



SITE 5917

Hourly Volume

Stirling Hwy (H014)

2020/21
Monday to Friday

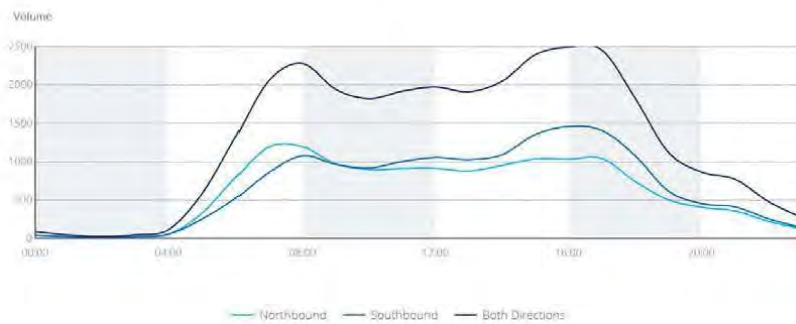
North of Queen Victoria St (SLK 14.70)

	All Vehicles			Heavy Vehicles				
	NB	SB	Both	NB	SB	Both	HV %	
00:00	44	46	90	1	1	2	2.2	
01:00	27	27	48	1	2	3	6.3	
02:00	14	13	27	1	0	1	3.7	
03:00	28	21	49	4	2	6	12.2	
04:00	49	58	117	6	6	12	10.3	
05:00	428	253	581	34	20	54	9.3	
06:00	734	524	1318	12	50	162	12.3	
07:00	1197	865	2062	72	78	250	12.1	
08:00	1200	1081	2281	154	117	271	11.9	
09:00	975	860	1944	116	94	210	10.8	
10:00	807	871	1823	104	101	204	11.2	
11:00	915	1006	1921	94	102	196	10.2	
12:00	917	1058	1975	93	96	189	9.6	
13:00	853	1030	1913	79	88	167	8.7	
14:00	956	1098	2051	86	105	188	9.2	
15:00	1084	1258	2397	100	127	227	9.5	
16:00	1034	1461	2495	87	110	197	7.9	
17:00	1046	1470	2456	77	96	173	7.0	
18:00	246	1088	1829	41	52	93	5.1	
19:00	507	620	1127	22	19	41	3.6	
20:00	410	458	868	11	12	23	2.6	
21:00	361	415	776	13	8	18	2.3	
22:00	225	260	486	4	5	9	1.9	
23:00	30	144	274	2	5	7	2.6	
TOTAL	14738	16170	30908	1410	1293	2703	8.7	



Peak Statistics

AM	TIME	07:30	08:15	08:00	07:15	08:00	0745
	VOL	1245	1884	2281	81	117	278
PM	TIME	1645	1530	1645	1445	5:15	15:15
	VOL	1076	1638	2511	84	135	229

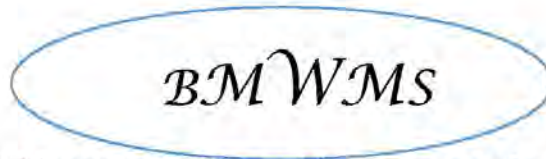


Additional Information 6 – Waste Management Plan

United Studio

**Waste Management Plan - 82-84 Stirling Highway,
North Fremantle**

30 August 2021



Bill Marchbank Waste Management Services

30 August 2020



United Studio
6 Hilda Street
Shenton Park
Western Australia 6008

Attention: David Smith,

Dear David,

Re: Waste Management Plan for 82-84 Stirling Highway, North Fremantle

We are pleased to submit this Waste Management Plan, outlining the proposed operation of the waste and recycling systems at 82-84 Stirling Highway, North Fremantle. Our research included an appraisal of the physical site, reference to Waste Management Plan Guidelines, pertaining to both multiple residential developments and Commercial & Industrial developments, along with consultation with Council Officers from the City of Fremantle. The plan outlines a range of procedures and infrastructure to be adopted in relation to conducting these operations in future, in order to comply with the relevant guidelines and to achieve an effective and efficient waste management service.

Should you wish to discuss any matters concerning this plan, please contact Bill Marchbank on 0415 095 956.

Yours sincerely

W Marchbank

Bill Marchbank Waste Management Services

Mobile: +61 415 095 956

Email: bill.marchbank@bigpond.com

Use of this Waste Management Plan: The preparation of this plan has been undertaken for the purpose of the planning process, in relation to the collection of Waste & Recyclable materials from residential premises and leased commercial units, located at 82-84 Stirling Highway, North Fremantle. This plan is prepared solely for the benefit of United Studio and their client. This plan is provided on the condition that it, or any part of it, will not be made available to, or relied upon by any other party for any purpose except with the prior written consent of Bill Marchbank Waste Management Services (which consent may or may not be given at its discretion). Bill Marchbank Waste Management Services consents to the United Studio making this report available to other parties for the purpose of showing the scope of the findings provided in this plan; however, those third parties cannot rely on the contents of this report.

Disclaimer: This plan is provided on the condition that Bill Marchbank Waste Management Services disclaims all liability to any person other than United Studio and their client in respect of the actions, errors or omissions of any such person in reliance, whether in whole or in part, upon the contents of this report.

Report Limitations: This plan is provided on the basis of planning drawings, as agreed with United Studio. In the event that further studies are warranted, additional study and reporting can occur.

Declaration of Interest: Bill Marchbank Waste Management Services is an independent consultancy, providing services to the broader WA waste management sector. However, there are no conflicts of interest that have not been declared in relation to this project.

Document Control:

Version	Date Issued	Author	Reviewer	Reference
1	20 February 2019	Bill Marchbank	David Smith	Waste Management Plan 2019 02 20
2	3 August 2021	Bill Marchbank	David Smith	Waste Management Plan 2021 08 03
3	11 August 2021	Bill Marchbank	David Smith	Waste Management Plan 2021 08 11
4	30 August 2021	Bill Marchbank	David Smith	Waste Management Plan 2021 08 30

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3. Additional Management Requirements, Including the Dissemination of Waste-Related	7
4. References:	7
5. Attachments:	7

1. Background:

The site at 82-84 Stirling Highway, North Fremantle is scheduled for redevelopment, to accommodate some of the existing tenants, along with scope to accommodate other tenants.

Address: 82-84 Stirling Highway, North Fremantle;

Development area: The overall area of the site measures approximately 3,000m², with the current gross lettable area measuring approximately 1,360m², over 2 levels. It is proposed to increase the gross lettable area by approximately 800m².

Nature of the Development: Overall, the complex will comprise of the following:

- 3 commercial units on the ground floor;
- 12 residential units on the first floor; and
- Undercover basement and outside ground level parking, allowing for 47 carparks; including 3 bays for deliveries; and 11 bicycles.

Ownership and Management Details: The owner & developer is John Woodward, who can be contacted on 0415 952 981. The site is being developed as a strata development and the current owner will continue to be involved in the management of the site following the redevelopment.

Vehicle Movements: Occupants of the site will continue to have access to the basement carpark, via the existing ramp, from Stirling Highway. Visitors to site, including delivery vehicles, will have access to the site from Stirling Highway, with access from Alfred Road also. It is assumed that approximately 150 vehicle movements can be anticipated per day Monday-Friday.

Projected Number of Tenants and Personnel Employed Onsite: At this stage, it is envisaged that approximately 40 personnel will occupy the site during normal business hours.

Details Of Contact with The City of Fremantle in Relation to Waste Management Onsite: Various communications occurred, including those conducted as part of the development approvals process. In addition to this, our Waste Management Consultant contacted the City of Fremantle for guidance in relation to servicing options available from the City's Waste Management Department. The City's Waste Team Leader suggested that 240L MGB's would be suitable and that these containers could be presented onsite (preferable to placement by Stirling Highway) for servicing on an agreed frequency, including the provision of services over the weekend, with additional charges applied, if required. The City's Waste Team Leader provided information in relation to other options being available, including the utilisation of 240L MGB's for the collection of Food Organics & Garden Organics (FOGO), serviced by the City's collection service provider, the deployment of 240L MGB's free of charge for the collection of eligible Container Deposit Scheme (CDS) containers, as well as Cardboard-only recycling services, available from private contractors.

2. Waste Management System Outline:

Projected Waste Composition and Generation Rates: The development will accommodate approximately 930 square metres of lettable space. Based upon waste generation rates outlined in the WALGA Waste Management Plan Guidelines, A Resource for Western Australian Local Government and Developers; and Commercial and Industrial Waste Management Plan Guidelines, A Resource for Western Australian Local Government, Developers, Building Managers and Business Owners, it is estimated that approximately 3,700 litres of general waste and 2,780 litres of recyclable waste might be generated from these tenancies across a normal week. It is estimated that the

equivalent of 16 x 240L MGB's would be sufficient for General Waste and 24 x 240L MGB's would be sufficient for Recyclable Waste for the overall development. Alternatively, the City provides Commercial sites with 1.5m³ &/or 3.0m³ containers for the collection of General Waste, as do private contractors that service the Fremantle area. Again, the City would prefer that these containers were presented for collection onsite, to minimise disruption to traffic flows on Stirling Highway and surrounding roadways.

Given the range of waste collection and recycling options available in the current day, the developer could also consider the provision of FOGO service, eg 2 x 240L MGB's for the containment of food and organic waste from residential premises, along with a CDS Containers for Change service, whereby the City would provide 240L MGB's free of charge, to divert eligible CDS containers directly to the CDS scheme for recycling. The effect of these two systems would likely enable a lesser number of waste and recycling containers being required onsite.

Bin Storage Area: It is proposed to establish a bin compound in the basement area, to allow for the storage of approximately 40 x 240 litre MGB's, ie for both Refuse and Recycling. The bin compound can be designed to include a door opening width of 1,200mm, to allow for the possibility of utilising 1,100L MGB's; 1.5m³ &/or 3.0m³ Front Lift waste containers. Bins would normally be located in this compound and then be moved to the collection point, ready for collection by the City of Fremantle &/or private contractors.

There are a range of practical reasons to justify the approach outlined in the previous paragraph, including the following:

- Waste collections could be scheduled to coincide with the servicing of waste bins from the adjoining residential and commercial development, ie The Rose;
- Scheduling the collection and removal of waste on the same day as the adjoining property will reduce the number of vehicle movements associated with service vehicles required to visit the precinct, along with a corresponding reduction in the noise and emissions generated per bin collection, as well as the safety of other vehicle &/or pedestrian traffic in the area;
- It is anticipated that the use of MGB's &/or Front Lift bins with fitted hinged lids, will enable the bins to be closed to the elements and to provide a barrier to entry against vermin, as well as containing odours that may emanate from the waste contained within the bins;

Access to site and the servicing of waste containers: Please refer to the supporting drawings, showing the location of the bin storage compound, access pathways for residents and access pathways for moving bins from storage areas to the presentation point for servicing.

Proposed Bin Collection Methodology & Frequency for Waste & Recycling: It is proposed to deploy a suitable number of waste bins to enable the alignment of collection frequency and scheduling with that of the adjoining site for Waste, Recycling and FOGO. In the event that additional services are required, the occupants will be able to request additional services from Council &/or obtain services from private sector waste management companies.

Proposed Collection Points with Reference to Scale-Drawing: it is proposed that the waste containers be moved from the bin compound to the collection point, for collection. Initially, the collection frequency would be weekly, however this frequency can be increased &/or additional 240L MGB's deployed, to suit demand. Alternatively, larger MGB's could be deployed, eg 660L, 1,100L, 1.5m³ &/or 3.0m³ capacity containers.

3. Additional Management Requirements, Including the Dissemination of Waste-Related

Education and Awareness: Given that the City of Fremantle may well be the service provider for the collection and removal of waste from the site, including Municipal Solid Waste, Recyclables and FOGO, the City has personnel that can assist, including the Waste Team Leader and a Waste Minimisation Officer, available free of charge to provide additional support in relation to these services. Other education and awareness resources that we would envisage utilising, include bin stickers, eg "What Goes in the Bin" stickers affixed to each MGB, and/or other literature, as provided by the City &/or alternative suppliers.

Security Issues: Under normal circumstances, the bin compound would be secured by closed gates, which would aim to deter illegal dumping, theft of and/or damage to the waste containers.

Information, to be Implemented and Maintained for the Life of the Development:

In addition to the educational and awareness information provided by the City's Waste Minimisation Team, additional information on how to use the waste collection system properly will be provided to each tenant in an Information Pack at the commencement of the tenancy. This information can then be reviewed and reiterated on a periodical basis through the strata management arrangement onsite.

Monitoring of the System: Part of the scope of works, that would be issued to the cleaning and waste management service providers, will include directions on how the system can be monitored by those contractors.

4. References:

WALGA Multiple Dwelling Waste Management Plan Guidelines, A Resource for Western Australian Local Government and Developers; and

WALGA Commercial and Industrial Waste Management Plan Guidelines, A Resource for Western Australian Local Government, Developers, Building Managers and Business Owners.

5. Attachments:

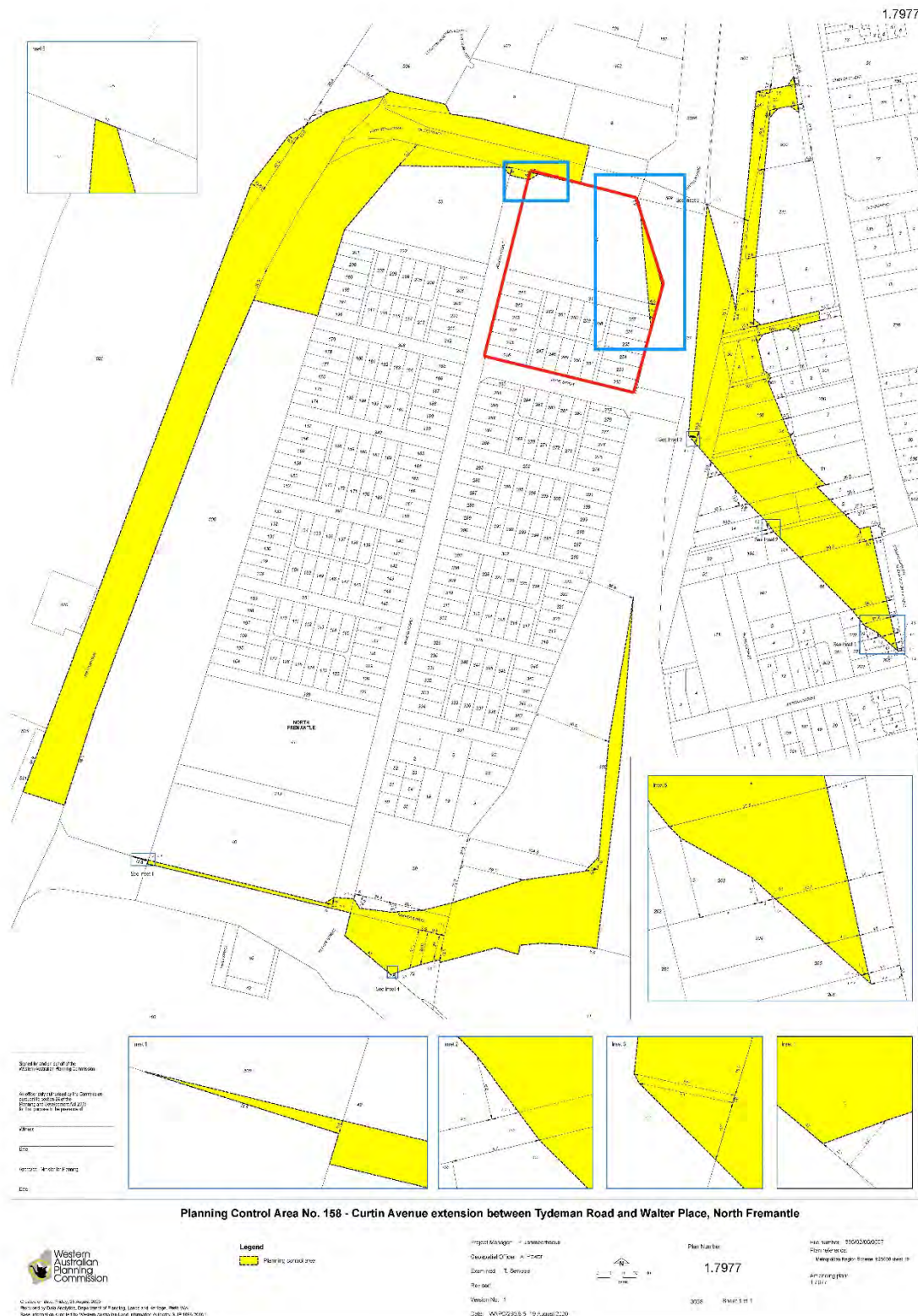
WALGA Multiple Dwelling Waste Management Plan Guidelines, A Resource for Western Australian Local Government and Developers;

WALGA Commercial and Industrial Waste Management Plan Guidelines, A Resource for Western Australian Local Government, Developers, Building Managers and Business Owners; and

Please refer to copies of drawings &/or other planning documentation that have been provided in support of this Waste Management Plan.

**PC2202-2 DEFERRED ITEM - BRACKS STREET, NO.90 (LOTS 241 – 260),
NORTH FREMANTLE – DEMOLITION OF EXISTING BUILDINGS AND
STRUCTURES – (CS DA0440/21)**

Additional information 1 – WAPC Plan No.1.7977



Additional information 2 – WAPC Decision Letter (5 January 2022)



Our Ref : 05-55-5
Enquiries : Mark Simpson (Ph 6551 9262)

Application for Approval to Commence Development plans dated 28 October 2021 received 28 October 2021.

Lot Number	: 54, 241-262, 311 & 349
Location	: -
Plan / Diagram	: Plan 1593, Deposited Plan 222459
Volume/Folio	: 1438/698, 1438/699, 1438/700
Locality	: Bracks Street, North Fremantle
Owner	: North Fremantle J V Pty Ltd C/O Level 7, 160 St Georges Terrace PERTH WA 6000

Under the provisions of the *Planning and Development Act 2005* this application has been referred for determination by the Western Australian Planning Commission.

The application has now been considered by the Commission and the formal notice setting out the terms of the decision is attached.

A copy of this decision has been forwarded to the Local Government for information.

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: info@dph.wa.gov.au; web address <http://www.dph.wa.gov.au>
ABN 35 482 341 493



Where the Commission refuses approval to commence development in a planning control area, or grants permission subject to conditions that are unacceptable to the applicant, the owner may claim compensation for such injurious affection in accordance with the provisions of Section 186 of the *Planning and Development Act 2005*.

Should the applicant be aggrieved by this decision there is a right to apply for a review pursuant to the provisions of Section 250 of the *Planning and Development Act 2005*. Such an application for review must be submitted to the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH WA 6000 in accordance with Part 14 of the *Planning and Development Act 2005*. It is recommended that you contact the State Administrative Tribunal for further details (telephone 9219 3111) or go to its website: <http://www.sat.justice.wa.gov.au>.

ADVICE TO APPLICANT

1. This property is affected by land reserved under Planning Control Area 158 as shown on the attached WAPC Plan No.1.7977 and will be required for road purposes at some time in the future.
2. In regard to Condition 3, this approval may be subject to a further two year approval extension in accordance with Section 33 of the *COVID-19 Response and Economic Recovery Omnibus Act 2020*.
3. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required, and to commence and carry out development in accordance with all relevant laws.
4. In regard to Condition 4, the City of Fremantle advises that the Demolition Management Plan will need to address the following matters:
 - a) the 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.
5. Main Roads Western Australia advises that the applicant is required to submit an application form if undertaking any works within the Port Beach Road or Curtin Avenue

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: info@dph.wa.gov.au; web address <http://www.dph.wa.gov.au>
ABN 35 482 341 493



road reserves prior to undertaking those works. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.

6. Main Roads Western Australia advises that the upgrading/widening of Curtin Avenue and Port Beach Road are 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.

7. The Public Transport Authority of Western Australia (PTA) advises that, as the proposed works are within 50 metres of the PTA's Rail Reserve (or the PTA Protect Zone), the owner must seek PTA's approval for working in close proximity to the operating railway prior to conducting the proposed demolition works. The Public Transport Authority (PTA) advises that the applicant/owner should submit the following documents to PTAThirdPartyAccess@pta.wa.gov.au at least six weeks prior to the commencement of works:
 - a) A completed Checklist as located within Appendix 2 of PTA Procedure 8103-400-004 'Working in and around the PTA Rail Corridor, Assets and Infrastructure' and all required documents listed within the Checklist.
 - b) A Work Method Statement.
 - c) Details of plant and equipment that will be used, including cranes, and their location within the worksite.All PTA specifications and procedures can be obtained on the PTA Vendor Portal <https://www.pta.wa.gov.au/vendor/>.

8. Atco Gas Australia advises that anyone proposing to carry out construction or excavation works within 15 of Critical Asset Infrastructure must contact 'Dial Before You Dig' (Ph 1100) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>.

A handwritten signature in black ink, appearing to read "Ms Sam Fagan".

Ms Sam Fagan
Secretary
Western Australian Planning Commission
5 January 2022

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: info@dph.wa.gov.au; web address <http://www.dph.wa.gov.au>
ABN 35 482 341 493



Our Ref : 05-55-5
Enquiries : Mark Simpson (Ph 6551 9262)

PLANNING AND DEVELOPMENT ACT 2005

City of Fremantle

APPROVAL TO COMMENCE DEVELOPMENT

Name and Address of Owner and Land on which Development Proposed:

Owner	: North Fremantle J V Pty Ltd C/O Level 7, 160 St Georges Terrace PERTH WA 6000
Lot Number	: 54, 241-262, 311 & 349
Location	: -
Plan / Diagram	: Plan 1593, Deposited Plan 222459
Volume/Folio	: 1438/698, 1438/699, 1438/700
Locality	: Bracks Street, North Fremantle
Application Date	: 28 October 2021
Application Receipt	: 28 October 2021
Development Description	: Demolition Of Warehousing And Offices

The application for approval to commence development in accordance with the plans submitted thereto is granted subject to the following condition(s):

1. This approval relates solely to that part of the site located on land reserved under Planning Control Area 158, as shown on the attached WAPC Plan No.1.7977.
2. The proposed development is to comply in all respects with the submitted plans received by the Department of Planning, Lands and Heritage on 28 October 2021 and date-stamped accordingly, as attached, subject to any modifications as required by the conditions of approval.
3. The development approval is valid for two years from the date of this letter. If the subject development is not substantially commenced within a two year period, the approval shall lapse and be of no further effect.

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: info@dph.wa.gov.au; web address <http://www.dph.wa.gov.au>
ABN 35 482 341 493



4. A Demolition Management Plan shall be submitted and approved to the specification of the City of Fremantle and the satisfaction of the Western Australian Planning Commission, prior to the commencement of site works. Once approved, the Demolition Management Plan is to be complied with at all times.
5. Appropriate measures are to be undertaken to ensure that full documentation and photographic records of the existing buildings are archivally recorded to the specification of the City of Fremantle and the satisfaction of the Western Australian Planning Commission, and a copy of such records submitted to the City in electronic format prior to the commencement of development.
6. The landowner/applicant shall make good any damage to the existing verge vegetation within the Port Beach Road reservation to the specification of the Main Roads Western Australia and the satisfaction of the Western Australian Planning Commission.
7. Stormwater discharge (if any) shall not be discharged into the Port Beach Road reservation or the future Curtin Avenue reservation.

If the development the subject of this approval is not substantially commenced within a period of two years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

A handwritten signature in dark ink, appearing to read "Sam Fagan".

Ms Sam Fagan
Secretary
Western Australian Planning Commission
5 January 2022

140 William Street, Perth, Western Australia 6000. Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: info@dph.wa.gov.au; web address <http://www.dph.wa.gov.au>
ABN 35 482 341 493

Additional information 3 – City's Heritage Assessment

Heritage Impact Assessment– DEMOLITION OF PLACE

Address: 90 Bracks Street, North Fremantle
Application number: DA0440/21
Proposal: Demolition of all buildings on site
Requesting officer: Catherine Sullivan
Date: 26/11/2021



90 Bracks Street, North Fremantle, Aerial photograph, CoF ESRI, February 2021

INTRODUCTION

The purpose of this heritage comment is to assess the changes to the place that are proposed in DA0440/21 and the affect that they will have upon the heritage values of 90 Bracks Street and the North Fremantle Heritage Area. The proposed changes include:

- Demolition of all existing buildings and structures

HERITAGE LISTINGS

State Register of Heritage Places

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

Inherit

There is no place record for 90 Bracks Street, North Fremantle on the Inherit database. The Inherit database number for the North Fremantle Heritage Area is 22385.

Heritage List

90 Bracks Street is NOT included on the City of Fremantle's Heritage List.

Heritage Area

90 Bracks Street is part of North Fremantle Precinct Heritage Area which was designated as a Heritage Area in accordance with clauses 7.2.1 and 7.2.9 of Local Planning Scheme No. 4.

Local Heritage Survey (formerly Municipal Heritage Inventory)

90 Bracks Street is not included on the Local Heritage Survey

RELEVANT PREVIOUS DEALINGS

Recent meetings or discussions:

- Site Visit – 16 November 2021

Previous relevant DAs:

- N/A

Previous relevant legal dealings:

- N/A

BACKGROUND

Historical Information

The North Fremantle area proper did not develop until after the arrival of the convicts in 1850. In 1851, Captain J. Bruce, commanding officer of the pensioner guards, was granted 150 acres in the area and allotments were surveyed and allocated to the pensioner guards, who accompanied the convicts. Other places associated with the Convict Establishment period include the North Fremantle Convict Depot (on site of fmr North Fremantle School, and North Fremantle Railway Station) and the construction of the Fremantle-Perth Road.

The Perth to Fremantle railway line opened in March 1881 offering a reliable route for goods to be moved in an era before roads dominated transport. The line ran through North Fremantle but on a slightly different alignment to the existing line with the original rail bridge over the Swan River located further west and the original North Fremantle Station located around 800m south of the current station.

With the impact of the goldrushes in the 1890s and 1900s and the huge growth in population and the increase in prosperity, North Fremantle began to develop as a residential area. However, with the construction of the Rocky Bay Quarries in 1892 and the completion of the Inner Harbour in 1897, there were also opportunities for the development of industry, trade and commercial businesses in North Fremantle. Since the first decades of the twentieth century, North Fremantle has functioned as a mixed residential and medium to light industrial area.¹

The railway corridor created a separation of the more coastal parts of the peninsula from the more estuarine land. Relatively large portions of land were taken up for Railway uses; stores, works, future expansion, etc. Most of this was on the ocean side of the main railway line. Harbour works also consumed large portions of land and the originally settled lots between Lilburn Road and Lukin Road were resumed for intended Harbour works.

The impact of the railway initially was to provide better communication and accessibility for people and goods however its location ultimately became a divisive element with a predominately industrial character established to the west on the sand dune topography of the coast. A predominately residential character was established to the east by subdivision of the original

¹ North Fremantle Heritage Study, 1993

Pensioner Lots on the limestone hills and alluvial flats. The rapid residential and industrial development coupled with the establishment of local government established a strong sense of local community and identity.

In the Gold-rush era industry developed with the establishment of the Fremantle Steam Laundry (1897), Burfords Soap factory (1905), Fergusons Timber Yard, Pearse Bros., yard, Victorian Galvanizing Iron Co., the Government Abattoirs at Port Beach (1907), Mount Lyall Mining Railway Company (later CSBP) and the State Engineering Works at Rocky Bay (1913). In the Inter-War era industrial development in North Fremantle was reflected in such landmark buildings as; The Great Southern Flour Mills (Dingo Flour), the Weeties factory, the Ford Factory, the Vacuum Oil Company, and the long, corrugated iron sheds along North Quay, Port Beach and Leighton Beach.

Aerial photographs taken in the 1930s record the industrial development west of the railway. The site that is now 90 Bracks Street is only partially developed with the large Massey-Harris Co. Ltd, industrial building with three gable roofs on the north side of the site together with a smaller freestanding gable roofed building and some small structures and railway spur lines on the south. The large oil terminal belonging to the Shell Oil Co. can be seen on both sides of Bracks Street to the south of 90 Bracks Street and the smaller Caltex Oil terminal is to the west.



Shell Oil Co., North Fremantle, 1936. Gore, Stuart, 1905-1984. Illustrations Ltd. State Library of WA
Shell Oil Co. is in the top left of the photograph, 90 Bracks Street in the centre and Caltex is in the top right.



Shell Oil Co., North Fremantle, 1936. Gore, Stuart, 1905-1984. Illustrations Ltd. State Library of WA
90 Bracks Street is on the left-hand side.



Metropolitan Sewerage North Fremantle Municipality Sheet No. 2023, 1940

The earliest Metropolitan Sewerage plan for the site dates from 1940. This plan shows that 90 Bracks Street was originally bisected by Vaughan Street which ran east to west from Bracks Street to Napier Street. In the northern half of the site the large industrial building with three gable roofs is now named J. Gadsden Pty Ltd. The smaller building has been duplicated and a masonry façade has been added to the Vaughn Street side. The southern section of the site between Vaughan and Irene Streets is vacant. Spur lines from the railway serve J. Gadsden Pty Ltd, Shell Oil Co. and Caltex Oil.

The post-war era saw the construction of major infrastructure projects in and around Fremantle Port and the greater industrialisation of North Fremantle west of the railway. Between 1950 and 1965 Fremantle Port was modernised and upgraded under a new General Manager of the Fremantle Harbour Trust, F. W. E. Tydeman. Tydeman implemented a program of mechanisation, containerisation and expansion of the port. Works in the Inner Harbour were focused on North Quay which was developed for handling general cargo with the construction of the North Quay Transit Sheds, improved methods for handling grain, modification of berths for roll on roll off ships and the installation of seven new quay cranes.²

Port Beach Road was constructed in 1960 and land was acquired in North Fremantle to expand the port and to upgrade railway facilities. In 1959 the Leighton Marshalling Yards were constructed and in 1961 work commenced on the realignment of the railway and construction of a new rail bridge to allow north quay to be extended further eastward. Tydeman Road was constructed in the 1970s linking Port Beach Road to the new traffic bridge further upstream. These works gradually removed residential development east of the railway and by 1971 only one house was left to the west of the railway line.³

In 1961 J. Gadsden Pty Ltd moved from its premises in Vaughan Street, North Fremantle to the newly established industrial suburb of O'Connor. The firm continue to manufacture cans, mattresses, sheets and bags for packaging, canvas for tarpaulins and hatch covers for shipping. An aerial photograph of the site from 1965 shows that the site has been extensively redeveloped reaching close to its current configuration. New sheds have been constructed covering most of the southern and northern halves of the site and Vaughan Street has been incorporated into the site as an internal street and carpark.



Aerial photographs of the Shell bulk storage depot, 1/8/1978. Aerial Surveys Australia. State Library of WA

² HCWA Register Entry, Victoria Quay, Fremantle, March 202

³ North Fremantle Heritage Study, 1993



Detail of 1964 aerial photograph

The long period of port expansion and modernisation triggered by the agricultural and mineral booms of the 50s and 60s ended in the 1970s. In the 1980s and 1990s industry began to leave North Fremantle for industrial estates on the outskirts of the metropolitan area. The State Engineering works closed in 1987 followed by other businesses such as the Ford Motor Company, Harvest Road Iceworks, the Weeties factory, Bradford Insulation, Dillingham Shipyards, Precision Marine, Phillips and Joinery Works.⁴ The oil tanks on the west side of Port Beach Road were demolished in the 1990s.

In 2000 the State Government undertook a major project to redevelop the Leighton Marshalling Yards and industrial sites to the north of 90 Bracks Street. As a part of these works the railway was rationalised, Port Beach Road was relocated and a new area of medium density residential development was established centred around the relocated train station.

The oil tanks on the west side of Port Beach Road were demolished in the 1990s followed by most of the buildings of the former Caltex oil Installation at 85 Bracks Street in 2004 followed by the tanks in 2014. In 2017 most of the Shell oil terminal structures on the west side of Bracks Street were decommissioned and demolished including the fuel tank farm, oil tank farm, bitumen plant and workshop buildings. In 2021 applications have been approved to demolish all the oil terminal building east of Bracks Street including industrial buildings, structures, offices and laboratories. These buildings are gradually being removed.

Physical Description

90 Bracks Street is a roughly rectangular site bounded by Walter Place in the north, the Perth – Fremantle railway on the east, Irene Street on the south and Bracks Street on the east. Industrial buildings almost completely cover the site from boundary to boundary with the exception of small areas on the north-east and south east corners of the site and the vehicle access on Bracks Street which corresponds with the earlier Vaughn Street. The areas of site without buildings are all

⁴ North Fremantle Heritage Study, 1993

bituminised and fenced. The vehicle entry area off Bracks Street has a high face brick wall with wrought iron gates with the name C. H. Mann Pty Ltd worked in wrought iron.

All the buildings on this site date from:

Massey-Harris Co. Ltd Building (pre 1936)

Dating from the Inter-War period and associated with the Massey-Harris Co. Ltd, this is one of the earliest building on site. The building is roughly rectangular with three gable roofs running north to south. The north end of the building has retained its timber gable vents but the south end was modified when it was extending in the early 1960s. Aerial photos show that existing corrugated asbestos cement sheet roofing with matching verge capping, ventilators and ridge vents was installed in the early 1960s replacing earlier corrugated iron sheeting. The walls are clad with a dado of red, stretcher bond, face brick with corrugated steel sheeting with a trim deck profile above. This is not an original wall cladding and its use across the site suggests that it was replaced as part of a later project to upgrade the complex.

J. Gadsden Pty Ltd Building (1937 - 1939)

This building was built in two stages. The eastern half had been constructed by 1936 and the western half and the brick, south facing façade that unifies the two halves of the building had been constructed by 1940. The western façade is constructed from painted, red face brickwork. It is a late example of the Federation warehouse style and shows the influence of classical composition in the way that façade is modulated with expressed mass brickwork structural elements such as engaged piers, beams and entablature. Each half of the façade is divided into four bays by the engaged piers and each bay contains a 12 pane, steel windows. The façade has a parapet that conceals the corrugated steel sheet clad gabled roof. The façade has a small return on Bracks Street but most of this elevation the standard wall cladding with a dado of red, stretcher bond, face brick with corrugated steel sheeting with a trim deck profile above.

Irene Street Block West (c. 1954 - 1965)

This rectangular building has two gable roofs running parallel with Irene Street and one . It has the standard wall cladding with a dado of red, stretcher bond, face brick with corrugated steel sheeting with a trim deck profile above. Part of the building is clad with corrugated steel roof sheeting with a trim deck profile and part with the original corrugated asbestos cement sheeting. The Irene Street elevation has steel roller doors and horizontal format steel framed windows with obscured glass.

Irene Street Block East (c. 1954 - 1965)

This rectangular building has a brick front section with a parapet that conceals a low pitch roof The façade is utilitarian with plain stretcher bond face brickwork, horizontal format windows and double doors. Behind the brick section is a steel framed shed with a corrugated asbestos cement sheet gable roof that runs perpendicular to Irene Street.

Corner Office (c. 1966 – 1974)

This narrow brick building wraps around the corner of Bracks and Irene Streets with a truncated corner. The building is utilitarian face stretcher bond brickwork with horizontal format aluminium windows. The roof is concealed behind a parapet. Signage painted on the façade reads "Standard Wool Australia Pty Ltd".

Current photographs of the complex are included as an appendix to this document.

HERITAGE IMPACT ASSESSMENT

Statement of Significance

North Fremantle is significant as a mixed residential and industrial area located to the north of the Swan River and adjacent to the Port of Fremantle with a history of European settlement dating back to the Pensioner Guards in the mid nineteenth century. The proposed demolition of 90 Bracks Street was assessed against the following values identified in the statement of significance for the North Fremantle Heritage Area:

its connection with the Convict Establishment, convict built public works and the Pensioner Guards whose former Barracks and settlement were located in the area;	No discernible impact
its unique topography located between the river and the ocean which contributes to its unique character;	No discernible impact
its role in World War II defences with the establishment of the Leighton Battery;	No discernible impact
its concentration of mainly modest workers accommodation dating from the Federation and Inter-War periods together with some pockets of more substantial development around areas such as Brucetown;	No discernible impact
its focus on the industries relating to the Port of Fremantle, the railways and associated industries established in the area;	Minor impact
its former industrial character resulting from the former Leighton Marshalling Yards, State Engineering Workshops and other industries such as the Dingo Flour Mill, the Ford Motor Factory etc;	Minor impact
because of its association with boat building and the marine industry.	No discernible impact
its cultural diversity resulting from successive periods of migrant settlement in the area;	No discernible impact
its long connection with places of recreation including Leighton and Port Beaches together with the Swan River banks and beaches and the Gill Fraser Oval	No discernible impact
surviving natural landforms located at Cypress Hill and the cliffs and cave limestone formations of Rocky Bay together with remnant indigenous flora in these areas	No discernible impact

Heritage values

The impact of the proposed demolition of 90 Bracks Street on the North Fremantle Heritage Area was assessed using the following heritage values from the ICOMOS Burra Charter, 2013:

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

Heritage Comments

Demolition of any place requires careful consideration because it removes all of its heritage significance except for intangible historical and social values that are not dependent on physical fabric.

The Inter-War and Post War era industrial buildings at 90 Bracks Street have little heritage significance and do not contribute to a significant streetscape. Generally, these buildings are generic industrial buildings of the era with little aesthetic value or landmark quality.

The historic and social values of this place can be captured by recording the information collected as part of this assessment in Inherit as a Historic Record Only listing.

RECOMMENDATIONS:

The proposal to demolish 22 Bracks Street, North Fremantle is supported on heritage grounds as it does not contribute to the identified significance of the North Fremantle Precinct Heritage Area or meet the threshold for individual listing.

RECORD PHOTOGRAHS - 2021



North east corner of the site viewed from Walter Place near the railway reserve.



North side of 90 Bracks Street facing Walter Place. The Inter-War era Massey-Harris Co. Ltd Building is in the middle of the photograph. The external wall and roof cladding were changed c. 1960s but the timber louvre vents to the gable ends have been retained. The lower gabled building to the left of the photograph dates from the 1960s.



The building on the corner of Walter Place and Bracks Street dates from the 1960s.



Bracks Street parapeted façade of the J. Gadsden Pty Ltd Building (1937 – 1939). This façade was modified in the 1960s.



Detail of brick façade to J. Gadsden Pty Ltd Building (1937 - 1939)



J. Gadsden Pty Ltd Building (1937 – 1939) to the left of the photograph with late 20th Century shed in the centre and 1970s Office on the right.



Detail of J. Gadsden Pty Ltd Building (1937 – 1939). This façade faced onto Vaughan Street which was incorporated into the site in the 1960s. Half of the façade is concealed within the adjacent building.



Detail of the steel framed windows to the J. Gadsden Pty Ltd Building (1937 – 1939).



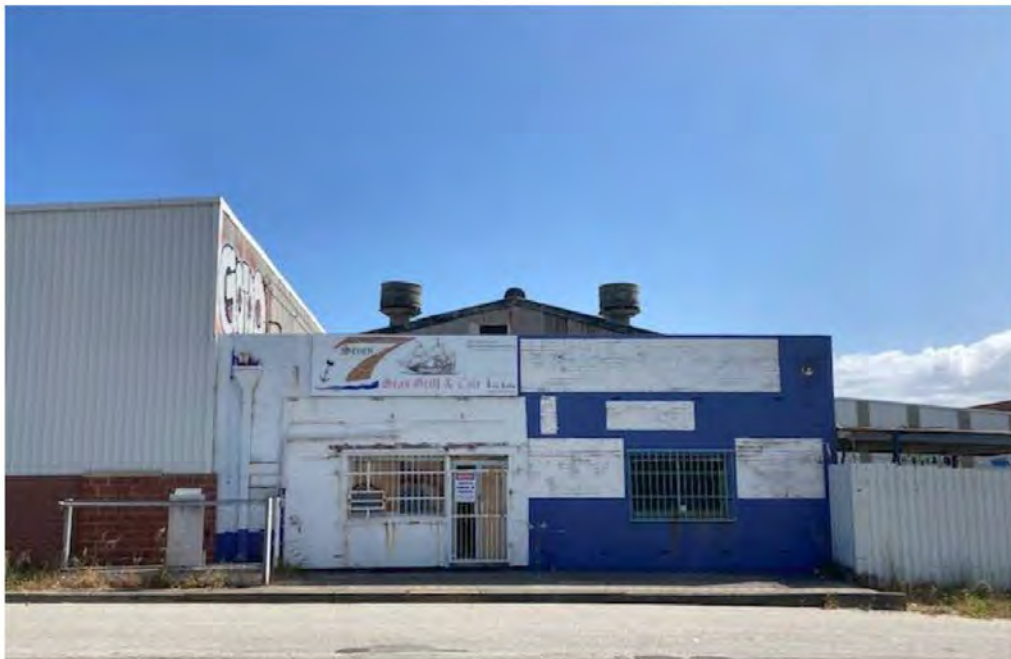
Detail of steel gate incorporating the name "C. H. Mann Pty Ltd" facing Bracks Street.



Corner Office circa 1970s.



South east corner of the site.



Detail of 1960s brick office to Irene Street.

Additional information 2 – Site Photo's



Photo 1: Subject site from South Terrace



Photo 2: Subject site from South Terrace

**PC2202-4 MCCABE STREET, NOS. 19-21 (LOT 19) - VARIATION TO DAP004/20
(EIGHT STOREY MIXED USE DEVELOPMENT COMPRISING 13
GROUPED DWELLINGS, 97 MULTIPLE DWELLINGS, RESTAURANT,
SHOP) (ED DAPV001/21)**

Additional Information 1 – Site Photos

Photo 1: Subject site as viewed from McCabe Street





Photos 5 and 6: view north from centre of subject site



Additional Information 2 – Revised Landscaping Plans



12 Tree Canopy

Canopy Calculations

As per the DesignW4 objectives the project seeks to improve tree canopy coverage of the site. In addition trees are included within the development to:

- Provide shade to amenity areas
- Reduced temperatures of external areas through evapotranspiration
- Mitigation wind within the development
- Noise Mitigation & Habitat Creation

As per State Planning Policy 7.3 Volume 2 - Element Objective 3.3.2, the tree canopy requirement are as follows:

Lot Area	8056m ²	1 large tree and 1 medium tree for each additional 400m ² in excess of 1000m ²	8 Large Trees (63m ² each) or 512m ² of Canopy
WAPC Tree Canopy requirements	>1,000m ²	OR 1 large tree for each additional 900m ² in excess of 1000m ² and small trees to suit area	

In lieu of "Large Trees" we have provided an mix of "small" and "medium" trees to meet and exceed the canopy requirements of E03.3.2

The table below summarises the extent of landscaping provided across the various levels of the building.

Tree Size	Small Trees 4-6m	Medium Trees 6-9m	Large Trees >9m	Total Canopy (m ²)
Canopy Area	19m ² (ie 5m Dia)	36m ² (ie 7m Dia)	63m ² (ie 9m Dia)	
Lower Ground Floor	23	-	-	437
Ground Floor	52	10	1	1431
Level 1	-	-	-	-
Level 2	12	1	-	266
Level 3	-	-	-	-
Level 4	-	-	-	-
Level 5	-	-	-	-
Level 6	-	-	-	-
Level 7	-	-	-	-
TOTAL	87	11	1	2134

ASPECT Studios

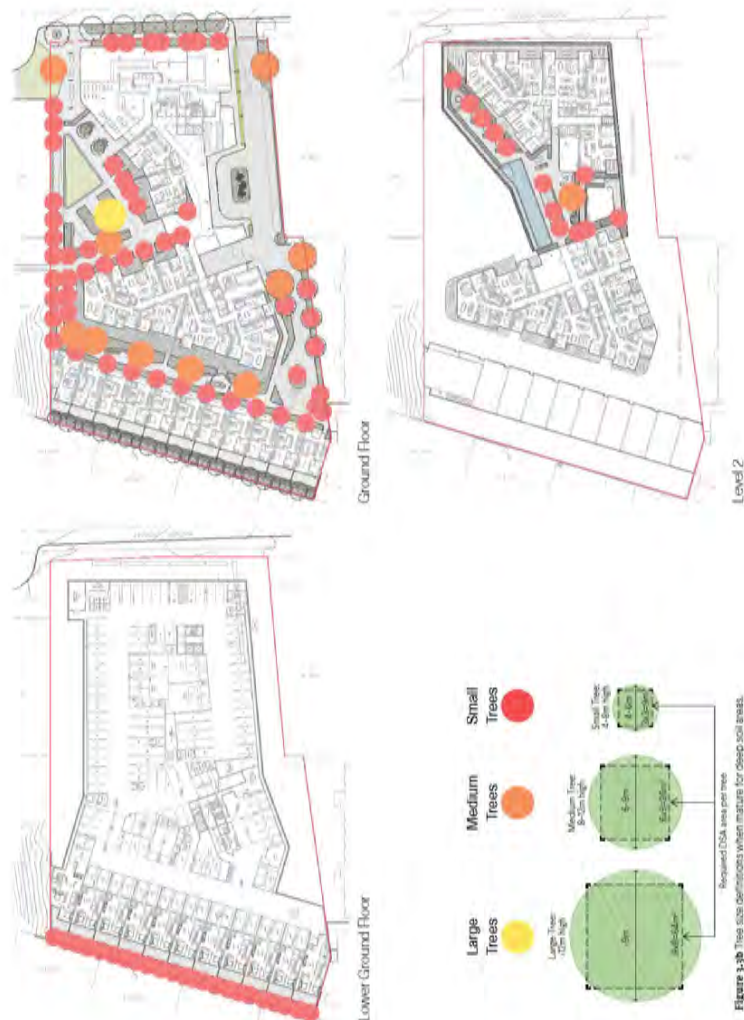


Figure 3-3b Tree size definitions when mature for deep soil areas.

Tree size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided* (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-6m	3m ²	2m	6m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-10m	36m ²	3m	12m (DSA) + 4m (RSZ)	200L
Large	>9m	>12m	64m ²	6m	4.5m (DSA) + 1.5m (RSZ)	500L

* Rootable areas are for the purposes of deepening minimum width only and do not have the effect of reducing the required DSA.

4 Ground Level Concept

Legend

- ① Street Planting
- ② Art Walk
- ③ Shelter / Communal Gathering
- ④ Communal / Sensory Garden
- ⑤ Existing limestone embankment
- ⑥ Reserve Entry
- ⑦ Native / Endemic Planting
- ⑧ Raised planter and fixed seating
- ⑨ Raised recreation lawn
- ⑩ Alfresco Seating (under awning)
- ⑪ Entry Driveway w/ feature pave
- ⑫ Bar height seating and tables
- ⑬ Projector Screen
- ⑭ BBQ
- ⑮ Seating nodes
- ⑯ Mature Feature Tree
- ⑰ Existing mature trees
- ⑱ Native Re-vegetation
- ⑲ Gravel Path



ASPECT Studios

19-21 McCabe Street 05

13 Deep Soil

Deep Soil Zones

Given the highly urban context of the development a 'hybrid' approach has been taken to achieving the provision of landscape amenity. The landscape design consists of deep soil zones and planting on structure (As defined in DesignWAY) to create a landscape approach which is respectful of the surrounding urban context and architectural form.

The table below summarises the extent of landscaping provided across the various levels of the building.

Lot Area: 8056 m2

Deep Soil Requirement (10%): 805 m²

Level	MEETING REQUIREMENT		EXCEEDING REQUIREMENT	
	Deep Soil (m²)	Deep Soil on Structure* (Item 1)	Deep Soil on Structure*	Deep Soil on Structure **
Lower Ground Level	205	0	170 (622)	0
Ground Level	430	0	0	182
Level 2 Podium	0	0	0	162
Subtotal	635	170	170	344
DSA TOTAL	805 m² (635 + 170)		1,149 m² (805 + 344)	

* Deep Soil Equivalent on structure in lieu of deep soil (Item 1). Counted at 50%

** Deep Soil Equivalent on structure in lieu of deep soil. Counted at 100%



Additional Information 3 - Sustainability Advice

CUNDALL

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www.cundall.com

Consultant's Advice Notice

Project: 19-21 McCabe Street
Subject: Green Star v One Planet Living
Attention: Megara – Cade Taylor

Job No: 1025996
Date: 27-10-2021
Revision: A

Dear Cade,

RE: Green Star v One Planet Living (OPL) review

This Consultant's Advice Notice (CAN) outlines why we believe the Green Star rating tool to be an equal framework to the One Planet Living (OPL) framework in deriving high sustainability outcomes.

Overall, we feel that whilst the OPL framework is great for setting up the sustainability strategy of a project, it is not fit for purpose at building level. We are seeing OPL being used successfully within councils and companies (Cundall is an OPL Company) but the framework is not specific enough or applicable enough when being applied to buildings.

Green Star is operated by the Green Building Council of Australia (GBCA) and the tool has been continually developed over the last 15 to 20 years. And each update of the tool goes through a vigorous industry engagement process, and so is very suited to those in the building industry.

The OPL framework consists of 10 overarching principles which can be openly and generically applied to different types of entities. However, the outcomes and targets tend to be ambiguous and the assessors within Bioregional can be wavering in their review when certifying a building. "The uncertainty represents a significant risk to the design team of a development – not being able to definitively quantify the extent of ESD inclusions required to meet the OPL assessors' needs."

Australia: Adelaide Brisbane Melbourne Perth Sydney International: Australia Europe MENA UK and Ireland

Note, prepared by Cundall



The table below summarises how and where the Green Star tool meets the 10 OPL Principles:

Table 1 - Where Green Star meets OPL Principles

One Planet Principle	Where Green Star meets Principle
Health and Happiness	Credit 9 Indoor Air Quality, Credit 10 Acoustic Comfort, Credit 11 Lighting Comfort, Innovation Challenges: Occupant Engagement, Integrating Healthy Environments, High Performance Site Office
Equity and Local Economy	Credit 7 Responsible Construction Practices, Innovation Challenges: Universal Design, Social Return on Investment, Local Procurement, Affordable Housing
Culture and Community	Innovation Challenges: Reconciliation Action Plan, Marketing Excellence, Incorporation of Indigenous Design, Home for Homes, Culture, Heritage and Identity, Community Benefits
Land and Nature	Credit 23 Ecological Value, Credit 24 Sustainable Sites, Credit 25 Heat Island Effect
Sustainable Water	Credit 18 Potable Water
Local and Sustainable Food	Innovation Challenges: Local Food Production, Access to Fresh Food
Travel and Transport	Credit 17 Sustainable Transport
Materials and Products	Credit 19A Lifecycle Assessment, Credit 19B Steel, Concrete, Timber, Credit 20 Responsible Building Materials, Credit 21 Sustainable Products
Zero Waste	Credit 8 Operational Waste, Credit 22 Construction and Demolition Waste
Zero Carbon	Credit 15 Greenhouse Gas Emissions, Credit 16 Peak Demand Reduction, Credit 19A Lifecycle Assessment

As can be seen, the Green Star rating tool covers a wide range of sustainability initiatives and these appear across all of the 10 OPL Principle. The key benefit for using Green Star is that it is made for the building industry, and therefore it is clearer and more easily understood by design teams, contractors and occupants alike.

We understand the City of Fremantle Local Planning Policy

1. All development subject to this policy shall be designed and constructed in such a manner so as to demonstrate:
 - a) **A rating not less than 4 Star Green Star** using the relevant Green Building Council of Australia Green Star rating tool, or its equivalent demonstrated through a report provided by a suitably qualified professional*.
- * This may include a One Planet Living Action Plan that is certified by Bioregional Australia or a One Planet Living Integrator.

It is proposed that the project be allowed to align with this policy through either a certified Green Star rating or One Planet Living recognition, as they see fit, and that the corresponding DA condition be amended to reflect the Local Planning Policy. It should also be noted that the project is seeking to go above and beyond this policy and are targeting a 5-star rating, where the Local Planning Policy requests alignment with a 4-star rating.

CUNDALL

We trust the above is sufficient for your purposes, but should you have any questions or queries please do not hesitate to contact me.

Yours sincerely,



Oliver Grimaldi

Associate

email o.grimaldi@cundall.com

Additional Information 4 – Updated Transport Impact Statement

Transport Impact Assessment

Multi Residential Development, North
Fremantle

CW1119200

Prepared for
Megara

12 January 2022





Contact Information

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Document Information

Prepared for Megara

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 Development, North
 Fremantle

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 Megara_North-Fremantle-
 V1BS.docx

Job Reference CW1119200

Date 12 January 2022

Version Number F

Author(s):

 Brian Sii
 Traffic Engineer

Effective Date 12/01/2022

Approved By:

 Scott Lambie
 Team Leader – Traffic Engineering

Date Approved 12/01/2022

Document History

Version	Effective Date	Description of Revision	Prepared by	Reviewed by
A	27/05/2020	For Issue	BS	SJL
B	24/06/2020	For Issue	BS	SJL
C	25/06/2020	Minor amendments	BS	SJL
D	01/10/2021	Minor amendments to design	GB	SJL
E	20/10/2021	Parking update	BS	SJL
F	12/01/2022	Minor amendments	BS	SJL

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1 Introduction

Cardno was commissioned by Megara 26 Pty Ltd (the Client) to prepare a Traffic Impact Assessment for the proposed multi-residential development, located at 19-21 McCabe Street, North Fremantle ('the Site').

This report aims to assess the impacts of the proposed development upon the adjacent road network and the proposed provisions of car parking for the proposed development. This report has been prepared in accordance with the Western Australian Planning Commission (WAPC) *Transport Assessment Guidelines for Developments: Volume 4 – Individual Developments (2016)*. **Appendix A** of this report includes a checklist of the WAPC guidelines.

This report will focus specifically around traffic access, parking provision and safety as well as discussion regarding consideration of pedestrians, cyclists and public transport.

The scope of work comprises of the following:

- Summary of the existing and proposed infrastructure within the context of the surrounding area.
- Background information for the proposed development
- Desktop assessment to determine the traffic generation, distribution and assignment for the proposed development
- SIDRA assessment of key intersections
- Assessment of the proposed provisions of car parking for the proposed development
- Mitigation measure and recommendations (if required)
- Conclusions and summary.

2 Existing Situation

2.1 Site Location

The Site is located at 19-21 McCabe Street, North Fremantle within the City of Fremantle. The boundary for City of Fremantle and Town of Mosman Park is located along the eastern boundary of the Site. The Site is bounded by McCabe Street to the south, residential developments to the north, and commercial/community developments to the east and west. An aerial image of the Site is shown in **Figure 2-1**.

Figure 2-1 Aerial Image

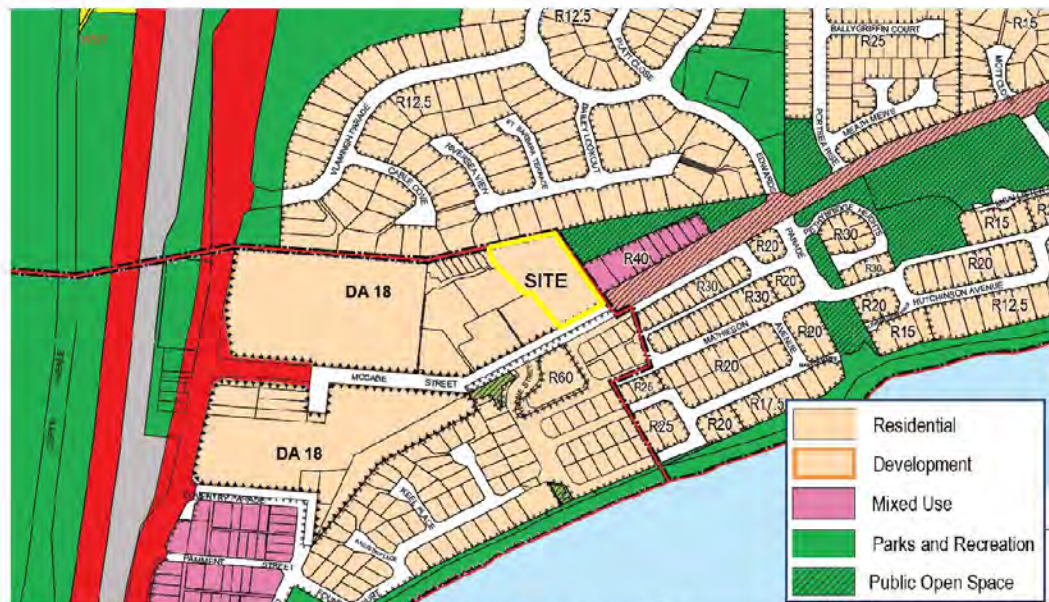


Source: Nearmap

2.2 Existing Land Uses

The Site is zoned as 'Development' under the *City of Fremantle Local Planning Scheme No. 4* and *Town of Mosman Park Local Planning Scheme No. 3* as shown in **Figure 2-2**, surrounded by several residential land uses in the north and south directions. Mixed use land uses are located in the southwest direction.

Figure 2-2 Zoning



Source: DPLH Local Planning Schemes for City of Fremantle and Town of Mosman Park

2.3 Existing Parking Provision

The proposed development is located in the *Development* zone where approximately 20 formal on-street parking bays are available south of the Site, on the southern side of McCabe Street. These parking bays are shared in terms of usage between other developments within the area.

2.4 Existing Road Network

Road classifications are defined in the Main Roads Functional Hierarchy as follows:

- **Primary Distributors (light blue):** Form the regional and inter-regional grid of MRWA traffic routes and carry large volumes of fast-moving traffic. Some are strategic freight routes, and all are National or State roads. They are managed by Main Roads.
- **Regional Distributors (red):** Roads that are not Primary Distributors, but which link significant destinations and are designed for efficient movement of people and goods within and beyond regional areas. They are managed by Local Government.
- **District Distributor A (green):** These carry traffic between industrial, commercial and residential areas and connect to Primary Distributors. These are likely to be truck routes and provide only limited access to adjoining property. They are managed by Local Government.
- **District Distributor B (dark blue):** Perform a similar function to District Distributor A but with reduced capacity due to flow restrictions from access to and roadside parking alongside adjoining property. These are often older roads with traffic demand in excess of that originally intended. District Distributor A and B roads run between land-use cells and not through them, forming a grid that would ideally be around 1.5 kilometres apart. They are managed by Local Government.
- **Local Distributors (orange):** Carry traffic within a cell and link District Distributors at the boundary to access roads. The route of the Local Distributor discourages through traffic so that the cell formed by the grid of District Distributors only carries traffic belonging to or serving the area. These roads should accommodate buses but discourage trucks. They are managed by Local government.
- **Access Roads (grey):** Provide access to abutting properties with amenity, safety and aesthetic aspects having priority over the vehicle movement function. These roads are bicycle and pedestrian friendly. They are managed by Local government.

The surrounding road network is further described in **Table 2-1** and **Figure 2-3** shows the road hierarchy as per the *Mainroads WA Road Information Mapping System*.

Table 2-1 Road Network Classification

Street Names	Road Hierarchy				Road Network	
	Road Hierarchy	Jurisdiction	No of Lanes	No of Footpaths	Width (m)	Posted Speed (km/h)
McCabe Street	Local Distributor	Local Govt.	2	2	7.5	50
Stirling Highway	Primary Distributor	MRWA	4	1	14-17.5 (1.3m median)	60
Edwards Parade	Access Road	Local Govt.	2	1	7.3	50

Figure 2-3 Road Hierarchy



2.5 Existing Intersections

2.5.1 Stirling Highway/McCabe Street

This intersection is a three-way signal-controlled intersection located approximately 400m west of the Site. Right-turn auxiliary lanes are available at the south and east approaches of the intersection. Signalised pedestrian crossings are available on the southern and eastern legs.

Figure 2-4 Stirling Highway/McCabe Street intersection



Source: Nearmap

2.5.2 McCabe Street/Edwards Parade

Is a four-way roundabout located approximately 300m east of the Site. The roundabout provides accesses to the residential area located to the north and south of the intersection.

Figure 2-5 McCabe Street/Edwards Parade intersection



Source: Nearmap

2.6 Existing Traffic Volumes

Existing traffic volumes from *Main Roads WA (MRWA) Traffic Map* is shown in **Table 2-2** below.

Table 2-2 Existing Traffic Volumes

Road Name	Date	Daily Two-way Traffic Volume	Two-way Vehicles per AM Peak Hour	Two-way Vehicles per PM Peak Hour
McCabe Street, east of Stirling Highway	2020	6,987	668	556
Stirling Highway, north of McCabe Street	2020	36,232	2,838	2,966
Stirling Highway, south of McCabe Street	2020	39,625	3,271	3,236

2.7 Existing Pedestrian/Cycle Network

The current provision of pedestrian and cycle paths in the vicinity of the Site are illustrated in **Figure 2-6**. The existing Site is not directly connected with any high quality pedestrian and cycling shared path. However, a footpath is available on the south of McCabe Street, providing connection to the nearest high-quality pedestrian and cycle path further east of McCabe Street and Edwards Parade.

Figure 2-6 Bike Map



Source: Department of Transport

2.8 Existing Public Transport Services

The existing public transport facilities in the vicinity of the Site are as shown in **Figure 2-7**. The nearest bus stops are located on Stirling Highway approximately 650 metres west of the Site, serviced by Bus Route 103, 107, 998 and 999.

Bus Route 103 provides services between East Perth and Fremantle Station via Thomas Street & Stirling Highway, while Bus Route 107 provides services between Perth and Fremantle Station via Claremont & Mosman Park. These bus services run at a high frequency of at least every 30 minutes on weekdays at peak times. Bus Route 998 and 999 provide a circular service with 998 running clockwise and 999 running anti-clockwise. These bus routes are considered as major bus routes with higher frequencies (around 4 to 6 services per hour per direction between 6am and 8pm Monday to Friday) and include interchanges with several other public transport stops such as Shenton Park Station, Fremantle Station, Bayswater Station, Stirling Station, Murdoch Station and others.

The North Fremantle Station is located approximately 1.2km to the south, and Victoria Street Station approximately 1.6km to the north, both servicing the Fremantle train line. These train services run at 10mins interval during peak hours (7am-9am & 4:30pm-6:30pm) between Perth City and Fremantle City.

In conclusion, the Site benefits from excellent public transport services and the summary of frequency of Bus services is shown in **Table 2-3**.

Figure 2-7 Existing Public Transport Facilities



Source: Transperth

Table 2-3 Frequency Bus Services

Bus N°	Route	Peak-Hour Weekdays	Off-Peak Weekdays	Saturday	Sunday & Public Holiday
103	East Perth- Fremantle Stn	30 mins	30 mins	60 mins	60 mins
107	Perth-Fremantle Stn	30 mins	60 mins	60 mins	No-service
998	Clockwise	5-10 mins	15 mins	15 mins	30 mins
999	Anti-clockwise	5-10 mins	15 mins	15 mins	30 mins

2.9 Crash Data

A search on the Main Roads WA Reporting Centre for traffic crash data for reported crashes between the 1st of January 2014 and the 31st of December 2018 is conducted for the following sections of roads:

- > McCabe Street-between McCabe Place and Edmonds Parade (Midblock Crash); and
- > McCabe Street/McCabe Place Intersection.

Recorded crash locations are illustrated in **Figure 2-8** and crash data summarised in **Table 2-4** and **Table 2-5**.

Figure 2-8 Crash History Distribution



Table 2-4 McCabe Street midblock

Type of Crash	Fatal	Hospital	Medical	Major Property Damage	Minor Property Damage	Total Crashes
Sideswipe Same Direction	-	1	-	-	1	2
Total	-	1	-	-	1	2

Table 2-5 McCabe Street/McCabe Place Intersection

Type of Crash (RUM Code)	Fatal	Hospital	Medical	Major Property Damage	Minor Property Damage	Total Crashes
Right Turn Thru	-	1	-	-	-	1
Total	-	1	-	-	-	1

A summary of the crash data is as follows and illustrated in:

- > A total of 3 crashes occurred along McCabe Street.
- > 2 of the 3 crashes required hospitalisation.
- > 2 crashes are sideswipe same direction crashes.

Given the small scale of the development, it is unlikely that the Site will cause any material impact to traffic safety of the surrounding road network.

3 Development Proposal

3.1 Proposed Development Land Use

The proposed development is an 8-storey residential building located at 19-21 McCabe Street, North Fremantle. The ground floor plan of the proposed development is shown in **Figure 3-1** and included in **Appendix B** of this report.

Figure 3-1 Ground Floor Plan of the Site



Source: Space Collective Architects

3.2 Access Arrangement

The proposed main vehicle access to the Site is located along the western boundary of the Site, from McCabe Street. This vehicle crossover allows vehicles to access the drop-off area and basement carpark ramp. The driveway will be designed to promote a low speed environment.

The proposed pedestrian access is located to the southeast and southwest of the Site, connected to the existing McCabe Street northern footpath. The southeast pedestrian access leads pedestrians to the café/deli and the community space, while the southwest access connects to the lobby entrance.

The access locations are illustrated in **Figure 3-2**.

Figure 3-2 Access location



Source: Hillam Architects

3.3 Car Parking Provision

Car parking requirements for the residential component of the proposed development is obtained from the *Residential Design Codes Vol. 1 and Vol. 2*. The parking requirements for the commercial components are sourced from the *City of Fremantle Local Planning Scheme 4*. A summary of the parking requirements and provision of the proposed development is shown in **Table 3-1**.

Table 3-1 Statutory Car Parking Provision

Parking		Yield	Parking Requirements	Total Parking Required	Parking Provision	Surplus/ Shortfall
*Multi Dwelling	1 bedroom	9	1.00 per dwelling	9 bays	219 bays (20 Tandem Car Bays)	+ 102 bays
	2+ bedroom	86	1.25 per dwelling	108 bays		
	Visitor	106	0.25 per dwelling up to 12 dwellings	3 bays	9 bays (Upper Basement)	-
			0.125 per dwelling for 13th dwelling and above	12 bays	6 bays (Ground Floor)	
*Town House	2+ Bedroom	11	2.00 per dwelling	22 bays	22 Bays	-
**Deli	-	255m ²	1:20m ² NLA (Minimum 2 bays)	13 bays	*6 bays (Ground Floor) 11 bays (upper basement)	-
**Café	-	20 seats	1:5 seats or 1:5m ² dining area, whichever is greater	4 bays		
**Wine Shop (shop local)	-	147m ²	1: 20m ² NLA (minimum 2 bays)	7 bays		

Source: * R-Codes (Location B) / ** City of Fremantle LPS

+ Shared between basement visitor bays

The development is proposed to provide a sum of 267 parking bays on the Site, including 20 tandem bays and 16 visitor bays. As shown in **Table 3-1**, the proposed parking provision for residential developments satisfies the relevant parking provision requirements.

It is noted that 9 visitor bays have been proposed in the upper basement level, in addition to the 6 visitor bays proposed on the ground floor. It is anticipated that residential visitors would generally visit outside of the usual office/business hours (8am-5pm). Hence, it is proposed that the visitor parking bays be shared and used for the commercial staff and visitor parking during the day. This has been commonly practiced in many similar developments to maximise the car parking bays usage.

Wayfinding signs can be installed on McCabe Street to guide café patrons to park on the ground floor visitor parking and the basement car parking. Visitors who parked in the basement would access the deli and café via the stairs and lifts located west of the visitor bays.

Additionally, 20 (4h time restricted) on-street parking bays are available along McCabe Street, in front of the Site. These bays could also be used by patrons visiting the café.

3.4 Bicycle Parking Provision

Bicycle parking provision requirements for the proposed development is set out in the *City of Fremantle Local Planning Scheme No.4*. The bicycle parking requirements and provision are summarised in **Table 3-2**.

Table 3-2 Bicycle Parking Requirements and Provision

Use	Yield	Parking Requirements	Parking Required	Proposed Parking Provision	Shortfall / Excess
Residential	106 dwellings	0.5 per dwelling	53	106 bays	+53
Residential Visitor	106 dwellings	0.1 per dwelling	11	11 bays	-
Café/Deli	437m ²	1 per 100m ²	5	25 bays (Ground Floor)	+14
Wine shop	147m ²	1 per 500 m ²	1		

The proposed development satisfied the statutory bicycle parking requirements set out in the *City of Fremantle Local Planning Scheme No.4*.

Both male and female end of trip facilities are also provided on the ground floor, accessible by the public. This is expected to encourage staff members, visitor and patrons to cycle to Site, further reducing the car parking required and vehicle trips generated by the Site.

3.5 Waste Management (Swept Path)

The waste generated by the proposed development will be collected on Site. Waste truck will enter and exit the Site in forward position as per the swept path analysis shown in **Figure 3-3**.

Signage, bollards, warning beacons and lights may be provided as a permanent feature around the waste collection vehicle loading area and ramp so drivers can proceed with further caution. Due to the short amount of time it is expected the waste collection vehicles would be onsite on collection days, this servicing arrangement is considered safe and will mitigate any potential local traffic issues.

The building manager/caretaker will transfer bins to and from the respective Bin Storage Area and the Bin Presentation Area within the visitor parking bays on collection days. Signs advising visitors when not to park within the bays will be installed adjacent to the bays. The manager/caretaker will place traffic cones within the required bays several hours before the bins will be presented to ensure that bays are clear of vehicles.

Figure 3-3 Waste Truck Swept Path



4 Changes to Surrounding Transport Networks

4.1 Changes to Road Network

Cardno has contacted the City of Fremantle and was not advised of any road network changes in the vicinity of the Site. However, according to the Stirling Highway Carriageway Pattern Plan 1.7221, it is noted that Stirling Highway will be upgraded in the future. However, no concrete date or plan has been set for construction.

4.2 Changes to Pedestrian/Cycle Network and Crossing Facilities

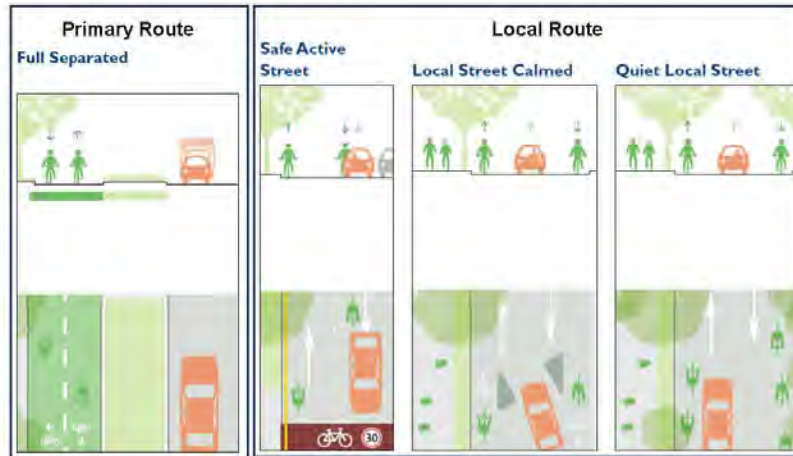
The 2019-2024 Bike Plan for the area of North Fremantle located southwest of the Site is illustrated in **Figure 4-1**. It shows that the primary route is proposed to be located along the train line, while Rule Street and Thompson Road are designated as Local and Alternate Local Routes, respectively. Cross-sections for these routes are shown in **Figure 4-2**.

Figure 4-1 Proposed Bike Facilities in the Town of East Fremantle



Source: City of Fremantle 2019-2024 Bike Plan

Figure 4-2 Cross-sections for bike routes



Source: City of Fremantle 2019-2024 Bike Plan

4.3 Changes to Public Transport Services

Cardno has contacted the Public Transport Authority (PTA) and was informed that there are no planned changes to the public transport network in the close proximity. However, it was noted that there may be changes to the existing bus frequencies along Stirling Highway in a shorter term plan.

5 Integration with Surrounding Land Uses

5.1 Surrounding Major Attractor/Generators

Major traffic attractors/generators for the proposed development are expected to include commercial areas located to the north (Cottesloe centre) and south (Fremantle Centre) as illustrated in **Figure 5-1**, and recreational areas located to the north and west direction shown in **Figure 5-2**.

Figure 5-1 Commercial areas near the Site



Source: Nearmap

Figure 5-2 Recreational areas near the Site



Source: Nearmap



5.2 Committed Developments and Transport Proposals

Cardno has contacted the City of Fremantle and was not advised of any major committed developments and transport proposal in the close proximity of the Site.

5.3 Proposed Changes to Land Uses within 1200 Metres

Cardno has contacted the City of Fremantle and was not advised of any changes to the land use in the close proximity of the Site.

6 Analysis of Transport Networks

6.1 Key Intersections

A SIDRA analysis has been undertaken for the following intersections to assess the potential impact of Site-generated traffic on the surrounding road network.

- Stirling Highway/McCabe Street
- McCabe Street/Site Access

6.2 Assessment Years and Time Period

Peak times selected are 7:45 AM to 8:45 AM for the weekday AM peak hour and 4:45 PM to 5:45 PM for the weekday PM peak hour, which are based on the traffic data available at Stirling Highway/McCabe Street intersection. As observed in the calculations for car parking provision, weekend peak demand for parking is significantly less than weekday peak demand (this could be attributed to the high proportion of floor area dedicated for office use). Hence, it is not necessary to analyse the network for the weekend peak scenario. The following model scenarios have been analysed as part of this assessment:

- Scenario 1 – 2020 Existing Traffic without Development (Weekday AM and Weekday PM)
- Scenario 2 – 2022 Opening Year Traffic with Development (Weekday AM and Weekday PM)
- Scenario 3 – 2032 Opening Year Traffic with Development (Weekday AM and Weekday PM)

6.3 Key Assumptions

For the purpose of this assessment, the following assumptions were made:

- Heavy vehicle volumes are based on the existing heavy vehicles percentages obtained from traffic counts at nearby intersections. These percentages are expected to remain the same in the future scenarios;
- The intersection of Stirling Highway and McCabe Street was modelled using practical cycle time for future years;
- Growth rate in surrounding roads between 2015 and 2020 has been assessed and found to be negative. For robust assessment, the background traffic growth rate for this analysis has been assumed to be 0.2% per annum.

6.4 Development Trip Generation

Trip generation rates for the development were sourced from *The Institute of Transportation Engineers (ITE): Trip Generation 10th Edition* and *WAPC Transport Impact Assessment Guidelines-Volume 5*. For the purpose of determining potential trip generation demand rates, the proposed development has been classified as per the following land use classifications (**Table 6-1**).

Table 6-1 Trip Generation Rates

Land Use	Source	AM Peak	In	Out	PM Peak	In	Out
Multi-dwelling	ITE 222	0.32 trip per dwelling	27%	73%	0.41 trip per dwelling	60%	40%
Group Dwellings	WAPC	0.80 trip per dwelling	25%	75%	0.80 trip per dwelling	63%	37%
Café	ITE 932	15.1 trips per 100m ²	57%	43%	18.7 trips per 100m ²	52%	48%
Liquor Store	ITE 899	4.90 trips per 100m ²	50%	50%	18.40 trips per 100 m ²	50%	50%

Using the above rates, resulting trip generation for the development during weekday AM and PM peak hours are presented in **Table 6-2**. This assessment is considered to be robust as the peak periods for all developments are assumed to occur within the same hour. In reality, due to the intended demographic for the residential development being mainly retirees, it is likely that the traffic generated by this residential development during peak hours will lower or occur outside of the existing road network peak periods.

Table 6-2 Calculated Trip Generation

Land Use	Yield	AM Peak	IN	OUT	PM Peak	IN	OUT
Multi-dwelling	95 dwellings	31 Trips	8	23	39 Trips	23	16
Group Dwellings	11 dwellings	9 Trips	2	7	9 Trips	6	3
Café	437 m ²						
	Passing Trade*	30 Trips	17	13	37 Trips	19	18
	Non-Passing Trade	30 Trips	17	13	37 Trips	19	18
Liquor Store	147 m ²	7 Trips	4	4	25 Trips	13	13
Total New Trips		107 Trips	48	60	147 Trips	80	68

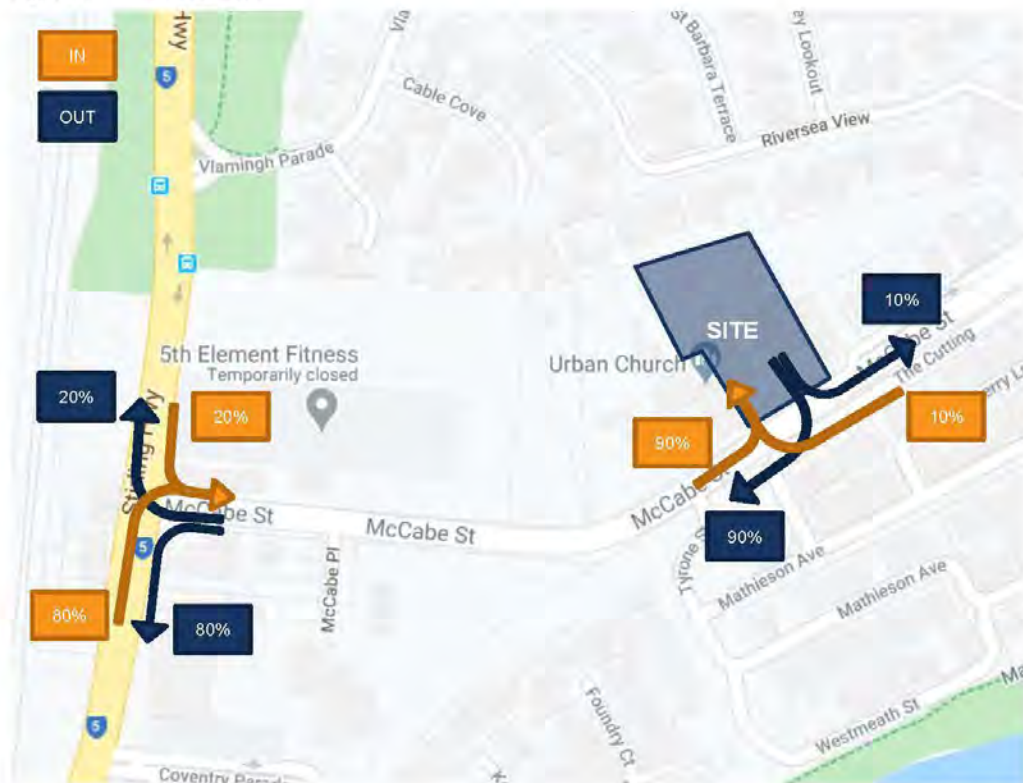
*50% Passing Trade has been used in reference to RTA's "Fast Food Restaurant" passing trade suggestion

It is to be noted that a reduction of 10% was applied to the café and liquor store trip generation, under the assumption that those trips are generated by the residential area of the development.

6.5 Development Trip Distribution

Majority of the traffic generated/attracted by the development is expected to use Stirling Highway in reaching major traffic generators/attractors, as McCabe Street only leads to residential developments in the east direction. Trip distribution at the intersection of Stirling Highway and McCabe Street are based on existing traffic counts. The assumed trip distribution for the traffic coming out of and heading into the development are shown in **Figure 6-1**.

Figure 6-1 Trip Distribution



6.6 Intersection Performance

The identified intersections have been analysed using the SIDRA analysis program. This program calculates the performance of intersections based on input parameters, including geometry and traffic volumes. As an output SIDRA provides values for the Degree of Saturation (DOS), queue lengths, delays, level of service, and 95th Percentile Queue. These parameters are defined as follows:

- **Degree of Saturation (DOS):** is the ratio of the arrival traffic flow to the capacity of the approach during the same period. The theoretical intersection capacity is exceeded for an un-signalized intersection where $DOS > 0.80$;
- **95% Queue:** is the statistical estimate of the queue length up to or below which 95% of all observed queues would be expected;
- **Average Delay:** is the average of all travel time delays for vehicles through the intersection. An unsignalised intersection can be considered to be operating at capacity where the average delay exceeds 40 seconds for any movement; and
- **Level of Service (LOS):** is the qualitative measure describing operational conditions within a traffic stream and the perception by motorists and/or passengers. The different levels of service can generally be described as shown in **Table 6-3**.

Table 6-3 Level of Service (LoS) Performance Criteria

LOS	Description	Signalised Intersection	Unsignalised Intersection
A	Free-flow operations (best condition)	≤10 sec	≤10 sec
B	Reasonable free-flow operations	10-20 sec	10-15 sec
C	At or near free-flow operations	20-35 sec	15-25 sec
D	Decreasing free-flow levels	35-55 sec	25-35 sec
E	Operations at capacity	55-80 sec	35-50 sec
F	A breakdown in vehicular flow (worst condition)	≥80 sec	≥50 sec

A LOS exceeding these values indicates that the road section is exceeding its practical capacity. Above these values, users of the intersection are likely to experience unsatisfactory queueing and delays during the peak hour periods.

6.7 SIDRA Analysis Input

6.7.1 Traffic Volumes

Traffic volume data used in the analysis were obtained from the following sources:

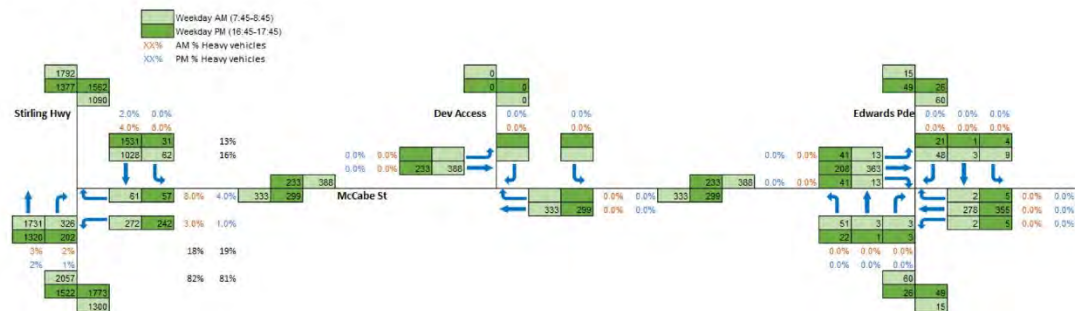
- Stirling Highway/McCabe Street video count survey data (2015) and SCATS data (2020) available from Main Roads' Traffic Map.

Network volumes are presented in **Figure 6-2**. Note that %HV values in the existing scenario is assumed to be the same in the future scenario.

6.7.2 Speed Limit

Approach and exit cruise speeds in the models were based on the posted speed limit data obtained from the MRWA Road Information Mapping System discussed in **Section 2.4**.

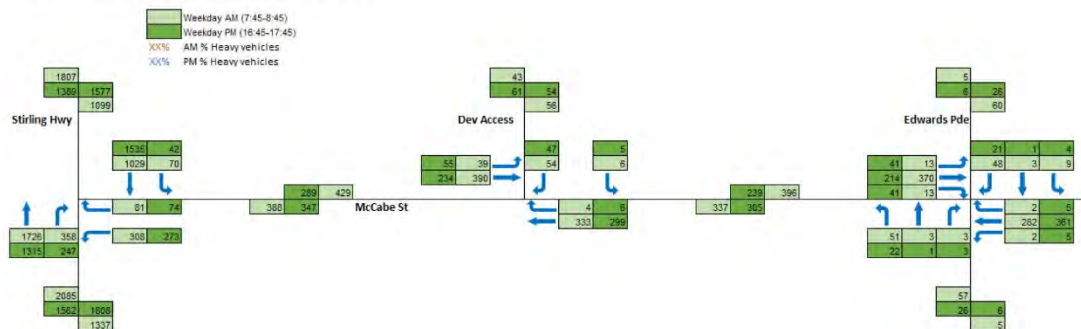
Figure 6-2 Traffic Flows (2020 Existing Background Traffic)



CW1119200 | 12 January 2022 | Commercial in Confidence

23

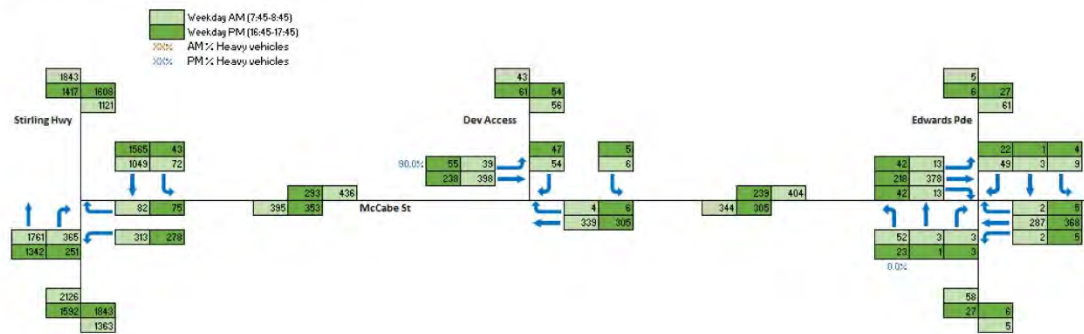
Figure 6-3 Traffic Flows (2022 Background with Development)



CW1119200 | 12 January 2022 | Commercial in Confidence

24

Figure 6-4 Traffic Flows (2032 Future Traffic with Development)



6.8 SIDRA Analysis Results

6.8.1 Stirling Highway/McCabe Street

The following presents the analysis of Stirling Highway/McCabe Street intersection. **Figure 6-5** shows a SIDRA layout of the intersection and **Figure 6-6** shows the signal phasing used for the analysis. Results of the SIDRA analysis are shown in **Table 6-4** to **Table 6-6**.

Figure 6-5 SIDRA Layout – Stirling Highway/ McCabe Street - Scenario 1 – 2020 Existing Traffic without Development

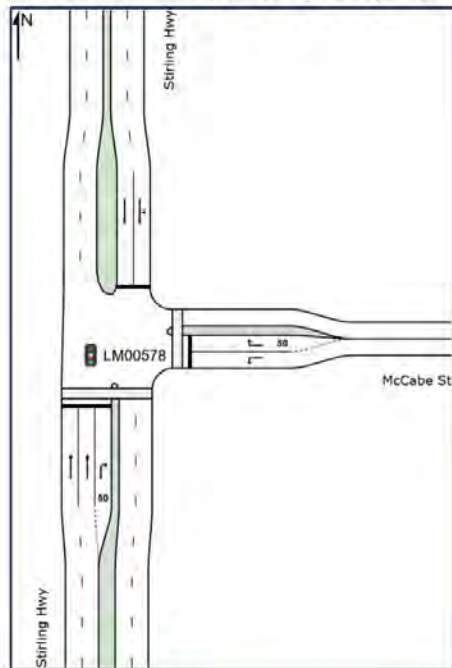


Figure 6-6 Signal Phasing



Table 6-4 SIDRA Results – Stirling Highway/ McCabe Street - Scenario 1 – 2020 Existing Traffic without Development

Intersection Approach		AM Peak				PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
South: Stirling Hwy	T	0.764	5.3	A	188.5	0.611	5.8	A	121.6
	R	0.804	33.6	C	101.3	0.674	45.5	D	53.2
East: McCabe St	L	0.875	80.2	F	97.3	0.667	57.2	E	73
	R	0.304	72	E	21.8	0.277	69.6	E	19.7
North: Stirling Hwy	L	0.437	17.6	B	86.8	0.679	24.2	C	173.7
	T	0.437	12.1	B	87.2	0.679	18.6	B	174.1
All vehicles		0.875	17.2	B	188.5	0.679	18.9	B	174.1

Table 6-5 SIDRA Results – Stirling Highway/ McCabe Street - Scenario 1 – 2022 Background Traffic with Development

Intersection Approach		AM Peak				PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
South: Stirling Hwy	T	0.756	5.2	A	183.4	0.468	4.3	A	71.6
	R	0.877	55.7	E	129.9	0.7	50.8	D	64.5
East: McCabe St	L	0.991	115.8	F	135.9	0.705	59.5	E	80.2
	R	0.404	73.1	E	29.4	0.427	74	E	26.8
North: Stirling Hwy	L	0.441	17.6	B	87.8	0.701	25.7	C	183.2
	T	0.441	12.1	B	88.3	0.701	20.2	C	183.6
All vehicles		0.991	23.6	C	183.4	0.705	20.6	C	183.6

Table 6-6 SIDRA Results – Stirling Highway/ McCabe Street - Scenario 1 – 2032 Background Traffic with Development

Intersection Approach		AM Peak				PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
South: Stirling Hwy	T	0.668	4.7	A	135.3	0.609	5.1	A	116.9
	R	0.903	67.5	E	141.8	0.719	53.5	D	66.3
East: McCabe St	L	1.007	83.6	F	142.5	0.697	58.1	E	81.2
	R	0.409	73.1	E	29.8	0.407	72.9	E	26.9
North: Stirling Hwy	L	0.449	17.7	B	90.3	0.715	26	C	189.6
	T	0.449	12.2	B	90.9	0.715	20.5	C	190.1
All vehicles		1.007	21.7	C	142.5	0.719	21.1	C	190.1

As indicated by the SIDRA results, the traffic generated by the proposed development is not expected to significantly impact the operation of Stirling Highway / McCabe Street signalised intersection. The delay for left turn movement from McCabe Street is expected to increase by 3 seconds during the opening year, when compared to the existing situation.

For 10-year horizon scenario, the increase in delay is expected to be the result of increased background traffic growth. This is considered to be the worst case scenario as previously mentioned that the trend of traffic growth is recorded to be negative in the past few years.

6.8.2 McCabe Street/Site Access

The following presents the analysis of McCabe Street/Site Access intersection. **Figure 6-7** shows a SIDRA layout of the intersection and **Table 6-7** to **Table 6-9** show the SIDRA results of the analysis.

Figure 6-7 SIDRA Layout – McCabe Street/Site Access - Scenario 1 – 2020 Existing Traffic without Development

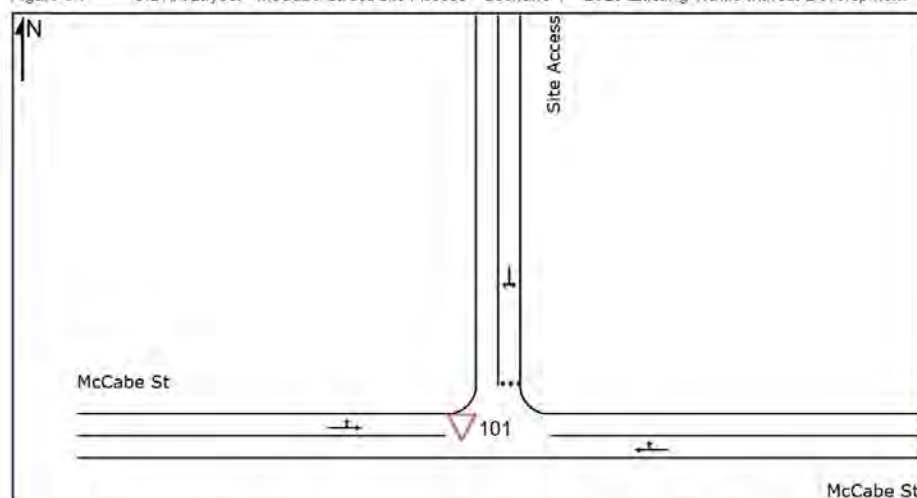


Table 6-7 SIDRA Results – McCabe Street/Site Access - Scenario 1 – 2020 Existing Traffic without Development

Intersection Approach	AM Peak					PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
East: McCabe St	T	0.181	0	A	0	0.162	0	A	0
	R	0.181	6.4	A	0	0.162	5.5	A	0
North: Site Access	L	0.003	1.3	A	0	0.002	0	A	0
	R	0.003	3.8	A	0	0.002	2.2	A	0
West: McCabe St	L	0.21	4.6	A	0	0.133	4.6	A	0
	T	0.21	0	A	0	0.133	0	A	0
All vehicles		0.21	0	A	0	0.162	2	A	0

Table 6-8 SIDRA Results – McCabe Street/Site Access - Scenario 1 – 2022 Background Traffic with Development

Intersection Approach	AM Peak					PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
East: McCabe St	T	0.184	0	A	0.2	0.167	0	A	0.2
	R	0.184	6.6	A	0.2	0.167	5.8	A	0.2
North: Site Access	L	0.09	1.5	A	0.9	0.07	0.8	A	0.7
	R	0.09	4.4	A	0.9	0.07	3.2	A	0.7
West: McCabe St	L	0.232	4.6	A	0	0.16	4.6	A	0
	T	0.232	0	A	0	0.16	0	A	0
All vehicles		0.232	0.6	A	0.9	0.167	0.7	A	0.7

Table 6-9 SIDRA Results – McCabe Street/Site Access - Scenario 1 – 2032 Background Traffic with Development

Intersection Approach	AM Peak					PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
East: McCabe St	T	0.188	0	A	0.2	0.171	0	A	0.2
	R	0.188	6.7	A	0.2	0.171	5.9	A	0.2
North: Site Access	L	0.091	1.5	A	0.9	0.071	0.8	A	0.7
	R	0.091	4.6	A	0.9	0.071	3.2	A	0.7
West: McCabe St	L	0.236	4.6	A	0	0.162	4.6	A	0
	T	0.236	0	A	0	0.162	0	A	0
All vehicles		0.236	0.6	A	0.9	0.171	0.7	A	0.7

As indicated by the SIDRA results, this intersection is expected to perform with level of service A in all scenarios.

6.8.3 McCabe Street/Edwards Parade

The following presents the analysis of McCabe Street/Site Access intersection. **Figure 6-8** shows a SIDRA layout of the intersection and **Table 6-10** to **Table 6-12** show the SIDRA results of the analysis.

Figure 6-8 SIDRA Layout – McCabe Street/Site Access – Scenario 1 – 2020 Existing Traffic without Development

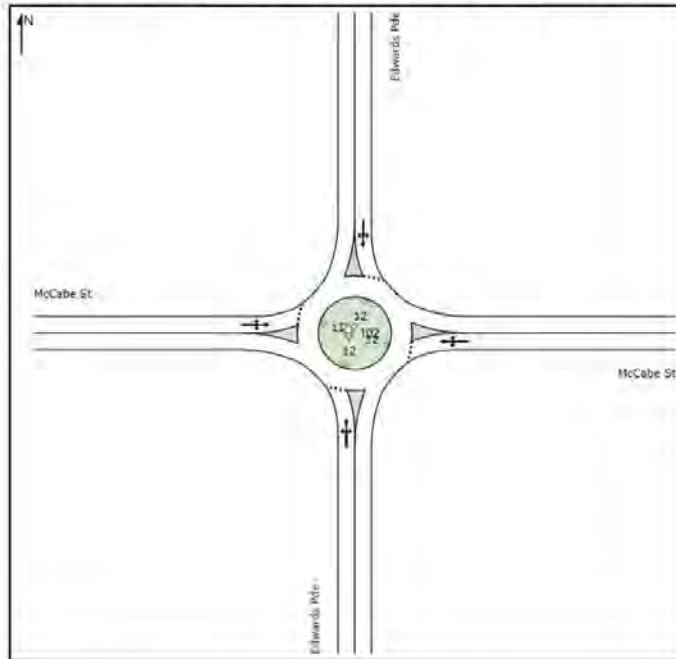


Table 6-10 SIDRA Results – McCabe Street/Site Access – Scenario 1 – 2020 Existing Traffic without Development

Intersection Approach	AM peak					PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
South: Edwards Pde	L	0.062	5.3	A	0.9	0.03	5.5	A	0.4
	T	0.062	5.2	A	0.9	0.03	5.4	A	0.4
	R	0.062	8.7	A	0.9	0.03	8.9	A	0.4
East: McCabe St	L	0.224	3.8	A	4	0.284	3.8	A	5.1
	T	0.224	3.8	A	4	0.284	3.8	A	5.1
	R	0.224	7.3	A	4	0.284	7.3	A	5.1
North: Edwards Pde	L	0.067	5.6	A	1	0.026	4.7	A	0.4
	T	0.067	5.5	A	1	0.026	4.7	A	0.4
	R	0.067	9	A	1	0.026	8.2	A	0.4
West: McCabe St	L	0.254	3.5	A	4.8	0.193	3.5	A	3.3
	T	0.254	3.4	A	4.8	0.193	3.4	A	3.3
	R	0.254	6.9	A	4.8	0.193	6.9	A	3.3
All vehicles		0.254	4.1	A	4.8	0.284	4.1	A	5.1

Table 6-11 SIDRA Results – McCabe Street/Site Access - Scenario 1 – 2022 Background Traffic with Development

Intersection Approach	AM peak					PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
South: Edwards Pde	L	0.065	5.3	A	1	0.03	5.5	A	0.4
	T	0.065	5.2	A	1	0.03	5.5	A	0.4
	R	0.065	8.7	A	1	0.03	9	A	0.4
East: McCabe St	L	0.227	3.8	A	4.1	0.289	3.8	A	5.2
	T	0.227	3.8	A	4.1	0.289	3.8	A	5.2
	R	0.227	7.3	A	4.1	0.289	7.3	A	5.2
North: Edwards Pde	L	0.068	5.6	A	1	0.027	4.8	A	0.4
	T	0.068	5.6	A	1	0.027	4.7	A	0.4
	R	0.068	9.1	A	1	0.027	8.2	A	0.4
West: McCabe St	L	0.263	3.5	A	5.1	0.198	3.5	A	3.4
	T	0.263	3.5	A	5.1	0.198	3.4	A	3.4
	R	0.263	7	A	5.1	0.198	6.9	A	3.4
All vehicles		0.263	4.2	A	5.1	0.289	4.1	A	5.2

Table 6-12 SIDRA Results – McCabe Street/Site Access - Scenario 1 – 2032 Background Traffic with Development

Intersection Approach	AM peak					PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
South: Edwards Pde	L	0.067	5.3	A	1	0.031	5.6	A	0.5
	T	0.067	5.3	A	1	0.031	5.5	A	0.5
	R	0.067	8.8	A	1	0.031	9	A	0.5
East: McCabe St	L	0.231	3.8	A	4.2	0.294	3.8	A	5.3
	T	0.231	3.8	A	4.2	0.294	3.8	A	5.3
	R	0.231	7.3	A	4.2	0.294	7.3	A	5.3
North: Edwards Pde	L	0.069	5.7	A	1	0.028	4.8	A	0.4
	T	0.069	5.6	A	1	0.028	4.8	A	0.4
	R	0.069	9.2	A	1	0.028	8.3	A	0.4
West: McCabe St	L	0.268	3.5	A	5.2	0.201	3.5	A	3.4
	T	0.268	3.5	A	5.2	0.201	3.4	A	3.4
	R	0.268	7	A	5.2	0.201	6.9	A	3.4
All vehicles		0.268	4.2	A	5.2	0.294	4.1	A	5.3

As indicated by the SIDRA results, this intersection is expected to perform with level of service A in all scenarios.

7 Summary

The following conclusions have been made in regards to the proposed development:

- The proposed development consists of residential land use.
- The Site is located within a development zone, surrounded by residential land uses.
- The Site is within 400 metres from a high-frequency bus route and about 1.1km away from the nearest train station, providing it with excellent access in terms of public transportation.
- The proposed development has sufficient car parking provision and bicycle parking provision to accommodate the residential uses. Existing on-street parking are available within a close proximity of the Site to accommodate any additional parking requirement.
- The proposed commercial development (Café/Deli) is expected to attract some foot traffic, reducing the expected vehicular traffic generation. This is due to the presence of existing residential areas to the north and south of the Site. Additionally, the peak period for the proposed residential development is expected to be outside of the adjacent road network peak period, due to the expected residents' demographic (Retirees). However, for a robust assessment, no trip reduction was applied for the purpose of SIDRA modelling.
- A robust trip generation calculation indicates that the proposed development is expected to generate approximately **107 trips** in the AM peak and **147 trips** in the PM peak.
- The SIDRA analysis result indicates that the additional trips generated by the proposed development is not expected to significantly impact the operation of the existing road network and intersections.

APPENDIX

A

WAPC CHECKLIST

Item	Provided	Comments/Proposals
Summary		
Introduction/Background		
name of applicant and consultant	Section 1	
development location and context	Section 2	
brief description of development proposal	Section 3	
key issues	N/A	
Background information	Section 1	
Existing situation		
existing site uses (if any)	Section 2	
existing parking and demand (if appropriate)	Section 2	
existing access arrangements	Section 2	
existing site traffic	Section 2	
surrounding land uses	Section 2	
surrounding road network	Section 2	
traffic management on frontage roads	Section 2	
traffic flows on surrounding roads (usually am and pm peak hours)	Section 2	
traffic flows at major intersections (usually am and pm peak hours)	Section 2	
operation of surrounding intersections	Section 2	
existing pedestrian/cycle networks	Section 2	
existing public transport services surrounding the development	Section 2	
Crash data	Section 2	
Development proposal		
regional context	Section 3	
proposed land uses	Section 3	
table of land uses and quantities	Section 3	
access arrangements	Section 3	
parking provision	Section 3	
end of trip facilities	Section 3	
any specific issues	N/A	
road network	Section 2	
intersection layouts and controls	Section 2	
pedestrian/cycle networks and crossing facilities	Section 2 & 4	

Item	Provided	Comments/Proposals
public transport services	Section 2 & 4	
Integration with surrounding area		
surrounding major attractors/generators	Section 5	
committed developments and transport proposals	Section 5	
proposed changes to land uses within 1200 metres	Section 5	
travel desire lines from development to these attractors/generators	Section 5	
adequacy of existing transport networks	Section 5	
deficiencies in existing transport networks	Section 5	
remedial measures to address deficiencies	Section 5	
Analysis of transport networks		
assessment years	Section 6	
time periods	Section 6	
development generated traffic	Section 6	
distribution of generated traffic	Section 6	
parking supply & demand	Section 3	
base and "with development" traffic flows	Section 6	
analysis of development accesses	Section 6	
impact on surrounding roads	Section 6	
impact on intersections	Section 6	
impact on neighbouring areas	Section 6	
road safety	Section 6	
public transport access	Section 2 & 4	
pedestrian access / amenity	Section 2 & 4	
cycle access / amenity	Section 2 & 4	
analysis of pedestrian / cycle networks	Section 2 & 4	
safe walk/cycle to school (for residential and school site developments only)	N/A	
Traffic management plan (where appropriate)	N/A	

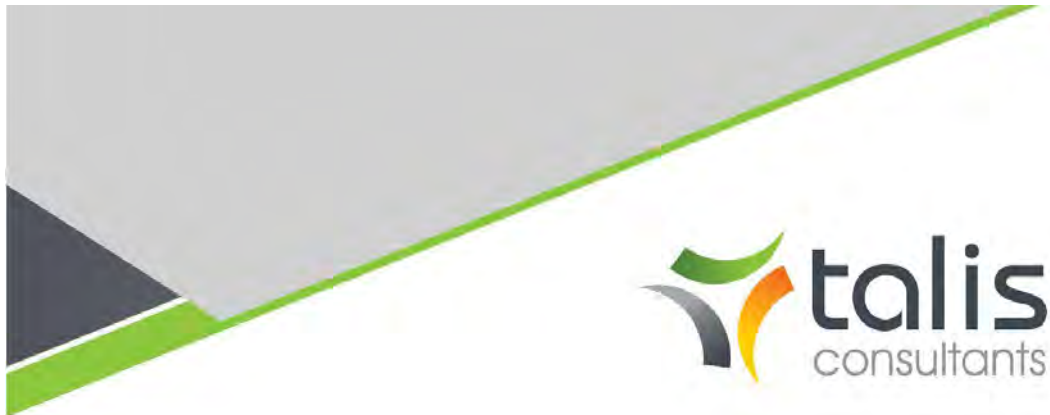
APPENDIX

B

DEVELOPMENT PLANS



Additional Information 5 – Updated Waste Management Plan



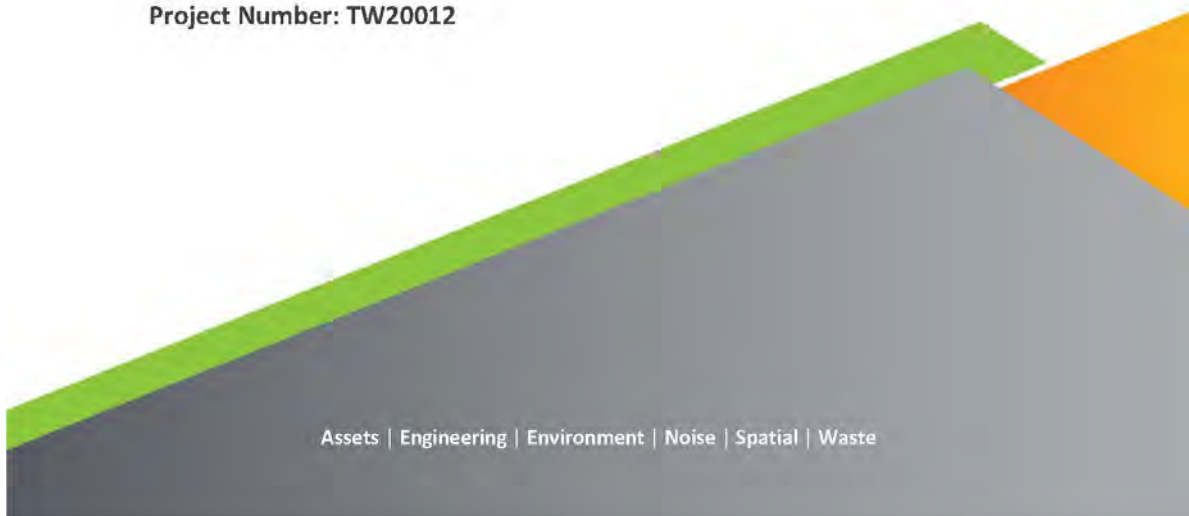
Waste Management Plan

19-21 McCabe Street, North Fremantle

Prepared for Megara

12 January 2022

Project Number: TW20012



Waste Management Plan
19-21 McCabe Street, North Fremantle
Megara



DOCUMENT CONTROL					
Version	Description	Date	Author	Reviewer	Approver
1.0	First Approved Release	29/06/2020	RH	DP	RH
2.0	Second Approved Release	4/10/2021	RH	DP	RH
3.0	Third Approved Release	28/10/2021	RH	DP	DP
4.0	Fourth Approved Release	12/01/2022	RH	DP	DP
Approval for Release					
Name	Position	File Reference			
Dilan Patel	Project Manager – Waste Management Consultant	TW20012-02_Waste Management Plan_4.0			
Signature	Digitally signed by Dilan Patel Date: 2022.01.12 13:22:24 +08'00'				
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Executive Summary

Megara is seeking an amended development approval for the proposed mixed use development located at 19-21 McCabe Street, North Fremantle (the Proposal).

To satisfy the conditions of the development application the City of Fremantle (the City) requires the submission of a Waste Management Plan (WMP) that will identify how waste is to be stored and collected from the Proposal. Talis Consultants has been engaged to prepare this WMP to satisfy the City's requirements.

A summary of the bin size, numbers, collection frequency and collection method is provided in the below table.

Proposed Waste Collection Summary

Waste Type	Bin Size (L)	Number of Bins	Collection Frequency	Collection
Townhouse Bin Storage Area				
Refuse	660	One	Twice each week	City of Fremantle
Commingled Recycling	360	Ten	Fortnightly	City of Fremantle
Paper/Cardboard	660	One	Twice each week	Private Contractor
FOGO	240	Two	Once each week	City of Fremantle
South Tower Bin Storage Area				
Refuse	660	Three	Twice each week	City of Fremantle
Commingled Recycling	360	Ten	Fortnightly	City of Fremantle
Paper/Cardboard	660	One	Twice each week	Private Contractor
FOGO	240	Four	Once each week	City of Fremantle
North Tower Bin Storage Area				
Refuse	660	Three	Twice each week	City of Fremantle
Commingled Recycling	360	Twelve	Fortnightly	City of Fremantle
Paper/Cardboard	660	One	Twice each week	Private Contractor
FOGO	240	Four	Once each week	City of Fremantle
Commercial Bin Storage Area				
Refuse	660	Six	Twice each week	Private Contractor
Recycling	660	Five	Twice each week	Private Contractor
FOGO	240	Two	Twice each week	Private Contractor

The City will service residential refuse, commingled recyclables and FOGO onsite with the waste collection vehicle entering and exiting the Proposal in forward gear via McCabe Street.

A private contractor will service residential paper/carboard and commercial waste onsite with the waste collection vehicle entering and exiting the Proposal in forward gear via McCabe Street.

A building manager/caretaker will oversee the relevant aspects of waste management at the Proposal.

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Megara



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- Figure 1: Locality Plan

1 Introduction

Megara is seeking an amended development approval for the proposed mixed use development located at 19-21 McCabe Street, North Fremantle (the Proposal).

To satisfy the conditions of the development application the City of Fremantle (the City) requires the submission of a Waste Management Plan (WMP) that will identify how waste is to be stored and collected from the Proposal. Talis Consultants has been engaged to prepare this WMP to satisfy the City's requirements.

The Proposal is bordered by residential developments to the north, east and west and McCabe Street to the south, as shown in Figure 1.

1.1 Objectives and Scope

The objective of this WMP is to outline the equipment and procedures that will be adopted to manage waste (refuse, commingled recycling, paper/cardboard and FOGO) at the Proposal. Specifically, the WMP demonstrates that the Proposal is designed to:

- Adequately cater for the anticipated volume of waste to be generated;
- Provide adequately sized Bin Storage Areas, including appropriate bins; and
- Allow for efficient collection of bins by appropriate waste collection vehicles.

To achieve the objective, the scope of the WMP comprises:

- Section 2: Waste Generation;
- Section 3: Waste Storage;
- Section 4: Waste Collection;
- Section 5: Waste Management; and
- Section 6: Conclusion.

2 Waste Generation

The following section shows the waste generation rates used and the estimated waste volumes to be generated at the Proposal.

2.1 Proposed Tenancies

The anticipated volume of refuse, commingled recycling, paper/cardboard and FOGO is based on the number of townhouses and residential apartments and the floor area (m²) of the commercial tenancies at the Proposal. The Proposal consists of the following:

Residential:

- Townhouses:
 - Three Bedroom – 11.
- South Tower Apartments:
 - One Bedroom – 3;
 - Two Bedroom – 24;
 - Three Bedroom – 14; and
 - Four Bedroom – 3.
- North Tower Apartments:
 - One Bedroom – 5;
 - Two Bedroom – 26;
 - Three Bedroom – 16; and
 - Four Bedroom – 4.

Commercial:

- Café – 200m²;
- Provedore – 300m²; and
- Wine Shop – 150m².

2.2 Waste Generation Rates

The estimated amount of waste to be generated by the Proposal is based on the following guidelines:

- City of Vincent's *Waste Guidelines for New Developments* (May 2020);
- City of Melbourne's *Guidelines for Preparing a Waste Management Plan* (2017);
- WALGA's *Commercial and Industrial Waste Management Plan Guidelines* (2014).

Table 2-1 shows the waste generation rates which have been applied to the Proposal.

Table 2-1: Waste Generation Rates

Tenancy Use Type	Guidelines	Refuse Generation Rate	Recycling Generation Rate
Residential			
Three Bedroom Townhouse	Vincent	80L/week	90L/week
One Bedroom Apartment	Vincent	40L/week	20L/week
Two Bedroom Apartment	Vincent	60L/week	40L/week
Three Bedroom Apartment	Vincent	80L/week	90L/week
Four Bedroom Apartment	Vincent	80L/week	90L/week
Commercial			
Café	Melbourne	300L/100m ² /day	200L/100m ² /day
Provedore	Melbourne	150L/100m ² /day	150L/100m ² /day
Wine Shop	WALGA	50L/100m ² /day	50L/100m ² /day

2.3 Waste Generation Volumes

Waste generation is estimated by volume in litres (L) as this is generally the influencing factor when considering bin size, numbers and storage space required.

2.3.1 Townhouse Waste Generation

The townhouses waste generation volumes in litres per week (L/week) adopted for this waste assessment are shown in Table 2-2. It is estimated that the townhouses at the Proposal will generate 880L of refuse and 990L of recyclables each week.

Table 2-2: Estimated Waste Generation – Townhouses

Residential Townhouses	Number of Townhouses	Waste Generation Rate (L/week)	Waste Generation (L/week)
REFUSE			
Three Bedroom Townhouse	11	80	880
Total			880
RECYCLABLES			
Three Bedroom Townhouse	11	90	990
Total			990

2.3.2 South Tower Waste Generation

The south tower waste generation volumes in litres per week (L/week) adopted for this waste assessment are shown in Table 2-3. It is estimated that the south tower apartments at the Proposal will generate 2,920L of refuse and 2,550L of recyclables each week.

Waste Management Plan
19-21 McCabe Street, North Fremantle
Megara



Table 2-3: Estimated Waste Generation – South Tower

Residential Apartments	Number of Apartments	Waste Generation Rate (L/week)	Waste Generation (L/week)
REFUSE			
One Bedroom Apartments	3	40	120
Two Bedroom Apartments	24	60	1,440
Three Bedroom Apartments	14	80	1,120
Four Bedroom Apartments	3	80	240
Total			2,920
RECYCLABLES			
One Bedroom Apartments	3	20	60
Two Bedroom Apartments	24	40	960
Three Bedroom Apartments	14	90	1,260
Four Bedroom Apartments	3	90	270
Total			2,550

2.3.3 North Tower Waste Generation

The north tower waste generation volumes in litres per week (L/week) adopted for this waste assessment are shown in Table 2-4. It is estimated that the north tower apartments at the Proposal will generate 3,360L of refuse and 2,940L of recyclables each week.

Table 2-4: Estimated Waste Generation – North Tower

Residential Apartments	Number of Apartments	Waste Generation Rate (L/week)	Waste Generation (L/week)
REFUSE			
One Bedroom Apartments	5	40	200
Two Bedroom Apartments	26	60	1,560
Three Bedroom Apartments	16	80	1,280
Four Bedroom Apartments	4	80	320
Total			3,360
RECYCLABLES			
One Bedroom Apartments	5	20	100
Two Bedroom Apartments	26	40	1,040
Three Bedroom Apartments	16	90	1,440
Four Bedroom Apartments	4	90	360
Total			2,940

2.3.4 Commercial Waste Generation

The commercial waste generation volumes in litres per week (L/week) adopted for this waste assessment are shown in Table 2-5. It is estimated that the commercial tenancies at the Proposal will generate 6,825L of refuse and 5,625L of recyclables each week.

Table 2-5: Estimated Waste Generation – Commercial

Commercial Tenancies	Area (m ²)	Waste Generation Rate (L/100m ² /day)	Waste Generation (L/week)
REFUSE			
Café	200	300	3,600
Provedore	300	150	2,700
Wine Shop	150	50	525
Total			6,825
RECYCLABLES			
Café	200	200	2,400
Provedore	300	150	2,700
Wine Shop	150	50	525
Total			5,625

3 Waste Storage

Waste materials generated within the Proposal will be collected in the bins located in the Bin Storage Areas, as shown in Diagram 1 and Diagram 2, and discussed in the following sub-sections.

3.1 Internal Bins and Transfer of Waste

To promote positive recycling behaviour and maximise diversion from landfill:

- Under counter/kitchen bins will be located within each of the Townhouses for the separate disposal of refuse, commingled recyclables, paper/cardboard and FOGO. The contents of these bins will be transferred by the resident, or their authorised representative, to the Townhouse Bin Storage Area located on the Ground Floor.
- Under counter/kitchen bins will be located within each of the residential apartments in the South Tower and North Tower. The residents, or their authorised representative, from Levels 1 – 7 will transfer the contents of these bins to the Proposal's waste chute system for refuse and commingled recycling within each of the respective towers. Residents, or their authorised representative located on the Ground Floor, will transfer the contents of their bins directly to the respective towers Bin Storage Area and dispose of their waste into the appropriate bin. The residents, or their authorised representative, from Levels 1 – 7 will transfer paper/cardboard and FOGO waste directly to the respective towers Bin Storage Area for disposal in the respective bin. Note: waste systems within the towers Bin Storage Areas will be isolated to restrict access for residents.
- The commercial tenancies will be required to have a minimum of three bins to facilitate the separate disposal of refuse, recyclables and FOGO within each of their tenancies. The contents of these bins will be transferred by the tenant, staff or cleaners to the Commercial Bin Storage Area and be deposited into the appropriate bins.

All bins will be colour coded and labelled in accordance with Australian Standards (AS 4123.7) to assist the tenants, staff and cleaners to dispose of their separate waste materials in the correct bins.

3.1.1 Waste Chute System

To assist with efficient disposal of waste to the North and South Tower Bin Storage Areas, a dual chute waste chute system will be utilised within each tower at the Proposal. The dual chute utilises separate chutes for refuse and commingled recycling waste.

The waste chutes will be located in close proximity to the elevators on each residential level, have self-closing doors with and bottom hinge and fire rated to AS1530.4-2005. Chutes are typically 610mm in diameter and are ventilated with an extraction fan at the top to reduce odour and insulated for noise reduction. The chutes will be routinely cleaned via chute flushing operations. Please note, the exact design of the systems to be utilised at the Proposal will be determined at a later date following discussions with waste chute providers as the designs are finalised.

The Proposal is intending to utilise a linear track system at the terminus of the refuse waste chute and a carousel system at the terminus of the commingled recycling chute to improve the efficiency of the building manager/caretaker manoeuvring bins within the North and South Tower Bin Storage Areas. Bins on each track system can be automatically or manually rotated to ensure the capture of waste material exiting the chute system. It can also be designed to send the building manager/caretaker a digital alert of the bins capacity to ensure the swapping of empty and full bins is done in a timely manner.

The building manager/caretaker will be required to manually swap full bins with empty bins on the track system, as necessary.

It is proposed that the linear track system at the terminus of the refuse chute will be fitted with a compaction unit. Refuse would be compacted to maximum compaction of 2 to 1 as higher compaction rates may result in heavier bins, causing Occupational Health and Safety (OH&S) problems and/or mechanical damage.

3.2 Bin Sizes

Table 3-1 gives the typical dimensions of standard bins sizes that may be utilised at the Proposal. It should be noted that these bin dimensions are approximate and can vary slightly between suppliers.

Table 3-1: Typical Bin Dimensions

Dimensions	Bin Sizes		
	240L	360L	660L
Depth (mm)	730	848	780
Width (mm)	585	680	1,260
Height (mm)	1,060	1,100	1,200
Area (mm ²)	427	577	983

Reference: SULO Bin Specification Data Sheets

3.3 Bin Storage Area Size

The waste generation volumes are best practice estimates and the number of bins to be utilised represents the maximum requirements once the Proposal is fully operational. Bin requirements may be impacted as the development becomes operational and the nature of the residents, tenants, staff and waste management requirements are known.

Based on results from studies carried out in Yarra City Council and the *Waste & Recycling Toolkit for Apartment Buildings* (2021), 33% of waste from a recycling bin is composed of paper/cardboard which has been used to quantify the anticipated volumes of this waste stream.

3.3.1 Townhouse Bin Storage Area Size

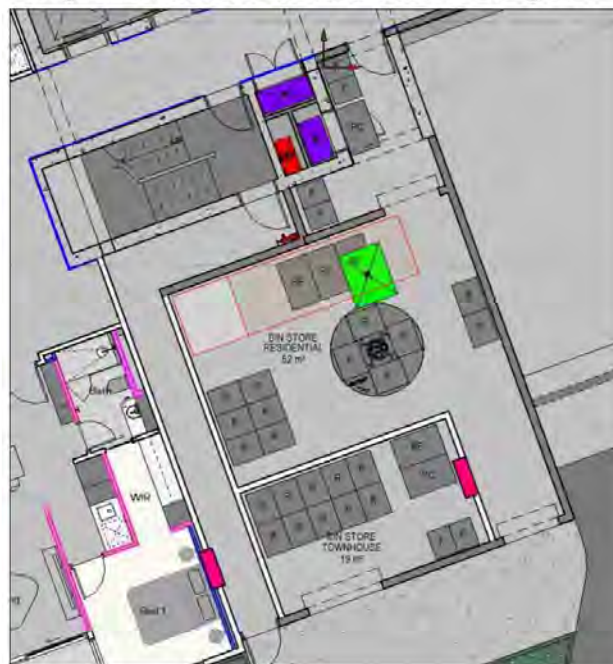
To ensure sufficient area is available for storage of the townhouse bins, the amount of bins required for the Townhouse Bin Storage Area was modelled utilising the estimated waste generation in Table 2-2, bin sizes in Table 3-1 and based on collection of refuse and paper/cardboard twice each week, commingled recycling fortnightly and FOGO once each week.

The Townhouse Bin Storage Area has been sized to accommodate:

- One 660L refuse bin;
- Ten 360L commingled recycling bins;
- One 660L paper/cardboard bin; and
- Two 240L FOGO bins.

The configuration of these bins within the Townhouse Bin Storage Area is shown in Diagram 1. It is worth noting that the number of bins and corresponding placement of bins shown in Diagram 1 represents the maximum requirements assuming collection of refuse and paper/cardboard twice each week, commingled recycling fortnightly and FOGO once each week.

Diagram 1: Townhouse and North Tower Bin Storage Area



3.3.2 South Tower Bin Storage Area Size

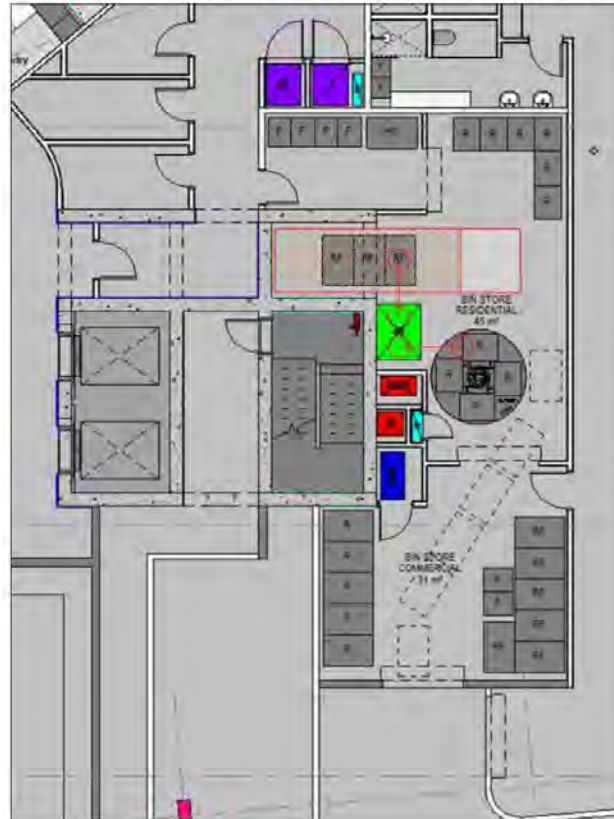
To ensure sufficient area is available for storage of the south tower bins, the amount of bins required for the South Tower Bin Storage Area was modelled utilising the estimated waste generation in Table 2-3, bin sizes in Table 3-1 and based on collection of refuse and paper/cardboard twice each week, commingled recycling fortnightly and FOGO once each week.

The South Tower Bin Storage Area has been sized to accommodate:

- Three 660L refuse bins;
- Ten 360L commingled recycling bins;
- One 660L paper/cardboard bin; and
- Four 240L FOGO bins.

The configuration of these bins within the South Tower Bin Storage Area is shown in Diagram 2. It is worth noting that the number of bins and corresponding placement of bins shown in Diagram 2 represents the maximum requirements assuming collection of refuse and paper/cardboard twice each week, commingled recycling fortnightly and FOGO once each week.

Diagram 2: South Tower and Commerical Bin Storage Area



3.3.3 North Tower Bin Storage Area Size

To ensure sufficient area is available for storage of the north tower bins, the amount of bins required for the North Tower Bin Storage Area was modelled utilising the estimated waste generation in Table 2-4, bin sizes in Table 3-1 and based on collection of refuse and paper/cardboard twice each week, commingled recycling fortnightly and FOGO once each week.

The North Tower Bin Storage Area has been sized to accommodate:

- Three 660L refuse bins;
- Twelve 360L commingled recycling bins;
- One 660L paper/cardboard bin; and
- Four 240L FOGO bins.

The configuration of these bins within the North Tower Bin Storage Area is shown in Diagram 1. It is worth noting that the number of bins and corresponding placement of bins shown in Diagram 1 represents the maximum requirements assuming collection of refuse and paper/cardboard twice each week, commingled recycling fortnightly and FOGO once each week.

3.3.4 Commercial Bin Storage Area Size

To ensure sufficient area is available for storage of the commercial bins, the amount of bins required for the Commercial Bin Storage Area was modelled utilising the estimated waste generation in Table 2-5, bin sizes in Table 3-1 and based on collection of refuse and recyclables twice each week.

The Commercial Bin Storage Area has been sized to accommodate:

- Six 660L refuse bins;
- Five 660L commingled recycling bins; and
- Two 240L FOGO bins.

The configuration of these bins within the Commercial Bin Storage Area is shown in Diagram 2. It is worth noting that the number of bins and corresponding placement of bins shown in Diagram 2 represents the maximum requirements assuming two collections each week of refuse and recyclables. Increased collection frequencies would reduce the required number of bins.

3.4 Future Food Organics Garden Organics Considerations

In the near future it is expected that the City will be introducing bins for the separate collection of food organics garden organics (FOGO) within multi-unit residential properties in line with the state government's Waste Avoidance and Resource Recovery (WARR) Strategy 2030.

Kitchen caddies with compostable liners would be used in each townhouse/residential apartment to collect FOGO, which will then be taken by residents to the appropriate Bin Storage Areas for disposal into the designated lime green lidded FOGO bins.

For the commercial tenancies, FOGO material could be collected directly from the tenancy and deposited into the designated lime green lidded FOGO bins by the tenants in the Commercial Bin Storage Area.

It is anticipated FOGO would be collected a minimum of two times/week due to the malodorous nature of this type of waste with FOGO services accessed, as required.

3.5 Bin Storage Area Design

The design of the Bin Storage Areas will take into consideration:

- Smooth impervious floor sloped to a drain connected to the sewer system;
- Taps for washing of bins and Bin Storage Areas;
- Adequate aisle width and spacing around bins and waste equipment for easy manoeuvring of bins;
- Doors to the Bin Storage Areas self-closing and vermin proof;
- Doors to the Bin Storage Areas wide enough to fit bins through;
- Ventilated to a suitable standard;
- Appropriate signage;
- Undercover where possible and be designed to not permit stormwater to enter into the drain;

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- Located behind the building setback line;
- Bins not to be visible from the property boundary or areas trafficable by the public; and
- Bins are reasonably secured from theft and vandalism.

Bin numbers and storage space within the Bin Storage Areas will be monitored by the building manager/caretaker during the operation of the Proposal to ensure that the number of bins and collection frequency is sufficient.

3.5.1 Contingency

The Bin Storage Areas have been sized adequately and are capable of containing one week's worth of waste, with adequate room for residents/tenants/staff/cleaners to easily access all bins and to allow bins to be easily moved around and serviced.

4 Waste Collection

The City will service residential refuse, commingled recyclables and FOGO and a private contractor will service residential paper/cardboard and commercial waste onsite as detailed in Section 3.3 – Section 3.4, with the waste collection vehicles entering and exiting the Proposal in forward gear via McCabe Street.

The City and private contractors will be provided with key/PIN code access for security access gates to facilitate servicing, if required. The building manager/caretaker will transfer bins to and from the respective Bin Storage Area and the Bin Presentation Area visitor bays on collection days, refer Diagram 3. The transfer path between the Bin Presentation Area and the Bin Storage Areas is flat, of smooth surface and will be kept free of obstacles. A 2.0m operating space will be available at the rear of the vehicle to facilitate servicing.

The City's and private contractors waste collection vehicles will enter the proposal in forward gear via McCabe Street utilising the vehicle access driveway. The waste collection vehicles will pull up adjacent to the Bin Presentation Area visitor bays for servicing as shown in Diagram 3. Once servicing is complete the waste collection vehicles will complete a three point turn utilising the northern ramp and will exit the Proposal in forward gear via the vehicle access driveway onto McCabe Street, as shown in Diagram 4.

Signage, bollards, warning beacons and lights may be provided as a permanent feature around the waste collection vehicle loading area and ramp so drivers can proceed with further caution. Due to the short amount of time it is expected the waste collection vehicles would be onsite on collection days, this servicing arrangement is considered safe and will mitigate any potential local traffic issues.

The above servicing method will assist to preserve the amenity of the area by removing the requirement for bins to be presented to McCabe Street on collection days.

The ability of the City's side loader waste collection vehicle to access the Proposal in a safe manner has been assessed by CARDNO, and will be included within their Transport Impact Assessment.

Diagram 3: Bin Presentation Area in Visitor Bays

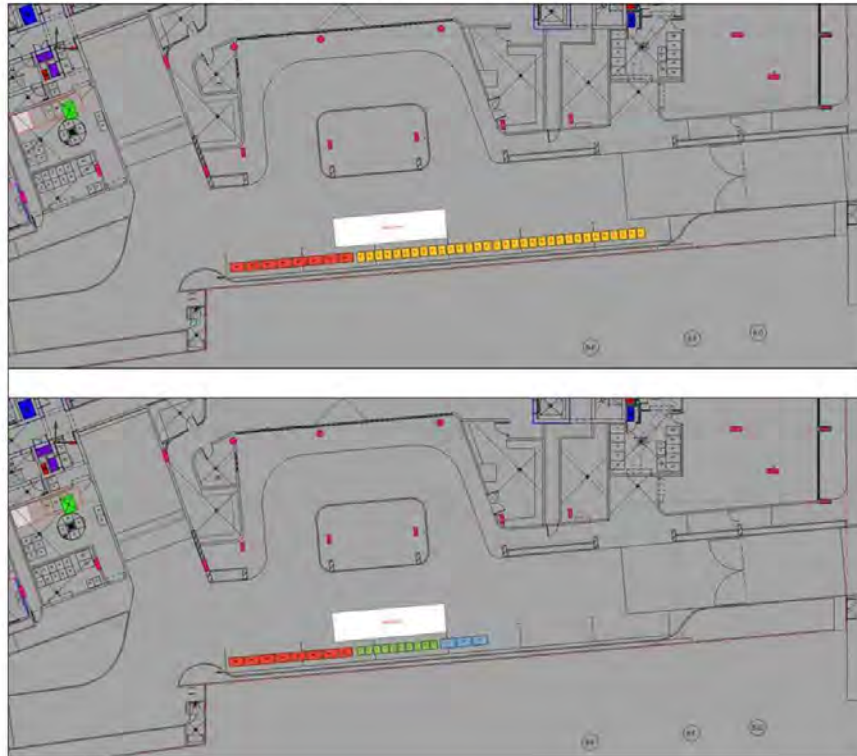
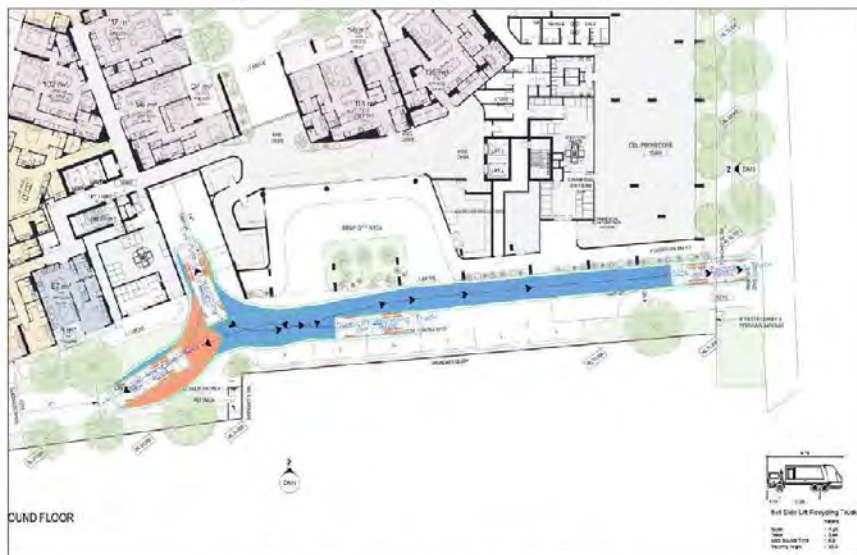


Diagram 4: Waste Collection Vehicle Swept Path



Reference: CARDNO (11 January 2022)

Waste Management Plan
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4.1 Bulk Waste and Greenwaste Collection

Given the streetscape adjacent to the Proposal, placement of bulk waste on the verge for collection would be considered undesirable. Instead bulk waste material will be removed from the Proposal as it is generated and will be the responsibility of the resident/tenant. A car bay could be utilised for the ad-hoc use of temporary skip bins for the collection of bulky wastes such as fridge units and mattresses, if required.

Removal of bulk waste will be monitored by the building manager/caretaker, who will assist with the removal of bulk waste, as required.

Each residential townhouse/apartment has an allocated storage room and in addition a bulk waste store has been allocated on the ground floor of the Proposal for the temporary storage of bulk waste. This will assist with the reduction of illegal dumping of bulky wastes at the Proposal.

Greenwaste collection services will be provided by external contractors, as required. The building manager/caretaker will liaise with service providers to ensure an efficient and effective service is maintained.

5 Waste Management

A building manager/caretaker will be engaged to complete the following tasks:

- Monitoring and maintenance of bins and the Bin Storage Areas, waste systems and equipment;
- Cleaning of bins and Bin Storage Areas, when required;
- Exchange full bins with empty bins at the terminus of the waste chute systems;
- Ferrying the Townhouse bins to and from the North Tower Bin Storage Area, as required on collection days and returning them to their respective Townhouse Bin Storage Area following collection;
- Rotating full and empty bins within the Commercial Bin Storage Area, as required;
- Transfer bins to from the respective Bin Storage Areas and the waste collection point, as required;
- Ensure all residents, tenants, staff and cleaners at the Proposal are made aware of this WMP and their responsibilities thereunder;
- Monitor residents, tenants, staff and cleaners behaviour and identify requirements for further education and/or signage;
- Monitor bulk waste and greenwaste accumulation and assist with its removal, as required;
- Regularly engage with residents, tenants, staff and cleaners to develop opportunities to reduce waste volumes and increase resource recovery; and
- Regularly engage with the City and private contractors to ensure efficient and effective waste service is maintained.

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6 Conclusion

As demonstrated within this WMP, the Proposal provides sufficiently sized Bin Storage Areas for storage of refuse, commingled recyclables, paper/cardboard and FOGO, based on the estimated waste generation volumes and suitable configuration of bins. This indicates that adequately designed Bin Storage Areas has been provided, and collection of refuse and recyclables can be completed from the Proposal.

The City will service residential refuse, commingled recyclables and FOGO onsite with the waste collection vehicle entering and exiting the Proposal in forward gear via McCabe Street.

A private contractor will service residential paper/cardboard and commercial waste onsite with the waste collection vehicle entering and exiting the Proposal in forward gear via McCabe Street.

A building manager/caretaker will oversee the relevant aspects of waste management at the Proposal.

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Figures

Figure 1: Locality Plan





Assets | Engineering | Environment | Noise | Spatial | Waste

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Additional Information 6 - Previous Determination Notice(s) and Plans (DAP/20/01821 – dated 4 November 2020; and Amended Decision Notice by SAT Review, Ref. DR277/2020 – dated 24 March 2021)



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Development Assessment Panels

LG Ref: DAP004/20
DAP Ref: DAP/20/01821
Enquiries: (08) 6551 9919

Mr Felipe Soto
Hillam Architects
1/15 Roydhouse St, Subiaco, 6008

Dear Mr Soto

METRO INNER-SOUTH JDAP - CITY OF FREMANTLE - DAP APPLICATION - DAP004/20 - DETERMINATION

Property Location:	McCabe Street, Nos. 19-21 (Lot 10) North Fremantle
Application Details:	Eight Storey Mixed Use Development (11 Group Dwellings, 97 Multiple Dwellings, Restaurant, Shop)

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Fremantle on 15 July 2020 for the above-mentioned development.

This application was considered by the Metro Inner-South JDAP at its meeting held on 4 November 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 Nathan Blumenthal on behalf of the City of Fremantle on 9432 9999.

Yours sincerely,

DAP Secretariat

16 November 2020

Encl: DAP Determination Notice
Approved Plans

Cc: Mr Nathan Blumenthal
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 Inteline: 1800 626 477
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ABN 68 565 723 484



Government of Western Australia
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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: McCabe Street, Nos. 19-21 (Lot 10) North Fremantle

Application Details: Eight Storey Mixed Use Development (11 Group Dwellings, 97 Multiple Dwellings, Restaurant, Shop)

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 4 November 2020, subject to the following:

1. **Approve** DAP Application reference DAP/20/01821 and accompanying plans (A1-01, A2-01 through A2-09, A3-01, SK00, SK01, SK02, and Aspect Studios Landscaping Plans Pages 11-16 and 22-35 dated 18 September 2020; and plans A2-10, A4-01, A4-02 dated 14 October 2020) 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, with the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This approval relates only to the development as indicated on the approved plans dated 18 September 2020, excepting plans A2-10, A401 and A402, which are dated 14 October 2020. It does not relate to any other development on this lot and must substantially commence within 4 years from the date of the decision letter.
3. This approval does not relate to any proposed work located outside of the cadastral boundaries of the subject site including the adjacent Recreation Reserve known as lot 377 Bird Park and the McCabe Street Road reserve. These works are subject to separate applications for approval with the relevant authority.
4. The approved development shall be wholly located within the cadastral boundaries of the subject site including any footing details of the development.
5. Prior to the issue of a building permit, the owner is to 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 is to specify an agreement, that at the time of strata titling of the Land, an easement in gross, pursuant to sections 195 and 196 of the Land Administrative Act 1997 over part of the north-eastern setback area of Lot 19 for the purposes of ensuring public pedestrian access over the land from McCabe Street to the portion of Lot



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19 that adjoins the Recreation Reserve known as Lot 377 Bird Park, to the satisfaction of the City of Fremantle.

6. Prior to the issue of a building permit, the owner is to 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 is to specify measures to secure the proposed community benefits identified as the provision and ongoing public access to the 'Public Art Walk', the 'Outdoor Cinema Screen' and a suitable portion of the 'Community Space' required to facilitate these benefits, to the satisfaction of the City of Fremantle.
7. Prior to the issue of a Building Permit, the owner is to make a monetary contribution to the City of Fremantle to the value of \$84,000 to facilitate the construction of an improved pedestrian footpath along McCabe Street immediately adjacent to the subject site and a pedestrian crossing including refuge island within the general vicinity of the subject site.
8. Prior to the issue of a building permit, 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. Notwithstanding condition 2, no roof top plant or equipment is to be located outside of the 'A/C Condenser Platform' (footprint and height) as identified on plans A2-10 Rev B, A4-01 Rev C and A4-02 Rev C dated 14 October 2020, to the satisfaction of the City of Fremantle.
10. 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.
11. Prior to issue of a building permit, 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 should give consideration to the fact the City is required to manage residential waste. As a result, the waste management plan will need to align with the waste services available to residents. The Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle.

12. Prior to the issue of a Building Permit, an outdoor lighting plan must be submitted 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.



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13. Prior to the issue of a Building Permit for the development hereby approved, the following bike racks are to be provided for use by the non-residential units:
 - Two (2) Class 1 or 2 racks
 - Two (2) Class 3 racksPrior to occupation of the development the approved bike 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, the following end of trip facilities and lockers shall be provided, to the satisfaction of the City of Fremantle:
 - One male and one female shower (or 2 unisex)
 - Two (2) lockers in a location easily accessible from the shower facilitiesPrior to occupation of the development the approved 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 Building Permit for the development hereby approved, all piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle.
16. Prior to the issue of a Building Permit or Demolition Permit for the development hereby approved, a Construction/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.
17. Prior to the issue of a building permit, the applicant/owner is to submit a One Planet Living Action Plan that is certified by Bioregional Australia or a One Planet Living Integrator setting out how the development will achieve One Planet Living Principles, to the satisfaction of the City of Fremantle. The One Planet Living Action Plan is to be adhered to for the life of the development



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18. Prior to occupation, the applicant/owner is to submit a copy of documentation from Bioregional Australia or a One Planet Living Integrator stating that the development as constructed accords with the One Planet Living criteria, to the satisfaction of the City of Fremantle.
19. Prior to the issue of a building permit, details are to be submitted that demonstrate that each dwelling will be individually metered for water use to the satisfaction of the City of Fremantle.
20. Prior to occupation of the development hereby approved, the boundary walls located on the east and west elevations 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.
21. Prior to the occupation of the development hereby approved, the approved landscaping, including the provision of 23 mature trees sufficient to achieve an initial screening height of 4 metres along the northern boundary of the site, 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.
22. 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.
23. Prior to the occupation of the development hereby approved, any redundant crossovers shall be removed, and the verge and kerbing reinstated to the City's specifications, at the expense of the applicant and to the satisfaction of the City of Fremantle.
24. 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.
25. 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.
26. Prior to the issue of a building permit, the fourth floor level living areas and accessible balcony area in the northern block are to be setback a minimum of 10m from the northern boundary to comply with Local Planning Policy 3.11, to the satisfaction of the City of Fremantle.



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27. Prior to the issue of a Building Permit for the development hereby approved, three (3) deep soil areas, sufficient in area to accommodate one (1) medium sized tree per area, are to be provided in the driveway area along the western boundary between the two drop off areas, to the satisfaction of the City of Fremantle. Prior to Occupation of the development hereby approved, the landscaping shall be completed and maintained on an ongoing basis for the life of the development.
28. Prior to the issue of a Building Permit for the development hereby approved, three (3) deep soil areas, sufficient in area to accommodate one (1) medium sized tree per area, are to be provided in or immediately adjacent to the Public Art Walk/ public pedestrian accessway located to define the public thoroughfare, to the satisfaction of the City of Fremantle. Prior to Occupation of the development hereby approved, the landscaping shall be completed and maintained on an ongoing basis for the life of the development.

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. The applicant is advised that the approval does not include a condition requiring the upgrade of the adjacent Recreation Reserve as the reserve falls within the Town of Mosman Park. The applicant is to obtain all necessary approvals from the Town of Mosman Park for the effective use of the public access easement.
- iv. 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.
- v. The applicant is advised that additional information in relation to the City's waste management requirements can be found here: <https://www.fremantle.wa.gov.au/residents/waste-and-recycling>
- vi. Bicycle parking facilities are to be provided in accordance with the following standards:
 - Class 1 – High security level – Fully enclosed individual locker;
 - Class 2 – Medium security level – Lockable compound fitted with class 3 facilities with communal access using duplicated keys;
 - Class 3 – Low security level – Rails or racks to which both the bicycle frame and wheels can be locked.

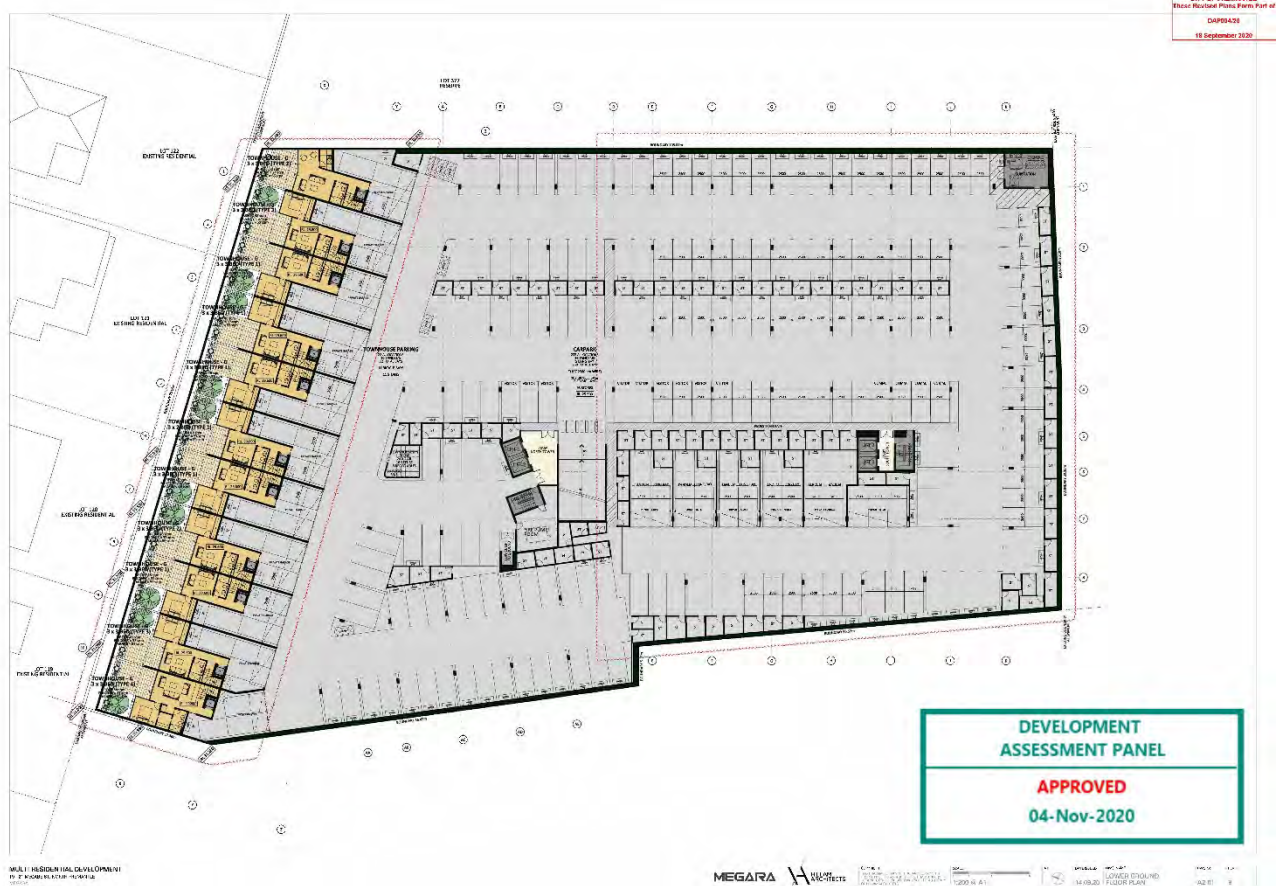
For more information refer to 'Austroads Cycling Aspects to Austroads Guides'

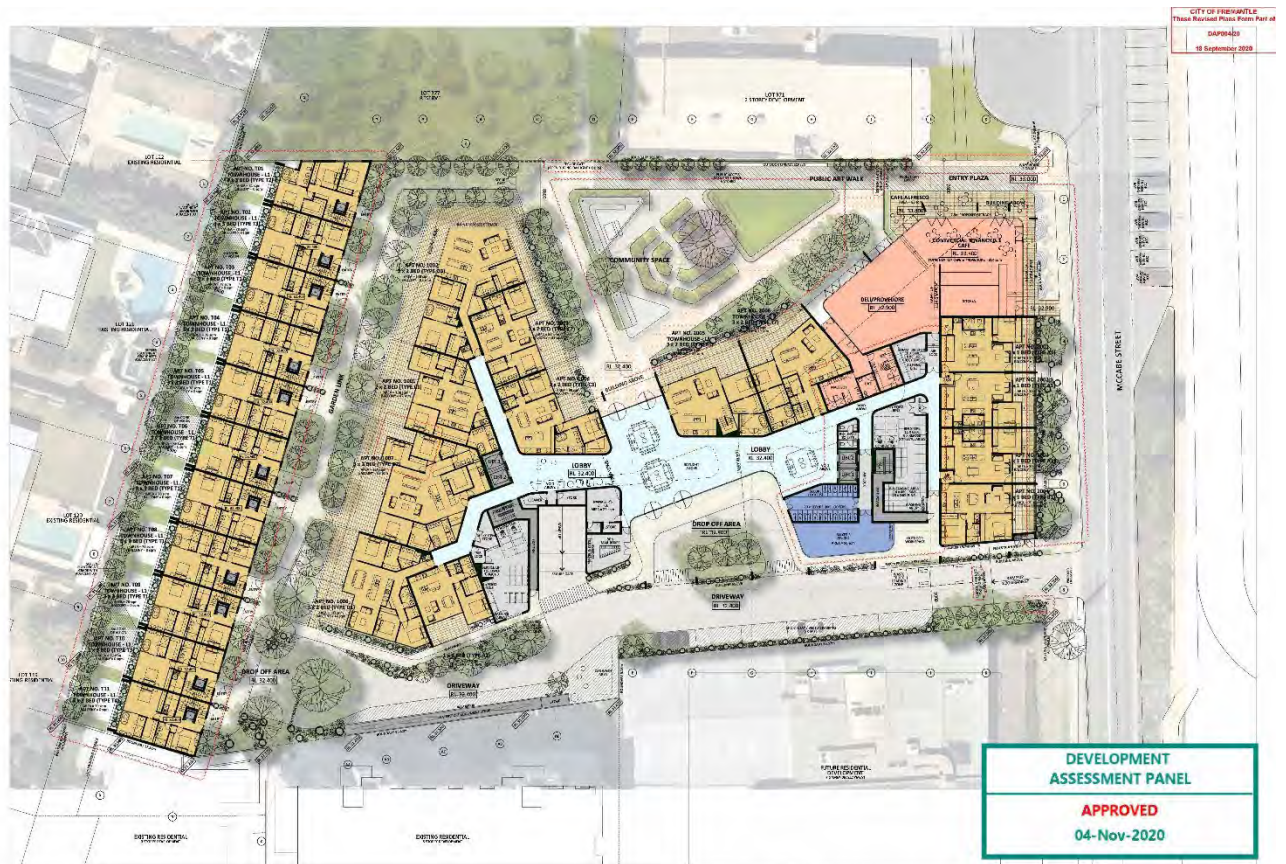


Government of Western Australia
Development Assessment Panels

- vii. In regard to the condition requiring a Construction 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>.
- 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.
- viii. The owner is advised that an obstruction permit may be required from the City for any future obstruction of the McCabe Street road reserve. An application for obstruction permit can be found via www.fremantle.wa.gov.au.
- ix. The food 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. 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.
- 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. It is recommended that the applicant engages the City's Environmental Health department to determine their obligations in obtaining an alfresco dining permit. The City's Environmental Health department can be contacted on 9432 9999 or alternatively via email at health@fremantle.wa.gov.au.

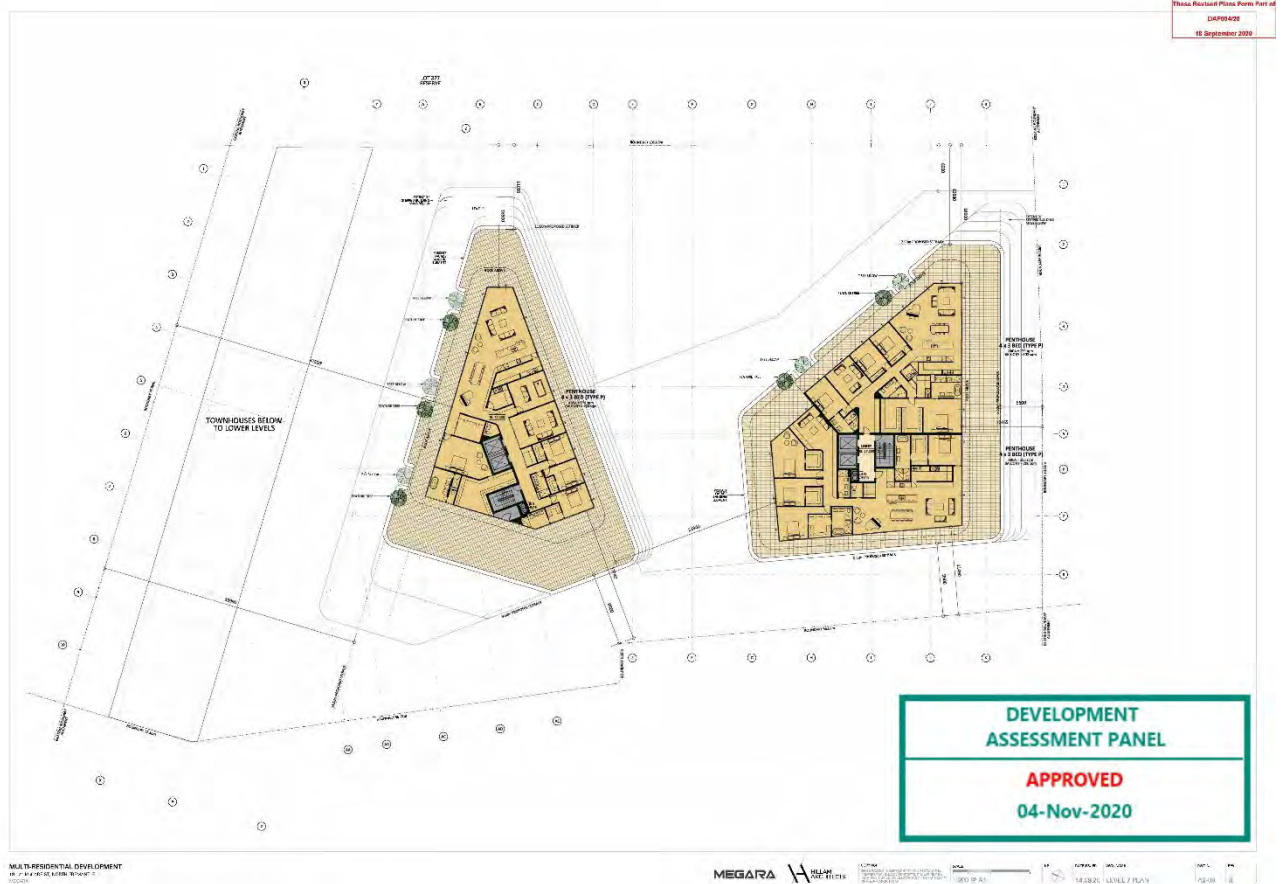
Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) or local government approval under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













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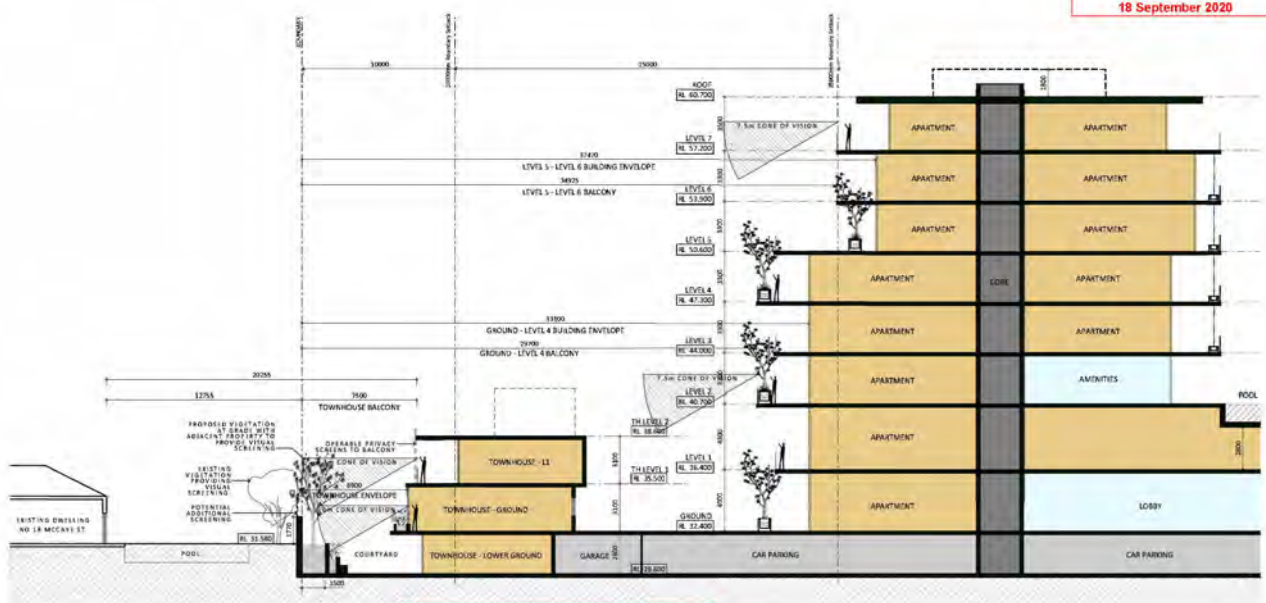
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04-Nov-2020

MULTI-RESIDENTIAL DEVELOPMENT
19-21 MCCABE STREET, NORTH FREMANTLE
PROJECT 1

MEGARA HILLAM ARCHITECTS

DATE: 14.09.20 SCALE: 1:200 @ A1

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SECTION AA DETAIL
SCALE 1:200 @ A1

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MULTI-RESIDENTIAL DEVELOPMENT
19-21 MCCABE STREET, NORTH FREMANTLE
PROJECT 1

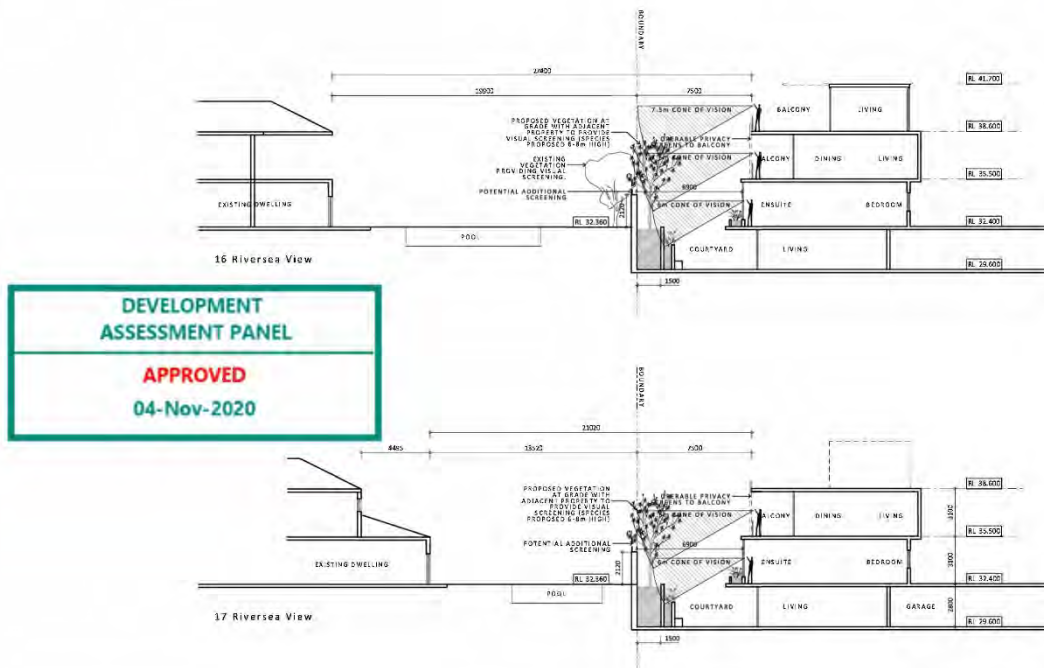
HILLAM ARCHITECTS

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SCALE
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DATE ISSUED: 14.09.20 DWS NAME: SECTION AA (EXCERPT)

DWG NO: SK00 REV: A



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19-21 MCCABE STREET, NORTH FREMANTLE
WDC/DA/20

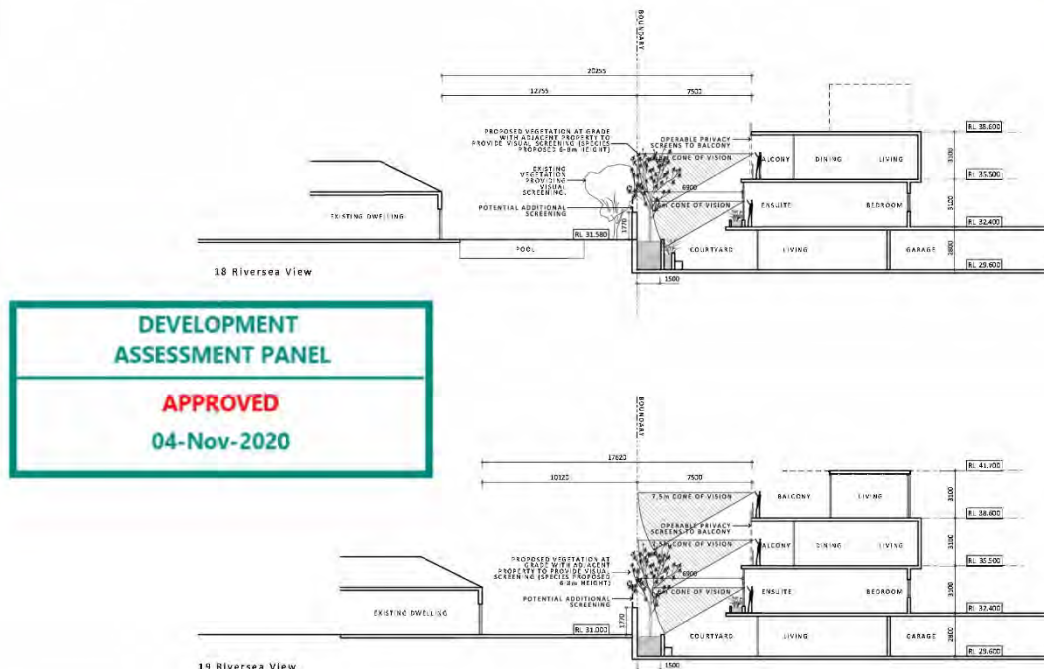
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DATE ISSUED 14.09.20 DWG NAME 16-17 RIVERSEA VIEW SECTION

DWG NO. SK01 REV A



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WDC/DA/20

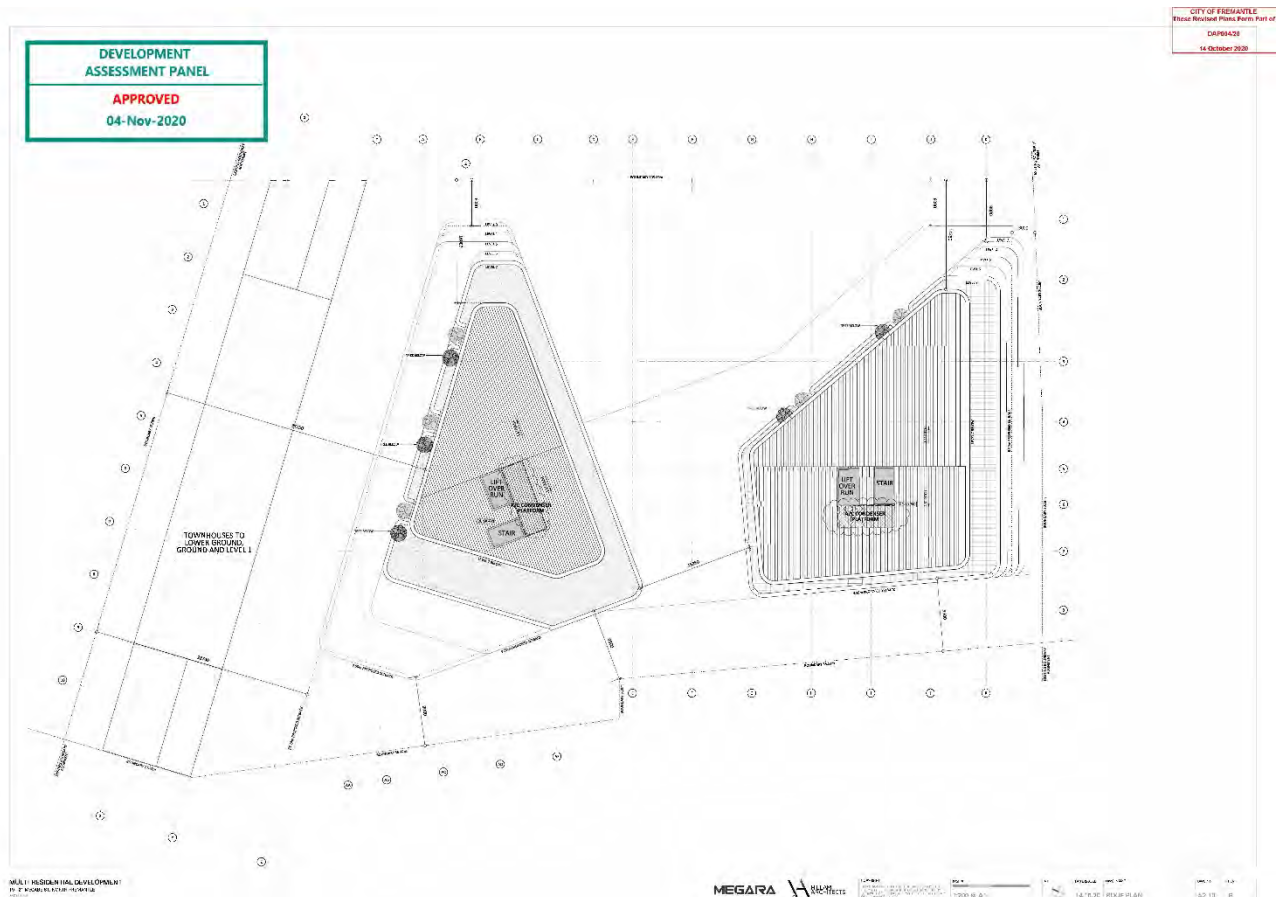
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DATE ISSUED 14.09.20 DWG NAME 18-19 RIVERSEA VIEW SECTION

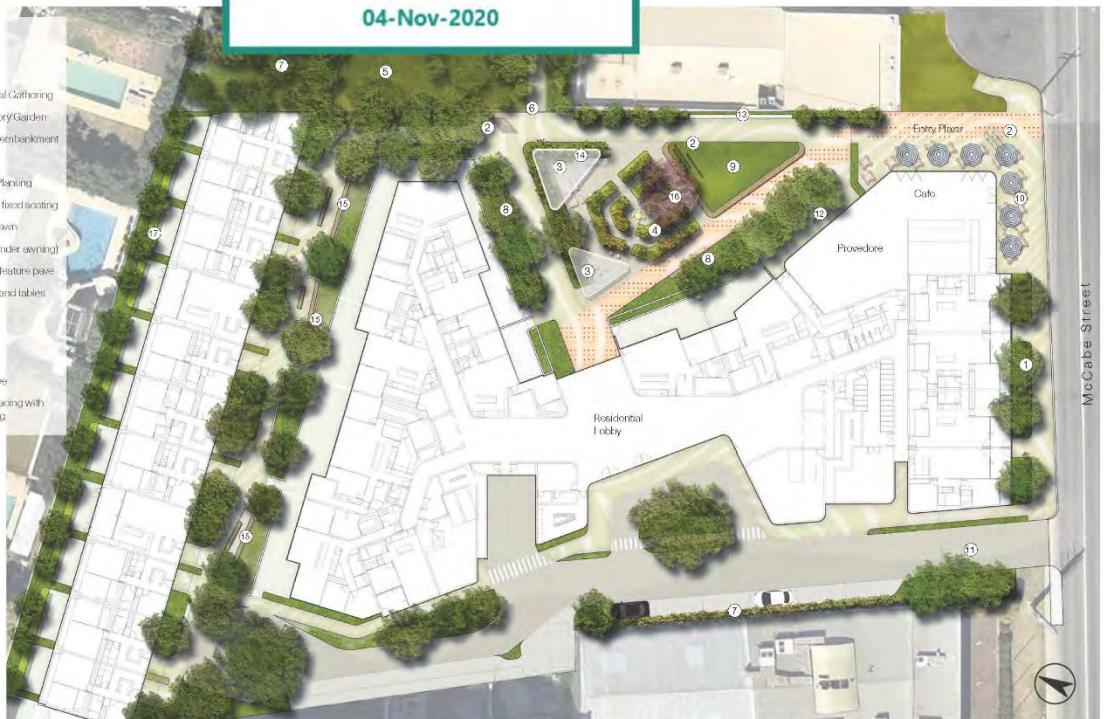
DWG NO. SK02 REV A



2.3 Ground Level Concept

Legend

- ① Street Planting
- ② Art Walk
- ③ Shelter / Communal Gathering
- ④ Communal / Sensory Garden
- ⑤ Existing limestone embankment
- ⑥ Reserve Entry
- ⑦ Native / Endemic Planting
- ⑧ Raised planter and fixed seating
- ⑨ Raised recreation lawn
- ⑩ Alfresco Seating (under awning)
- ⑪ Entry Driveway w/ feature pave
- ⑫ Bar height seating and tables
- ⑬ Projector Screen
- ⑭ BBQ
- ⑮ Seating nodes
- ⑯ Mature Feature Trees
- ⑰ Upper & lower fencing with boundary screening



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2.3 Ground Level Concept

Legend

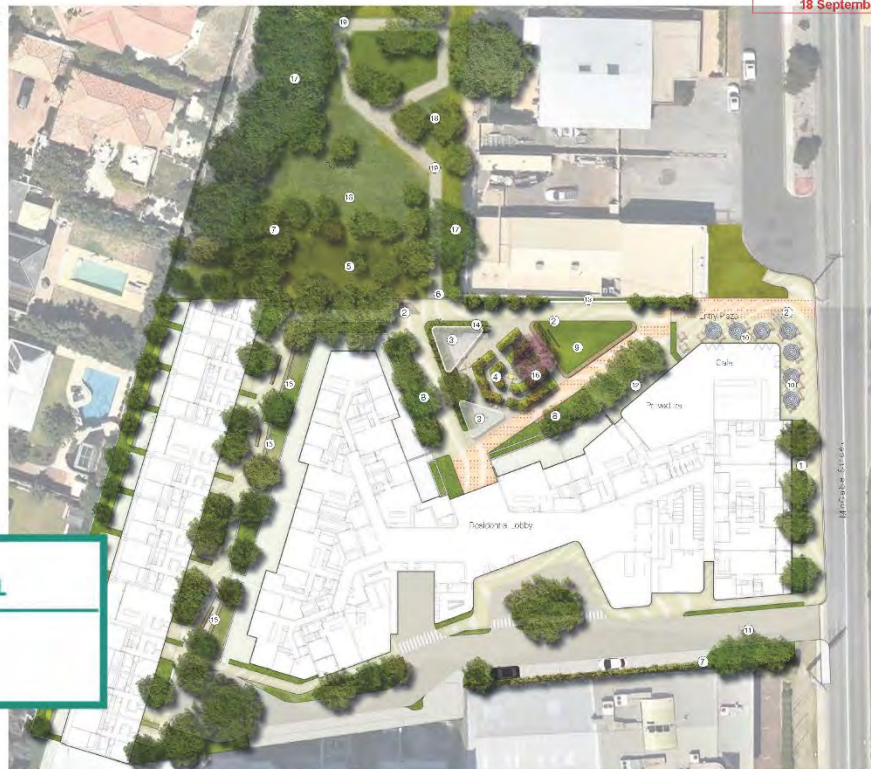
- ① Street Planting
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- ⑥ Reserve Entry
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- ⑧ Raised planter and fixed seating
- ⑨ Raised recreation lawn
- ⑩ Alfresco Seating (under awning)
- ⑪ Entry Driveway w/ feature pave
- ⑫ Bar height seating and tables
- ⑬ Projector Screen
- ⑭ BBQ
- ⑮ Seating nooks
- ⑯ Mature Feature Tree
- ⑰ Existing mature trees
- ⑱ Native Re-vegetation
- ⑲ Gravel Path

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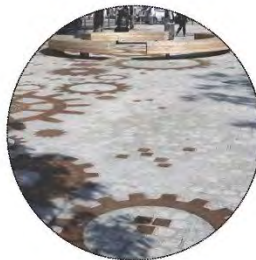


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2.3 Landscape Program

ENTRY PLAZA

- Welcoming space
- Alfresco seating
- Adjacent to Cafe
- A place to meet & connect
- Engage with the street
- Invite the community in



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2.3 Landscape Program

WELCOME GARDEN

- Way-finding markers to connect with community
- Share local stories
- Industry / Aboriginal / Community
- Communal Areas
- Informal outdoor amenity and recreation space
- 6 Seasons
- Veggie Gardens
- Raised garden beds
- Sensory / Floral garden experience
- Orchard
- Garden/seating nodes
- Canopy
- Outdoor Cinema
- Recreation Lawn
- Large Tree Transplant

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2.3 Landscape Program

GARDEN LINK

- Private Seating Nodes & Shelters
- Private Apartment Entry
- Feature trees
- Informal Social Spaces
- Provides Circulation + Green Links

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2.3 Landscape Program

GARDEN LINK

- Private Seating Nodes & Shelters
- Private Apartment Entry
- Feature trees
- Informal Social Spaces
- Provides Circulation + Green Links

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2.3 Landscape Program

PEDESTRIAN ENTRY

- Way-finding markers to connect with community
- Perimeter / Screen planting
- Safe pedestrian access
- Feature tree planting at entry



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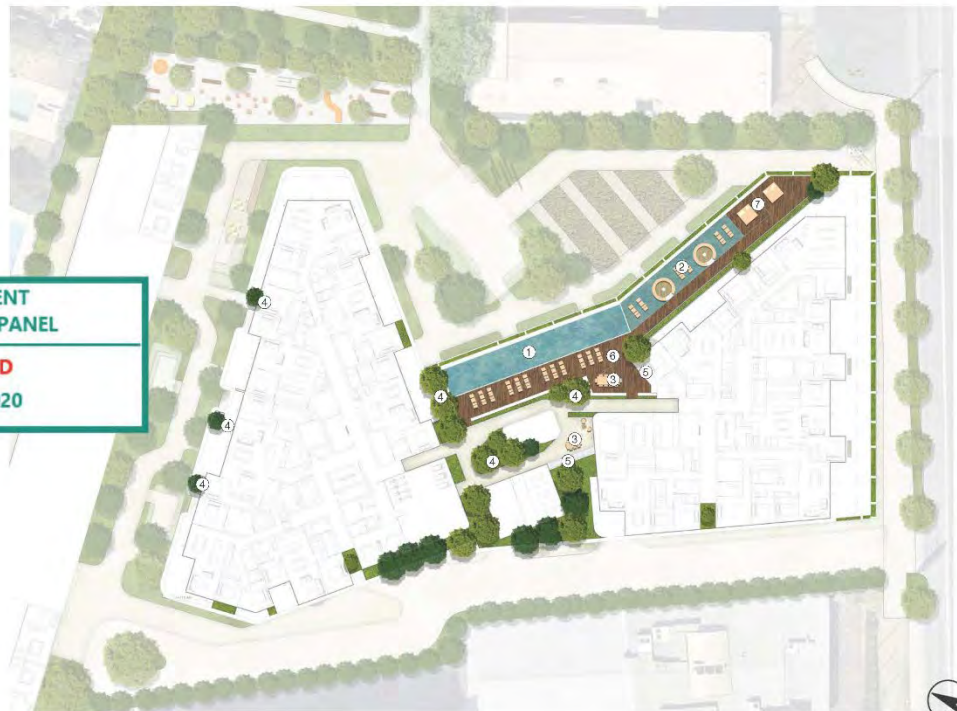
19-21 McCabo Street 16

2.4 Level 1 Concept

- Legend**
- ① Pool
 - ② Wading Pool
 - ③ Outdoor dining
 - ④ Raised planter
 - ⑤ BBQ
 - ⑥ Pool Deck
 - ⑦ Day Beds

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2.4 Landscape Program

PODIUM LANDSCAPE

- River Lookout
- Shaded Seating Nodes
- Outdoor Dining & BBQ
- Communal Areas



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2.4 Landscape Program

HEALTH PAVILION ROOFTOP

- Extensive Green Roof
- Trailing Plants
- Pebble Roof



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2.5 Balcony Concept

Licensed private terraces have been created where feasible to increase resident amenity. Low to mid-level planting to the perimeter of the balconies will provide a lush green outlook and plant selections will include, local and native species that can tolerate the exposure and micro-climatic conditions. Whilst the planting creates separation between adjacent apartments and provides protection as part of solar and wind management strategy.

The larger terraces provide the opportunity for greater private amenity in the form of fixed seating and BBQ furnishings, creating enhanced entertaining and flexible outdoor dining spaces.

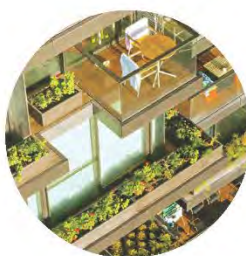


Legend

- ① Balcony
- ② Planter



Level 5



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2.5 Balcony Concept

Licensed private terraces have been created where feasible to increase resident amenity. Low to mid-level planting to the perimeter of the balconies will provide a lush green outlook and plant selections will include local and native species that can tolerate the exposure and micro-climatic conditions. Whilst the planting creates separation between adjacent apartments and provides protection as part of solar and wind management strategy.

The larger terraces provide the opportunity for greater private amenity in the form of fixed seating and BBQ furnishings, creating enhanced entertaining and flexible outdoor dining spaces.



Level 1



Level 3

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Level 4

19-21 McCabo Street 26



2.5 Balcony Concept



Level 5



Level 6



Level 7

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2.6 Wind Study

4.3 Wind Flow Mechanisms

'Techniques to mitigate the effects of downwash winds on pedestrians include the provision of horizontal elements, the most effective being a podium to divert the flow away from pavements and building entrances'.

Podium planting and landscaped areas used as a mitigation technique. On podium and ground floor, the landscape form and structure is to divert wind flow by reducing the amount of linear paths that run along strong wind directions.

'If the corner balconies are deep enough, articulated, or have regular portion privacy fins then local calmer conditions can exist'.

Creating deep balconies where possible & using screen right through planting and tree cover to create more habitable balconies.

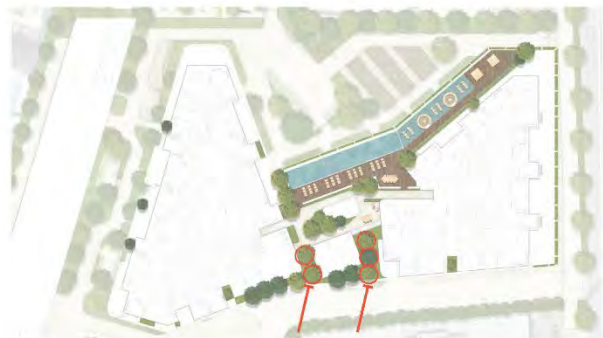
5.1 Environmental wind assessment: Site factors

'The amenities on ground level may likely be fairly windy on some afternoons due to the south westerly winds ... The southwest also may funnel between the two towers to outdoor podium area, which can create local accelerations and some discomfort for occupants'.

Provisions for dense tree and raised landscaping to assist in reducing the wind impact on the ground floor and podium funnel.



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3.1 Landscape Materials

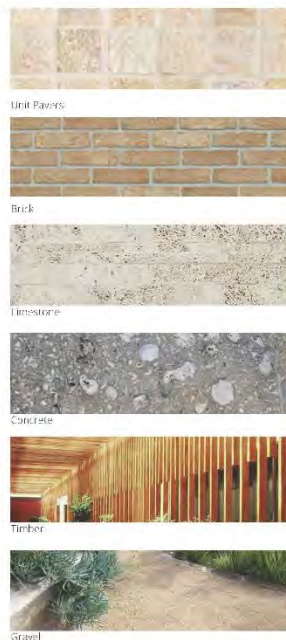
Materials Strategy

A refined palette of robust and low maintenance materials are proposed that are in keeping with the project context and Architecture. The proposed landscape scheme will use a palette of high quality materials, selected to reinforce the identity of the spaces.

Materials have been selected that are sympathetic to the local context and are appropriate to their location and use. The materials palette here form a structured palette that are coordinated to create visual unity and integrity within the landscape and with the adjoining local suburbs.

The Material strategy will:

- Use materials that are sympathetic to the local context and are appropriate to their location and use.
- Form a structured palette that is coordinated to create visual unity and integrity within the landscape but allow for variations in texture and colour that can be used to define function and character.
- Give consideration to long-term performance, durability and maintenance requirements.
- Consider impact on the environment and sourcing, cost and project sustainability.



Furniture Strategy

The fixed furniture elements are designed and organised to work with the loose alfresco furniture and encourage a broad range of social interactions. A series of generously dimensioned furniture elements are placed strategically at key locations to distinguish the site as a welcoming and social place.

The furniture strategy will:

- Reinforce the overall design concept and relationship to the architecture.
- Provide a range of fixed and loose furniture that caters to large and small groups.
- Share a common material language and robust detailing.
- Locate furniture in favourable climatic zones, i.e. wind protected areas with suitable solar access.
- Restrained selection of materials to be robust, vandal resistant and durable.



Art Installations



Seating Loges



Perks



Nature Play



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4.1 Planting Strategy

Planting Strategy

The planting scheme for the project is designed to add a strong, well-vegetated character to the site. Landscaping will be used to create identity through a series of garden rooms and maximise amenity for the building occupants and the broader neighbourhood.

The ground floor will feature lush native and endemic planting that represent an eclectic mix of coastal and riverine species. Planting with perimeter features trees will structure and define the green edge of the public space, creating seasonal colour and managing solar access. A diverse selection of sun tolerant endemic, native and exotic species have been proposed that will be robust and water-wise and well-suited to this aspect.

The welcome garden is a community engaged garden experience which references cultural histories and support productive and recreational activities within the site. This is to be represented by many indigenous fish, tickler species have been selected to provide a unique cultural experience that gives education and insight into traditional land uses and way of life.

The nature reserve represents greening and re-vegetation efforts to the parkland space. Proposed endemic tree species to be planted amongst low shrubs and ground covers. These waterwise species are representative of the Cottesloe and Karakatta Vegetation Complexes and will contribute to the ecological heritage and biodiversity of North Fremantle.

Low to mid-level planting to the perimeter of the balconies on upper levels will provide a lush green outlook. Plant selection include local and native species that can tolerate the exposure and micro-climatic conditions of the upper levels.

The planting is intended to:

- Use plants representative of the Cottesloe and Karakatta Vegetation Complexes.
- Use water wise design principles and implement hydro-zoning.

- Use plants that can adapt to as well as create pleasant micro-climates.
- Use plants that can tolerate recreational activities.
- Create attractive high-quality planting compositions to promote comfortable, enjoyable environments.
- On upper levels, clearly define and frame each terrace, while maintaining the outlook to greater coastal area.
- Enhance ecological diversity.
- Incorporate soil volume and profile to promote good plant growth within the constraints of the site.
- Reduced temperatures of external areas.
- Have low maintenance requirements and longevity.

Water Efficient Irrigation System

Trees and plants will be irrigated by a water efficient irrigation system. The irrigation water demand volumes will not be excessive, however, a constant and uninterrupted supply must be maintained especially during dry and hot periods.

Where possible, plants will be hydro-zoned according to water requirements. This allows the reticulation to the endemic plantings to be separately controlled and greatly reduces following their establishment period.

The automated irrigation system can be designed to include monitors to detect malfunctions so that rapid response rectification can be programmed before the planting is detrimentally affected by a disruption to water supply.

A holistic irrigation strategy will be prepared for the project that aims to include the following initiatives:

- Aqua monitoring to record and display water usage
- Hydro-zoning of plants
- Waterwise planting and use of local species
- High quality and improved soils with good moisture and nutrient holding capacity
- Organic mulch
- Rain sensors
- Soil Moisture Sensors
- Evapotranspiration Sensors



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4.2 Indicative Planting Palette



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4.2 Indicative Bush Tucker Palette



Indicative Species List

Acacia cyclops (7)
Alpinia caerulea (2)
Antidesma bunius (9)
Atriplex semibaccata (13)
Austromyrtus dulcis x tenuifolia
Backhousia citriodora (10)
Carpobrotus virescens (15)
Citrus australasica (finger lime) (8)
Dianella revoluta (4)
Macadamia integrifolia (14)
Myoporum insulare (3)
Podocarpus drouynianus (12)
Prostanthera incisa (Native thyme) (5)
Prostanthera rotundifolia (Native oregano)
Santalum acuminatum (Quandong) (1)
Sollya/Billardiera heterophylla (11)
Suaeda australis
Syzygium australe (6)
Tetragonia lepidosperma
Tetragonia tetragonoides

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5.1 Tree Canopy

Canopy Calculations

As per the DesignWA objectives the project seeks to improve tree canopy coverage of the site. In addition trees are included within the development to:

- Provide shade to amenity areas
- Reduce temperatures of external areas through evapotranspiration
- Mitigation wind within the development
- Noise Mitigation & Habitat Creation

As per State Planning Policy 7.3 Volume 2 - Element Objective 3.3.2, the tree canopy requirement are as follows:

Lot Area	8058 m ²	1 large tree and 1 medium tree for each additional 400m ² in excess of 1000m ²	8 Large Trees (63m ²)
WAPO Tree Canopy requirements	>1,000m ²	OR 1 large tree for each additional 900m ² in excess of 1000m ² and small trees to suit area	or 512m ² of Canopy

In lieu of "Large Trees" we have provided an mix of "small" and "medium" trees to meet and exceed the canopy requirements of F03.3.2

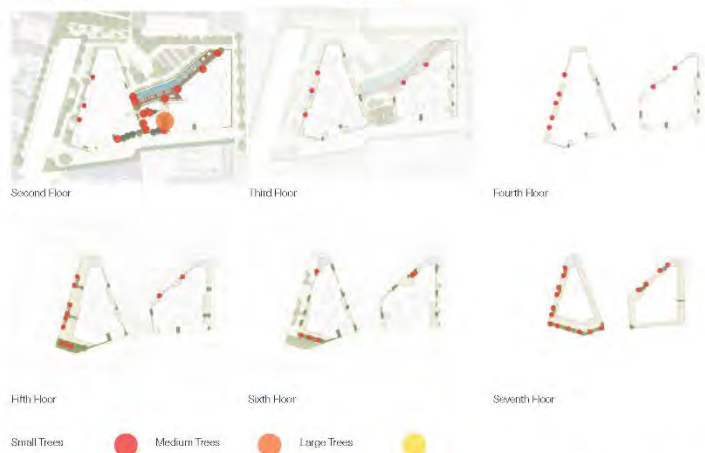
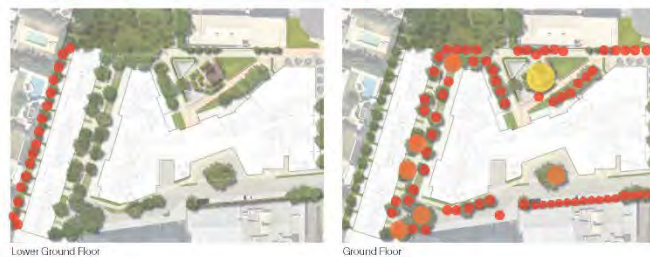
The table below summarises the extent of landscaping provided across the various levels of the building.

Tree Size	Small Trees 4-6m	Medium Trees 6-8m	Large Trees >8m	Total Canopy (m ²)
Canopy Area	19m ²	38m ²	63m ²	
Lower Ground Floor	20	0	0	380
Ground Floor	40	6	1	1,052
Level 1	0	0	0	0
Level 2	15	1	0	323
Level 3	5	0	0	95
Level 4	7	0	0	133
Level 5	11	0	0	209
Level 6	6	0	0	114
Level 7	16	0	0	304
TOTAL	128	7	1	2,610

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5.2 Deep Soil

Deep Soil calculations

Given the highly urban context of the development a 'hybrid' approach has been taken to achieving the provision of landscape amenity. The landscape design consists of deep soil zones and planting on structure (As defined in DesignWA) to create a landscape approach which is respectful of the surrounding urban context and architectural form.

The table below summarises the extent of landscaping provided across the various levels of the building.

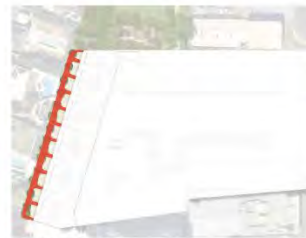
Lot Area: 8058 m²

Deep Soil Requirement (10%): 805m²

Level	Deep Soil (m ²)	Deep Soil on Structure* (Item 1)	Deep Soil on Structure
Lower Ground Floor	220	0	0
Ground Floor	0	516	0
Level 1	0	17	0
Level 2	0	53	191
Level 3	0	0	30
Level 4	0	0	38
Level 5	0	0	163
Level 6	0	0	100
Level 7	0	0	123
Subtotal	220	586	643
DSA TOTAL			1449

* Deep soil on structure in lieu of deep soil (Item 1). Counted at 50%

Planting on Structure



Lower Ground Floor



Ground Floor



Level 1



Level 2



Level 3



Level 4



Level 5



Level 6



Level 7

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6.1 Maintenance Considerations

Appropriate landscape management and maintenance is vital to the success of the landscape design and as such consideration has been given to easy operation and ongoing maintenance.

Maintenance Considerations

REPAIR AND MAINTENANCE

The need for repair and replacement of planting and finishes will be mitigated by the use of appropriate and durable species and materials. Nevertheless, in the long term a degree of maintenance and replacement is unavoidable. In order to ensure that the landscape design remains safe and in good condition, design of the podium elements on the ground floor will be guided by the City's landscape guidelines.

Landscape treatments on the podium levels will be designed to be robust and resilient with easy access to maintenance procedures, if required. Where bespoke elements such as planters, furniture, play and art features are proposed, detailing will ensure ongoing and easy long-term maintenance. Once the landscape is established the frequency of maintenance is envisaged to be low, however, the design will allow for future maintenance to be designed with consideration for the ongoing maintenance of these spaces.

WORKING AT HEIGHTS

All landscape areas above ground floor will require scheduled maintenance at some point in its life cycle and as such fall arrest infrastructure will be provided to a low safe access to areas with a risk of falling. Maintenance contractors will need to be trained with relevant safety training and procedures, implemented to ensure safety during all landscape maintenance operations. The majority of landscape areas can easily be accessed from adjacent handstand areas for maintenance purposes. No maintenance activity associated with the podium planters will need to be undertaken via vertical high access, managed and programmed by the body concerned.

IRRIGATION

Irrigation will need to be operated via an automated system controlled by the facility manager. Water consumption should be managed by the body corporate and metered. The automated irrigation system can be monitored to detect malfunctions so that rapid response restoration can be programmed before the watering is dramatically affected by a disruption to water supply.

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Podium & Balcony Planters - Indicative inspection and maintenance matrix				
Area of Attention	Inspection Item	Inspection Frequency	Inspection Procedure	Necessary Action
General gardening and review of growing medium & attachment structures	Check for loss of integrity of growing medium under weight and any adverse plant growth problems	4 Visits per annum (total with detailed and general inspections, conducted between above-mentioned visits)	Inspect each planter box and check layer at close range for signs of loss of integrity as applicable to visit type	
	Check moisture levels of growing medium		The medium should neither be saturated or dry, rather uniformly moist	
	Check general plant growth condition - are all or only some healthy		General / detailed inspection of all plant species growing in ponds as appropriate to visit	
	Check for weeds growing		General inspection required	As Above
	Check for signs of disease or pest damage to plants and growing medium		6 Visits per annum / less within the building on each respective floor	As Above
	Check for uncontrolled or over-growth		General / detailed inspection of all plant species growing	Prune and remove excess plant material. Apply plant treatments to manage soil chemistry will be made, as required
Monitor plant nutrient requirements			Check fertilising regime to ensure nutrients are maintained at appropriate levels. Observe condition of plants, in terms of nutrient availability symptoms	Apply controlled release fertilizer in Spring

Drainage & Irrigation - Indicative inspection and maintenance matrix				
Area of Attention	Inspection Item	Inspection Frequency	Inspection Procedure	Necessary Action
Automated Irrigation and System Generally	Check all drainage points (where accessible)	Detailed inspection required 4 times a year Visits to be spread evenly over the 12 month period	Check all drainage points for accumulation of fallen debris, leaves and weeds at all drainage points throughout the green facade system	Remove and clean drainage points
	Irrigation drip line		Check for blockages or irregularities in drip aperture	Repair or replace damaged drip lines if damaged or faulty
	Irrigation drip-line supplyline in apoor drain		Check for blockages or breaks in the irrigation pipes by conducting general irrigation test	Repair or replace faulty hose sections

Irrigation System - Indicative inspection and maintenance matrix				
Area of Attention	Inspection Item	Inspection Frequency	Inspection Procedure	Necessary Action
Automated Irrigation individual components	Irrigation Controller	2 Visits in total with intensive detailed and general inspections	Check cover / operation and run self diagnostic test	Shutdown / Repair / Replace as required if faulty. Call the Manufacturer for Technical support
	Solenoid valve with Flow Control		Check that the solenoid valve is regulating flow (listen for clicks sounding) open on activation	Service / Repair / Replace as required faulty valve/component
	Pressure Reducing valve		Check status / operational pressure	Inspect / Clean / Replace as per manufacturers instructions
	Ball valves		As above	As above
	Timer/switch		Uncover, check port, check filter, should appear in clean condition	As above
	Pulse water motor		Check that the motor is according to the controller, so flow valve are functioning	Inspect / Clean / Replace as per manufacturers instructions

Additional Information 7 - Mechanical Engineer technical memorandum on A/C condensers, prepared by Floth



Technical Memo

Floth Project No. 20558
25/10/2021

Tom Letherbarrow
Space Collective Architects
3/140 Onslow Road, Shenton Park WA 6008

Dear Tom

RE: 19-21 McCabe Street Serai Air-conditioning Condenser Locations

Air Conditioning Systems for the Project:

The Air Conditioning systems for the project is based on an air-cooled Variable Refrigerant Flow/Volume (VRF/VRV) air conditioning and split ducted type systems. These systems consist of an external air-cooled condenser and ceiling mounted ducted/bulkhead type indoor units. Refrigerant pipes run from the outdoor units to the indoor unit and assisted with the heat rejection from the indoor units to the outdoor in cooling mode and vice versa in heating.

Broadly; the following systems are proposed

- Air cooled Variable Refrigerant Flow/Volume (VRF/VRV) air conditioning systems serving townhouses
- Air cooled Variable Refrigerant Flow/Volume (VRF/VRV) air conditioning systems or ducted split systems serving apartments
- Air cooled Variable Refrigerant Flow/Volume (VRF/VRV) air conditioning systems or ducted split systems serving common areas
- Ducted Split units serving Main Switch Rooms, NBN/Comms Room and switch rooms

Note:

A VRF/VRV System typically consists of a Condensing Unit with multiple Evaporator / Indoor Units. Each indoor unit has an expansion valve to control the flow of refrigerant to address the loads within the space that the indoor unit serves. By operating at varying compressor speeds, VRF units work only at the needed rate allowing for substantial energy savings at partial-load conditions. Systems can be either cooling /heating only or simultaneous cooling and heating mode (Heat recovery). VRF/VRV Heat recovery mode allows for systems to operate in simultaneous heating and cooling mode.

The type of systems proposed for the project are typical of multi-residential apartments

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BRISBANE SYDNEY MELBOURNE PERTH JAKARTA

Floth

The following options were looked at from locating the condensers

Condenser Location	Remarks
Apartment Balcony	Not preferred by the council/planning perspective and acoustic impacts
Basements	Significant heat rejection from the plant will raise temperatures by more than 10 degrees without large scale ventilation plant. If ventilation plant is utilized, greater energy penalty is expected in summer as dedicated duty standby fans will be working at the same time as the condensers to provide ventilation relief, if all condensers are located at the basement- in addition to the acoustic treatment required.
Roof	Ideal from a recommended installation, energy saving and acoustic perspective
Townhouses	Condensers are located in the townhouse Gardens

The current DA spatial have been prepared with an intent to maximize the number of condensers within the basement within the deemed to satisfy ventilation rates required for the basement with only a marginal increase in the internal (basement) temperature in the summer above the ambient (around 5C). Condensers for the townhouses have been located within townhouse gardens. The remaining condensers are located at the roof.

The roof layouts haven coordinated with reputed manufacturer and have been minimized to the extent possible by manufacturer guild lines. In addition, and where possible, care have been taken to select units that will allow for minimum height and spatial implications.

Hoping that the above meets with your current requirements and approval. If we can be of further assistance, please do not hesitate to contact us.

Thanks and Kind regards



Vineeth Radhakrishnan
Perth Office Manager| Principal Mechanical Engineer

cc-

-Tim Philp

-Floth

Additional Information 8 - Hot Water System technical memorandum, prepared by Ionic



21st October 2021

Serai Apartments
19-21 McCabe st North Fremantle
WA 6019,

Attention: Tom Letherbarrow

Re: Hot Water System Overview

This letter is to explain the benefits of the [proposed hot water system for the proposed development.

My name is Tyron Mott and I'm the Director of Ionic Design Australia and the lead hydraulic consultant on the project. I'm writing on behalf of Megara developments as their hydraulic consultant to provide a high-level summary on the benefits of the proposed hot water system for the development.

The development has committed to reduce its carbon footprint and reduce the amount of fossil fuels used on the project.

In doing so we as the hydraulic consultant are proposing to use an extremely energy efficient electric heat pump to generate the hot water for the development.

This system is extremely energy efficient but does require a larger plant to store hot water recovered over a longer duration compared to a gas system.

The heat pump has an input of 1kw and will produce 4kw or heat back into the water. For the system to be as energy efficient as possible the units will need to be located on the roof to ensure cool air expelled isn't recycled back through the units.

We estimate that each apartment owner will save circa \$500 per year on energy cost by installing this system. It will also contribute to an overall greener outcome for the development and the wider community.

The cost to the developer will be both capital and real estate, both of which they have agreed to in order to provide this system.

Yours sincerely

Tyron Mott || Director
Hydraulic Consultant
Phone; 0439 944 325
Email; tyron@ionicdesignaustralia.com.au

**PC2202-5 Watkins Street, No's 1-12/123 (Lots 1-12), White Gum Valley –
Proposed six lot green title subdivision – (CS WAPC161312)**

Additional Information 1 – Site Photos



Photo 1 – Subject site from northern side (Watkins St)



Photo 2– Existing apartment building



Photo 3 – Subject site from southern side (Lois Lane)



Photo 4 – Subject site from southern side (Lois Lane)



Photo 5 – Subject site from southern side (Lois Lane)

Additional Information 2 – Applicants Submission and Draft LDP



Our Ref: 19-265

5 September 2021

The Secretary
Western Australian Planning Commission
140 William Street
Perth WA 6000

Attention: Delia Neglie – Planning Manager, Land Use Planning

Dear Delia

**SUBDIVISION TO CREATE SIX (6) FREEHOLD RESIDENTIAL LOTS – STRATA PLAN S003856
(NO.123) WATKINS STREET, WHITE GUM VALLEY**

element on behalf of the landowners of Units 1-12 of Strata Plan 3856, is pleased to submit this freehold subdivision application to the Western Australian Planning Commission (WAPC) in support of the proposed subdivision of No. 123 Watkins Street, White Gum Valley (the subject site).

The lodgement of this subdivision application has been a result of extensive discussions and collaboration with officers at the City of Fremantle (the City) and Department of Planning, Lands and Heritage (DPLH). The intention is to deliver the most sustainable outcome possible for the future subdivision and development of the subject site, to combat the impacts of climate change at the local level and to help facilitate a highly desirable development outcome for the existing and future occupants of the site, surrounding landowners, and the wider Fremantle community.

Whilst it is recognised that this application requires a level of discretion to be applied by both the City and WAPC in order to be supported and approved, the uniqueness of the site and potential upside this proposal offers is significant and warrants special consideration. When considered objectively against a wide range of important contemporary planning objectives and regulatory allowances, it is considered appropriate in the context of this site and locality as demonstrated below.

A 'compliant' subdivision application has also been lodged separately to this subdivision application. Whilst the 'compliant' subdivision also offers significant value to the current landowners and represents the path of least resistance to a commercially viable approval, this subdivision application is the more desirable outcome for the site and considered to have the most upside for all stakeholders. It represents a rare 'win-win' situation. The supporting submission below addresses the following:

- ∞ Subdivision Configuration;
- ∞ Site Description;
- ∞ Project Background;
- ∞ Proposed Apartment and Site Upgrades;
- ∞ Sustainability Considerations;
- ∞ Draft Local Development Plan (LDP);
- ∞ Planning Framework and Assessment; and
- ∞ Concluding Statements.

In accordance with the WAPC lodgement requirements for a subdivision application, please find enclosed the following:

Level 18, 191 St Georges Terrace, Perth Western Australia 6000 - PO Box 7375 Cloisters Square, Perth Western Australia 6850
T: (08) 9289 8300 E: hello@elementwa.com.au W: elementwa.com.au

- ∞ A completed Form 1A which contains all four landowner signatures;
- ∞ All unit Certificates of Title issued within the last 6 months;
- ∞ Plan of subdivision;
- ∞ Draft LDP; and
- ∞ Payment to the WAPC for the \$3,855 application fee.

Subdivision Configuration

The subdivision is seeking an average site area variation of 182.5m². Whilst it is recognised this variation is sizeable, the landowners are prepared to accept the requirement to prepare an LDP, prepare and submit a DA for the apartment upgrade works as well as complete these works as part of the subdivision clearance process. It is considered these additional aspects of the project are fundamental to creating a highly sustainable, and well-considered development outcome for this site.

It is important to note, this subdivision configuration is the desired outcome for this site. As referenced above, a 'compliant' subdivision outcome (REF: 2021-222434) has been lodged which is proposing to split the site into seven freehold lots at an average site area of 370m² and a lot of area range of 438m² – 320m². Whilst 'compliant', the contrast in the possible development outcome is significant between the two subdivision applications. The proposed 5-lot subdivision offers significant benefits such as:

- ∞ Retention and enhancement of an affordable housing product that would otherwise be removed from the built fabric of White Gum Valley.
- ∞ The retention of social diversification within an emerging inner-central suburb that is strongly supported by amenities and public transport opportunities.
- ∞ Through retaining the existing apartment building, the embodied energy required to re-produce this housing product is maintained and its life extended. This reduces construction waste, as well as the energy to re-construct an additional 7 homes.
- ∞ Providing a more sustainable housing product that would otherwise not be able to be built on 7-freehold 370m² (average site) lots without the support of an LDP to mandate site specific controls and implement the Freo Alternative principles.
- ∞ Contribute a much larger proportion of landscaping and tree canopy across the site given the availability of open area and unrestricted soil zones. This would not otherwise be able to be provided for the 7-freehold lot subdivision outcome.
- ∞ The retention of higher density housing products in an area that is clearly capable of supporting additional yield given the sites proximity to amenities and public transport opportunities.

These are just some of the primary benefits of this subdivision outcome that would otherwise not be able to be implemented within the 'compliant' subdivision application. Notwithstanding this, the 7-lot subdivision outcome remains a viable option for the landowners to proceed with, and if the non-compliant application is not supported, there is a significant loss of opportunity to retain an important housing product, as well as provide an innovative townhouse product which will benefit the wider locality and contribute to the amenity of the area.

Site Description

The subject site has a total land area of 2,630m² and comprises of 12 existing apartments in a 3-storey building and associated outbuildings. The apartment building was constructed between 1965 and 1970 and contains nine 2-bedroom and three 1-bedroom apartments. The site contains an extensive and underutilised area of lawn to the south and west, which surrounds the apartment building. The grassed area suffers from a lack of amenity with no tree canopy, landscape vegetation or useable recreation space for residents. The grassed area is also traversed by non-residents between Lois Lane and Watkins Street and this usage represents a security risk for existing tenants of the apartment building.

The site is centrally located within White Gum Valley being located within a 300-metre radius of the Hilton Local Centre. The site is also well serviced by public transport. A bus stop exists on Watkins

Street which services route 502. Carrington Street to the east also accommodates high frequency bus route 114.

The immediate surrounds of the site are largely varied with a combination of similar era apartment buildings, townhouses and single houses generally representative of earlier eras of infill development.

The 12 apartments are individually strata-titled, however are held under the joint ownership of the Kenworthy and Waterson Family. It is noted prior to submitting this application, a termination of the Strata-Scheme was submitted to the WAPC.

The apartments in their present form are rented out at relatively affordable rates to a wide variety of household compositions and offer genuine housing diversity in an area that has become increasingly gentrified and expensive (the median house price has risen 7.3% to \$775,000 over the last 12 months, \$250,000 higher than the Perth Metropolitan Area average Source: REIWA). It is understood that many of the residential tenants are employees of the business located in the nearby O'Connor Industrial Area on the eastern side of Carrington Street. The removal of the apartment building under the compliant subdivision option, as well as being manifestly unsustainable as demonstrated below, will remove the opportunity for these relatively low paid workers to live affordably close to their place of employment.

The particulars of the Certificate of Title are summarised below:

Table 1: Certificates of Title

Unit	Volume	Folio	Strata Plan Number
1	1474	901	3856
2	1474	902	3856
3	1474	903	3856
4	1474	904	3856
5	1474	905	3856
6	1474	906	3856
7	1474	907	3856
8	1474	908	3856
9	1474	909	3856
10	1474	910	3856
11	1474	911	3856
12	1474	912	3856

Refer to Appendix A – Certificate of Title

Project Background

The landowners previously sought subdivision approval for a four (4) lot subdivision which was refused by the WAPC in February 2019. An appeal was subsequently lodged with the WA State Administrative Tribunal (SAT) which was also unsuccessful in overturning the WAPC decision given the non-compliance of the new lot areas with the requirements of the Residential Design Codes (R-Codes) and limited justification to support such a variation.

The landowners approached **element** to investigate what opportunities existed to achieve an uplift in the site that sought to use the large vacant unimproved areas whilst retaining the fabric of the existing apartment building. Through this process it was determined that the WAPC had the legal ability to approve a subdivision that does not strictly meet R-Code lot area requirements due to the age of the City's planning scheme under the *Planning and Development Act 2005*. There was also an opportunity based on the area of the site and positioning of the existing apartment building to both retain and enhance the existing building, whilst subdividing the rear of the site without detrimentally impacting the existing amenity of current occupants, neighbours or the locality generally.

Matthew Crawford Architects (MCA) was subsequently engaged to investigate how the apartments could be enhanced to increase the street appeal of the existing building, improve the interface to

adjacent properties, improve the livability of the apartments and enhance sustainability generally. Through this process, the potential of this project to retain and enhance the apartment building was seen as a far superior outcome than the compliant subdivision option to divide the subject site into seven (7) freehold lots, despite this being consistent with the existing density code.

Whilst understanding what enhancements could be made to the existing apartments, the potential housing products that would result from the new lots that are subject to this subdivision application were also investigated. The product that is envisioned is a contemporary approach to the 'missing middle' housing product based closely on the principles of the widely lauded Freo Alternative model. Promoting deep soil landscaping, restricting site coverage, higher than standard energy efficiency and creating a product that provides a well-considered built-form to a currently underwhelming laneway environment were all key principles that have underpinned the provisions of the Draft LDP to guide the future housing products.

Refer to Appendix B – Draft Local Development Plan

Following preliminary conversations being had with City Officers, elected members and the DPLH, it was recognised that the potential benefits that a proposal of this nature could bring to the area were significant. Such an outcome would promote the key principles of rejuvenation and sustainability that would otherwise be lost if the apartment building was demolished. In particular this solution was seen to represent a genuine quadruple bottom line outcome for sustainable prosperity offering economic, social, environmental and cultural benefits.

More specifically, the proposed represents a rare opportunity to enhance and respect the importance of this housing typology in an area that is largely becoming consumed with large homes on small land parcels with no housing diversity, reduced housing affordability and poor carbon footprints.

Notwithstanding the recognition of the benefits of the project by officers at the City and DPLH at a preliminary level, a primary concern was that if the application was approved it would set an undesirable precedent for other non R-Code compliant density development to occur and undermine the orderly and proper application of the local planning framework. These concerns have been extensively investigated and it can be clearly demonstrated why this site warrants special consideration and the exercise of discretion that is being sought.

Prior to lodging the subdivision application, **element** considered firstly why this site was so unique to warrant such discretion and secondly whether the same benefits could be theoretically and practically applied to similar forms of development within Fremantle. Four key characteristics were determined, these are summarised below:

Ownership

- ∞ Given the age of the apartment building it is uncommon for apartments to be held in the collective ownership of two cohesive private entities. Typically, this age of building has been strata titled and is held under various ownerships, which makes redevelopment of the site extremely difficult, time consuming and largely impractical.
- ∞ This is an important consideration given it makes redevelopment more realistic and feasible as opposed to dealing with a large number of independent owners needing to reach agreement on the project outcomes and also in respect to the expenses associated with redevelopment and subdivision.
- ∞ The only way these sites are typically redeveloped is if a sole developer slowly acquires the majority of the apartments which can be an arduous process particularly if the density coding doesn't allow for any significant redevelopment to occur. Generally, by the time a sole developer is able to acquire a majority, the approach is generally to knock down and rebuild which gentrifies up and coming suburbs such as White Gum Valley, forcing low income families out of the area.

Strategic Location

- ∞ This site is well positioned with immediate proximity to local amenities that can easily support and service higher density development, warranting an increase in yield from the site.
- ∞ The site has immediate access to multiple high frequency bus routes such as route 502 on Watkins Street and route 114 along Carrington Street. The subject site also has access to the Hilton Local Centre, positioned within an easily walkable 300 metre radius of the subject site.

Apartment Positioning within Subject Site

- ∞ Whilst located on a significantly sized land parcel (2,600m² approximately) the apartment complex doesn't occupy a large percentage of the site with large side, front and rear setbacks available. This is rare amongst older apartment sites.
- ∞ This results in the potential for additional subdivision and development to occur with little to no impact to the existing site fabric or layout, retaining existing housing diversity, minimising inefficient use of land and limiting substantial character change.
- ∞ Many of the comparable apartment buildings investigated would either need to be demolished in part or in full to substantially change the site layout to create an alternative housing opportunity. As well as being manifestly unsustainable in terms of the use of natural resources and the potential loss of diverse housing stock, there would also be an associated reduction in communal area and level of amenity for existing residents.
- ∞ It's extremely rare that an apartment building has such a significant land area available to be able to construct an alternative form of housing whilst being able to repurpose the existing apartment building effectively in line with contemporary standards.

Retention and Enhancement of Communal Open Space Landscaping

- ∞ A key benefit of the existing site and building is that the redevelopment of the subject site would not be to the detriment of existing residents. Many of the comparable apartment buildings investigated, if redevelopment was to be proposed, would result in a significant loss to communal amenity areas and well established vegetation and tree canopy in some instances.
- ∞ Due to this site wholly containing the car parking area to one side boundary to the east, the currently underutilised area adjacent to the western side boundary can remain open and enhanced as a private communal open space environment for the use of residents.
- ∞ This communal area despite additional lots being created, has the ability to be improved to increase the usability of this space for residents as opposed to decreasing for the premise of gaining additional development yield. This creates a rare opportunity for a compelling 'win-win' situation for the subject site.

In considering other sites across Fremantle to assess, criteria were established to ensure there was a level of consistency and validity. It was important to select sites that had a similar density code to demonstrate that whilst some sites may have the theoretical ability to utilise a similar approach to that being proposed, in practical terms the benefits of this proposed outcome would not be able to be replicated on these other sites. In order to fairly compare the sites, the methodology applied was based on the following:

- ∞ The site must contain apartments;
- ∞ The site must have two lot frontages i.e., either have laneway access or be located on a corner;
- ∞ The site must have a similar zoning/density i.e., residential and no greater than R30 coding;

- ∞ The site must have an area of 2,000m² – 5,000m² to accommodate a development scheme of a similar scale; and
- ∞ The site must be able to accommodate additional yield without substantially demolishing existing buildings.

The criteria ensured a consistency between site assessments, and furthermore aimed to select sites that have the potential benefits that make the subject site and proposal relatively unique and to justify support of the proposed subdivision. A comprehensive audit of the Fremantle area relative to the above criteria identified five sites. The findings demonstrated that none of the identified sites were able to deliver a subdivision or development configuration similar to the one proposed whilst being able to retain and improve the existing housing fabric and livability for existing residents. A detailed overview of this audit and assessment process is contained within Appendix C.

Refer to Appendix C – Site Audit

In respect to the above, it is important to understand this site represents a unique opportunity that is not able to be simply replicated. Exercising discretion to support the proposed subdivision will not set an undesirable precedent for other landowners to potentially exploit. The benefits and uplift that this proposal will bring are extremely difficult to generically apply to other apartment sites across Fremantle or the Perth Metropolitan Area generally. From the outset of the formulation of this proposal, the uniqueness and characteristics of the site summarised above were apparent.

Refer to Appendix D – Proposed Subdivision Plan

Proposed Apartment and Site Upgrades

One of the primary benefits of this subdivision proposal is the ability to retain and enhance the existing on-site apartment stock. These units provide an important affordable supply of housing within the locality and make a strong contribution to the housing diversity that is much valued by the City. Whilst this housing product is highly valued and is worthy of retention, the existing building and surrounds can be improved for the benefit of the existing occupants. Improvements can also be made to the interface of the building with Watkins Street and abutting properties.

In conjunction with MCA, a scope of works is proposed to be undertaken to the existing apartments to improve the built form quality and livability for residents. MCA has prepared a preliminary package which details at a high level, the quality and scope of the proposed works.

Once the subdivision application is approved, a more refined plan series will be prepared to support the apartment upgrades via a subsequent development application. A high-level summary of the works has been provided below:

- ∞ Replacement of windows to Watkins Street. New windows will be floor to ceiling in height to increase natural light.
- ∞ Window awnings to be provided to the Watkins Street elevation given the northern orientation to reduce the impacts of glare.
- ∞ Inclusion of vertical screens on the northern edges of the balconies on the western elevation towards Watkins Street.
- ∞ Balconies to be provided with planter boxes and cable wires to allow vines to grow.
- ∞ Vertical slats/screening to be placed on the eastern elevation. This will provide a level of visual privacy as well as improve the visual aesthetic of the eastern elevation.
- ∞ A brick fence to be provided to Watkins Street to better define the public and private realm and enhance security.
- ∞ Installation of PV Cells on the roof of the building
- ∞ Enclosed bin store to be provided to Watkins Street.
- ∞ Two metre wide concrete footpath will be provided as demonstrated in the subdivision plan. This will allow residents from the proposed five (5) freehold lots fronting Lois Lane to have direct access to Watkins Street.
- ∞ A decking area will be provided on the western side of the apartment building. This will be

- supported by seating and BBQ facilities for the apartment occupants.
- ∞ Provision of dedicated bicycle racks.
- ∞ Additional landscaping will be provided to reduce the quantity of lawn area. This will be replaced with mulch and ground covers. Three (3) large trees will be planted along the western boundary with additional small trees to further increase the tree canopy on the site.

Refer to Appendix E – MCA Concept Plans

Sustainability Considerations

A primary benefit of the retention of the apartment building is the preservation of the embodied energy that exists within the building. Carbon dioxide is the principal greenhouse gas contributing to global warming and causing climate change. The construction sector is one of the largest contributors to carbon emissions responsible for 39% of carbon emissions globally (Source: World Green Building Council).

To remove a building of this size and to replace it with seven single houses results in a large impact on the carbon footprint of this site. The carbon footprint of such a proposition would firstly involve the loss of energy that was required to construct the apartment building, secondly the output to demolish and dispose of the materials, and thirdly the construction process of building the new homes (materials and construction). There would literally be thousands of tonnes of carbon energy lost and then used to deliver the 'compliant' subdivision outcome for this site which is considered a significant loss of an opportunity given the potential benefits of the proposal.

There is a global sustainability model that is used to capture and analyse the environmental impacts of products and services during their production, use and disposal process. This model is known as a Life Cycle Assessment (LCA). The LCA investigates five phases of a products life which includes, raw material extraction, manufacturing, distribution, use and end of life. For the purposes of this assessment, we have considered the impacts of demolishing the apartment building and replacing it with seven large single houses. The impacts have been summarised below using the LCA model.



Source: Pre-Sustainability

Raw Material Extraction and Manufacturing

Producing construction materials requires significant energy. For example, the production of a single brick equates to approximately 230 grams of carbon dioxide (Source: Journal of Cleaner Production, Volume 135, 2016).

An apartment building of the size on the site typically consists of approximately 35,000 bricks based on the PGH Bricks & Pavers Calculator. To reproduce these bricks alone, eight tonnes of carbon would be required. The production of concrete is also a carbon intensive process. As an estimate, to produce three floors of concrete for the apartment building, approximately 229m³ (Source: BGC Concrete Calculator) is required which equates to 552 tonnes of concrete (Source: Portland Cement Association). To produce this amount of concrete, 469 tonnes of carbon is required on average. The production of these two materials alone, contributes to a significant carbon footprint without considering other materials used within the building such as plaster, fittings and fixtures, insulation etc.

To then remove the carbon from this site, and then reproduce a further seven new large homes (assuming brick and concrete construction) at an average house size of 200m², a further 56,000 new bricks and a further 1,000 tonnes of concrete will be required (approximately 144 tonnes per house slab). This will result in a further carbon emission of 920 tonnes to produce the bricks and concrete alone for the additional seven houses on the new lots on average. This is a significant carbon emission footprint in itself, and when combined with the existing energy to build the current apartment building results in thousands of carbon tonnage just for the production of the materials.

Distribution

In comparison to the extraction and manufacturing process the carbon required to distribute products is limited. Perth contains both concrete batching plants and brick production plants as the main materials used within the existing apartment building and assumed to be the preferred construction methodology of the new homes replacing the building.

On average a truck emits 161 grams of carbon dioxide per mile (Source: Environment Defense Fund). Assuming a 40km radius to deliver the bricks and concrete (24.8 miles) from the supplier, a single trip emits on average four kilograms of carbon dioxide. Overall, this likely wouldn't equate to a significant tonnage of carbon dioxide emissions, however, is still a contributor to the overall output which has already been exerted to construct the apartment building and the output to construct seven large new houses.

Use

It is generally acknowledged that apartment living produces less waste and energy than a single dwelling once constructed. Apartments, and particularly smaller units are much easier to heat and cool than a typical house reducing their consumption of energy.

Whilst the physical energy consumption is one measurable, it also important to consider the social importance of the apartments. Centralised affordable housing which is also close to public transport, amenities and employment has an important economic and social benefit. If inner-suburbia continues to gentrify as expected, affordable housing products close to amenities will become increasingly more difficult to find, exacerbating social and economic inequity and forcing some residents to be pushed to outer-suburban areas. This has a negative environmental, social and economic impact at an individual, family and societal level and would be an unfortunate and unnecessary outcome for the current occupiers of the apartments.

End of Life

A key valid argument to retain the existing apartment building is to avoid the 'end-of-life' of this building given there is no fundamental reasoning as to why the building should not remain. Notwithstanding this, the building does need attention and in order to help rejuvenate and minimise construction waste, the land sales from the proposed five new lots will help fund this investment, to

extend the apartment buildings life and to bring it up to contemporary standards.

Draft Local Development Plan

A draft Local Development Plan (LDP) has been prepared to coordinate a well-considered and more sustainable development outcome across the proposed new lots. The LDP will provide a mechanism for the City to have more control and certainty around the built form of the houses on the newly created lots. It is recognised whilst the WAPC are yet to give formal consent to an LDP being prepared, there is a clear orderly and proper purpose of the LDP being required given the nature of the townhouses proposed and the outcome intended. Clause 47 of the *Planning and Development (Local Planning Scheme) Regulations 2015 (Regulations)* establishes when an LDP may be prepared. These instances are summarised below:

- (a) *The Commission has identified the preparation of a local development plan as a condition of approval of a plan of subdivision of the area; or*
- (b) *A local planning policy or structure plan requires a local development plan to be prepared for the area; or*
- (c) *Another provision of the Scheme requires a local development plan to be prepared for the area; or*
- (d) *The Commission and the local government consider that a local development plan is required for the purposes of orderly and proper planning.*

In order to ensure the principles extracted from the Freo Alternative model are imbedded into the eventual townhouses in the new lots, a draft LDP has been prepared to provide a level of certainty to the built form that will be created along Lois Lane. As part of the discretion the City and DPLH are required to give to support the subdivision, it has been a critical consideration to ensure the townhouse products exceed the quality and performance of generic townhouse infill typology and aim to achieve a higher standard of development. This includes development parameters that maximise quality landscaping, apply specific built form controls following the conceptual analysis prepared by MCA, and provide higher than standard sustainability ratings. The parameters contained within the draft LDP takes cues from the Freo Alternative design principles.

The LDP would also set parameters for the development of the smaller lots which would otherwise not be applied under a standard R-Code assessment based on the current coding of the subject site. By obtaining approval for the preparation of an LDP for the subject site, it will provide assurance to the City that exercising their discretion of not-objecting to the creation of the lots will result in a development outcome that will benefit the subject site and locality in a manner that would otherwise not be achievable. A detailed summary of the draft LDP principles is summarised below:

Housing Choice

The proposal is anticipated to generate a total combined yield of 17 apartments/townhouses. Anticipating that the proposed five (5) freehold lots will generate a smaller housing three (3) bedroom typology, the proposed housing split will be as follows:

- ∞ 1 bedroom - 3 apartments
- ∞ 2 bedroom - 9 apartments
- ∞ 3 bedroom - 5 townhouses

Built Form

A generous rear setback to Lois Lane will be provided due to the location of the carports. It is anticipated that this setback will exceed five metres in depth in order to safely park a car whilst also providing adequate reversing space for vehicles. Building aesthetics have also been considered as part of the provisions of the draft LDP. Maximising openings to Lois Lane both on the ground and upper floors, mandating contrasting materials and textures and providing a clear and prominent entry feature that is clearly definable are all included characteristics that will ensure a quality-built form to suitably address Lois Lane. Whilst the LDP defines the indicative location of the building envelope,

setback controls will remain as per Table 2a/b of the R-Codes. Where a nil lot boundary is shown, double height parapet walls are permitted, however must be constructed concurrently of equal dimension.

Sustainability

A minimum 'best practice' 4-star green star rating has been proposed as a target for each townhouse. This must be demonstrated through a report provided by a qualified sustainability professional. This provides the flexibility for future owners to consider differing sustainability measures to achieve this rating or other demonstrated equivalent.

Open Space, Trees and Landscaping

Maximising open space and stipulating clear minimum requirements for tree canopy and deep soil areas is proposed to be an essential aspect of these housing products. A minimum medium tree is to be provided for each townhouse, as well as catering for a suitably sized unobstructed deep soil area to ensure the tree prospers. A landscaping plan will be required for each townhouse to provide the opportunity to nominate plant species and provide additional soft/hardscape treatments to the open areas surrounding the indicative building envelope.

Car Movement and Parking

A maximum of one car parking bay is to be provided. In order to preserve the permeability between the entry of the townhouse and Lois Lane, garages are not intended to be permitted. Provision has also been made within the LDP to provide supporting provisions to guide the application of fencing types to provide security but not obstruct the openness of the proposed townhouses onto Lois Lane.

Planning Framework and Assessment

Planning and Development Act 2005

The *Planning and Development Act 2005* (P&D Act) is the planning instrument which provides the scope for the WAPC to approve the proposed subdivision application. Specifically, Section 138 of the P&D Act prescribes the instances where the WAPC may give its approval under Section 135 of the P&D Act to a proposal that conflicts with the provisions of a local planning scheme. Section 138 sets out the following:

- a) *'the local planning scheme was not first published, or a consolidation of the local planning scheme has not been published, in the preceding 5 years and the approval is consistent with State planning policy that deals with substantially the same matter; or*
- b) *the approval is consistent with a region planning scheme that deals with substantially the same matter; or*
- c) *in the opinion of the Commission –*
 - (i) the conflict is of a minor nature;*
 - (ii) the approval is consistent with the general intent of the local planning scheme; or*
- d) *the local planning scheme includes provision permitting a variation of the local planning scheme that would remove the conflict; or*
- e) *in the case of an application under section 135, the local government responsible for the enforcement of the observance of the scheme has been given the plan of subdivision, or a copy, under section 142 and has not made any objection under that section; or*
- f) *the approval is given in circumstances set out in the regulations.'*

In this instance the intention is to satisfy Section 138 (d) for the City to not object to the subdivision application. This approach has been advocated and discussed with the City at an administration level

as well as with some elected members. The City has previously recognised the benefit this project could bring to the area, in particular retaining the needed housing diversity whilst improving the existing site amenity and the provision of new high quality sustainable smaller homes.

In addition to Section 138 (d), Section 138 (a) also provides an opportunity for the subdivision to be supported. LPS 4 was published in 2007 and has not been through a consolidation process within the past five years. With respect to being consistent with State Planning Policy, the proposal demonstrates a high level of consistency with contemporary and emerging planning objectives. A detailed summary against relevant planning framework requirements is provided below:

State Planning Policy 3.0 – Urban Growth and Settlement (SPP 3.0)

The aim of SPP 3.0 is to convey the importance of concentrating density within the existing urban fabric and facilitate sustainable patterns of urban growth. The policy strongly advocates for consolidated development in appropriate locations and outlines the importance of sustainable living environments by supporting housing in close proximity to employment, public transport, and local centres. Importantly, and most relevant to this proposal, SPP 3.0 advocates for the need to provide affordable housing opportunities in medium and higher density formats within our inner and middle suburbs. The policy sets out a series of objectives, which where relevant to this proposal, have been summarised below:

- ∞ **To promote a sustainable and well-planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreational facilities, and open space.**

The proposal is consistent with this objective. The rejuvenation of the apartments will extend the life of the apartment building. Maintaining the housing diversity within the locality is essential given that White Gum Valley and surrounding areas are becoming increasingly unaffordable based on increasing values and the nature of new development that is occurring.

Whilst being able to retain and enhance the existing apartment building is a great advantage of this proposal, the ability to also take advantage of currently underutilised land is also considered a critical aspect of the proposal. This land, given its proximity to local centres and public transport, is considered an obvious opportunity to deliver alternative housing products that contribute to diversity.

- ∞ **To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.**

To be able to subsidise the apartment upgrades by developing the land at the rear is a large benefit of this proposal, as without the development of the land at the rear, the works proposed to the apartment building would otherwise not occur. Furthermore, the building is at the stage where it requires improvement works to provide an extension of the buildings life and to continue to provide an affordable housing option. Whilst also benefiting the occupiers and current landowners, the building currently provides little contribution to the existing amenity of the area. The upgrade works proposed will greatly improve the appearance of the building and relationship with adjacent sites.

- ∞ **To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.**

- ∞ **To promote the development of sustainable and livable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and service by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.**

The outcome intended is a far more sustainable response, as opposed to removing the

existing apartment building, and subdividing the site into seven lots. Retaining and enhancing this form of development is optimal. Once this form of housing begins to be removed based on a lack of incentives for retention and enhancement, it will not be able to be replaced or replicated elsewhere within the locality. This will affect the longer term social and economic balance within the suburb as this form of housing slowly becomes removed, impacting the sense of place and exacerbating existing social disadvantage.

With respect to the above, the subdivision and subsequent development proposition is considered to be consistent with SPP 3.0.

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP 4.2)

This document is the WAPC's guiding policy for the planning and development of activity centres throughout Perth and Peel. The main function of the policy is to facilitate and help coordinate the growth and design of activity centres and their surrounds. The subject site is located close to a neighbourhood and local centre. A small neighbourhood centre is located on the corner of Watkins Street and Minilya Avenue and the other positioned on South Street. Under SPP 4.2 neighbourhood/local centres are to achieve 25 dwellings per hectare within a 200-metre walkable radius.

The subject site is slightly outside the 200-metre radius of the South Street local centre, however, is located within close proximity of the neighbourhood centre to the west of the subject site. A key principle behind SPP 4.2 is to promote appropriate density and housing diversity in close proximity to centres. The proposed subdivision adheres to these principles, particularly through the retention of the existing apartment building.

Development Control Policy 1.6 – Planning to Support Transit Use and Transit Oriented Development

WAPC Development Control (DC) Policy 1.6 – Planning to Support Transit Use and Transit Oriented Development seeks to ensure that planning considers the opportunities created by the provision of public transport. The policy applies throughout the State within transit-oriented precincts, as defined under the Policy. Under DC Policy 1.6 transit-oriented precincts are defined as areas being within:

- ∞ An 800 metre walkable catchment for railway stations, transit interchanges or major bus transfer stations or terminals; or
- ∞ A 400 metre walkable catchment for bus stops located on a bus routes with multiple high frequency bus services during peak periods.

The subject site is located within 400 metres of high frequency bus routes located on Watkins and Carrington Streets. As such the site could be defined as being a transit orientated development opportunity, as defined by DC Policy 1.6. The relevant objectives of DC Policy 1.6 are as follows:

- ∞ *Promote and facilitate the use of public transport as a more sustainable alternative to the private car for personal travel, to enhance community accessibility to services and facilities, including employment opportunities, community services and recreational facilities, and to improve equity in accessibility for those who do not own or have access to a car.*
- ∞ *To encourage spatial patterns of development that make it easier to plan and efficiently operate public transport services, and for the existing and potential users of public transport to access those services.*
- ∞ *To ensure the optimal use of land within transit oriented precincts by encouraging the development of uses and activities that will benefit from their proximity and accessibility to public transport, and which will in turn generate a demand for the use of transit infrastructure and services.*
- ∞ *To ensure that opportunities for transit supportive development are realised, both on public and privately owned land, and that transit infrastructure is effectively integrated with other development, to maximise safety, security and convenience for transit users.*

- ∞ *To promote and facilitate walking and cycling within transit oriented precincts by establishing and maintaining high levels of amenity, safety and permeability in the urban form, and to promote and facilitate opportunities for integrating transport modes by creating opportunities for convenient, safe and secure mode interchange.*

The proposal is consistent with the objectives and intent of DC Policy 1.6. Whilst the current density code is not reflective of the services and amenities immediately available for current and future residents, the site is well supported by public transport infrastructure and close to amenities to help reduce private car usage and allow future residents to have immediate access to bus services. This further supports the importance of retaining the existing housing typology given the immediate access to public transport services and amenities, that enables residents to have flexibility with their transport options and to not be so heavily reliant on the use of the private vehicle.

Metropolitan Region Scheme

Under the provisions of the Metropolitan Region Scheme (MRS), the subject site is zoned 'Urban', which is appropriate to facilitate the proposed subdivision of the subject site. The subject site is not affected by any other MRS reservations or road reservations.

State Planning Policy 7.3 – Residential Design Codes Vol. 1

The existing apartment complex which consists of 12 apartments is non-compliant with the R25 site area requirements of the R-Codes. An R25 density code requires a minimum site area of 300m² and average of 350m² to be achieved. C1.2 (iii) prescribes the following:

In the case of multiple dwellings in areas with a coding of less than R40, the total area of the lot divided by the number of dwellings.

In this respect each multiple dwelling has a minimum site area of 219m² based on the current site area.

The five lots proposed on Lois Lane are deducting 1,061m² from the apartment site which reduces the minimum site area from 219m² to 130m² for the apartments. Combined with five freehold lots, the average site area then equates to 167.5m².

Whilst there is an evident departure proposed to the site area requirements of the R-Codes, the collective benefits of the proposed subdivision and development outcome far outweigh the non-compliant aspects of the subdivision proposal. As outlined, the site is underutilised and is capable of accommodating additional yield without creating any adverse impact to the existing use of the apartments or adjacent landholdings. The addition of the five lots will allow an uplift in the quality of the existing apartments and the overall site layout. It is important to note that an acceptable development which is deemed to be compliant with the site area requirements of the R-Codes, provides no benefit to the existing occupants, surrounding landowners or quality of development in the locality in comparison to this proposal. By actively retaining and improving this apartment complex, it will allow a vital affordable housing product to be retained in the locality, that would alternatively be removed with no ability to be replaced in the future.

Furthermore, the controls proposed on the townhouse products to Lois Lane, will ensure a highly sustainable and well-considered housing product that is strongly based on the Freo Alternative principles. With consideration to this, the proposed outcome despite its non-compliance with the R-Codes, has a clear benefit to the site, locality and wider Fremantle area and will be a far more positive development outcome in comparison to that represented by the compliant subdivision application.

State Planning Policy 7.3 – Residential Design Codes Vol. 2

A preliminary assessment of the apartment building has been undertaken in accordance with SPP 7.3, Vol.2. The purpose of this assessment is to demonstrate that the addition of the five lots does not preclude the existing apartments from achieving a reasonable level of compliance with the element objectives of SPP 7.3, Vol.2. Notwithstanding this, a more detailed development assessment will be carried out when a development application is lodged for the apartment upgrade works in due course.

Table 2: SPP 7.3, Vol.2 Preliminary Assessment

Element Reference	Assessment Comments	Modifications Proposed
3.2 – Orientation	The positioning of the apartment building will obviously remain as is. Notwithstanding this, given the boundary setbacks to adjacent properties, any shadow cast would be largely confined to the subject site.	No modifications proposed or required.
3.3 – Tree Canopy & Deep Soil Areas	10% of the site is required to accommodate deep soil areas, equating to 263m ² . The site is well-in excess of this amount with approximately 600m ² being provided with unobstructed soil area that is able to accommodate landscaping. The site is required to provide at least two large trees and small trees to suit the surrounding area. The subject site currently contains no tree canopy.	Modifications proposed. Given the availability of open space, and the lack of tree canopy on-site, a supporting landscaping concept plan will be provided at the time of lodgement of the future development application which will detail the extent and type of trees proposed.
3.4 – Communal Open Space	The site currently contains 12 apartments. Based on the current 12 apartments, 72m ² of communal open space is required.	Modifications and significant upgrades proposed. Whilst extensive open space exists, a more defined community area with communal facilities is proposed to form part of the future development application.
3.5 – Visual Privacy	The positioning of the apartments currently allows for the building to be setback in accordance with the requirements of Table 3.5.	No modifications required.
3.6 – Public Domain Interface	External upgrades are proposed to the apartment block to improve the presentation of the building to the street and adjacent properties. Currently the site is open to the street with no fencing and there is the opportunity to improve the presentation of the building to the street.	Modifications proposed. Low fencing will be provided to Watkins Street to improve safety and security by clearly defining the public and private realm. Improvements to the elevation of the building are also proposed.
3.7 – Pedestrian Access and Entries	The existing apartments have direct pedestrian access from external staircases positioned on both the eastern and western sides of the building.	Modifications proposed. Screening will be used to partially conceal the external staircases to the east to enhance privacy and amenity, with the potential for greenery to be added to the western staircase and landing elevations via the application of mesh and climber plantings.
3.8 – Vehicle Access	Vehicle access and parking is also positioned along the eastern side of the subject site, with car bays being covered by a carport structure. Currently the car parking	Modifications proposed. The additional landscaping, fencing and gate proposed

	is a dominant element on the streetscape, however, is a necessary and functional area meeting resident needs.	across the frontage will assist in reducing the visual impact of the parking area on Watkins Street and improve the amenity and useability of the on-site parking.
3.9 – Car and Bicycle Parking	<p>The level of existing car parking caters for the demand generated by both residents and visitors. The future development application may seek to reallocate bays for visitor purposes given the on-site surplus.</p> <p>Eight bicycle spaces are currently required for the existing apartments. There is currently no formal area for residents to store bicycles.</p>	Provision of eight bicycle racks to be made.
4.1 – Solar and Daylight Access	All apartments currently have dual orientation for natural light into major living areas. As part of the future development application documentation imagery will be provided around the extent of solar access based on any internal changes that may be proposed. However, based on the initial investigation, solar and daylight access will achieve the element objectives/acceptable outcomes.	No modifications proposed.
4.2 – Natural Ventilation	Similar to the comments above, the apartments have dual orientation allowing for cross-ventilation to be provided.	No modifications proposed.
4.3 – Size and Layout of Dwellings	A detailed assessment will be conducted against the existing floorplate arrangement of the existing apartments to ascertain the dimension and areas variances (if any) to Table 4.3a and Table 4.3b.	Further investigation required.
4.4 – Private Open Space & Balconies	The 12 apartments are proposed with rear balconies facing west. These balcony sizes are less than the areas prescribed in table 4.4, however given the extensive open space surrounding the building and proposed improvements there is more than sufficient recreational area to meet resident needs.	Modifications proposed to balconies to improve privacy and usability.
4.5 – Circulation and Common Spaces	The circulation and common areas are proposed to be improved to become more aesthetically pleasing for residents, private where appropriate and less visually obtrusive. Currently the common areas lack amenity for residents.	Modifications proposed.
4.6 – Storage	The site currently accommodates three stores (two are located under the stairs on the western side of the building and the other located at the rear of the site).	Whilst not all apartments are allocated stores, a bulk storage system has been applied for surplus storage requirements for residents.

4.7 – Managing the Impact of Noise	There are no further acoustic treatments proposed on the basis that the apartments are separated by brick walls providing a high degree of noise attenuation between apartments.	No modifications proposed.
4.8 – Dwelling Mix	The current apartment mix is one and two bedroom apartments delivering significant housing diversity to the locality.	No modifications proposed.
4.9 – Universal Design	A 4.9.1 (a) encourages new apartments to achieve a minimum 20% of silver level requirements in accordance with the liveable housing design. Further investigation will occur as to the viability to potentially provide some of the units to this standard. It is likely that the ground floor apartments will be the only units that could achieve this standard.	Further investigation required.
4.10 – Façade Design	Improvements to the façade will be proposed within the future development application. These will include the use of greenery, softening the façade through architectural screening and improvements to windows on the street elevation to Watkins Street.	Modifications proposed.
4.11 – Roof Design	The existing roof will be utilised to provide PV Cells.	Modifications proposed.
4.12 – Landscape Design	Extensive landscaping upgrades will be proposed in the front setback area to Watkins Street as well as along the western boundary of the site. These changes will be supported by a landscaping concept plan.	Modifications proposed.
4.13 – Adaptive Reuse	Not relevant to this proposal.	N/A
4.14 – Mixed Use	Not relevant to this proposal.	N/A
4.15 – Energy Efficiency	Currently there are no contemporary energy efficiency initiatives accommodated within the apartment building. PV Cells will be placed on the roof of the apartment complex as of way of addressing this requirement.	Modifications proposed.
4.16 – Water Management & Conservation	Water conservation on this site is currently poor given the extensive grass area that is required to be maintained. An improved selection of native plantings and ground covers will be utilised to reduce the level of water consumption required to maintain the grass area.	Modifications proposed.
4.17 – Waste Management	A bin pad location is currently provided at street level. Improved screening will be investigated to improve the presentation of this area to the street.	A new bin store will be provided to Watkins Street.
4.18 – Utilities	Utilities are visible from street level with servicing being located on the eastern elevation of the building. Screening will be proposed along this elevation to conceal and improve the presentation of this	Modifications proposed.

	elevation on the street.	
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Planning Bulletin 33/2017 – Rights-of-way or laneways in established areas

Lois Lane which currently runs in east-west direction at the rear of the subject site is a publicly owned laneway. The width of Lois Lane is approximately four metres. The bulletin encourages in-fill development to face onto and obtain access from these rights-of-way where possible as they can facilitate a greater use of urban land without detrimentally impacting established streetscapes and it is far more preferable for new dwellings to face streets, laneways and rights-of-way than be enclosed by the backyard of a street facing property.

The bulletin also establishes that a minimum width of six metres is required for rights-of-way. Lois Lane has an approximate width of four metres currently. Whilst it is recognised under the bulletin that vehicles can pass safely at low speeds at a width of five metres, an existing precedent has been set with various other properties being required to cede one metre to allow an effective widening of Lois Lane. In this regard the subdivision application is contributing to Lois Lane with a one metre width being shown to be ceded to the Crown free of cost.

City of Fremantle Local Planning Scheme No. 4

The subject site is zoned 'Residential' with a density coding of R20/R25 under LPS 4. LPS 4 outlines the following relevant objectives for the residential zone:

- (i) *Provide for residential uses at a range of densities with a variety of housing forms to meet the needs of different household types, while recognising the limitations on development necessary to protect local character;*
- (ii) *Safeguard and enhance the amenity of residential areas and ensure that development, including alterations and additions are sympathetic with the character of the area;*
- (iii) *Encourage high standards of innovative housing design which recognise the need for privacy, energy efficient design and bulk and scale compatible with adjoining sites.*

Despite the non-compliance with the site area requirements of the R-Codes, the subdivision proposal meets the objectives of the residential zone. The creation of the additional five lots given the available site area and dual frontage, will not impact on local character or detrimentally affect adjoining properties. The development of the future townhouses through the application of the LDP, will be designed to benefit the built form outcome along Lois Lane and promote an innovative sustainable housing product based on the Freo Alternative principles. Being well aligned with the objectives of the residential zone, the subdivision is promoting a variety of housing types to accommodate a diversity of housing needs without compromising local character.

Conclusion

As outlined above, this subdivision application is the preferred outcome for this site. Whilst the addition of the five lots is contrary to the site area requirements of the current R20/R25 density code, it has been demonstrated there is the legal ability to approve the subdivision application despite its non-compliance with the site area requirements. In this respect, the outcome that would be delivered for this site and the locality is deemed to be a far more beneficial planning response, as opposed to removing the existing apartment building and replacing it with seven freehold lots that offer no environmental or sustainability benefit and that would dilute the existing housing diversity in the locality.

Rather, this approach seeks to retain and enhance the existing apartment complex, as well as provide an innovative townhouse model that seeks to align with the Freo Alternative principles. The site itself is situated in an ideal location to support additional housing with close proximity to high frequency bus routes and connections to nearby local and neighbourhood centres. The subdivision outcome has the ability to provide an innovative solution to a site that is capable of delivering additional yield without having a detrimental impact on adjacent properties and the wider locality.

element.

As part of considering this application it is important to recognise that this site represents a unique opportunity. This outcome will not easily be able to be replicated elsewhere in a manner that delivers the level of benefits that this site is capable of providing. Therefore, by considering this application, it will not be setting an undesirable precedent by undermining the density code, given the unique outcome that is capable of being delivered for this site. As a contrast, the outcome of a compliant subdivision will be a far less sustainable solution with a much larger carbon footprint and will be detrimental to housing diversity and the supply of affordable housing in the area. Such a proposition would further exacerbate social inequity and disadvantage and undermines the sustainability principles the City of Fremantle aspire to achieve within the locality.

We trust the information provided will assist with WAPC and the City in its determination of the subdivision application. The subdivision represents a rare opportunity to provide an outstanding outcome that will benefit the locality and provide a more efficient use of a site that has great proximity to amenities. In accordance with the above, we respectfully request that the WAPC approves the proposed subdivision subject to appropriate conditions.

Should you have any queries or require clarification on the above matter, please do not hesitate to contact Callum Thatcher or the undersigned on 9289 8300.

Yours sincerely

element



Murray Casselton
Director

Application of Local Development Plan

- The Local Development Plan (LDP) applies to Strata Plan 3856-060, 1233 Watkins Street, White Gum Valley.
- The provisions of City of Fremantle's Local Planning Scheme No.4, local planning policies, design guidelines and State Planning Policy 7.3 Residential Design Codes Volume 1 (R-Codes) apply unless otherwise varied.
- In the event of any inconsistency with the local planning policies, design guidelines the R-Codes, this LDP shall prevail.

Open Space & Landscaping

- Minimum courtyard space of 30m² shall be provided within the indicative rear setback prior to the occupancy of the development.
- Minimum of 1 medium tree (200L) shall be provided within the indicative deep soil zone. A minimum dimension of 3m x 3m shall be provided to support the growth of the tree.
- 50% of the courtyard space shall be provided within the indicative deep soil zone and be free unobstructed of impermeable surfaces and free of any roof structures.
- Prior to the issue of a Development Application or Building Permit, a landscaping plan shall be provided which includes plant species types, landscaping treatments and irrigation measures.

Access and Parking:

- Pedestrian access shall be provided in accordance with the LDP.
- Garages are not permitted.



Sustainability

- A green star sustainability rating of 4 stars shall be achieved by each house or its equivalent demonstrated through a report provided by a suitably qualified sustainability professional

Built Form

- Buildings shall be fully constructed within the indicative envelope.
- Houses must be constructed to a two storey building envelope.
- Houses must provide a minimum of two major openings from habitable rooms to Lois Lane
- A minimum of two contrasting materials/textures must be used for the facade fronting Lois Lane.

Approval

This Local Development Plan has been approved by the City of Fremantle under Clause 52 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 in accordance with the Council's resolution of

Signature: _____ Date: _____



DRAFT Local Development Plan

123 Watkins Street, White Gum Valley



Use the list to find just the names for the Western Australia 6000
100 km to the Cloncurry region, North Western Australia 6000
7. 401 is 6000 100 km to the Cloncurry region, North Western Australia 6000

Date	11 Aug 2020	Scale	1:250 @ A3	File	19-288 CP-4	Start	CT GW	Checked	CT
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20 January 2021

Chief Executive Officer
City of Fremantle
70 Parry Oval
FREMANTLE WA 6160

CC: Delia Neglie – Planning Manager, Department of Planning, Lands and Heritage

Dear Phillida Rodic and Julia Kingsbury

NO.123 WATKINS STREET, WHITE GUM VALLEY – PROPOSED FIVE LOT SUBDIVISION & ASSOCIATED SITE UPGRADES

Further to your recent correspondence and meeting held at the City of Fremantle (the City) on the 10 December 2020, **element** is pleased to provide this letter on behalf of the landowners of Stata Plan 3856 (No.123) Watkins Street, White Gum Valley (the subject site). The purpose of this letter is to establish a pathway forward for the project to achieve approval to create five freehold lots fronting Lois Lane. As a key referral agency for the potential subdivision application and approval body for the local development plan (LDP) and development application (DA), gaining the City's support and input for this proposal is paramount to the project moving forward in an orderly manner. In this regard, we are requesting formal correspondence from the City in response to the matters set out below.

This letter, following the City's input to-date, has been structured to address some of the key concerns that were previously raised in past correspondence. We trust this information will assist the City to come to a clear position on the proposal and help inform the conversation with the Western Australian Planning Commission (WAPC) noting that joint consent is required to prepare an LDP and furthermore they are the approval agency for the proposed subdivision application. This letter will establish the following:

- Overview of the planning framework and ability for the WAPC to approve this subdivision, and the City to not object to the proposal. The legal advice provided by Thomson Geer Lawyers has also been attached to this letter to support this approach.
- Define the approval pathway and sequence of work to deliver the project.
- Demonstrate why this site warrants a level of discretion to be exercised and importantly the uniqueness of the site in the context of the City.
- Explain the concept and vision behind the draft LDP.
- Engagement options with surrounding residents.
- Outline the required works necessary for the existing apartments to align with current standards i.e. Vol.2 of the Residential Design Codes (R-Codes).

Planning Framework

The subject site is zoned under the City's Local Planning Scheme No.4 (LPS4) as 'Residential' with a prescribed density code of R20/R25. C1.2 (ii) of the R-Codes Vol.1, states:

The minimum site area set out in Table 1 is calculated as follows....in the case of multiple

dwellings in areas coded of less than R40, the total area of the lot divided by the number of dwellings.

The site currently contains 12 apartments on a land parcel of 2,630m². With regard to C1.2 (iii) this equates to an average lot area of 219m² being achieved. In respect to Table 1 of Vol.1 of the R-Codes, this is a reduction to the required average site area requirements for both R20 (450m²) and R25 (350m²). Clause 4.4.1(a) of the Scheme states:

'Council will not support the creation of...freehold or survey strata lots with an area per dwelling less than that prescribed under Table 1 of the R-Codes unless otherwise permitted by this Scheme.'

The site based on C.1.2(iii) of Vol.1 of the R-Codes and clause 4.4.1(a) is restricted to accommodate any additional yield based on Vol.1 of the R-Codes and LPS4 which was the premise of the reasoning for refusal of the previous subdivision application in 2019.

Despite the above, section 138 of the *Planning and Development Act 2005* (P&D Act) outlines that the Commission may give its approval under section 135 of the P&D Act that conflicts with the provisions of a local planning scheme if –

- a) *'the local planning scheme was not first published, or a consolidation of the local planning scheme has not been published, in the proceeding 5 years and the approval is consistent with State planning policy that deals with substantially the same matter; or*
- b) *the approval is consistent with a region planning scheme that deals with substantially the same matter; or*
- c) *in the opinion of the Commission –*
 - (i) the conflict is of a minor nature;*
 - (ii) the approval is consistent with the general intent of the local planning scheme; or*
- d) *the local planning scheme includes provision permitting a variation of the local planning scheme that would remove the conflict; or*
- e) *in the case of an application under section 135, the local government responsible for the enforcement of the observance of the scheme has been given the plan of subdivision, or a copy, under section 142 and has not made any objection under that section; or*
- f) *the approval is given in circumstances set out in the regulations.'*

With regard to the above, section 138 of the P&D Act provides the discretion for the WAPC to approve the subdivision despite the minimum and average lots size being contrary to Table 1 of Vol.1 of the R-Codes. The legal advice sought from Thomson Geer has further reinforced this understanding of the P&D Act stating:

'On the basis of these provisions, in my view it is clearly open to the City to not support the Proposed Subdivision, consistent with clause 4.4.1(a) of the Scheme, but also to not object to the Proposed Subdivision for the purposes of section 142 of the PD Act, thereby satisfying the circumstance set out in section 138(3)(e) of the PD Act in which the WAPC is then able to approve the Proposed Subdivision. The unique circumstances of the Proposed Development may provide justification for the City to adopt this otherwise somewhat unusual approach.'

Appendix A – Thomson Geer Legal Advice

The intent for this proposed subdivision application with regard to section 138(e) of the P&D Act, is for the City to not object to the proposed subdivision application noting that the City, with regard to clause 4.4.1(a) of LPS4 is not able to provide its direct support. Despite this, the subject site represents a rare opportunity to provide extensive upside to the existing site to warrant this level of discretion to be exercised by the City in order to facilitate this outcome.

Linking the Development Application to the Subdivision

Within the City's most recent correspondence dated 12 January 2021, the City raised concerns with 'linking' the DA to the subdivision via a condition, and the preference for the City to seek a legal agreement to guarantee the works to occur. It is our view that this is an onerous requirement given the City will be clearing authority for this condition. If the City does not choose to clear the condition due to the works being insufficiently completed, the City has the ability to preclude the ability for the owners to secure titles which is necessary to sell the proposed lots. This provides a high degree of certainty and control for the City to ensure the works contained within the DA have been constructed to how they have been approved. In this regard, it is our preference for the City in conjunction with the WAPC to apply an appropriately worded condition which links the two approvals.

Process Summary

There are various steps that we have identified that will be required to be navigated in order to deliver this project. A process table has been prepared below on how the project team sees the pathway forward and importantly what stakeholders will need to be engaged with.

Table 1 – Process Summary

Step	Action	Stakeholders
1.	<ul style="list-style-type: none"> Undertake preliminary engagement with the City and Department of Planning, Lands and Heritage (DPLH) to agree on an approval pathway i.e. ability to approve the subdivision, agreement on the LDP being required for this site and outcome. Consult with both authorities with regard to the draft LDP, subdivision proposal and proposed upgrades to the existing apartments. 	City of Fremantle, Department of Planning, Lands and Heritage
2.	<ul style="list-style-type: none"> Refine the concept LDP and subdivision plan pending the feedback on the items above. Re-engage with the City and DPLH on the proposal changes. 	City of Fremantle, Department of Planning, Lands and Heritage
3.	<ul style="list-style-type: none"> Prepare and undertake preliminary community engagement with immediately surrounding residents on the proposal. Present the proposal to elected members. 	City of Fremantle, Community members
4.	<ul style="list-style-type: none"> Incorporate the findings of the above into the subdivision, LDP and DA. Re-consult with stakeholders if necessary (elected members, surrounding community and the City). 	Applicant
5.	<ul style="list-style-type: none"> Prepare for and lodge DA for the upgrade works to the existing apartment site. Supported by addressing the principles (where achievable) of SPP 7.0 and SPP 7.3 Vol.2. Obtain approval from the City for these works. 	City of Fremantle
6.	<ul style="list-style-type: none"> Finalise subdivision plan and LDP and submit package to the WAPC & City concurrently. Obtain subdivision approval from the WAPC. Obtain LDP approval from the City. 	City of Fremantle, Western Australian Planning Commission
7.	<ul style="list-style-type: none"> Commence clearing subdivision conditions and upgrade works to the apartments. 	Applicant
8.	<ul style="list-style-type: none"> Complete apartment works and clearing conditions to submit for clearance with the City, WAPC and Landgate. 	City of Fremantle, Western Australian Planning Commission, Landgate
9.	<ul style="list-style-type: none"> Obtain titles for the creation of five new lots. 	Landgate

Subject Site

The subject site represents a strategic opportunity for Watkins Street to improve the existing building fabric, without substantially impacting the existing amenity for the wider area despite the applied density code largely restricting redevelopment. Whilst there are other older apartment sites within Fremantle that have a similar capacity to potentially accommodate redevelopment, the shared benefit of this project is extremely unique as it relates to the City. To demonstrate this, we have nominated other sites which in our view have the capacity to accommodate redevelopment, however, do not offer the same shared benefits that this proposal is offering to both current and future residents. In order to complete this audit and fairly compare other sites the methodology was based on the following:

- The site must contain apartments;
- The site must have two lot frontages i.e. either have laneway access or be located on a corner;
- The site must have a similar zoning/density i.e. residential and no greater than R30 coding;
- The site must have a parent land parcel size area of 2,000m² – 5,000m² to accommodate a development scheme of a similar scale; and
- The site must be able to accommodate additional yield without substantially demolishing existing buildings.

From our audit we have identified five sites that fall broadly into the category listed above. A map has been prepared to summate the comparable site characteristics. Prior to discussing these sites in more extensive detail, it is important to consider what makes the subject site and proposal unique in its ability to accommodate future development. These site characteristics listed below, have been used as the basis of determining whether these alternative apartment sites identified are capable of delivering what is being proposed at the subject site.



Ownership

Unlike many older apartment complexes, whilst each apartment is independently titled, the ownership is shared between two families. This is an important consideration given it makes redevelopment of older apartment sites feasible as opposed to large quantities of independent owners needing to be agreeable to the expenses that come from redevelopment and subdivision.

This is one of the key contributing factors in older apartment buildings remaining stagnant without any change for significant periods of time. The only way these sites are redeveloped is if a sole developer slowly acquires the majority which is an arduous process particularly if the density coding doesn't allow for significant redevelopment to occur. Therefore, many of these sites that contain older apartment buildings and are located in lower coded areas such as the examples given, will not be accustomed to any site improvements for significant periods of time.



Strategic Positioning

This site is well positioned with immediate proximity to local amenities to warrant an increase in yield from the site. The site has immediate access to multiple high frequency bus routes such as route 502 on Watkins Street and the 114 along Carrington Street. The subject site also has access to the Hilton local centre positioned within a 300 metre radius of the subject site.



Apartment Positioning within Site

Whilst located on a significantly sized land parcel (2,600m² approximately) the apartment complex doesn't consume a large percentage of the site with large side, front and rear setbacks available. This is extremely rare amongst older apartment sites. This results in redevelopment occurring with little to no impact to the existing site fabric or layout, minimising waste and limiting substantial character change.

Many of the comparable apartment buildings would either need to demolish existing buildings or substantially change the site layout resulting in a reduction in communal area, reducing the level of amenity for existing residents. It also makes redevelopment of these sites increasingly unviable to repurpose the existing apartment buildings whilst also being able to provide an alternative form of housing on the site.



Retention and Enhancement of Communal Open Space and Landscaping









A key benefit of the existing site and building is the redevelopment of the site is not at the detriment of existing residents. Many of the comparable apartment buildings, if redevelopment was to be proposed, would result in a significant loss to communal amenity areas and tree canopy in some instances. Due to this site wholly containing the car parking area to one side boundary to the east, the western side boundary can remain open and enhanced as a private communal open space environment for the use of residents. This area despite additional lots being created, will improve the usability of this space for residents as opposed to decreasing for the premise of gaining additional yield. This is very unique as an opportunity to create a 'win-win' situation exists for this site.

Findings

In reviewing the sites within the Fremantle locality that met the abovementioned criteria it was apparent from our analysis, that there are no sites that could provide the level of upside that the subject site is proposing. Whilst there are sites that could present a similar planning argument, all of the sites are required to reduce the existing fabric of the apartments either from an open space standpoint or are required to significantly reconfigure the layout of the apartments in order to deliver a similar outcome to what is proposed reducing the viability and upside.



Site 1 - Lot 3 (No.253) High Street, Fremantle



Characteristics	Conformity	Comments
		<ul style="list-style-type: none"> Lot 3 (No.253) High Street has fragmented landownership with 14 independent owners with a combined total of 16 strata units.
		<ul style="list-style-type: none"> This site has good strategic positioning to amenities such as close proximity to public open space with the Fremantle War Memorial and immediate access to a high frequency bus route (502).
		<ul style="list-style-type: none"> Whilst possible based on the spatial arrangement of the buildings, the positioning of the apartments does not lend itself to easily accommodate additional new development. If development was to occur, this would likely result in a poor built form outcome, and substantially impact the existing site layout, impacting existing residents amenity.
		<ul style="list-style-type: none"> The site contains existing vegetation and tree canopy. In order to facilitate additional yield and maintain similar car parking rates, the trees would likely be an obstruction. There would be no opportunity to create an increase in the usability of communal open space.

Site 2 - No.33 Holland Street, Fremantle











Characteristics	Conformity	Comments
		<ul style="list-style-type: none"> No.33 Holland Street consists of 12 apartments, all are held under one ownership.

		<ul style="list-style-type: none"> The sites location is well positioned for residents to have convenient access to public transport (route 502). Whilst not in immediate proximity to a local centre, the site has reasonably proximity to the Fremantle town centre.
		<ul style="list-style-type: none"> The apartment block position and car parking does not provide the immediate ability to subdivide or create redevelopment opportunities. In order to facilitate redevelopment, the landscaping would likely result in being removed in order to accommodate additional lots which undermines the key principles of 123 Watkins Street.
		<ul style="list-style-type: none"> As mentioned above, there is little ability to accommodate or enhance the usability of open space surrounding the existing apartment building and would result in a loss of vegetation and open space.

Site 3 – No.178 Holland Street, Fremantle



Site 4 – No.180 Holland Street, Fremantle









Characteristics	Conformity	Comments
		<ul style="list-style-type: none"> Both apartment complexes are all individually strata-titled consisting of twelve independent owners for each complex.
		<ul style="list-style-type: none"> Access to public transport and amenities for both apartment sites is restrictive. The nearest bus stop is position along Carrington Street (south) of the subject site at approximately 400 metres. Furthermore, within this immediate vicinity there are no local amenities that are within walking distance. Given this the sites positioning is not deemed to be satisfactory.
		<ul style="list-style-type: none"> Both apartment sites lend themselves to facilitate redevelopment in a similar fashion to 123 Watkins Street, given the extensive open space and rear access. However, this would be at the cost of reconfiguring car parking which would be at the expense of existing vegetation and open space.
		<ul style="list-style-type: none"> Retaining and enhancing vegetation on this site whilst also accommodating additional lot would not be achievable given the need to relocate existing car parking for residents in turn reducing open space and tree canopy.

Site 5 – No.138 Holland Street, Fremantle



Characteristics	Conformity	Comments
		<ul style="list-style-type: none"> This site contains 10 apartments individually titled; however, all units are owned by the same landowner.

		<ul style="list-style-type: none"> Access to public transport and amenities for both apartment sites is restrictive. The nearest bus stop is position along Carrington Street (south) of the subject site at a distance of approximately 400 metres. Furthermore, within this immediate vicinity there are no local amenities that are within walking distance. Given this, the sites positioning is not deemed to be satisfactory.
		<ul style="list-style-type: none"> This apartment block is the most comparative to 123 Watkins Street in the fact that there is a large portion of open space that can accommodate three-four lots of roughly 200m² each. The built form outcomes would have the potential to be similar to what is proposed for 123 Watkins Street, providing a two-storey smaller townhouse product.
		<ul style="list-style-type: none"> If redevelopment was to be considered, retaining the three large trees would be unlikely for this site. It is also noted, the availability of communal open space would not be as prevalent and useable for residents given the depth of the proposed lot would like to extend to the existing amenity area. The orientation of this site would also be problematic. Given the communal open space would be positioned directly south, the natural light into this space would be restricted and not as user friendly for residents.

Requirement for Local Development Plan

In order to achieve a coordinated development outcome for these lots, it is proposed that an LDP will be prepared as a way of providing a mechanism for the City to have more certainty around the built-form outcome of the new lots. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) clause 47 sets out the when an LDP may be prepared. These instances are summarised below:

- the Commission has identified the preparation of a local development plan as a condition of approval of a plan of subdivision of the area; or*
- a structure plan requires a local development plan to be prepared for the area; or*
- an activity centre plan requires a local development plan to be prepared for the area; or*
- the Commission and the local government considers that a local development plan is required for the purposes of orderly and proper planning.'*

With reference to the above, clause 47 (d) is most applicable to this proposal. The premise behind preparing an LDP for this site and eventual subdivision application is to stipulate controls that are linking the outcome to the 'Freo Alternative' development principles which would otherwise not be applicable to a standard R-Code assessment. By consenting to the preparation of an LDP for this site, it will provide assurance to the City that exercising their discretion of not-objecting to the creation of the lots will create a development outcome that will benefit the locality, Lois Lane and provide an uplift to the subject site that would otherwise not be achievable.

Without the LDP stipulating controls above what Vol.1 of the R-Codes contemplates, there is no incentive for the City to adopt this approach, of which in our view, would be a significant loss of an opportunity given the uniqueness of the site, and overall value uplift to the area. This approach to use an LDP is not unusual to the White Gum Valley locality, with **element** adopting a similar approach to Lot 200 (No.119), Hope Street with support from the Commission and the City. It is considered that the requirement and agreement for an LDP to be prepared is in the best interest of securing a development outcome that is accustom to White Gum Valley and the wider Fremantle locality.

Draft Local Development Plan

To assist the City and DPLH's understanding of the proposal and envisioned outcome, a draft LDP has been prepared for comment and feedback. As mentioned above, whilst this site is not identified as being located within the Special Control Area 5.7 (SCA 5.7), there are key principles that can be derived from this policy and incorporated into the design of the townhouses. In reference to the Free Alternative themes the Draft LDP has responded to these in the following ways;

Refer to Appendix B – Draft Local Development Plan

Location

Whilst not guided by the application of an LDP, the location of the subject site has immediate proximity to high frequency public transport and the Hilton local centre positioned within a 300 metre radius of the site.

Housing Choice

The proposal will generate a total combined yield of 17 apartments/townhouses. Anticipating that the 5 freehold lots will generate a smaller housing 3 bedroom typology, the proposed housing split will be as follows:

- 1 bedroom = 3 apartment
- 2 bedroom = 9 apartments
- 3 bedroom = 5 apartments

It is noted that this apartment split may change following a more detailed review of the existing fabric of building to investigate whether some of the smaller apartments can be reconfigured.

Built Form

A generous rear setback to Lois Lane will be provided due to the location of the carports. It is anticipated that this setback will exceed 5 metres in order to safely park a car whilst also providing adequate reversing space for vehicles. Building aesthetics has also been considered as part of the provisions of the LDP. Maximising openings to Lois Lane both on the ground and upper floors, mandating contrasting materials and textures and providing a clear and prominent entry feature that is clearly definable are all defining characteristics that will ensure a quality built form to suitably address Lois Lane.

Sustainability

A minimum 4 star green star rating has been imposed as a target for each townhouse. This must be demonstrated through a report provided by a qualified sustainability professional. This provides the flexibility for future owners to consider differing sustainability measures to achieve this rating or otherwise demonstrated equivalent.

Open Space & Trees and Landscaping

Maximising open space and stipulating clear minimum requirements for tree canopy and deep soil areas is proposed to be an essential aspect of these housing products. A minimum medium tree is to be provided for each townhouse, as well as catering for a suitably sized unobstructed deep soil area to ensure the tree prospers.

Community

At this stage investigation in how to link the five freehold lots to the communal open space area for the apartments is currently being explored. This is likely to be facilitated by a legal agreement being prepared. In addition to the shared use of the communal open space, a right of footway will be provided on the parent property to enable the residents to have direct access to Watkins Street. This

interface is important given this will alter the way in which residents backyards interface with the apartments, as opposed to just having no relationship with the existing site.

Car Movement & Parking.

A maximum of one car parking bay is to be provided. In order to preserve the permeability between the entry of the townhouse and Lois Lane, garages are not permitted. Provision has also been made within the LDP to provide supporting provisions to guide the application of the fencing type to provide security, however, not obstruct the openness of the proposed townhouses onto Lois Lane.

Engagement Opportunities

The City has raised the importance of undertaking a thorough engagement process for residents to understand the vision for the site and furthermore mitigate any concerns adjacent residents may have. At this stage, an engagement strategy has yet to be prepared, however it is anticipated during this preliminary stage that we will be engaging with the surrounding community members. This will inform the preparation and finalising of the DA, subdivision and LDP pending the outcomes with the City and DPLH securing in principle support for the project strategy.

The engagement strategy that would likely be undertaken would be to undertake a letter drop to immediate residents and hold an open-house engagement session to explain the merits of the proposal and the planning process to those residents who wish to attend. Pending this exercise, the community feedback will feed into the outcomes of the final DA and LDP. We would then present these outcomes to the City's elected members and how this has informed the final documents in preparation for submission. At this early stage, the project team is open to suggestions about the way in which we look to engage with surrounding residents if the City has an alternative strategy that would inform the way in which we engage with residents we can consider and look to incorporate into the engagement strategy.

Development Application – SPP 7.3, R-Codes Vol.2

As part of submitting the upgrade works to the existing apartments, an assessment against Vol.2 of the R-Codes will be undertaken to support the application. Whilst it is not obtainable to achieve all element objectives given the age of the building, there are upgrades that will be proposed to support the eventual DA. A summary of the outcomes of the assessment and the proposed upgrades has been carried out against relevant parts of Vol.2.

Table 2 – R-Codes, Vol.2 Assessment

Element Reference	Assessment Comments	Modifications Proposed
3.2 – Orientation	The positioning of the apartment building will obviously remain it is current positioning. Notwithstanding this, given the boundary setbacks to adjacent properties, the shadow cast would be largely confined to the subject site.	No modifications are required.
3.3 – Tree Canopy & Deep Soil Areas	10% of the site is required to accommodate deep soil areas, equating to 263m ² . The site is well-in-excess of this amount with approximately 600m ² being provided with unobstructed soil area to accommodate landscaping. The site is required to provide at least 2 large trees and small trees to suit the surrounding area. The subject site currently contains no tree canopy.	Modifications proposed. Given the availability of open space, and the lack of tree canopy on-site, a supporting landscaping plan will be provided at the time of lodgement which will detail the extent and type of trees proposed.
3.4 – Communal	The site currently contains 12 apartments.	Modifications proposed.

Open Space	As part of the upgrades, exploration into the apartment typology will occur, which will likely result in a reduced number of units. Based on the current 12 apartments, 72m ² of communal open space is required.	Whilst extensive open space exists, a more defined community area with communal facilities is proposed to form part of the DA.
3.5 – Visual Privacy	The positioning of the apartments currently allow for the building to be setback in accordance with the requirements of table 3.5.	No modifications required.
3.6 – Public Domain Interface	External upgrades are proposed to the apartment block to improve the presentation of the building. Currently the site is open to the street with no fencing and presents poorly to the street.	Modifications proposed. Low fencing will be proposed to Watkins Street to improve safety and security to define the public and private realm. Improvements to the elevation of the building are also proposed.
3.7 – Pedestrian Access and Entries	The existing apartments have direct pedestrian access from an external staircase positioned on the eastern side of the building.	Modifications proposed. Screening will be used to partially conceal the external staircase, with the potential for greenery to be added to the eastern elevation via mesh and climber plantings.
3.8 – Vehicle Access	Vehicle access and parking is also positioned along the eastern aspect of the site, with car bays being covered by a carport structure. Currently the car parking is visually dominant on the streetscape, however, is a necessary and functional area for existing residents usage.	Modifications proposed. The additional landscaping and fencing proposed across the frontage will assist in reducing the visual impact on Watkins Street.
3.9 – Car and Bicycle Parking	The level of car parking more than caters for the existing demand for both residents and visitors. The DA is likely to reallocate bays for visitor purposes given the on-site surplus as well as the likely reduction in apartments. Eight bicycle spaces are currently required for the existing apartments. There is currently no formal area for residents to store bicycles.	Modifications proposed. Investigate a dedicated area for bicycle spaces and look to reallocate and clearly line mark visitor bays.
4.1 – Solar and Daylight Access	All apartments currently have dual orientation for natural light into major living areas. As part of the DA documentation imagery will be provided around the extent of solar access based on the internal changes that are proposed. However, based on the initial investigation, solar and daylight access will achieve the element objectives/acceptable outcomes.	No modifications proposed.
4.2 – Natural Ventilation	Similar to the comments above, the apartments have dual orientation allowing for cross-ventilation to be provided.	No modifications proposed.

4.3 – Size and Layout of Dwellings	The size and layout of apartments will be assessed against Table 4.3a/b following further detailed drawings being prepared for the internal changes proposed and amalgamation of apartments. Where achievable room sizes will be modified with regard to the minimum area and dimensions.	Further investigation required.
4.4 – Private Open Space & Balconies	The 12 apartments are proposed with rear balconies facing west. These balcony sizes are less than the areas prescribed in table 4.4, however given the extensive open space surrounding the building there is deemed to be more than sufficient recreational area for residents.	Modifications proposed to balconies to improve privacy and usability.
4.5 – Circulation and Common Spaces	The circulation and common areas are proposed to be improved to become more aesthetically pleasing for residents and less visually obstructive. Currently the common areas lack amenity for residents.	Modifications proposed.
4.6 – Storage	The site currently three stores (two are located under the stairs on the western side of the building and the other located at the rear of the site). Further investigation will occur as to whether these stores can be repurposed to provide storage to specific residents, or if new stores will need to be provided on-site. This will be addressed within the DA.	Further investigation required.
4.7 – Managing the Impact of Noise	There are no further acoustic treatments proposed, given the apartments are separated by brick walls providing a high degree of noise attenuation between apartments.	No modifications proposed.
4.8 – Dwelling Mix	The current apartment mix is one and two bedroom apartments. Investigation into exploring the viability of amalgamating some of the units to create larger apartments will occur in the lead-up to the DA being prepared.	Further investigation required.
4.9 – Universal Design	A 4.9.1 (a) encourages new apartments to achieve a minimum 20% of silver level requirements in accordance with the liveable housing design. Investigation will occur on the viability to potentially provide some of the units to this standard. It is likely that the ground floor apartments will be the only units that could achieve this standard.	Further investigation required.
4.10 – Façade Design	Improvements to the façade will be proposed within the DA. The use of greenery, softening the façade through architectural screening and improvements to windows on the street elevation to Watkins Street.	Modifications proposed.
4.11 – Roof Design	The roof will be utilised to provide PV Cells.	Modifications proposed.
4.12 – Landscape	Extensive landscaping upgrades will be	Modifications proposed.

Design	proposed to the street elevation as well as along the western boundary of the site. These changes will be supported by a landscaping plan.	
4.13 – Adaptive Reuse	Not relevant to this proposal.	
4.14 – Mixed Use	Not relevant to this proposal.	
4.15 – Energy Efficiency	Currently there are no energy efficiency initiatives. PV Cells will be placed on the roof of the apartment complex as of way of addressing this requirement.	Modifications proposed.
4.16 – Water Management & Conservation	Water conservation of this site is currently poor given the extensive grass area that is required to be maintained. An improved selection of natives and ground covers will be utilised to reduce the level of water consumption to maintain the grass area.	Modifications proposed.
4.17 – Waste Management	A bin pad location is currently provided at street level. Improved screening will be investigated to improve the presentation to the street.	Further investigation required.
4.18 – Utilities	Utilities are visible from street level with servicing being located on the eastern elevation of the building. Screening will be proposed along this elevation to conceal and improve the presentation of this elevation on the street.	Modifications proposed.

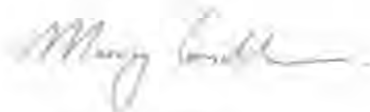
Conclusion

As presented in this submission, the subject site represents a unique opportunity to refurbish an existing apartment site whilst also provide high-quality townhouse products to cater for the 'missing middle'. Whilst it is recognised this proposal requires a level of discretion to be exercised by the City and DPLH, we believe this is a rare opportunity to create a win-win solution for the landowner, residents and the City to facilitate an innovative development opportunity.

We trust the information contained within this submission will provide suitable comfort for the City and DPLH to provide its preliminary support for the process we are proposing to embark upon. Should you have any queries or require clarification on any of the matters presented herein, then please don't hesitate to contact the undersigned or Callum Thatcher on (08) 9289 8300.

Yours sincerely

element



Murray Casselton
Director

REDEVELOPMENT OF 123 WATKINS STREET

PRESENTATION TO WARD COUNCILLORS



123 WATKINS ST REDEVELOPMENT

MAY 2020
123 WATKIN STREET
WHITE GUM VALLEY

Matthew Crawford
Architects

REVIEW OF CURRENT SITE



THE SITE IS IN NEED OF REDEVELOPMENT. THERE ARE NUMEROUS SHORTCOMINGS THAT NEED TO BE ADDRESSED.

THE CURRENT 3 STORY BUILDING IS SITUATED CENTRALLY ON THE SITE TOWARD THE FRONT HALF. THIS LEAVES LARGE AREAS OF INEFFICIENT AND POORLY UTILISED SPACE ON ALL FOUR SIDES OF THE BLOCK. IN PARTICULAR TO THE REAR OF THE SITE THERE IS A HUGE AREA OF UNUSED LAND THAT COULD BE DEVELOPED SENSITIVELY TO PROVIDE FURTHER DIVERSITY OF HOUSING OPTIONS AND ADD SIGNIFICANTLY TO THE AREA.

KEY CHARACTERISTICS

1. LACK OF TRUE HOUSING DIVERSITY
A MIX OF DWELLING TYPES IN THE FORM OF 9 TWO BED UNITS AND 3 ONE BED UNITS BUT NO REAL FAMILY OPTIONS OR UNIVERSALLY ACCESSIBLE OPTIONS.
2. LACK OF SUSTAINABILITY
OPEN AREAS ARE ALL GRASSED REQUIRING LARGE QUANTITIES OF WATER TO MAINTAIN.
3. LACK OF COMMUNITY FACILITIES
THE OPEN GRASSED AREAS LACK STRUCTURE TO PROVIDE INTIMATE USEABLE SPACES. THERE ARE COMMUNAL CLOTHES DRYING HOISTS.
4. LACK OF SITE SECURITY
CURRENTLY NO IN RESIDENTS USE THIS BLOCK AS A THOROUGHWARE TO MOVE BETWEEN WATKINS AND LOIS LANE (REFER WHITEHILL TRAIL IN SOUTH EASTERN CORNER)

AREAS:
1464M² - GRASS ARE A
3250M² - BUILDING ENVELOPE
778M² - HARD SURFACES
39M² - SHED

123 WATKINS ST REDEVELOPMENT

MAY 2020
123 WATKINS STREET
WHITE GUM VALLEY

Matthew Crawford
Architects

PREVENT DEMOLITION OF EXISTING BUILDING FABRIC

THE EXPRESSED AIM OF THIS PROPOSAL IS TO ENHANCE THE SITE TO THE POINT WHERE THE EXISTING BLOCK BECOMES AN ASSET AND MANY OF THE AIMS OF THE FREO ALTERNATIVE CAN BE INCORPORATED.

KEY CHARACTERISTICS OF THE PROPOSAL

1. SUBDIVIDE THE REAR PORTION OF THE SITE TO PROVIDE 3 TO 5 FAMILY LOTS AND RATIONALISE THE APARTMENT OFFERING

A MIX OF DWELLING TYPES WOULD COVER SINGLE LOW INCOME TENANTS, RETAINING THE BULK OF SMALLER TWO BED UNITS & POSSIBLY PROVIDE NEWER '2 PLUS' SMALL FAMILY APARTMENTS AND 6 NEW 120m² FAMILY HOUSES.

2. ENHANCE SECURITY

NEW SECURITY MEASURES TO INCLUDE CLOSING ACCESS TO LOIS LAINE AND NEW FENCING.

3. PROVIDE MORE COMMUNITY FACILITIES

THE OPEN GRASSED AREAS TO PROVIDE MORE INTIMATE USEABLE SPACES.

4. IMPLEMENT ENVIRONMENTAL UPGRADE STRATEGIES

METHODS TO BE INCORPORATED INCLUDE MASS PLANTING OF NATIVES TO REPLACE GRASS, PROVISION OF SHADE TREES, ADD GREEN WALLS AND SHADE SCREENS TO THE BUILDING.

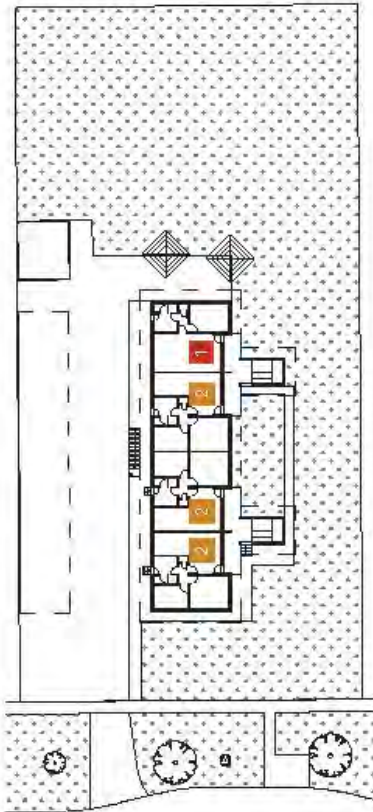


123 WATKINS ST REDEVELOPMENT

MAY 2020
123 WATKIN STREET
WHITE GUM VALLEY

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Architects

2. HOUSING CHOICE - CURRENT



REVIEW OF EXISTING ACCOMMODATION AVAILABLE ON THE SITE
THE EXISTING APARTMENT BLOCK CONSISTS OF 12 INDIVIDUAL APARTMENTS.

THERE ARE 9 TWO BEDROOM UNITS LOCATED ON THE NORTHERN END OF THE BUILDING, VERTICALLY STACKED THREE HIGH.

THERE ARE 3 SINGLE BEDROOM UNITS LOCATED ON THE SOUTHERN END OF THE BUILDING (AWAY FROM WATKINS STREET), VERTICALLY STACKED THREE HIGH.



CURRENT APARTMENT ARRANGEMENT

2 BEDROOM UNIT x 9

1 BEDROOM UNIT x 3

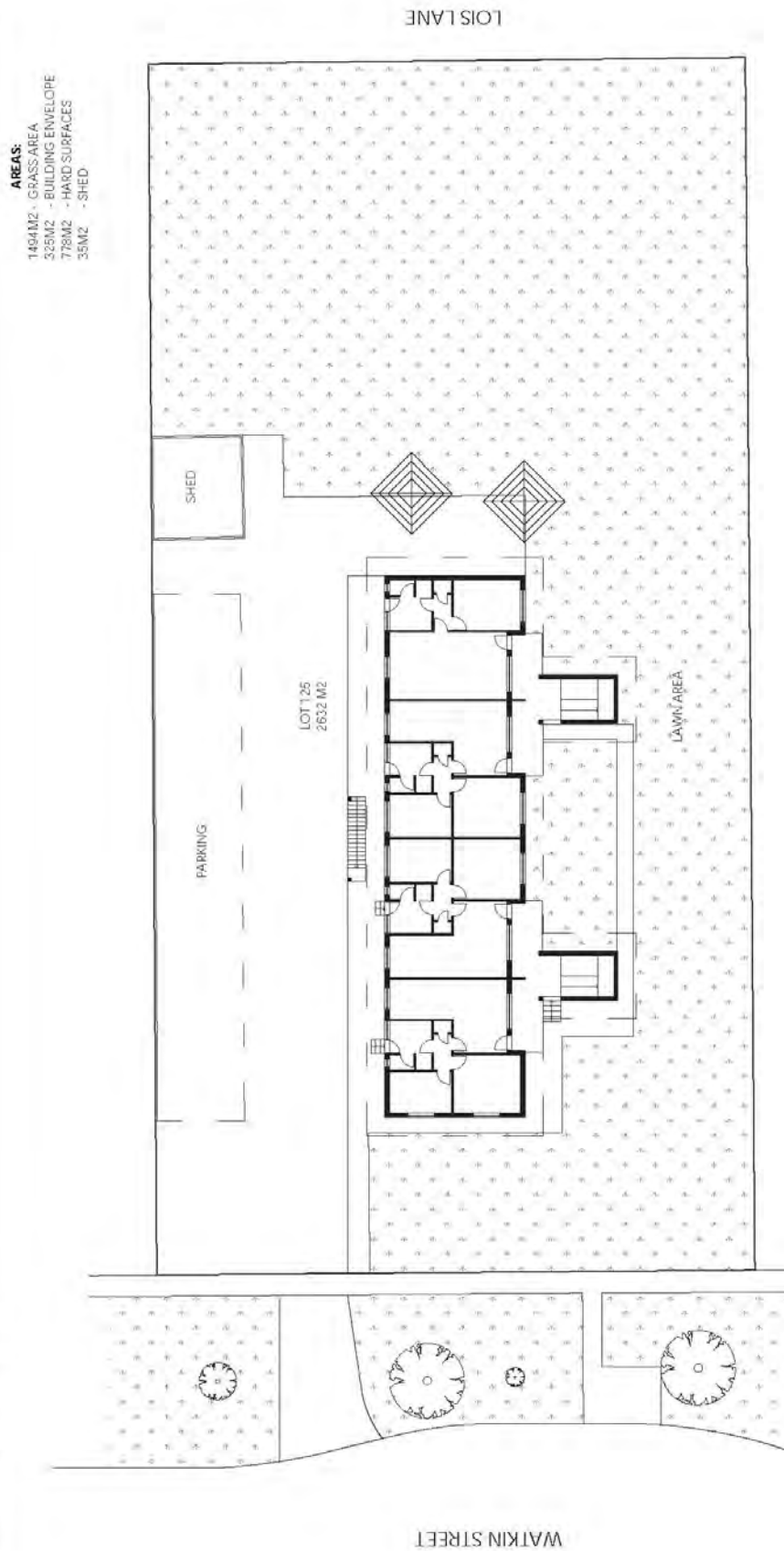
Total Units: x 12

123 WATKINS ST REDEVELOPMENT

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CURRENT SITE PLAN

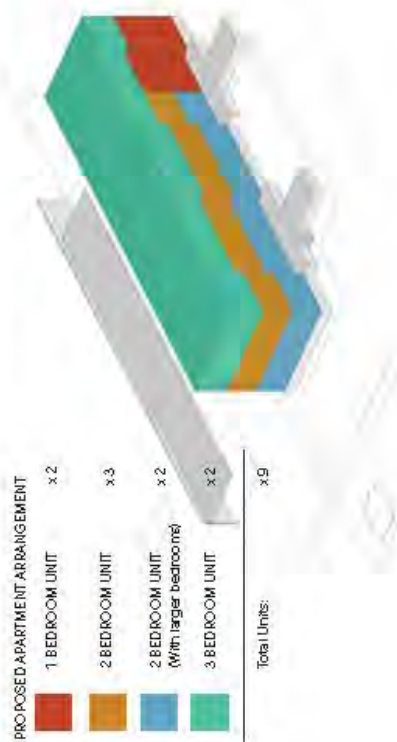


123 WATKINS ST REDEVELOPMENT

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HOUSING CHOICE - POTENTIAL DIVERSITY

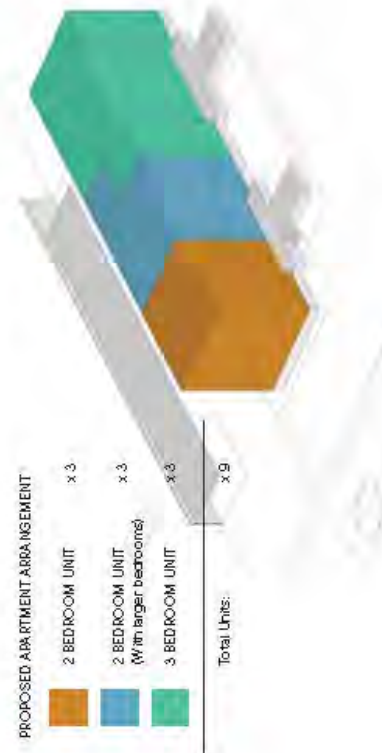
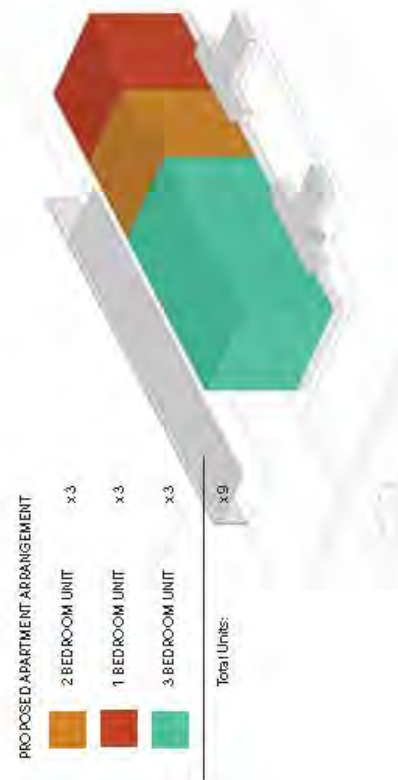


REVIEW OF EXISTING ACCOMMODATION AVAILABLE ON THE SITE
THE EXISTING APARTMENT BLOCK CONSISTS OF 12 INDIVIDUAL APARTMENTS.

AS PART OF THIS STUDY WE ANALYSED THE POSSIBILITY TO ADD DIVERSITY TO THE EXISTING APARTMENT OFFERING BY CHANGING THE MIX OF UNITS, BY COMBINING AND THEN DIVIDING EXISTING UNITS THERE WERE A RANGE OF POTENTIAL OUTCOMES.

RED UNITS INDICATE EXISTING 1 BEDROOM APARTMENTS, ORANGE EXISTING 2 BEDROOM UNITS, BLUE ARE VARIATIONS ON THE EXISTING 2 BED UNITS THAT HAVE A LARGER SECOND BEDROOM AND GREEN UNITS INDICATE NEW 3 BEDROOM APARTMENTS.

WHILE THESE VARIATIONS ARE POSSIBLE THEY RELY ON MAJOR CHANGES TO BATHROOMS ETC IN THE EXISTING BLOCK AND MAY BE UNJUSTIFIABLE WHEN COMPARING COST AND DISRUPTION AGAINST POSITIVE OUTCOMES. AS A RESULT WE BEGAN REVIEWING THE POSSIBILITY OF SUBDIVIDING OFF THE REAR OF THE PROPERTY INSTEAD TO PROVIDE GOOD THREE BEDROOM OPTIONS



123 WATKINS ST REDEVELOPMENT

MAY 2020
123 WATKINS STREET
WHITE GUM VALLEY

Matthew Crawford
Architects

AERIAL OF CURRENT SITE - PROPOSED SUBDIVISION OPTION 1



OPTION 1
3 NEW LOTS OF 360M2 TO BE SUBDIVIDED
FACING ONTO LOIS LANE.

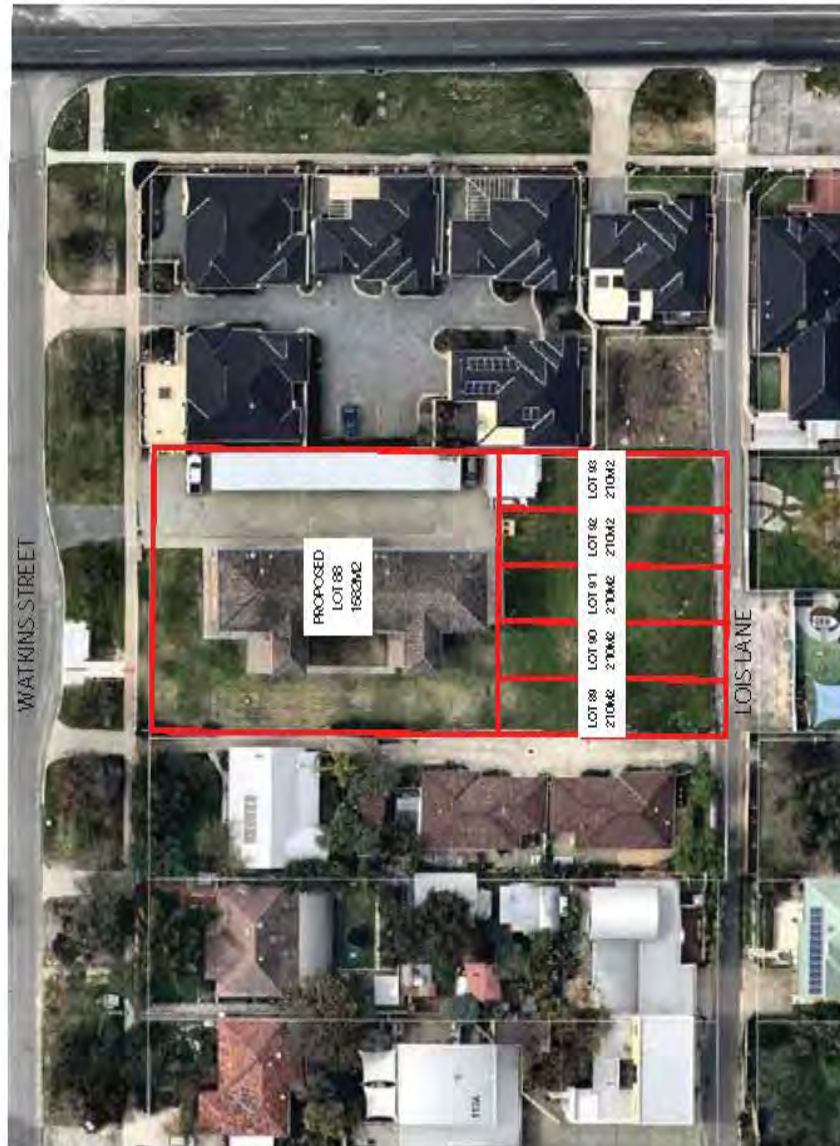
123 WATKINS ST REDEVELOPMENT

MAY 2020
123 WATKINS STREET
WHITE GUM VALLEY

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Architects

AERIAL OF CURRENT SITE - PROPOSED SUBDIVISION OPTION 1

OPTION 2
5 NEW LOTS OF 210M² TO BE SUBDIVIDED
RACING ONTO LOIS LANE



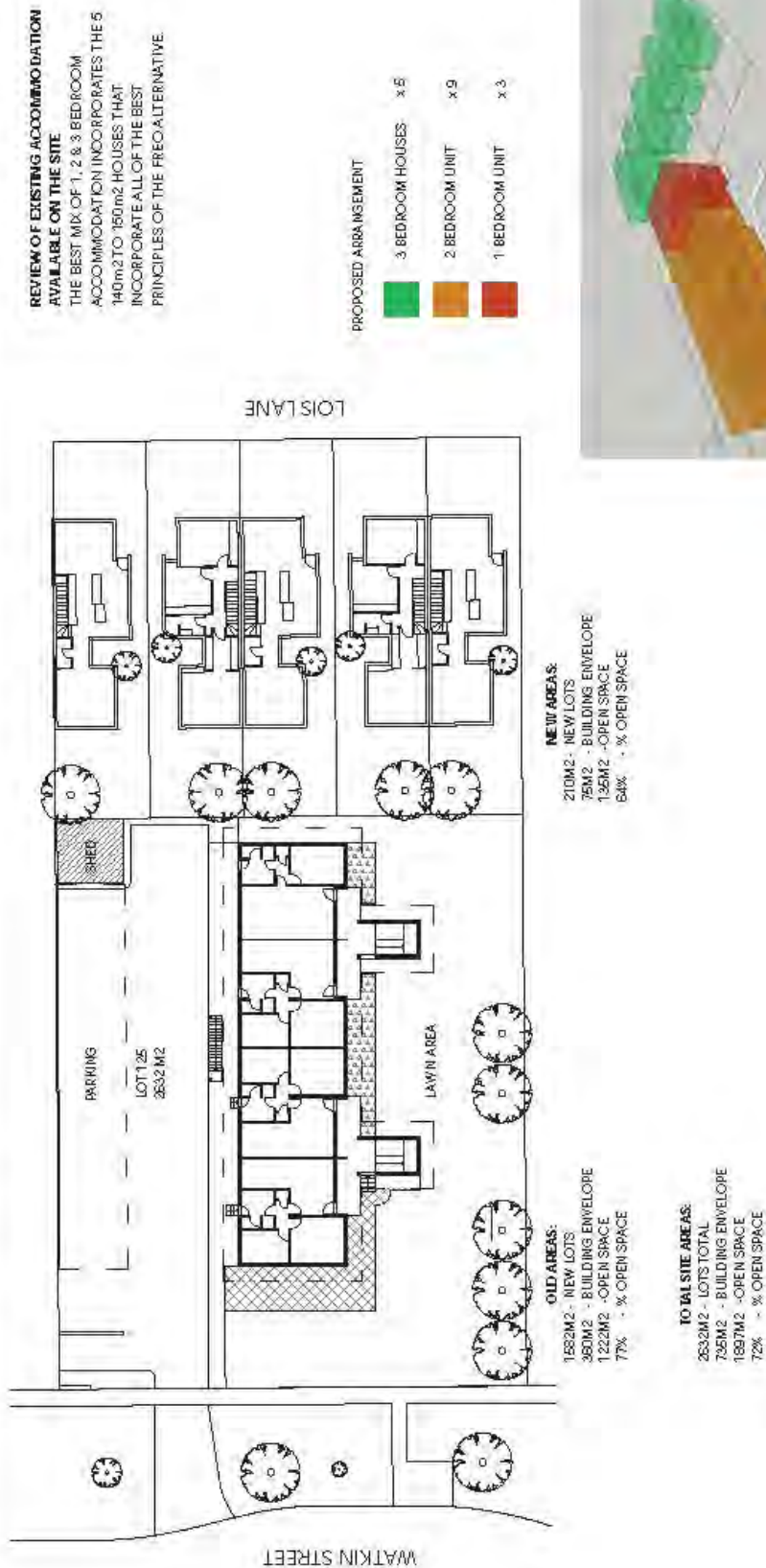
123 WATKINS ST REDEVELOPMENT

MAY 2020

123 WATKINS STREET
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2. HOUSING CHOICE - CURRENT



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MAY 2020
123 WATKIN STREET
WHITE GUM VALLEY

PLANNING POLICY THEMES AND OUTCOMES OF THE PROPOSAL

SUMMARY OF KEY THEMES SOURCED FROM THE LOCAL PLANNING SCHEME NO 4, IN PARTICULAR THE ADDITIONAL THEMES COVERED BY THE FREO ALTERNATIVE

- 1. LOCATION
PROMOTE SMALLER HOUSING TYPES IN AREAS CLOSE TO PUBLIC TRANSPORT
- 2. HOUSING CHOICE
DIVERSITY OF HOUSING OPTIONS
- 3. BUILT FORM
GOOD QUALITY DESIGN OUTCOMES IMPROVING EXISTING BUILDINGS
- 4. SUSTAINABILITY
PRESERVE EXISTING BUILDING FABRIC
- 5. OPEN SPACE
MAINTAIN THE TRADITIONAL OPEN FEEL OF PRIVATE LOTS IN SUBURBAN AREAS
- 6. COMMUNITY
FOSTER SOCIAL INTERACTIONS BETWEEN RESIDENTS
- 7. TREES AND LANDSCAPING
PROVIDE NEW TREES AND GARDEN SPACE
- 8. CAR MOVEMENT & PARKING
APPROPRIATE SPACE FOR PARKING AND MANOEUVRING

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WHITE GUM VALLEY



THE FREO ALTERNATIVE



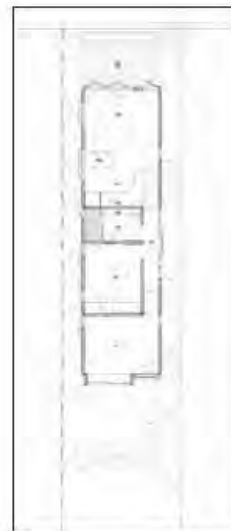
Courtyard of min. 30m²



Maximum 1 parking bay



Higher than standard energy efficiency



Floor area max 120m²

60 to 70% open space (140m²)



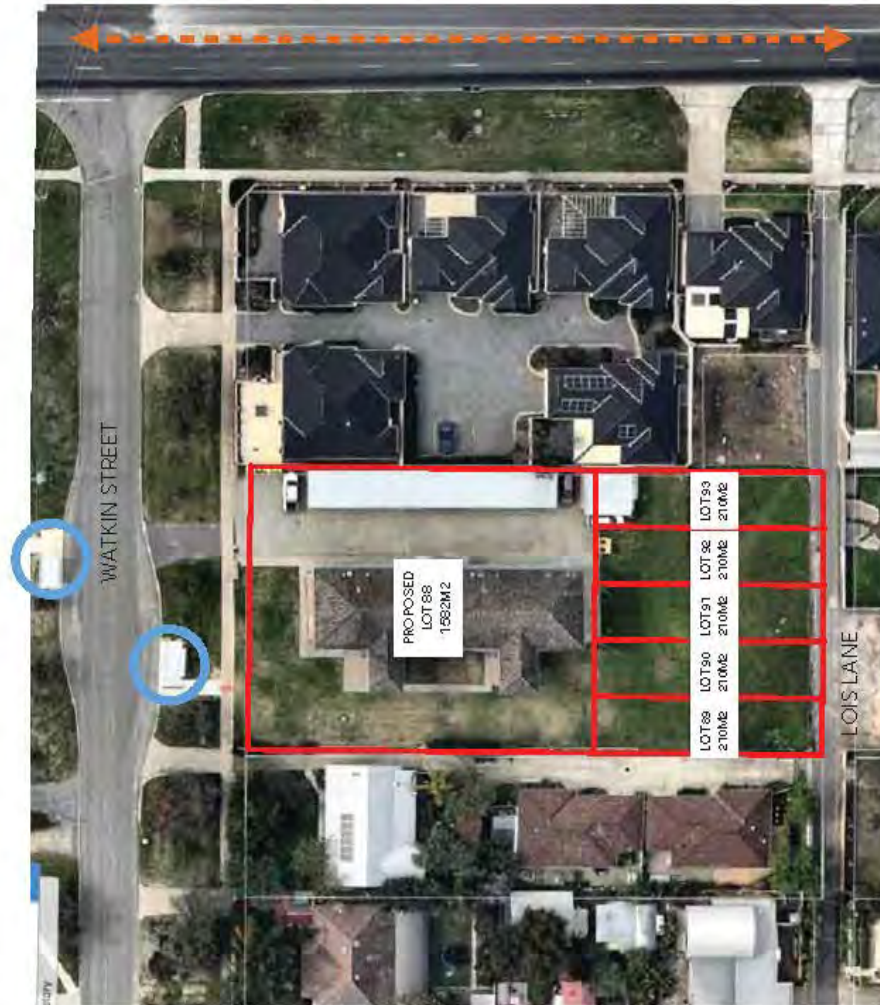
One mature tree

123 WATKINS ST REDEVELOPMENT

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123 WATKINS STREET
WHITE GUM VALLEY

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1. LOCATION - PROMOTE SMALLER HOUSING TYPES IN AREAS CLOSE TO PUBLIC TRANSPORT



THIS SITE HAS VERY GOOD LINKS TO PUBLIC TRANSPORT. THERE ARE ALREADY TWO BUS STOPS DIRECTLY IN FRONT OF THE SITE AND IS IN VERY CLOSE PROXIMITY TO MAJOR ARTERIAL ROADS THAT INCORPORATE FURTHER BUS LINKS.



TWO BUS STATIONS LOCATED IN FRONT OF SITE.

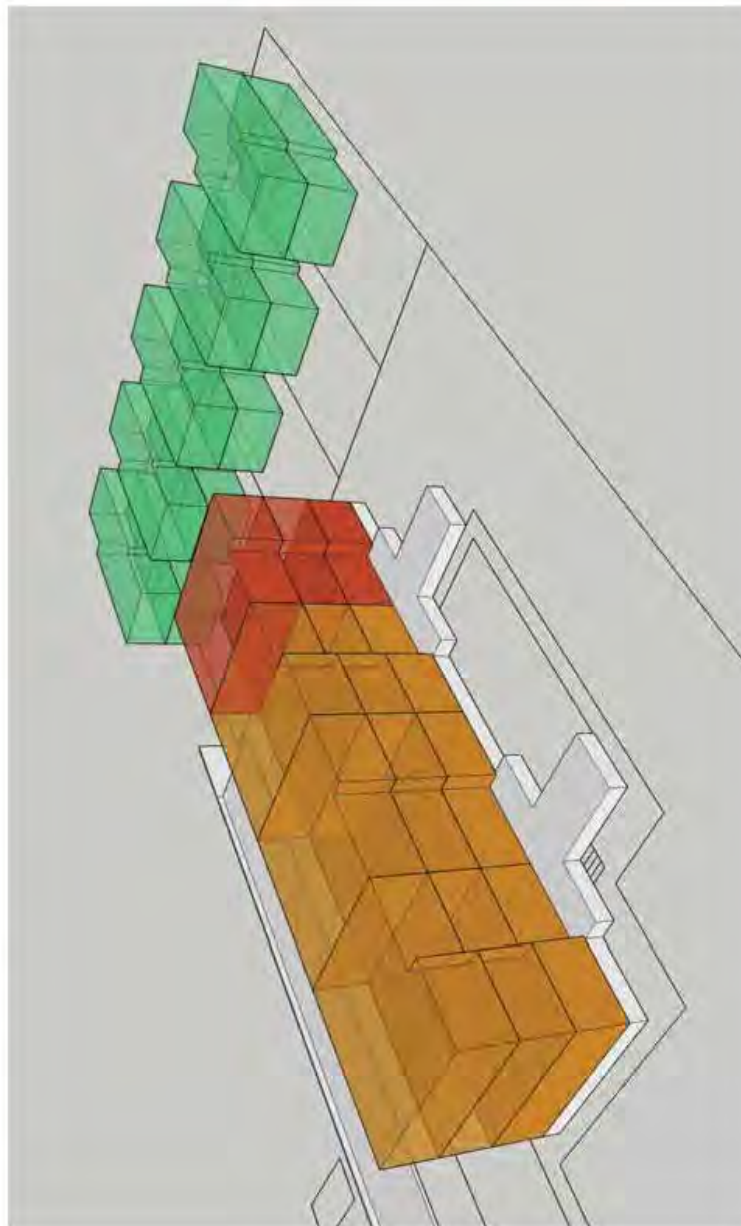
123 WATKINS ST REDEVELOPMENT

MAY 2020
123 WATKIN STREET
WHITE GUM VALLEY

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2. HOUSING CHOICE - DIVERSITY OF HOUSING OPTIONS

REVIEW OF EXISTING ACCOMMODATION AVAILABLE ON THE SITE
THE BEST MIX OF 1, 2 & 3 BEDROOM ACCOMMODATION INCORPORATES THE 5 120m² HOUSES THAT INCORPORATE ALL OF THE BEST PRINCIPLES OF THE FREQ ALTERNATIVE.



PROPOSED ARRANGEMENT

3 BEDROOM HOUSES	x 5
2 BEDROOM UNIT	x 9
1 BEDROOM UNIT	x 3

123 WATKINS ST REDEVELOPMENT

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123 WATKINS STREET
WHITE GUM VALLEY

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3. BUILT FORM BENEFITS - LOIS LANE ACTIVATION



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3. BUILT FORM - GOOD QUALITY DESIGN OUTCOMES IMPROVING EXISTING BUILDING

1. REPLACE WINDOW'S ON WATKIN STREET ELEVATION TO MASTER BEDROOM. IMPROVED LIGHT QUALITY TO ROOM
2. NEW SCREEN TO NORTH FACING SIDE OF REAR BALCONIES
3. NEW VEGETATION SCREEN TO REAR BALCONY



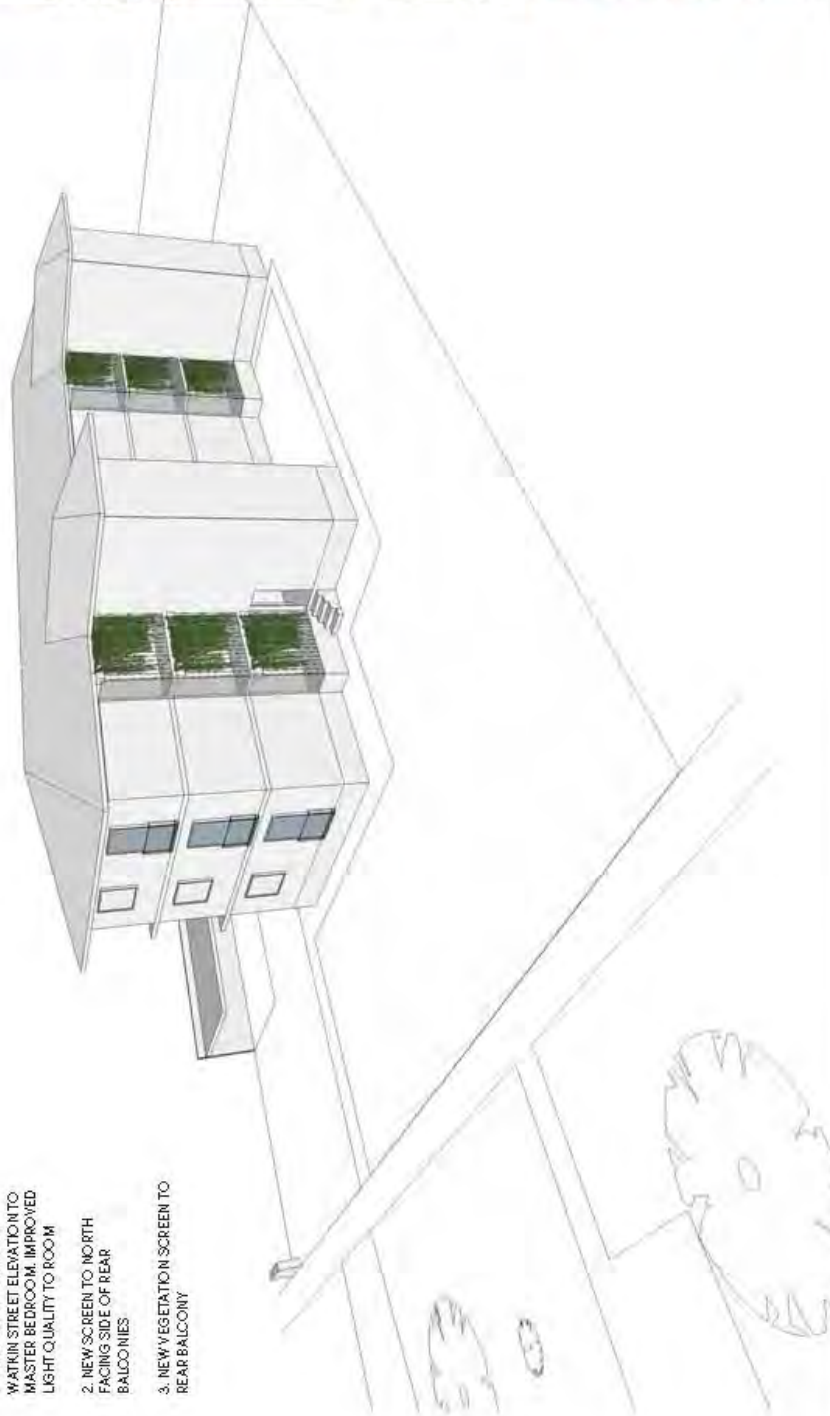
EXPANDED MESH COULD BE USED FOR SCREENING



CABLE WIRES WITH PLANTER BEDS HANGING OFF THE BALCONY



EXAMPLE OF INTERNAL BALCONY



123 WATKINS ST REDEVELOPMENT

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3. BUILT FORM - EAST SIDE - IDEA 2 - GOOD QUALITY DESIGN OUTCOMES IMPROVING EXISTING BUILDING



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MAY 2020
123 WATKINS STREET
WHITE GUM VALLEY

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4. SUSTAINABILITY - PRESERVE EXISTING BUILDING FABRIC



1. SOLAR PANELS ADDED TO ROOF
2. REDUCED LAWN AREA IN LEIU OF WATER WISE NATIVE VEGETATION

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MAY 2020
123 WATKIN STREET
WHITE GUM VALLEY

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5. OPEN SPACE - MAINTAIN THE TRADITIONAL OPEN FEEL OF PRIVATE LOTS IN SUBURBAN AREAS

1. REDUCTION OF GRASSED AREA TO REDUCE WATER WASTAGE.
2. BETTER UTILISATION OF OPEN SPACE INTRODUCING TWO RAISED DECK AREAS TO STRUCTURE THE SPACE.



123 WATKINS ST REDEVELOPMENT

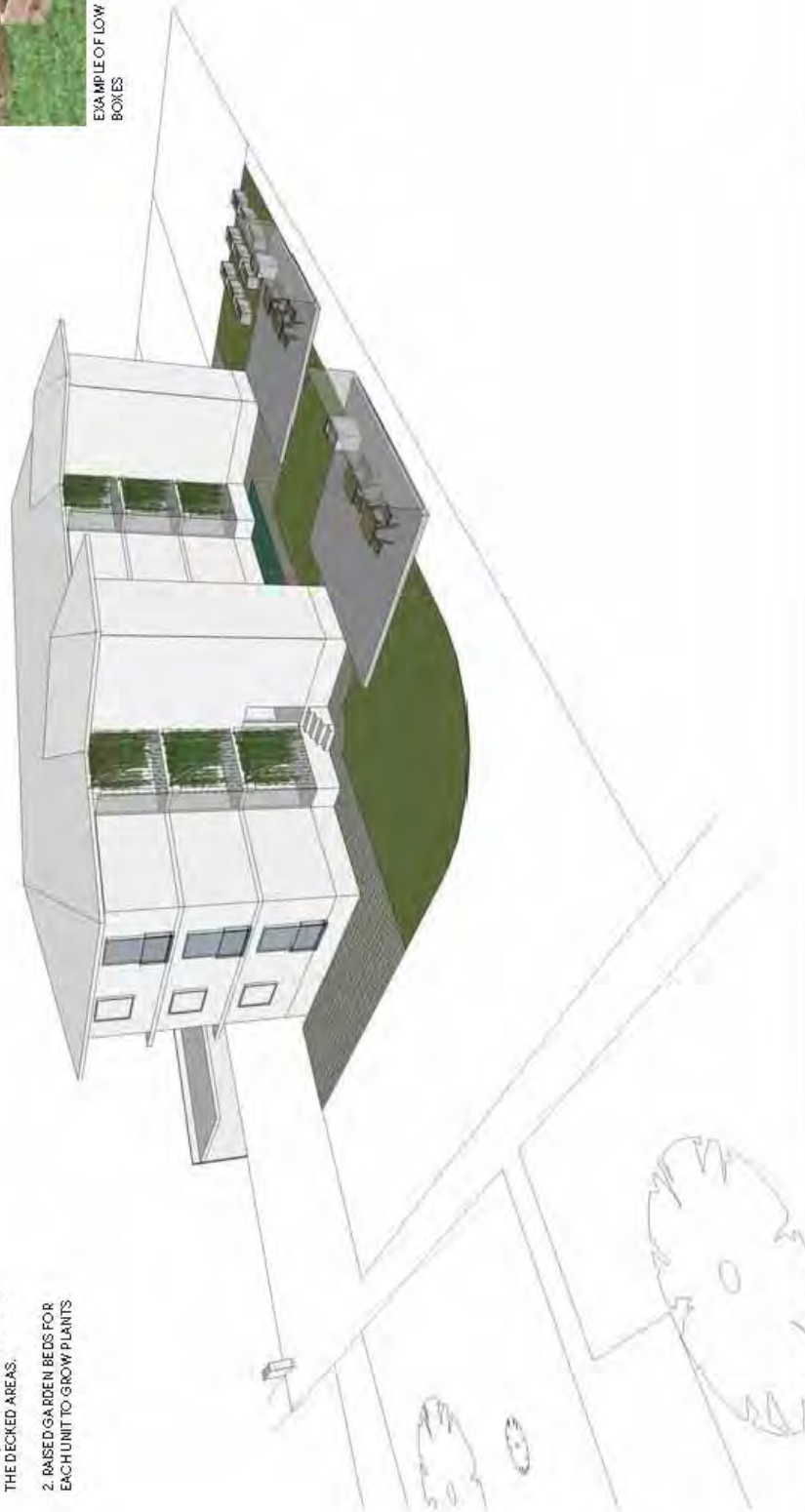
MAY 2020

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WHITE GUM VALLEY

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6. COMMUNITY - FOSTER SOCIAL INTERACTIONS BETWEEN RESIDENTS

1. BBQ AREAS AND SEATING TO THE DECKED AREAS.
2. RAISED GARDEN BEDS FOR EACH UNIT TO GROW PLANTS



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WHITE GUM VALLEY

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7. LANDSCAPING & TREES - PROVIDE NEW TREES AND GARDEN SPACE

1. REPLACE EXISTING LAWN WITH NATIVE MEDIUM HEIGHT 0.3 TO 1M HIGH VEGETATION.
2. NATIVE GARDEN BEDS OF WEST FACING UNIT WINDOWS TO CREATE BUFFER ZONE BETWEEN ACTIVITY SPACE AND PRIVATE SPACE.
3. PLANT NATIVE TREES ALONG WEST SIDE OF FENCE.



EXAMPLE OF LOW LYING NATIVE LANDSCAPING



EXAMPLE OF NATIVE TREE TO BE USED, WHITE GUM.



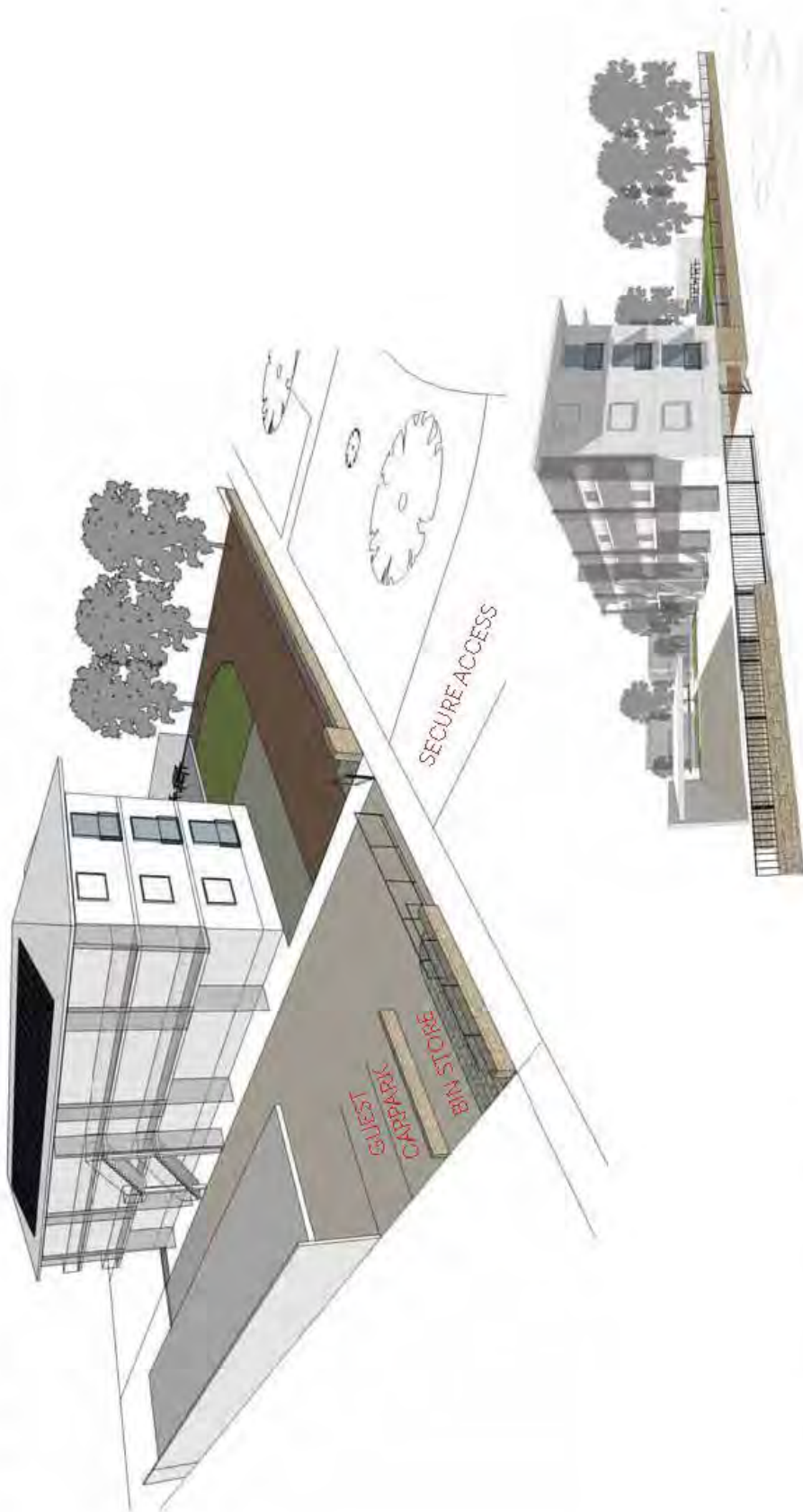
123 WATKINS ST REDEVELOPMENT

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8. CAR MOVEMENT AND PARKING - APPROPRIATE SPACE FOR PARKING AND MANOEUVRING.



123 WATKINS ST REDEVELOPMENT

MAY 2020
123 WATKIN STREET
WHITE GUM VALLEY

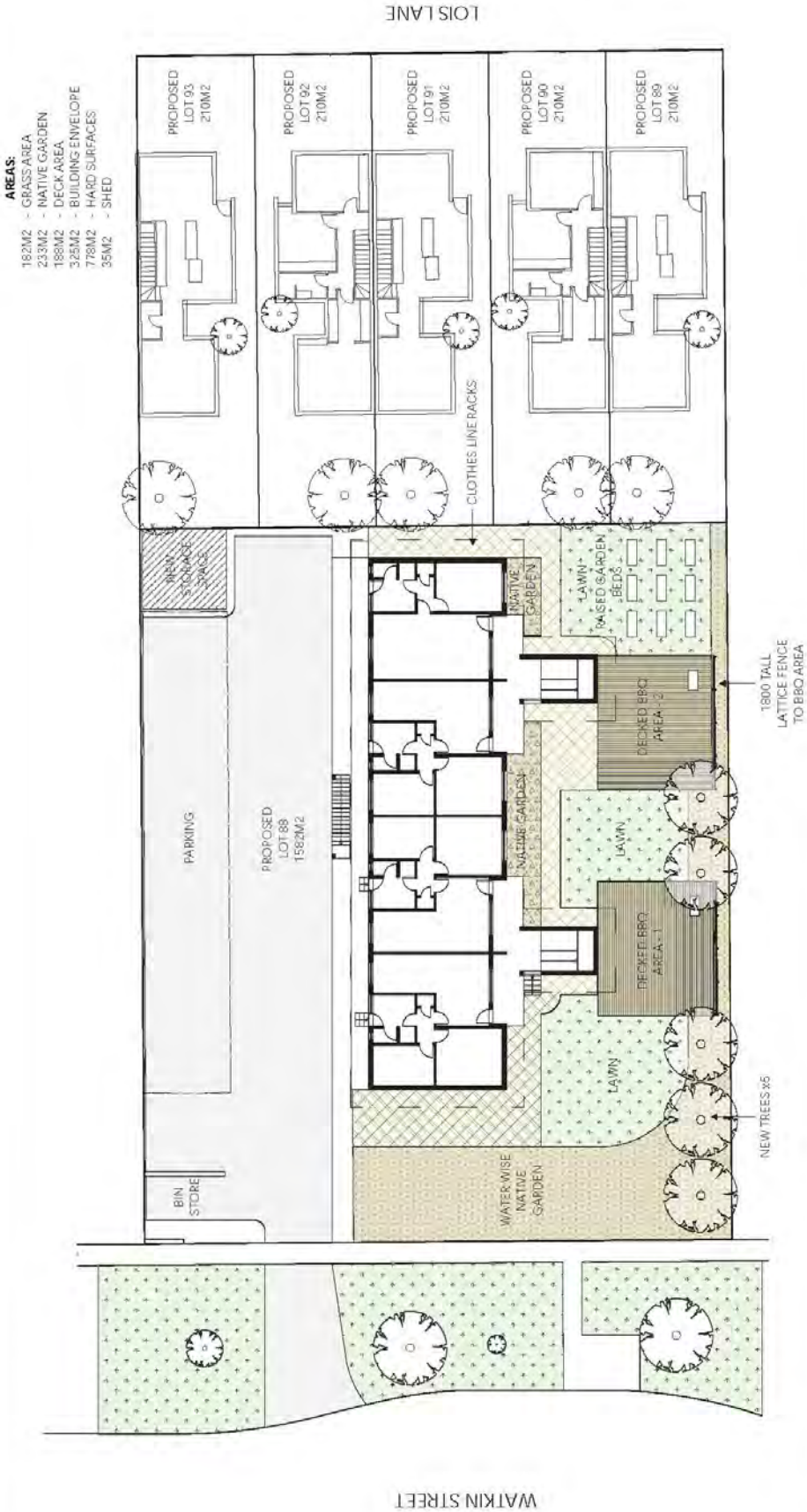
Matthew Crawford
Architects

OUTCOMES	
	
	<div><div>1. LOCATION PROMOTE SMALLER HOUSING TYPES IN AREAS CLOSE TO PUBLIC TRANSPORT</div><div>2. HOUSING CHOICE DIVERSITY OF HOUSING OPTIONS PROVIDED</div><div>3. BUILT FORM ENCLOSE BALCONIES AND PRIVACY, JULIET BALCONIES, NEW STREET FENCE</div><div>4. SUSTAINABILITY NATIVE GARDEN SPACE & SOLAR PANELS</div></div> <div><div>5. OPEN SPACE STRUCTURING EXISTING OPEN AREA</div><div>6. COMMUNITY SHARED BBQ AND GARDEN SPACES FOOTPATH TO LETTER BOX</div><div>7. TREES AND LANDSCAPING PROVIDE NEW TREES AND NATIVE GARDEN SPACE</div><div>8. CAR MOVEMENT & PARKING APPROPRIATE SPACE FOR PARKING AND MANOEUVRING, SECURE ACCESS.</div></div>

123 WATKINS ST REDEVELOPMENT
MAY 2020
123 WATKIN STREET
WHITE GUM VALLEY



PROPOSED SITE PLAN



123 WATKINS ST REDEVELOPMENT
MAY 2020
123 WATKIN STREET
WHITE GUM VALLEY

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Additional Information 3 – Applicants Additional Comment



Our Ref: 19-285
WAPC Ref: 161312

17 January 2022

The Secretary
Western Australian Planning Commission
140 William Street
PERTH WA 6000

Attention: Delia Neglie, Planning Manager

Dear Delia

SUBDIVISION APPLICATION (REF: 161312) – 123 WATKINS STREET, WHITE GUM VALLEY

Further to the outcomes of our meeting on 14 January 2021, **element** is pleased to provide this correspondence and amended subdivision plans for further consideration by the Department of Planning, Lands and Heritage (DPLH) and the City of Fremantle (the City). As requested, the subdivision plans provided demonstrate a reduction in lot yield to four (4) and three (3) lot configurations fronting Lois Lane.

Please note that as indicated at the meeting, our preference is for the four (4) lot subdivision configuration. We consider that this arrangement represents the most balanced solution that addresses DPLH and City concerns and comments. It would result in the retention of and upgrades to the existing apartment building and the opportunity for smaller more sustainable housing typologies on the new lots supported by a Local Development Plan (LDP). The subdivision outcome would also be materially the same as the recently approved seven (7) lot subdivision which included four (4) lots fronting Lois Lane.

Notwithstanding, the above, we would also accept approval for the three (3) lot subdivision configuration if this is considered to be the only supportable option at officer level by the DPLH.

To summarise our position and the discussion from the meeting, a summary is provided below to help the City and DPLH finalise the assessment and determination process.

Legal Agreement

In order to provide a greater level of certainty to the City and DPLH/Western Australian Planning Commission (WAPC) regarding the upgrade works to the existing apartments, the owners are prepared to enter into a suitably worded legal agreement to link the creation of the new lots with the upgrade works that are proposed to be carried out.

Local Development Plan

It is considered that a LDP would only be required in the event that the four (4) lot solution is supported. This position is based on the variation to the R25 minimum lot area (256m² per lot) and nine metre lot frontage necessitating an additional layer of design guidance to ensure the construction of new contextually appropriate more sustainable housing on the new lots.

element.

As the three (3) lot subdivision would meet the R25 minimum lot size (300m²) an LDP would be unnecessary with sufficient guidance and controls provided for the future houses under the requirements of the City's Local Planning Framework and Residential Design Codes (R-Codes).

Lot Yield

As discussed, the original subdivision proposal investigated was for three (3) freehold lots to Lois Lane. The decision to increase the lot yield from three (3) to five (5) was made following preliminary engagement with some of the City's elected members who expressed a preference for more compact sustainable housing on smaller lots generally in line with the principles set out under the Freo Alternative initiative.

The preferred four (4) lot subdivision configuration would retain similar advantages to the five (5) lot concept, would be comparable to the recently approved subdivision fronting Lois Lane and would be more closely aligned with the R25 density code.

Notably, the recently approved compliant subdivision contains four (4) lots which front Lois Lane with the same frontage width. The only difference is the depth of the lot which are 7.3 metres longer due to the demolition of the existing apartment building.

Conclusion

We have now responded to and addressed all matters raised by the DPLH and City in respect to this subdivision application. As mentioned above, whilst we are accepting of the three (3) lot outcome, we do not consider that this is the most optimal solution for this site. The preferred four (4) lot configuration adequately addresses both the DPLH and City comments and concerns.

At the appropriate point in time, we would appreciate DPLH sending a draft list of conditions to review prior to the application being determined.

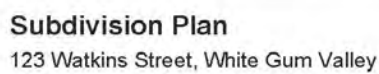
Should you have any queries or require clarification on the above matter, please do not hesitate to contact Callum Thatcher or the undersigned on 9289 8300.

Yours sincerely
element



Murray Casselton
Director

Cc. Chloe Johnston
Manager Development Approvals - City of Fremantle



**PC2202-6 CLIFF STREET, NO. 6 (LOT 4) FREMANTLE - CHANGE OF USE TO
TOURIST ACCOMMODATION AND ADDITIONS AND ALTERATIONS
TO EXISTING BUILDING (TG DA0209/21)**

Additional Information 1 – Site Photos







Photo 3: Subject site from rear lane



Photo 4: Subject site from in front of 11 Cliff Street



Photo 5: Subject site from Cliff Street entrance of No. 4 High Street



Photo 6: Subject site from corner of Cliff Street and High Street

Additional Information 2 – Heritage assessment

Heritage Impact Assessment

Address: 6 Cliff Street, West End, Fremantle
Application number: DA0209/21
Proposal: Alterations and additions
Requesting officer: Tom Geddes
Date: 13/12/2021



6 Cliff Street, Aerial photograph, CoF ESRI mapping 2021. 6 Cliff street is shaded aua.

INTRODUCTION

The purpose of this heritage comment is to assess the changes to the place that are proposed in DA0209/21 and the affect that they will have upon the heritage values of 6 Cliff Street and The City of Fremantle West End Conservation Area. The proposed changes include:

- Demolition of existing roof and ceilings to first floor
- Construction of third and fourth floor
- Subdivision of building into 8 short stay units
- Modification of rear of pyramid roof to provide access to attic room

HERITAGE LISTINGS

State Register of Heritage Places

The place is included in the State Register of Heritage Places as part of the listing West End, Fremantle (HCWA Place No. 25225) – a referral to DPLH Heritage is required.

Inherit

Inherit Database number - 22541

Heritage List and LHS

6 Cliff Street, West End Fremantle is included on the City of Fremantle's Heritage List. It is included on the Local Heritage Survey as part of the listing Commercial Building, 6 – 8 Cliff Street and it has been identified as a management category 1B place - *"The City of Fremantle has identified this place as 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."*

Heritage Area

The place is included in the West End Conservation Area Heritage Area and was designated as a Heritage Area in accordance with clauses 7.2.1 and 7.2.9 of Local Planning Scheme No. 4.

RELEVANT PREVIOUS DEALINGS

Recent meetings or discussions:

- Revised plans received 6 October 2021, 10 December 2021
- Meeting 6 July 2021
- Site visit

Previous relevant DAs:

- N/A
- DA0472/20 – Internal fit out and retrospective approval for 4 Cliff Street

Previous relevant legal dealings:

- N/A

BACKGROUND

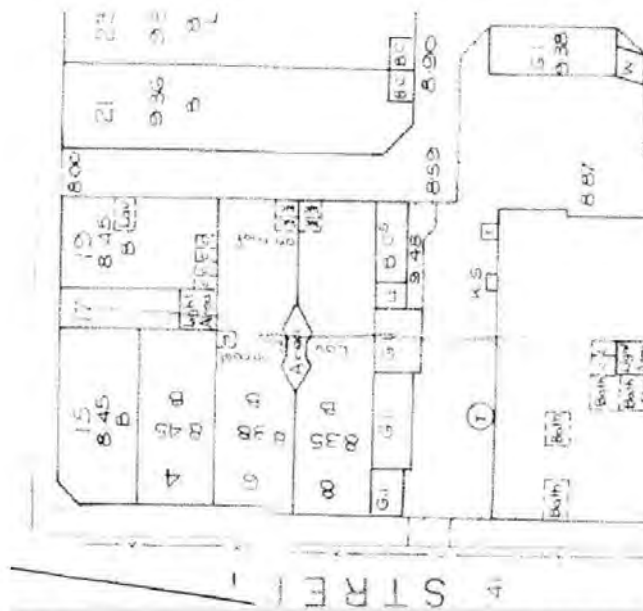
Historical Information

The following information is taken from the place record on the Inherit Database: Cliff St in the 1850s was a busy thoroughfare connecting the sea front jetty with the river. Many businesses were located along the route. The street was paved in 1858 with hand-tolled Yorkshire flagstones by sappers of the Royal Engineers. The job was completed by private contract after the sappers were needed elsewhere. Apparently, convicts were not skilled enough for the job. To meet the expense, dog licences, poundage fees and fines were raised by the Town Trust.

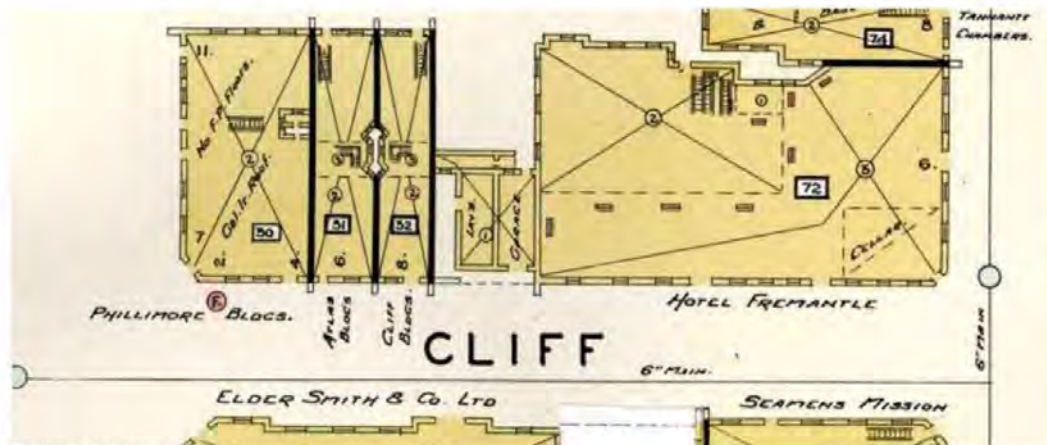
4 – 6 Cliff Street was constructed between 1892 and 1900 and was referred to as Atlas Chambers in 1900 Post Office Directory. Photographs taken during the construction of the tramways in 1905 show the façade of the building. The walls were of face brick with rendered details and dressings in an unpainted stucco finish designed to look like natural, finely carved stone. The area between the ground floor arch heads and lower cornice was finished with a contrasting material – possibly terracotta tiles. The roof and window hoods were clad with Marseilles pattern terracotta tiles. Door and window joinery was bi-colour with a darker colour to the frames and styles and a lighter colour for door panels and window sashes. There was no signage to the entablature below the roof but there may have been business names painted on the arches above the ground floor doors.



6 – 8 Cliff Street during the laying of tramlines 1905, City of Fremantle Library Local History Centre



Part of Metropolitan Sewerage Fremantle District Plan 2052, PWDWA 1916. At this time 6 Cliff Street was numbered 8.



Part of Mahlstedt Plan No. 1, Fremantle, 1953

By the 1970s the building had been completely painted and the area between the arch heads and lower cornice had been tiled with mosaic tiles. The name Abrubriato Pty Ltd was added to the entablature. The building retained its terracotta tiles until the 1990s when they were replaced with corrugated metal sheeting.



6 - 8 Cliff Street c. 1972, City of Fremantle Library Local History Centre

Physical Description

The following information is taken from the place record on the Inherit Database:

4-6 Cliff Street is a pair of two storey rendered and painted brick duplex constructed in the Federation Freestyle style of Architecture. There is a zero setback from the pavement and the façades of the units are mirrored around the central party wall. Each unit contains an arched doorway and a large arched window with multi paned fanlights on the ground floor and a pair of double hung sash windows above with decorative stucco architraves, projecting sill with brackets and a hipped window hood. Pilasters extend for both floors and support an entablature. Pyramid shaped roofs with bracketed eaves and corrugated Zincalume steel sheet cladding conceal a low pitch skillion roof behind. The party wall extends up through the roof line. The building covers the entire site.

The interior of the building has been much modified. The ground floor level has a concrete floor but the upper level has retained its timber board floor. All original ceilings have been removed together with the later suspended ceilings exposing the underside of the floor and roof structure. The plastered wall finishes have been damaged in places and skirting boards have been removed. Original staircase have been replaced with Post-War era staircases and there are no original timber doors.

Most of the internal walls have been removed or altered except for portions of the party wall and the unusually shaped central light well. What would appear to have been a rear verandah has been enclosed with brickwork.



6 – 8 Cliff Street. 6 Cliff Street is on the left hand side of the photograph.



Significant West End streetscape at the corner of Cliff and Phillimore opposite the entrance to Victoria Quay.



Significant West End streetscape at the corner of Cliff and Phillimore opposite the entrance to Victoria Quay.

IMPACT ASSESSMENT

Statement of Significance

The impact of the proposed development of the place was assessed against the following values identified in the statement of significance for the place as recorded in the Local Heritage Survey:

The place is of historic significance as an example of a commercial building in the Old Port City of Fremantle dating from the gold boom period in the late nineteenth and early twentieth century.	Minor impact
The place makes a contribution to the Old Port City streetscape	Minor impact

Impact on Significance

The impact of the proposed development of the place was assessed using the heritage values from the ICOMOS Burra Charter, 2013:

Aesthetic value	Minor impact	Condition	No discernible impact
Historic value	No discernible impact	Integrity	No discernible impact
Scientific value	No discernible impact	Authenticity	Minor 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

Following discussions with the applicant the plans for this development were altered and refined to address concerns regarding the negative impact of proposal on the heritage values of the place, the Cliff and Phillimore Street streetscapes and the West End. Alterations to the proposal included:

- Modification of the significant pyramid roof feature was reduced to retain the hips at the rear of the roof and to allow this feature to be clearly legible.
- Detailing and design of the third and fourth floor addition has been refined to improve the presentation of the additions when viewed obliquely from Cliff Street.

The applicant also Perspective views of the proposal from Cliff and Phillimore Streets and these drawings demonstrate that the proposal would have minimal impact upon significant streetscapes and vistas of the West End.

RECOMMENDATIONS:

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

- Further detail is provided at building licence stage to show how the modification of the pyramid roof will have minimal affect on its overall form and legibility.

Additional Information 3 – Waste Management Plan

**Waste Management Plan for Tourist Accommodation Rentals
8 Cliff Street Fremantle
Applicant: White Holdings Pty Ltd**

Garbage and recycling

Guests and Visitors are to dispose of garbage and recycling items in accordance with the usual practice at the property (as set out below) in the allocated bins, and excess rubbish must not be left in public or common areas

The common area bin enclosure in the rear of the Property as shown on the attached plan accommodates eight (8) 120 litre general rubbish wheelie bins and eight (8) 120 litre recycling wheelie bins

Collections

Garbage and recycling arrangements at the property are as follows: Bins must be put on the kerbside of Phillimore Street upon vacating or on the allocated night for collection the following day whichever occurs sooner. Any bins not put out will incur a handling charge. A rubbish removal fee will apply for excess rubbish left on the premises

The Manager will monitor the collection of the waste and may enter into a contract and arrangement with the City of Fremantle for staggered collections or additional collections to ensure that efficient waste management standards are met

Cleaning

The Manager will contract a responsible cleaning contractor to sweep, mop and disinfect the bin enclosure weekly or more frequently if required

Bins will be washed and cleaned off site weekly or more frequently if required

On Departure Arrangements

All rubbish to be placed in bins provided and placed on kerbside as previously noted

The Manager will arrange for early collection and cleaning

Compliance

Guests and Visitors who refuse to comply with this waste management plan will be in a breach of the Terms and Conditions of Occupancy

The Owner and the Manager reserve the right to terminate permission to occupy and to evict from the Property any Guests or Visitors who refuse to follow these House Rules or who cause a nuisance

**PC2202-7 BROMLEY ROAD, NO. 32 (STRATA LOT 1) HILTON – PATIO ADDITION
TO EXISTING GROUPED DWELLING (TG DA0459/21)**

Additional Information 1 – Site Photos



Photo 1: Subject site as viewed from Bromley Road



Photo 2: Subject site as viewed from Bromley Road



Photo 3: Subject site as viewed from Bromley Road



Photo 4: Subject site as viewed from driveway



Photo 5: Rear yard of subject site and new rear dwelling

Additional Information 2 – Heritage assessment

Heritage Impact Assessment

Address: 32 Bromley Road, Hilton
Application number: DA0459/21
Proposal: Patio structure to front of house
Requesting officer: Tom Geddes
Date: 7/01/2022



Place and Address, Aerial photograph, CoF Intramaps, 25/02/2020

INTRODUCTION

The purpose of this heritage comment is to assess the changes to the place that are proposed in DA0459/21 and the affect that they will have upon the heritage values of Address. The proposed changes include:

- New roof to deck at front of house

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

The place does not have a record on the Inherit Database

Heritage List and LHS

32 Bromley Road is not included on the City of Fremantle's Heritage List.

Heritage Area

The place is included in the Hilton Garden Suburb Heritage Area which was designated as a Heritage Area in accordance with clauses 7.2.1 and 7.2.9 of Local Planning Scheme No. 4.

RELEVANT PREVIOUS DEALINGS

Recent meetings or discussions:

- The applicant was advised early that there were concerns about the adverse heritage impact of the proposed shade structure. There were a number of phone conversations and meetings over the following months to discuss the issue and try and find a compromise solution, but the applicant did not revise their proposal.

Previous relevant DAs:

- N/A

Previous relevant legal dealings:

- N/A

BACKGROUND

Historical Information

The "Hilton Garden Suburb Precinct" Heritage Area is of cultural heritage significance within the City of Fremantle as an example of a substantially intact 'Garden Suburb' dating from the immediate post World War 2 period and characterised by its curvilinear road layout, parks, large and irregular shaped lots.

It has historical value as an area developed by the State Housing Commission to provide affordable housing at a time of increased housing demand in Australia, particularly to house new arrivals: returned servicemen and immigrants. It also has historical significance for its association with the importation of prefabricated homes from Austria and for the timber homes designed by prominent architect Marshall Clifton, many of which remain extant in the area. House design was influenced by the modernist movement in architecture which prevailed widely in the post-war period. The designs were functional without being decorative.¹

Hilton was developed in two phases resulting in the distinctive areas of houses West of Collick Street (built mainly in the 1940's and 1950's) and east of Collick Street (built mainly in the 1960's). Bromley Road was developed in the second phase of the development of Hilton. Bromley Road was named after Ernest Harvey Bromley who was born in Fremantle and was the first West Australian to play cricket for Australia in 1933.²

¹ Hilton Residential Redevelopment Policy & Urban Design Guidelines

² City of Fremantle Local History Collection

Historic aerial photographs of Hilton show that the area east of Collick Street was undeveloped bush in 1953 but by 1965 it had been almost fully developed. 32 Bromley Road had been constructed by 1965 and remained largely unaltered until 2016 when the house was re-roofed with zicalume corrugated steel sheeting and the rear of the block was cleared in preparation for sub-division. A new house was constructed on the rear block in 2018.

Historic photos from 2007 show that aluminium sunshades once lined the length of the front façade providing protection from the west side. These were not original.

Physical Description

Hilton has a distinctive and cohesive character created by the parks, streetscapes, mature trees, areas of indigenous vegetation and the stock of relatively intact modest predominantly timber mid 20th century housing. The suburb consists mainly of slightly irregular, almost rectangular shaped blocks. However, the defining characteristic of the former estate is the semi-circular form of the streets that radiate eastwards from the east end of the school reserve to form a group of four curved streets before joining the more regular gridded layout of the other streets. The radiating streets combined with the sloping site gives the landscape of the eastern part of the former estate a distinctive picturesque quality, a quality that is enhanced by the reserves of open land contained within it.

Bromley Road, a straight road that runs parallel with Stock Road, marks the eastern Edge of Hilton. It is a largely intact streetscape from the garden suburb period but it contains a mix of brick and timber framed houses which mostly exhibit stylised elements from the Post-War era rather than the Inter-War era which is more common in the earlier section of Hilton.

The house at 32 Bromley Road is a rendered brick building with a gabled roof which dates from the second stage of development of the Hilton Garden Suburb (c. 1955 – 1965). The roof is clad with corrugate zicalume steel sheeting.

The house is roughly rectangular in plan with the long axis running parallel with the street. The plan is slightly stepped to create a break in the roof form and to accommodate a narrow verandah. The original timber framed horizontal format windows to the façade are intact. These windows are typical of the era and are composed with large fixed panes flanked by banks of hopper sashes. The timber front door is not original.

A timber deck with a limestone surround has recently been constructed in front of the house. The timber deck sits on top of the original concrete verandah slab.



32 Bromley Road, 2021



Deck area – 2020 Google Street View

IMPACT ASSESSMENT

The proposed development of the place was assessed against the following values identified in the statement of significance for the Hilton Garden Suburb Precinct Heritage Area:

The "Hilton Garden Suburb Precinct" Heritage Area is of cultural heritage significance within the City of Fremantle as an example of a substantially intact 'Garden Suburb' dating from the immediate post World War 2 period and characterised by its curvilinear road layout, parks, large and irregular shaped lots.	Medium impact
It has historical value as an area developed by the State Housing Commission to provide affordable housing at a time of increased housing demand in Australia, particularly to house new arrivals: returned servicemen and immigrants. It also has historical significance for its association with the importation of prefabricated homes from Austria and for the timber homes designed by prominent architect Marshall Clifton, many of which remain extant in the area. House design was influenced by the modernist movement in architecture which prevailed widely in the post-war period. The designs were functional without being decorative.	No discernible impact
Hilton has aesthetic value for its parks, streetscapes, mature trees, areas of indigenous vegetation and birdlife. Its stock of relatively intact modest housing, including both timber and brick cottages, set on large lots, many with mature trees and gardens, contribute to the ambience of the area and create a distinct and cohesive streetscape character.	Medium impact

Heritage values

The impact of the proposed development of the place was assessed using the heritage values from the ICOMOS Burra Charter, 2013:

Aesthetic value	Medium impact	Condition	No discernible impact
Historic value	No discernible impact	Integrity	No discernible 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 constructing a large skillion roofed structure in front of the existing house to shade a recently constructed timber deck. The back edge of the roof is supported on short posts fixed to the fascia to the eaves of the existing house and the front edge by free standing posts. The shelter will project 4m forward from the eaves of the front verandah and extend for 7.6m across the façade of the building. The roof of the proposed structure will be higher than the eaves of the existing building.

Modest Inter-War and Post War houses set in generous front gardens are a key feature of the Hilton Heritage Area. City of Fremantle LPP 3.7, which sets out how existing original

Hilton dwellings can be conserved, upgraded and extended, states that the original external form and architectural style of the building should be conserved including the front porch or verandah which was often a key design feature. It also states that extensions to the house should be located at the side or rear of the building – not at the front.

A clause is included in the section on upgrading heritage houses to provide some discretion for minor variations to the building to achieve a significantly higher level of energy efficiency through passive solar design. This has generally been interpreted to mean that minor changes such as adding window awnings can be considered rather than modifications that will substantially change the character of the front of the house such as adding deep verandahs that run across the entire facade.

In the past proposals to provide a modest verandah to the front of a heritage houses in Hilton have been supported where the structure has been:

- separate and subservient to the existing house
- of simple design with an almost flat or low pitched roof
- located in a way that will not affect the form of the existing porch / verandah or roof
- not enclosed on any side

Compared to previous approved verandah additions, this proposal has a much larger foot print (4000 x 7600mm) and height (2450 plus height of deck). The proposed structure is even wider than the standard 6m dimension allowed for carports in Hilton. Also, because of its size and the raised deck below which is higher than the original verandah floor, the roof does not tuck under the eaves of the existing house but sits up well above. This makes the new structure a dominant feature in front of this heritage house and detracts from its presentation to the streetscape and the heritage area.

RECOMMENDATIONS:

This proposal is NOT supported in its current form because of the adverse impact that this large structure will have on the presentation of this heritage place and its contribution to the Hilton Heritage Area.

A smaller, more sensitively designed shade structure with a lower pitch roof could be supported.

PC2202-8 MARINE TERRACE, NO. 26A (LOT 8) FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING MIXED USE DEVELOPMENT (TG DAP003/21)

Additional information 1 – Site Photos



Photo 1 – Subject site from Marine Terrace



Photo 2 – Subject site from Marine Terrace (Esplanade Side)



Photo 3 – Subject site from Marine Terrace



Photo 4 – Subject site from Croke Lane



Photo 6 – site as viewed from Bathers Beach Area



Photo 7 – site as viewed from train tracks



Photo 8 – site as viewed from Collie street car park

Heritage List and LHS

26a Marine Terrace is included on the City of Fremantle's Heritage List as a part of the listing NAVY CLUB (Fmr.), 26 Marine Terrace, Fremantle. The place is also included on the LHS as a management category Level 2 place,

Heritage Area

The place is included in the Central Fremantle Heritage Area (formerly the Western End Conservation Area) which was designated as a Heritage Area in accordance with clauses 7.2.1 and 7.2.9 of Local Planning Scheme No. 4.

RELEVANT PREVIOUS DEALINGS

Recent meetings or discussions:

- Discussions with the applicant led to the modification of the original design for the extensions. The lift on the façade of the building was reduced in height so that the new upper floor could be set back from the front site boundary. Revised drawings were presented on 11/11/2021.
- Further discussions with the applicant led to minor modifications to the façade. Revised drawings were presented 12/01/22 and form the basis for this assessment.

Previous relevant DAs:

- N/A

Previous relevant legal dealings:

- N/A

BACKGROUND

Historical Information

When the Swan River Colony was established on Whadjuk Nyoongar lands in 1829, Fremantle became the port City for the capital Perth. However, due to the limestone bar across the mouth of the Swan River, cargo and passengers were unloaded in South Bay and then hauled along Cliff Street where they reloaded onto smaller vessels for the Journey up river to Perth. Small jetties were constructed at South and North Bay.

Larger public works were not carried out until the arrival of convict labour in 1850. In the early 1850s the Commissariat Stores were built at Anglesea Point next to the South Jetty to store the food, clothing and building equipment of the convict establishment and a tramway was established along South Bay to connect the stores with the Convict Establishment site.¹

"In the 1870s a sea wall was constructed into South Bay, and Marine Terrace and some additional land was subsequently created by land fill. In 1873, an ocean jetty was constructed from South Beach increasing the focus on the western end of Fremantle. Marine Terrace became an important link between the ocean and the town. Photographic evidence suggests that this part of the town was increasingly densely occupied. The civic hub of the town was located around the junction of Marine Terrace and Cliff Street. This

¹ HCWA Assessment Documentation, Commissariat Buildings (Fmr.), 22/06/2001

included the Customs Offices, Commissariat Stores, the Post Office, the Water Police offices and the Courthouse and Police Station.”²

On 22 April 1876 the foundation stone was laid for the Fremantle Masons new hall. In 1883 Governor F. Napier Broome stated that he "noticed with pleasure the excellent handsome building possessed by the Fremantle Masons." The land where 26A Marine Terrace stands today remained undeveloped for many years. This site and its context on the edge of South Bay prior to the construction of the railway and reclamation of the Esplanade Reserve can be seen in an historic photograph from 1904.



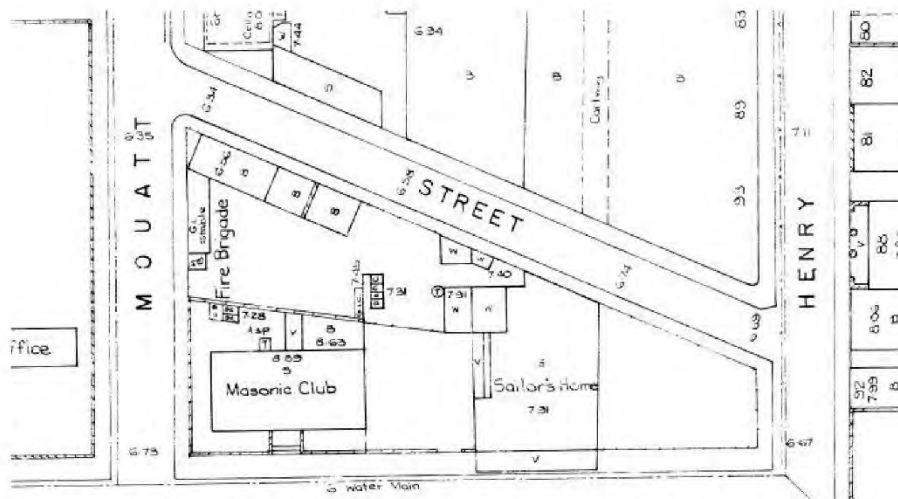
Marine Terrace Fremantle, 1904 prior to the reclamation of Esplanade Reserve. The Court House and Water Police Station and Quarters can be seen to the left of the Masonic Hall, Photograph ES00117, Fremantle History Centre



Fremantle Masonic Hall (c. 1870s) and the Sailors' Rest (1898) and the vacant land between which is now the site of 26A Marine Terrace. Detail from photograph ES00117, Fremantle History Centre

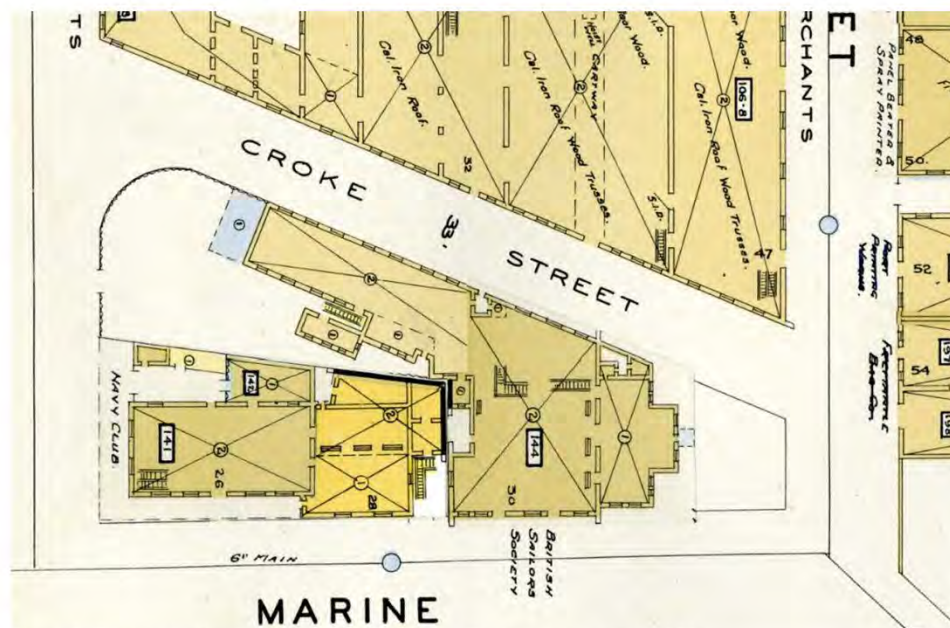
Fremantle and Western Australia were transformed by the Gold Rushes of the 1880s and 1890s. In 1895 the rock bar at the mouth of the Swan River was blasted and the Inner Harbour and Victoria Quay were constructed. Port-related businesses in West End, Fremantle subsequently shifted their focus from Cliff Street and The Long Jetty towards Phillimore Street at the north side of the precinct. A new Customs House was constructed in Phillimore Street in 1908, with the convict-era Commissariat vacated.

² HCWA Assessment Documentation, Court House Fremantle (Fmr.), 28/11/2003



Detail of PWDWA Metropolitan Sewerage, Fremantle District, Plan 2054, 2016

26 Marine Terrace served as the lodge of the Fremantle Masons for approximately 75 years until a new Masonic Hall was opened for Fremantle Lodge no.1033, on the corner of Chalmers and High Streets in 1956. This building was then purchased by the Navy Club. Forbes & Fitzhardinge architects carried out alterations and additions in 1957 including the construction of an addition to the east where 26a Marine Terrace now stands



Sheet 2, Fremantle Plans, Mahlstadt & Sons, Fire Engineering, c. late 1950s

In 1986 alterations were carried out to the upper floor of the additions to the Navy Club including the enclosure of an open terrace area facing Marine Terrace and the construction of the arched entrance on the south-east corner of the building.³ In the 1990s the 1957 addition was separated from the adjacent 1876 building and converted into apartments and a third floor was added.⁴



Navy Club, 1995. City of Fremantle Local History Collection Property File.

Physical Description

The southern boundary of West End, Fremantle follows the former shoreline, originally along Croke Lane and, after early reclamation, along Marine Terrace. Some of the earliest buildings in the precinct are along these southern streets, including the Victorian Georgian style Commissariat Buildings (now Maritime Museum) and Victorian Regency style Court House, the latter one of the few single-storey buildings in the precinct. Buildings are sited to address the former seashore, now Esplanade Reserve, with some degree of set-back and spacing between buildings, especially in the southeast area. Buildings are generally less elaborately detailed than other areas of the precinct, and there are several limestone structures, including two large limestone warehouses on Croke Street. The block between Mouat and Cliff Streets has a low limestone perimeter wall.⁵

Navy Club (Fmr), the c. 1880s Masonic Hall, is a two storey rendered building with a balustraded parapet which continues down the Mouat Street side of the building. There is a central portico on the facade with two columns at each corner and a triangular gable; entrance is via the front steps. The ground floor has ashlar effect rendering with cornice and the first floor is smooth rendered. There is an attached three storey rendered apartment block on the east side.⁶

³ Hobbs Winning Leighton & Partners, proposed alterations 1986. CoF Property File

⁴ Alterations 1993 for Noor Di Virgilio & Associates, CoF Property File

⁵ HCWA Assessment of West End Fremantle

⁶ Inherit Place Record, 26 Marine Terrace

26a Marine Terrace is a three storey rendered brick mixed use building which has a zero setback from the front verandah. The ground floor of the building is raised to align with the adjacent former Masonic Hall / Navy Club. The façade is utilitarian in design and its staged construction can be seen with horizontal format windows on the ground floor contrasting with the more vertical format openings on the first and second floors.



26a Marine Terrace, Fremantle, December 2021

IMPACT ASSESSMENT

This assessment is based on the revised drawings received 12/01/22.

26a Marine Terrace is part of the heritage listing '26 Marine Terrace' but is now a separate property. 26a Marine Terrace was constructed as an addition to the historic building between 1957 and 2001 and it has little heritage significance.

Impact on Significance

The impact of the proposed development on the place and the West End Heritage Area was assessed using the heritage values from the ICOMOS Burra Charter, 2013:

Aesthetic value	Minor impact	Condition	No discernible impact
Historic value	No discernible impact	Integrity	No discernible impact
Scientific value	No discernible impact	Authenticity	Minor 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

26a Marine Terrace, a simple three storey masonry building constructed over several stages in the second half of the Twentieth Century, has little heritage significance. However, the place is located on the southern boundary of the West End, Fremantle which is included on the State Register of Heritage Places. These comments discuss the impact that the proposed works to 26a Marine Terrace will have on the heritage values of the West End Fremantle heritage area. The key aspects of the design which will affect the heritage values of the West End are:

- addition of a set back fourth floor
- modifications to the existing façade of the building

The initial design concept for this proposal had a negative impact on the heritage values of the West End but following discussions with the applicant the plans were revised (12/1/22) and the impact of the works were reduced.

The West End Policy LPP3.7 and context of the area

The West End Policy states that 'new development should fit into the established urban structure' and should also 'acknowledge and take formal cues from its character and building typology' of the area.

The Marine Terrace streetscape has a different character to the rest of the West End because of its specific history and location. In LPP3.7 it is described as a distinctive sub-precinct, the 'Esplanade Edge'.

The Marine Terrace streetscape to the west of 26a was established in the 1850s – 1870s and is highly significant as a rare grouping of pre- Goldrush era buildings constructed on land reclaimed from South Bay and associated with the Old Port and Long Jetty at Anglesea Point. Buildings in this area are generally two storey or two storey plus a sub-basement and they are less urban in their design than other areas being set back from the front site boundary. These buildings are also more restrained in their detailing than the Gold Rush era development in the rest of the West End and show the influence of the earlier Victorian Georgian style.

The buildings east of 26a Marine Terrace date from the Gold Rush era and are more urban in form being built against the front and side site boundaries but they are similar in height to the earlier pre-gold rush development to the west.

Additional fourth floor

The height of the proposed building extension will have a limited impact upon the heritage streetscape of the western end of Marine Terrace and the setting of the West End, Fremantle.

- Setting the fourth floor back from the Marine Terrace site boundary will reduce the impact of the proposed development in the vicinity of the building.
- While the fourth floor will be visible from the Esplanade Reserve opposite, the new façade has been designed as a discrete, minimalist form which ties in with the geometry of the existing façade below. The roof deck and service platform has been neatly designed to minimise impact of plant and equipment

Façade remodelling

Minimal changes to the existing façade are proposed to improve the ad-hock presentation of the building created by its history of ongoing additions and change and to differentiate the entrances to the ground floor commercial tenancy and the apartments above.

While it is recognised that changing the façade is difficult when the floor levels and basic building layout are already set, LPP3.7 provides guidance for the types of changes that could be considered based on underlying form, articulation, and detail of surrounding context:

- 1 Generally direct imitation of heritage buildings should be avoided; however, a subtle (as opposed to stark) difference between new and existing is more likely to retain characteristic coherence of the streetscapes than a contrasting modern re-interpretation.
- 2 Articulation: The heritage buildings in the West End generally articulate structural elements such as plinths, engaged piers and floors to create a grid that breaks up the façade and provides modulation and texture. The grid is derived from traditional post and beam construction. Articulation of the façade should have a top – an entablature like element. It should also have a base – a plinth or articulated ground floor to anchor the building.
- 3 Balance: Facades are composed to achieve a balance between vertical elements (such as pilasters), and horizontal elements (such as projecting cornices and entablatures).
- 4 Solid/ Void: Voids and openings should contribute to the rhythm of the streetscape, be aligned both vertically and horizontally, articulate depth and reflect the traditional hierarchical progression of elements

The existing Marine Terrace facade is utilitarian and not particularly well composed as it has been constructed in three stages, however, the design has endeavoured to respond to the local heritage context and does not try to dominate or dramatically contrast with the adjacent heritage buildings.

The initial design of the façade refurbishment to 26a Marine Terrace took its cues from the modest 1957 additions to the Navy Club rather than the culturally significant heritage buildings to the Esplanade Edge of the West End. Unlike the largely intact façade to the former Workers' Club building in Henry Street, the 1957 single storey additions to the Navy Club have no heritage significance and are not suitable guide for facade remodelling with a heritage area. The initial proposal has been modified to remove applied finishes and materials that broke up the façade into interlocking planar elements which would have contrasted with the rhythm created by the solid/ void layout of the surrounding heritage buildings and the balance of the interwoven horizontal and vertical elements. These changes have improved the way that this building sits in the heritage streetscape but the design would benefit further if the perforated screens covering the wall between the large openings to the lift lobbies were also removed leaving only the screens to openings.

Flag Staff

Generally, this lightweight pole structure would be considered acceptable from a heritage perspective because it does not contribute to the bulk and massing of the additions but only if it would not then form a precedent for future height for buildings and additions in the West End.

Roof Deck

Any approval of this element would need to condition that future roofs, shade structures, rooms etc cannot be added onto the roof deck

RECOMMENDATIONS:

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

- the perforated screens covering the wall between the large openings to the lift lobbies are removed.
- Roofs, shade structures and rooms may not be constructed on the roof deck in future.

**PC2022-9 JAMES STREET, NO.12 (STRATA LOT 2), FREMANTLE - SECTION 31
(STATE ADMINISTRATIVE TRIBUNAL) RECONSIDERATION FOR A
WALL SIGN (JL DA0027/21)**

Additional Information 1 – Justification Letter

15th January, 2022

The Chief Executive Officer
City of Fremantle
70 Parry Street
Fremantle WA 6160

Attn: Mr Justin Lawrence
Coordinator Statutory Planning

**WALL SIGN APPLICATION: “FUNKEE MONKEE” SMALL BAR FACILITY;
NO.12 (LOT 2) JAMES STREET, FREMANTLE: DA0027/21
REVISED PROPOSAL FURTHER TO OUTCOME OF MEDIATION:
SAT APPEAL MATTER DR 172/2021**

Dear Justin

Please find attached a revised development proposal for a new wall sign to replace an existing sign attached to the premises at No.12 James Street, Fremantle. This has been prepared further to the outcome of the recent SAT mediation hearing regarding the application previously refused planning consent by the City and presently the subject of appeal. At this hearing both parties agreed to pursue the possibility of a mediated outcome involving Council consideration of a revised proposal that reduced the scale of the proposed sign, originally intended to simply replace the existing signage within its framing.

The constructive and proactive approach adopted by the parties at mediation, with the assistance of the SAT Tribunal Member was greatly appreciated to allow the matter to move forward in the manner prescribed. The applicant sincerely wants to see an outcome that meets both the reasonable needs of his business and the ongoing enhancement of the visual amenity of the site and locality.

Mediation on-site was particularly useful in appreciating the single, unified open space across Nos.8-12 James Street and the visual relevance and proximity of the proposed sign to the subject “Funkee Monkey” premises. It also allowed appreciation of an appropriate scale of signage and impacts upon heritage fabric and context.

The proposal as amended is discussed as follows:

Amended Proposal

Further to the discussions on site, the following amendments are proposed with regard to the subject wall sign

- The proposed sign would be a new, stretched PVC fabric sign contained within new minimal aluminium framing, generally reflecting the form and materiality of the existing approved sign.
- The existing sign is intact, however deteriorated over the time of its existence, particularly given its west facing orientation and openness. The new material will improve this aesthetic.
- The replacement sign will also be significantly reduced in size from that existing. The present sign is 3300mm long by 1800mm high, set 1500mm above the finished level of the carpark and carried up to the underside of the flush eave of the building, with an area of 5.94m².
- The new sign will be 2750mm long by 1640mm high, set 1660mm above the finished level of the carpark, with an area of 4.51m². This represents a 25% reduction in size for the new sign.
- The sign will also be pulled further back from the front corner of the building (900mm in place of the present 350mm), allowing a better reading of the building form. This would allow for further enhancement of the building as seen from the street were its random rubble and brick-quoined exterior restored at some future date.
- The existing sign is externally lit by an obtrusive spotlight, which would be replaced with 2 minimal mini-spotlights on arms, appropriately set out for the new, reduced scale sign.
- The graphics and artwork of the proposed sign has been developed to include directional signage appropriate for the sign's location and purpose, where the "Funkee Monkee" premises is located primarily at the rear portion of the site. The artwork has been developed to enhance its decorative effect in the streetscape, in this developing local precinct.
- The new framing will be minimally fixed to the cement rendered random rubble limestone wall using recessed screws and plugs. The existing fixings will be carefully removed and remnant holes from those fixings filled with lime based putty appropriate to the limestone sub-structure and smooth rendered over to match the existing wall surface.
- Nothing in the proposed sign form or structure would preclude the future restoration of the original brick quoined limestone wall finish (as evident to the west side east side of the building).

*

Where the application was previously determined under delegation at officer level, a revised overview of the proposal and the issues it raises is re-attached for the information of Elected Members.

Background Information

The overall 'site' at Nos.8-12 James Street contains three distinct buildings, including a heritage listed 19th Century former dwelling to the streetfront of No.8, partially tenanted by a hair-dressing and design studio, and a former 1960s industrial warehouse structure to the rear portion, now occupied and fitted out as a small bar facility. A large, bitumenised carpark exists between these buildings and the adjacent commercial premises within a heritage listed 19th Century former pair of semi-detached dwellings at Nos.12-14 to the east, with this parking facility shared during business hours across the three premises. These premises visually present around a single open space from the

street in this regard, with the sidewall of No.12 forming the edge of that communal open space.

Since commencing operations, the “Funkee Monkee “ small bar facility has sought to develop its signage in a comprehensive, effective and responsible way, having particular regard to the requirements of Council’s Local Planning Policy 2.14 “Advertisement Policy”. Further to this, it presently has a small illuminated signboard attached above the pergola to its main rear building, set far back from the street, a recently approved digital pylon sign to be installed in place of the present deteriorated pylon sign to the front of No.8., and is seeking the subject wall sign attached to the building bordering the east side of the site.

These three signs will collectively provide visibility to the premises as approached from both the east and west along James Street, and also as seen directly from the street. This is particularly necessary given the building arrangement on site and type of operation.

Simple reuse of an existing, previously approved stretched PVC fabric wall sign to the sidewall of No.12 was originally proposed in completing this arrangement. This sign remains presently unallocated, while both operations within Nos.12-14 already possess comprehensive approved signage arrangements. The owners of No.12-14 have supported the application for use of this sign by “Funkee Monkey” in conjunction with the owner of No.8.

The present amended proposal provides for the replacement of this original sign rather than its simple reuse, also allowing for a significant reduction in size and improvement of materiality and appearance in relation to the heritage building, as already detailed above.

Statutory Requirements / Heritage Considerations

The subject wall sign is existing and approved in present form, however its proposed use in association with No.8 adjacent alters its technical status in terms of applicability.

Cl.61 of Schedule 1 of the Planning and Development (LPS) Regulations would ordinarily not require a planning application for signage that is consistent with Council’s Local Planning Policy 2.14 “Advertisement Policy”, other than where the subject site/s is contained on the City’s Heritage List. Both Nos.8 and 12 are so listed and a development application is therefore required having regard to the protection of heritage significance and amenity.

The existing wall signboard meets the definition for this sign type under the P&D (LPS) Regulations.

The relevant parts of LPP2.14, as the guide for consideration of the application under the Scheme / Regulations are referred to as follows.

- The sign meets the definition for a “Wall Sign” under the Policy Definitions, where it is “...an advertisement attached...on a wall...or on a structure that protrudes no more than 50mm from the building”.

- It meets the definition of an “Illuminated Sign” where it is...”an advertisement illuminated by ...external lights...that do not flash, change intensity or pattern.”

The proposal meets all the general requirements of Pt.1 of the Policy, other than arguably in a technical sense with regard to (h), where the proposed signage relates to the adjacent premises at No.8. Justification in relation to this discrepancy is provided in relation to Pt.3.1 of the Policy, under which variation to the policy can be considered, as follows.

- The signboard is located within and directly addresses the open space / carpark between the three buildings on Nos.8-12 that surround the carpark, creating a single ‘site’ in visual terms. The space has been recently upgraded and beautified to enhance this sense of unity, in conjunction with a joint parking arrangement between the owners of the two sites that maximises off-street parking within this clear space.
- S.1.1(h) refers to the “site” on which the subject operation and sign are located. There is no definition of the term “site” contained in LPS4, Planning and Development Regulations 2015 or the Advertisement Policy LPP2.14. In this context a common-sense interpretation of the term “site” should be applied and the “site” for Funkee Monkee” premises clearly extends to the side wall of the adjacent building at No.12, visually, practically and technically.
- The policy does not refer to “tenancy” as defining “site” for any purposes of the policy’s application. Such approach would likely exclude a whole range of extant signage in the City of Fremantle where signage, though proximate to tenancies would not be contained specifically on their included site portions.
- The carparking immediately adjacent to the sidewall of No.12 and located on that lot does in fact form part of the effective tenancy for the “Funkee Monkee” where a significant portion of those bays are specifically allocated for the exclusive use of the tenants of No. 8 James Street, subject to agreement between the owners of Nos.8 and 12-14. Allocated off-street parking for the premises forms a significant part of Funkee Monkee’s operation.
- The shared parking arrangement greatly increases on-site parking for Nos.12-14, with commensurate parking bays logically and necessarily provided for the use of No.8 tenancies as a consequence. This is strongly consistent with the requirements and objectives of LPS4 and consistent with the previous development approvals for tenancies at No.8.
- In the above context, the west side elevation of the cottage at No.12 forms the effective visual edge of the overall ‘site’ upon which the “Funkee Monkee” small bar is located and operates. There is no visual reference to the technical lot boundary located some 5.8m west of this wall face; indeed the parking bays straddling this boundary remove any notion of such division.
- Where the proximity of the subject premises is so immediate to the location of the sign, the intent of the Policy to prevent random billboard advertising signage throughout the City is clearly met. Proximate advertising signage is not unusual in traditional town centres, particularly with multi-tenanted heritage buildings set up to boundaries.
- The subject signboard is ideally located to direct attention to the ‘Funkee Monkee” premises; there is an immediate visual relationship between the sign and the rear-set premises beyond it that are seen together from James Street. The signboard is arguably more relevant to this premises than to the premises to which sidewall it is actually attached. Note also that the existing, redundant advertisement was for No.14 (contained on a separate Lot), while previous use has included non-site related billboard advertising.
- The present desirable open space arrangement achieved between the subject buildings effectively prevents the erection of a wall sign to the technical west side boundary of Nos.8-10. Alternative reinstatement of a short portion of the former boundary wall would provide

such opportunity for the small bar in strict compliance with the Policy requirement, however is arguably not desirable in townscape terms nor beneficial to the presentation of heritage buildings in the street.

- A short section of this former wall can be reinstated to permit strictly compliant advertising, should Council not support the practical and reasonable use of the existing signboard as applied for. This can be done so as to retain a disability parking bay to the front of No.12, directly accessed from James Street via its own crossover.

Consequent to considering the proximate location of the board as meeting the general requirement for site-specific advertising, the requirements of Pt1.(h) may be considered to be met in practical terms.

With regard to Pt.2.4 re wall signage, the subject extant signboard use meets the requirements for appropriate scale, while the number of streetfront signs for the Funkee Monkee tenancy would not exceed three, in compliance with 2.4 (b).

Similarly with regard to Pt.4 re specific heritage requirements, the subject sign is existing / approved and therefore notionally deemed appropriate to its location / setting re the heritage building. Notwithstanding this, the sign is carefully located to be respectful of the scale and building arrangement, set well forward of the first window opening and beyond the front verandah / building corner in accordance with Pt.4.2(a). The sign is also applied separately over the heritage fabric and lightly attached so as to minimise / eliminate any permanent damage to the limestone wall fabric.

Utilising the existing sign rather than alternatively applying a sign to a reinstated boundary wall length (as already discussed) is also consistent with Pt.4.2(b).

The supplied graphic demonstrates a compatibility with the building, also reflecting the application of murals and signage seen throughout the City more recently. The draft artwork within the signage has been specifically considered to contribute to the evolving diverse cityscape in this regard.

*

The grounds of appeal provided to SAT summarise the above considerations and are attached as follows;

What decision do you want the SAT to make?

Further to Cl.76(2) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, to approve the application for a Wall Sign Advertisement at No.12 James Street, Fremantle, in accordance with Cl.67(g) of those provisions having regard to the character and amenity of the area and the relevant provisions of the City of Fremantle's Local Planning Policy 2.14

On what grounds are you seeking review

- *The proposed wall sign has been considered and applied for having full regard to the various provisions of Council's Local Planning Policy 2.14 "Advertisement Policy" and the character and amenity of the area in which it is located.*

- *The proposal utilizes an existing sign structure attached to the building and replaces the existing deteriorated image panel with a new tensioned fabric advertisement.*
- *The signboard in its present form and configuration has been extant and in use on the building since at least the 1990s, without apparent concern by the Local Government or any other parties.*
- *The signboard is appropriately scaled to the premises and does not impact the appearance of physical integrity of the simple heritage building to which it is lightly attached. Note that no reference was made in Council's refusal of the application to Cl.67(k) & (l) of the Deemed Provisions having regard to visual impact on a heritage premises or its immediate setting.*
- *The subject signboard fully meets the requirements of Cl.2.4.1 of LPP2.14 having regard to wall signs, further to the definition contained in Pt.1 of the Policy.*
- *The proposed sign meets the letter and intent of Cl.1.1(h) (ii) 7 (iii) where the subject sign is located at the edge of the 'site' visually occupied and accessed / used by the "Funkee Monkee" premises. Note that the business uses land on both the subject lot and the neighbouring lot (Lot 857, No.8 James Street), as part of its formalized lease of its premises.*
- *A formalized agreement between the owners of No. 8 and Nos.12-14 James Street provides for shared parking and vehicular access between the premises for their various tenants, with the effective operational site for the "Funkee Monkee" premises extending up to the wall of the building at No.12 on which the subject sign is located.*
- *The shared carpark to all premises forms a single visual space as seen from the street, with the sign directly facing and addressing the premises which the advertisement is proposed to serve. There is no a remote proximity or unrelated context as otherwise implied in the Council's refusal further to Cl.1.1(h).*
- *No specific definition of the term "Site" as referred to in Cl.1 (h) of LPP2.14 is contained in that policy, nor in the Planning and Development Regulations 2015 or Councils LPS4. A common-sense definition of site must therefore be logically be applied and which, it is contended is clearly and reasonably met in this case.*
- *Notwithstanding the above policy compliance, LPP2.14 at Cl.3.1 further allows Council to vary any technical requirements of Cl.1 of the policy subject to consideration of cumulative visual effects on the surrounding locality and the subservience of the proposed sign to the building with which it is associated. It is contended that the proposed sign fully meets these criteria and should be favourably considered.*

*

Desired Outcome

Where the wall sign as amended is highly relevant to its site, wholly respectful of its heritage and streetscape settings and closely related to an existing sign structure, without any proliferation of additional or irrelevant signage, it is hoped the City will support a proactive interpretation and application of its policy in this instance and as discussed in mediation.

The applicant believes the proposed wall sign is clearly consistent with the policy as both worded and intended to be applied and therefore directly approvable as such. Notwithstanding this conformity, the application of discretion with regard to the relevant portions of the Policy remains available to the City at S.3.1 should this be considered necessary. It is hard to imagine any signage situation that could more appropriately warrant the exercise of that discretionary power. Clearly the provision is specifically included in the Policy to support appropriate applications. Where such clearly site-

specific considerations pertain, we believe there is no threat of inappropriate precedent in Council varying the requirements of Pt.1(h) under Pt.3 of its Advertisement Policy to approve the application.

This proposed signage is of very great operational and commercial significance to the “Funkee Monkee” premises, having particular regard to its setting away from the streetfront, but also adding to the visual aesthetic of the premises and streetscape generally. The present tenant and owner of the site have over recent years undertaken significant building and landscaping works (hard and soft) to the site that have greatly improved its streetscape contribution and visual appeal. The proposed sign will further contribute in this regard.

Council’s assistance in reconsidering and supporting the revised application will be greatly appreciated. Should you have any queries or require further information or clarification, please contact the applicants or myself on tel. 0405 738 881 or at jwkahp@inet.net.au. We are very happy to meet or further discuss the proposal with Councillors and staff if desired.

Yours sincerely

John W. Kirkness
B.A.(Hist), B.Arch.

for

Ravi Mehta & Rajnesh Palan
“Funkee Monkee”
8 James Street, Fremantle

Additional Information 2 – Refused Development Plans

Application no: DA0027/21
Enquiries: Justin Lawrence
Telephone: 1300 693 736
Email: planning@fremantle.wa.gov.au



27 April 2021

City of Fremantle
ABN: 74 680 272 485
PO Box 807, Fremantle WA 6959
T 08 9432 9999 F 08 9430 4634
TTY 08 9432 9777
E info@fremantle.wa.gov.au

R Mehta
8a James Street
FREMANTLE WA 6160
(Emailed to fremantle@funkeemonkee.net.au and jeverett@aapt.net.au)

Dear Sir / Madam

Address: 12 James Street FREMANTLE WA 6160
Lot and plan: Lot 2 STPin 5902
Application: Wall Sign Addition to existing building

The City of Fremantle, in accordance with the requirements of the City of Fremantle Local Planning Scheme No. 4 and the Metropolitan Region Scheme, has decided to **refuse town planning approval to commence development** in accordance with the plans and elevations dated **18 January 2021** subject to the conditions and advisory notes on the attached Notice of Determination.

Pursuant to Clause 76 of the Planning and Development (Local Planning Schemes) Regulations 2015, if the applicant and/or owner is aggrieved by the decision of the Council, as a result of a condition of approval or by a determination of refusal, there may be a right to apply for a review of the decision.

This application must be made in accordance with the provisions of Part 14 of the *Planning and Development Act 2005* and be lodged with the State Administrative Tribunal within twenty eight (28) days of the receipt of the decision letter.

The contact details of the State Administrative Tribunal are as follows:

State Administrative Tribunal	Telephone: (08) 9219 3111
565 Hay Street	Tollfree: 1300 306 017
PERTH WA 6000	Website: www.sat.justice.wa.gov.au

A copy of the application for review of the decision must be served on the local authority, which is the City of Fremantle

Please quote application number DA0027/21 in any future correspondence relating to this application. If you require any further information in relation to this determination, please contact the assessing officer by telephone or by e-mail at planning@fremantle.wa.gov.au.

Yours faithfully



Julia Kingsbury
Manager Development Approvals

Enc:
Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Notice of Determination

CC
J E Everett, J A Everett
49 Goldsmith Street
NEDLANDS WA 6009



PLANNING AND DEVELOPMENT ACT 2005

City of Fremantle

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Location: 12 James Street FREMANTLE WA 6160

Lot: Diagram/ Plan: Lot 2 STPin 5902.....

Vol. No.: 1500 Folio No.: 661

Application date: 18 January 2021..... Received on: 18 January 2021

Description of proposed development: Wall Sign Addition to existing building

The application for development approval is:

☒ Refused for the following reason(s):

1. The proposal is inconsistent with the City of Fremantle's Local Planning Policy 2.14: Advertisements, having regard to character and amenity of the area and third-party advertising use of the signs in accordance with Cl. 67(g) of the *Deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015*.

Date of determination...20 April 2021.....

Note 1: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

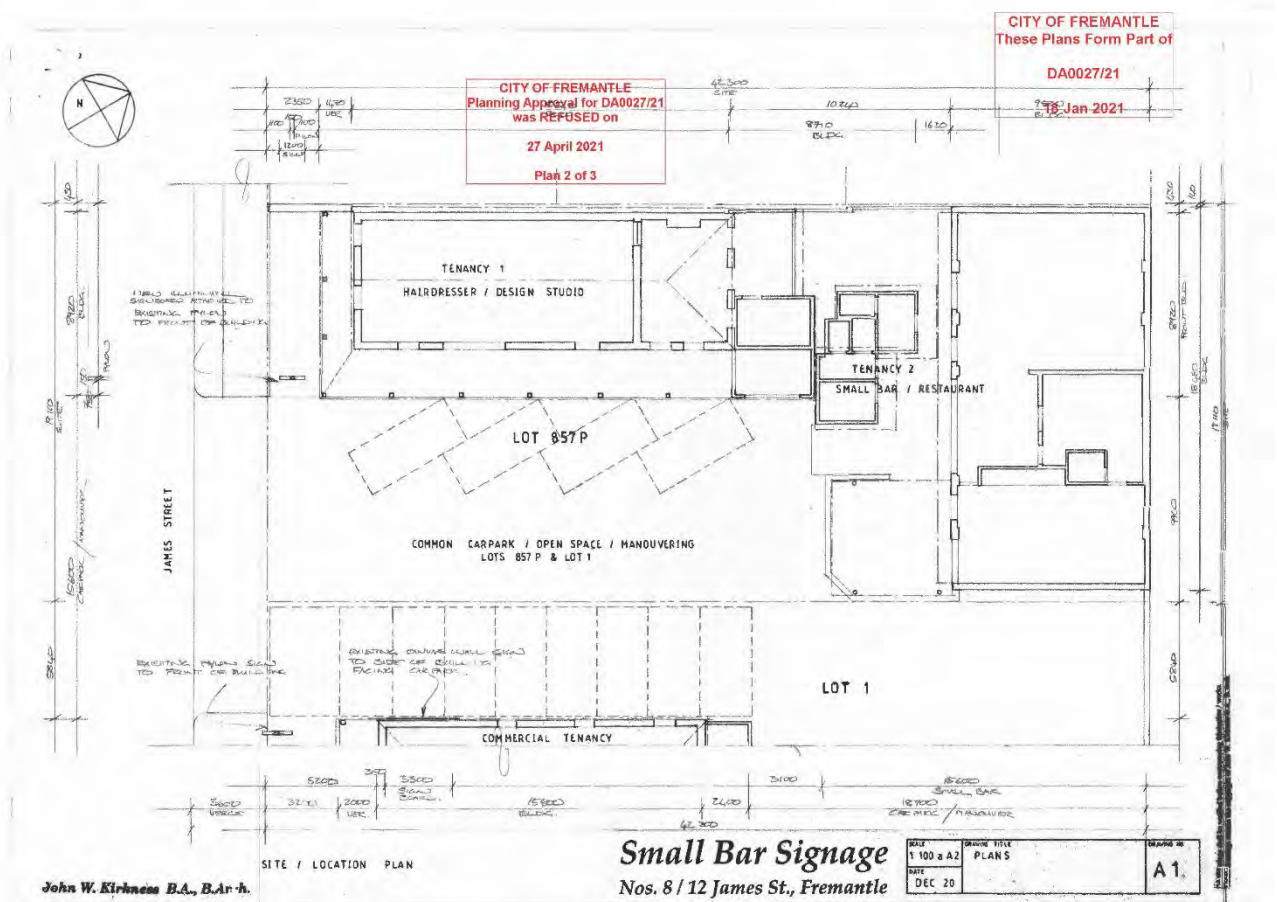
Note 2: This planning decision is confined to the authority of the Planning and Development Act 2005 and the City of Fremantle Local Planning Scheme 4. This decision does not remove the obligation of the applicant and/or property owner to ensure that all other required local government approvals are first obtained, all other applicable state and federal legislation is complied with, and any restrictions, easements, or encumbrances are adhered to.

Signed: Dated: 28/4/21

For and on behalf of the City of Fremantle.

CITY OF FREMANTLE
Planning Approval for DA0027/21
was REFUSED on
27 April 2021

CITY OF FREMANTLE
These Plans Form Part of
DA0027/21





Additional Information 3 - Site Photos



Picture 1 - 8 James Street to left and 12 James Street to the right



Picture 2 – ‘*Funkee Monkee*’ Small Bar at rear of site between the two buildings at 8 and 12 James Street, Fremantle.

**PC2202-10 SUMPTON STREET, NO. 6 (LOT 152), HILTON – RETROSPECTIVE
ANCILLARY DWELLING ADDITION TO EXISTING SINGLE HOUSE (ED
DA0370/21)**

Additional Information 1 – Site Photos

Photos 1 and 2: Subject site and retrospective ancillary dwelling on site as viewed from
Snook Crescent





Photo 3: Retrospective Ancillary Dwelling as viewed from footpath west of site



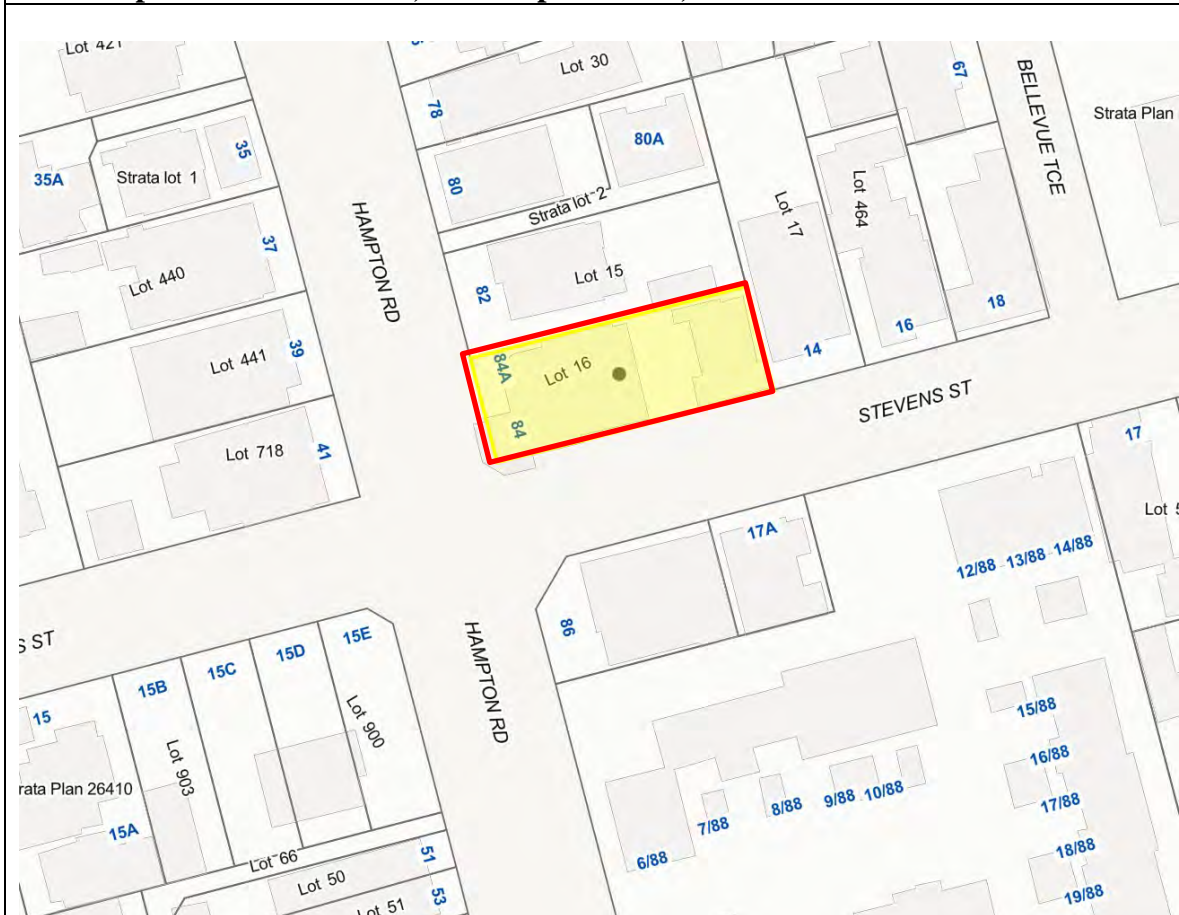
Photo 4: Retrospective ancillary dwelling as viewed from street corner (Snook Crescent and Sumpton Street), toward eastern end of subject site.



PC2202-12 LOCAL HERITAGE SURVEY AND HERITAGE LIST - ANNUAL UPDATE 2021 – OUTCOMES OF CONSULTATION

Additional Information 1 – Heritage Assessments

2.1 Shop & Attached House, 84 Hampton Road, Fremantle



ESRI Mapping 2021



City of Fremantle 2021.

84 Hampton Road Fremantle

History:

Refer to attached Heritage Assessment

Physical Description:


Refer to attached Heritage Assessment

Statement of Significance

84 Hampton Road, a brick and terracotta tile corner shop with attached house has some cultural heritage significance for its contribution to the heritage of Fremantle in terms of its individual and collective aesthetic, historic, social or scientific significance, and its contribution to the streetscape, local area and Fremantle. Its contribution to the urban context should be maintained and enhanced and its conservation is required.

84 Hampton Road has cultural heritage significance:

- as a good example of an Inter-War corner shop

	<p>and attached house which shows the influence of the Inter-War Californian Bungalow style of architecture;</p> <ul style="list-style-type: none"> - for the contribution that it makes to a substantially intact late nineteenth and early twentieth century streetscape close to the centre of Fremantle; and - as an illustration of traditional suburban development and patterns of shopping that developed prior to the rise of universal car ownership and the establishment of large shopping malls
<p>City of Fremantle 2021.</p>	<p>Current Heritage Listings Local Heritage Survey – No current listing Heritage List – No current listing</p>
<p><u>Why was the property identified for review in 2021?</u></p>	<p>Referred by individual on behalf of current owner and previous tenant.</p>
<p><u>Current listings</u> Heritage Place Name</p>	<p>SHOP AND ATTACHED HOUSE, 84 Hampton Road</p>
<p>Heritage listed CoF</p>	<p>No</p>
<p>Management Category</p>	<p>None</p>
<p>Local Heritage Survey listed</p>	<p>No</p>
<p><u>Comment</u></p>	<p>84 Hampton Road, a brick and terracotta tile corner shop with attached house has some cultural heritage significance for its contribution to the heritage of Fremantle in terms of its individual and collective aesthetic, historic, social or scientific significance, and its contribution to the streetscape, local area and Fremantle. Its contribution to the urban context should be maintained and enhanced and its conservation is required.</p>
<p><u>Recommendation</u></p>	<ul style="list-style-type: none"> - 84 Hampton Road should be included on the Heritage List - 84 Hampton Road should be included on the Local Heritage Survey as a management category Level 3 place

2.2 Hi Fidelity Recording Studio (Fmr.), 63 Thompson Road, North Fremantle



ESRI Mapping 2021



City of Fremantle 2021.

63 Thompson Road

History:

Refer to attached Heritage Assessment

Physical Description:

Refer to attached Heritage Assessment

Statement of Significance

Hi Fidelity Recording Studio (Fmr.), 63 Thompson Road, a concrete block commercial building from the Late Twentieth Century has considerable cultural heritage significance in its own right within the context of Fremantle and its conservation is a priority.

Hi Fidelity Recording Studio (Fmr.), 63 Thompson Road has cultural heritage significance for the following reasons:

- It has aesthetic and rarity value as a simple but well composed example of the work of Iwan Iwanoff and as an idiosyncratic example of the Late Twentieth Century Brutalist style of architecture,
- it has historic and social value as an example of the light industrial and commercial development that was established in North Fremantle between the 1890s and 1970s. It illustrates the development of this traditional mixed use industrial and residential working class area before the rise of car ownership and the introduction of Post-War zoning plans, and
- it contributes to the character of the North Fremantle Heritage Area

Current Heritage Listings

	Local Heritage Survey – No current listing Heritage List – No current listing
<u>Why was the property identified for review in 2021?</u>	Referred by community member – writing a book on Architect, Iwanoff
<u>Current listings</u> Heritage Place Name	HI FIDELITY RECORDING STUDIO (Fmr.), 63 Thompson Road, North Fremantle
Heritage listed CoF	No
Management Category	None
Local Heritage Survey listed	No
<u>Comment</u>	Hi Fidelity Recording Studio (Fmr.), 63 Thompson Road, a concrete block commercial building from the Late Twentieth Century has considerable cultural heritage significance in its own right within the context of Fremantle and its conservation is a priority.
<u>Recommendation</u>	<ul style="list-style-type: none"> - 63 Thompson Road should be included on the Heritage List - 63 Thompson Road should be included on the Local Heritage Survey as management category Level 2 place.

1. Policy intent

The intent of this Position Statement is to guide the appropriate location and management of tourism land uses through the planning framework and:

- facilitate acceptable development of new and evolving tourism opportunities
- provide a high-level of amenity in tourism areas
- deliver quality land use planning outcomes.

2. Planning for tourism in Western Australia

Western Australia's many natural and man-made features and attractions provide substantial opportunities for tourism, which is a significant contributor to the State and local economies, particularly in regional areas.

Tourism encompasses an array of development types, sizes and locations, and includes accommodation, attractions, facilities, infrastructure and other ancillary services.

Appropriate planning and management of tourist areas and uses is necessary for their promotion and retention, to prevent encroachment from incompatible land uses, to protect the amenity, environmental and landscape values

of tourist areas, and to address potential land use conflict. Planning for tourism must be capable of adapting to changes in the sector and the consideration of value-add opportunities.

Local governments are encouraged to consult with Tourism WA and other relevant State Government agencies, tourism associations, local operators and the local community when undertaking planning for tourism as described within this Position Statement.

3. Application of this Position Statement

This Position Statement applies to all tourism proposals within all regions of Western Australia and should be applied in conjunction with the draft Planning for Tourism Guidelines (the Guidelines), available [online](#).

In this Position Statement the term 'tourist accommodation' refers to all tourist accommodation land uses provided within the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) and this Position Statement (at Table 1). Where a land use definition within this Position Statement differs to that within the LPS Regulations, it is intended to update the LPS Regulations such that the land use definition is consistent with this Position Statement.

Note for consultation:

This Position Statement will supersede and replace *Planning Bulletin 49 Caravan Parks 2014*, *Planning Bulletin 83 Planning for Tourism 2013* and *Planning Bulletin 99 Holiday Home Guidelines 2009*.

Land use definitions for short-term rental accommodation are either new or have been modified (refer to section 6 of this Position Statement). Notably, it is proposed to delete the 'bed and breakfast' land use definition from the model definitions of the LPS Regulations and combine it into a new land use definition for 'hosted accommodation'. Refer to Table 1 of this Position Statement for more information.

3.1 Exclusions

This Position Statement is not intended to capture the following forms of short-term and temporary accommodation, which are often subject to either alternative guidance and legislation or approaches by local government (further information available in section 4 of the Guidelines):

- house swapping and house sitting
- lodgers and boarders
- personal use of a holiday home or the sharing of a holiday home with the owner's family and friends
- student exchange accommodation
- workforce accommodation
- residential parks, park home parks, lifestyle villages.

4. Policy objectives

The policy objectives for planning for tourism are to:

- Provide a strategic approach to the sustainable development and management of tourism land uses by ensuring decision-making is guided by a local planning strategy which reflects the demand for local and regional tourism.
- Identify opportunities and protect locations, tourism precincts and sites (existing and potential) where demand for future tourism land use and development have been identified. The character, landscape, visual amenity, economic, social, cultural and environmental values of natural and/or built features that may have future tourism potential should be protected; any negative impacts minimised; and, where possible, values enhanced.
- Plan appropriate infrastructure and services necessary to support tourism development and ensure new and expanded tourism development has secure access to services/infrastructure.

- Recognise that the commercial sustainability of tourism may require flexibility in product mix, site design and risk mitigation approaches. Promote the co-location of complementary and compatible tourism land uses to create identifiable tourism precincts that benefit tourism amenity.
- Ensure land use impacts between tourism activities and other land uses (including residential areas) are appropriately managed.

5. Policy measures

Local government are best placed to plan for tourism within their communities, with local knowledge of tourism activity, opportunities, constraints, including potential impacts and what requirements, if any, should be placed on tourism proposals.

5.1 General measures

In general, strategic and statutory planning decisions should:

- Encourage a range of tourist accommodation choices and experiences as required.

- Encourage sustainable eco-tourism that recognises and complements Western Australia's unique and sensitive natural environment, heritage and Aboriginal culture.
- Give effect to this Position Statement and Guidelines, and the *State Government Strategy for Tourism in Western Australia 2020* (as amended).
- Be consistent in the use of tourism land use and accommodation definitions contained in this Position Statement, the LPS Regulations and *State Planning Policy 7.3: Residential Design Codes*.
- Promote the location of tourist accommodation in areas with the highest tourism amenity (for example beach access, views, facilities, availability of services) and adequate separation from, or management of, any interface with residential land uses.
- Ensure areas used exclusively for tourism sites and precincts are zoned as Tourism or Special Use.
- Ensure that new and proposed caravan parks are zoned Special Use - Caravan Park to provide long-term security as a caravan park use.

<ul style="list-style-type: none"> • Maintain and support existing tourism and special use sites. Rezoning should only be supported if it is demonstrated that a tourism site is unfeasible in the long-term because of a lack of tourism demand, sustainable tourism function and a long-term decline of all tourism activities and accommodation types in the region. • The inclusion of any land uses other than tourism land uses on tourism zoned land should be considered on a case-by-case basis. Consideration should include whether there is appropriate infrastructure and a planning framework that supports uses other than tourism on tourism zoned sites. <p>The inclusion of permanent residential uses requires close consideration to ensure tourism remains the primary use of a site and a quality tourism outcome is achieved in conjunction with any residential component.</p> <ul style="list-style-type: none"> • Where permitted, tourism uses on agricultural or rural land should be secondary to agricultural and/or rural uses to protect the primacy of the land for rural uses (for example farm stay, restaurant 	<p>at vineyard, farm gate sales) as provided by <i>State Planning Policy 2.5: Rural Planning</i>.</p> <ul style="list-style-type: none"> • Proposals in areas subject to natural hazards (bushfire, coastal, cyclone and flood prone areas) are to meet the requirements set out in the relevant State planning policies (2.6: <i>State Coastal Planning, draft 2.9 Planning for Water</i>, 3.4: <i>Natural Hazards and Disasters</i> or 3.7: <i>Planning in Bushfire Prone Areas</i>). The <i>Position Statement: Tourism land uses in bushfire prone areas</i> should also be given consideration in decision-making. • Where coordination is required (for example across multiple sites, stages or for infrastructure provision), proposals within tourism precincts or sites should be informed by the preparation of a structure plan and/or local development plan as appropriate. These plans should be required prior to subdivision or development approval. 	<p>development of a local government area. The local planning strategy also provides the line-of-sight between state-wide strategic planning and policy to the local framework and decision-making.</p> <p>Local government are encouraged to incorporate a tourism component to ensure strategic tourism needs are addressed. The extent to which tourism is examined within the local planning strategy should be proportionate to the significance of tourism to the community and local economy.</p> <p>The tourism component of the local planning strategy should:</p> <ul style="list-style-type: none"> • Reflect on the existing planning framework (including the local planning scheme and relevant local planning policies) and whether it is fit-for-purpose and achieving the tourism outcomes being sought. • Discuss current and emerging tourism trends and issues, including the provision of information on existing tourism, aspirations for long-term tourism and existing problems related to tourism. • Where tourism is significant to the locality or region, it should include substantial detail on tourism such 	<p>as an accommodation supply and demand analysis, the rationale for determining future land allocation (site size and location), suitable planning controls and anticipated tourism infrastructure needs.</p> <ul style="list-style-type: none"> • Identify suitable tourism sites and precincts in accordance with locational criteria developed by the local government and ensure these are located appropriately to townsites and in proximity to the features and attractions they are intended to serve. Locations identified for tourism should be consistent with other existing policies. • Outline suitable planning controls to guide and manage tourism uses that will need to be incorporated in the local planning scheme. • Be consistent with this Position Statement.
	<h2>5.2 Local planning strategy considerations</h2> <p>The local planning strategy provides the long-term planning directions and actions to manage the change and</p>		<h2>5.2.1 Caravan parks</h2> <p>Caravan parks are a fundamental component of the tourism accommodation mix and can experience competing demands from short-term and long-term guests. In addition, the demand for land in tourist locations has</p>

contributed to numerous caravan park closures throughout Western Australia.

Strategic planning for caravan parks should:

- Ensure development and long-term retention of caravan parks as a form of short-stay (affordable) accommodation primarily for leisure tourists.
- Recognise that the commercial sustainability of caravan parks requires some flexibility in product mix, site design and risk mitigation approaches.
- Ensure any new caravan parks are located appropriately for their context and intended market and function.

5.2.2 Short-term rental accommodation

Short-term rental accommodation is the collective name given to holiday homes, units or apartments (usually built for residential purposes) offered for short-term letting, often through an online booking platform or management agent. Short-term rentals are either hosted (where a permanent resident (host) is present) or unhosted (where guests have

exclusive use of an entire house, unit or apartment). Commonly, they can be:

- A family holiday home, periodically offered as a short-term rental.
- A property purchased for the sole intent of operating a short-term rental operation.
- Residents looking to let spare bedrooms on a short-term basis.

The success of online booking platforms offering short-term rental accommodation has seen a rapid increase in short-term rentals, with high concentrations occurring in popular tourist locations. In some cases, the rapid growth in the short-term rental market has placed management and compliance stress on local governments and can have a variety of negative flow on effects.

Local government should consider whether specific attention needs to be given to short-term rental accommodation in the local planning strategy. In areas where short-term rentals are in low demand and do not cause significant community concern, addressing the topic within the local planning strategy may be unnecessary.

Note for consultation:

Concurrent with the release of this draft Position Statement, the State Government is working towards implementation of a registration scheme for hosted and unhosted short-term rental accommodation, which was a key recommendation of the 2019 Economics and Industry Standing Committee's inquiry "Levelling the playing field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia". Further information on the registration scheme is available from <https://www.dlgsc.wa.gov.au/>.

the relationship with permanent housing provisions and the traditional accommodation provision.

Considerations may include:

- Identification of the existing short-term rental accommodation supply.
- Assessment of current and future short-term rental demands informed by Tourism WA and Australian Bureau of Statistics data, local government data and other planning documents.
- Identification of short-term rental accommodation opportunities.

Evidence from other jurisdictions (and increasingly from tourism locations in the South West) indicates that a rapid growth in or high supply of short-term rentals may affect the availability of long-term rentals and housing choice for longer-term residents of a community.

Local governments with areas subject to a high supply of short-term rental accommodation and relatively stable housing growth are encouraged to monitor the situation in their communities and adjust policy settings as appropriate.

5.2.2.1 Supply, demand and pressures associated with short-term rental accommodation

To help understand current and emerging trends and issues, local governments are encouraged to undertake a short-term rental accommodation supply and demand analysis. A supply and demand analysis should include consideration of the short-term rental market,

5.2.2.2 Location of short-term rental accommodation

Consideration should be given to the appropriate location of short-term rental accommodation; where it should be prioritised, permitted or avoided to further strategic planning objectives, enhance the tourism experience and avoid adverse impacts on surrounding land uses.

It is recognised that there is variation amongst local government in approaches taken, from broad acceptance of short-term rental accommodation in all residential areas, through to consideration in selective locations and/or prohibiting in others.

In seeking to guide the location of short-term rental accommodation, the following considerations may be relevant to the local government:

- Provision of and access to tourist amenity proximity to social, cultural, and leisure attractions, and accessibility to transport routes and public transport services.
- Adequate standard of services and infrastructure necessary, for example reticulated or drinking water supply and service, capacity of on-site solutions.

- Locations to minimise adverse interface issues, particularly amenity impacts on surrounding residential and other land uses (for example rural).
- Risk of natural hazards and the extent of measures which may need to be in place to address the level of risk.
- Any other relevant planning consideration and/or policy instruments within the planning framework.

5.3 Statutory planning considerations

The local planning scheme and supporting local planning instruments (such as local planning policies) give effect to local strategic planning through statutory land use and development control.

Local planning schemes and amendments should:

- Include a range of tourism and mixed-use zonings allowing for tourism development and the permissibility of land uses in each zone, to provide for a diverse tourism industry consistent with the local planning strategy.

- Utilise land use definitions as set out in this Position Statement and LPS Regulations.

To complement local planning scheme provisions and guide the exercise of discretion, local government may utilise local planning policy to inform land use and development decisions.

The Guidelines provide further guidance on statutory planning considerations and approaches.

5.3.1 Caravan parks

To support the policy objectives a local planning scheme should:

- Zone caravan parks as Special Use - Caravan Parks to provide long term security of use of the site as a caravan park.
- Identify caravan parks as a permitted (P) use in the Special Use - Caravan Parks and Tourism zones.
- Encourage the development and redevelopment of caravan parks in a manner that responds appropriately to the environment economy and context.

The rezoning of Tourism or Special Use - Caravan Park zoned sites to residential, commercial or alike zones is generally considered inconsistent with the objectives of this Position Statement. However, if a rezoning is proposed it should be justified and assessed in context of this Position Statement, the Guidelines, and the relevant local planning strategy. Where it can be demonstrated that a caravan park site is no longer required, and this is supported by the Western Australian Planning Commission (WAPC) in consultation with relevant stakeholders, including long-stay tenants, the WAPC may recommend that the Minister for Planning approve the rezoning subject to all other relevant planning considerations.

5.3.2 Short-term rental accommodation

Short-term rental accommodation is divided into two categories: hosted and unhosted. Local planning schemes can control the desired location of short-term rental accommodation through a combination of zoning and land use permissibility. Development control measures can be set through local planning schemes and local planning policies to manage size, location and potential amenity impacts.

Note for consultation:

The WAPC is considering recommending to Government to exempt the following forms of low-scale short-term rental accommodation from the need to obtain development approval:

Hosted accommodation

Hosted accommodation in a single house (or ancillary dwelling), grouped or multiple dwelling, which does not exceed a maximum of four adult persons (or one family) and a maximum of two guest bedrooms. This form of short-term rental accommodation is considered low-scale because the host resides on site, can manage any issues with guests and the tourism/commercial use of the property is incidental to the permanent residential use.

The cap of a maximum of four adult persons (or one family) and a maximum of two guest bedrooms is the same cap currently provided within the model definition of 'bed and breakfast'. The 'bed and breakfast' land use definition is proposed to be deleted from Schedule 1 (Model Provisions) of the LPS Regulations.

Unhosted accommodation

Unhosted accommodation in a single house, grouped or multiple dwelling where it is let for no more than 60 days per calendar year.

Note: This exemption is for a change of use. Unhosted accommodation in a single house, grouped or multiple dwelling operating for more than 60 days per calendar year would be subject to the requirements of the relevant local government's local planning framework.

Subject to the results of consultation, amendments to the LPS Regulations may be undertaken to make hosted and unhosted accommodation, which meet the conditions outlined above, forms of development for which development approval is not required.

It is proposed that these forms of short-term rental accommodation would still be required to register with the state-wide registration scheme.

5.3.2.1 Hosted accommodation

For new schemes, scheme amendments and scheme reviews, local government should incorporate the land use definition for 'hosted accommodation' (refer to Table 1).

To regulate forms of hosted accommodation through the local planning scheme or local planning policy, the following considerations may be relevant:

- Locational factors which may assist in determining appropriate locations for hosted accommodation within residential areas (refer to the Guidelines for further information).
- Suitability of the premises with regards to building design and form.
- Minimum car parking requirements.
- Servicing requirements, such as access to drinking water and wastewater systems.
- Room and guest caps.
- Preparation and approval of a management plan.
- Time or frequency of use limits.

Other building or health licensing requirements may also apply outside of the planning system, such as provisions relating to swimming pools, the serving of food, the provision of fire safety equipment and evacuation measures.

5.3.2.2 Unhosted short-term rental accommodation

Local government has the flexibility to regulate unhosted short-term rental accommodation through its local planning framework to respond to local conditions (subject to regulatory processes). This Position Statement sets out considerations and approaches to achieve this.

It is acknowledged there are various approaches to the regulation of unhosted short-term rental accommodation currently undertaken across Western Australia. The regulatory and policy response of the local government should be proportional to the significance of the issues arising from unhosted short-term rental accommodation in their municipality. In determining the appropriate way to regulate unhosted short-term rental accommodation the following statutory planning mechanisms can be considered:

<ul style="list-style-type: none"> Utilising the zoning table, land use permissibility and other scheme mechanisms to control the locations whereby unhosted short-term rental accommodation proposals may be designated either permitted, discretionary, discretionary with advertising, or prohibited. Capping guest numbers permitted within a holiday home, holiday unit or holiday apartment through local planning policy and/or condition of a planning approval, to respond to constraints such as availability of vehicle parking, capacity of infrastructure (such as onsite effluent disposal) or to maintain appropriate levels of amenity in line with expectations (such as concerns regarding party houses). Utilising a local planning policy to guide discretionary decision-making, which may include but not be limited to, any of the following matters: <ul style="list-style-type: none"> locational factors which may assist in determining appropriate locations for unhosted forms of short-term rental accommodation within residential areas (refer to the Guidelines for further information) 	<ul style="list-style-type: none"> limits to the number of guests and/or rooms limits to nights the property can be made available for rental in any one year provision of car parking minimum services such as potable water and reticulated sewerage preparation and approval of a Management Plan waste management whether pets of guests (such as dogs) are permitted managing for potential noise nuisance. If appropriate, initial development approval can be granted for a limited period (for example 12 months) and renewed on a longer basis (for example three to five years, or permanently) to ensure there is appropriate management of potential impacts on the amenity of neighbouring properties. 	<p>5.3.3 Other planning processes including structure plans, subdivisions and development applications</p> <p>WAPC</p> <p>Where appropriate, the WAPC will consider the application of this Position Statement in the assessment of structure plans, subdivision, strata, community titles and development applications on sites zoned for tourism purposes or where tourism uses can be considered.</p> <p>In assessing proposals on land zoned for tourism purposes the WAPC will, among other things (including adopted plans and policies) consider whether the proposal will:</p>	<ul style="list-style-type: none"> support facilities without compromising the character, development flexibility or tourism amenity of the site. Provide for the retention or enhancement of the strategic value of the site for tourism purposes, including the relationship between individual lots and areas of high tourism amenity and the potential to accommodate current and future tourism demand. Result in the subdivision of a large tourism lot (for example, to separate the residential component from the tourism). This may result in tourism lots remaining undeveloped and future pressure to approve further residential components to finance development. <p>In the case of subdivision of an existing caravan park, subdivision is generally not supported. Excising a portion of a caravan park site may be supported if the excised portion is proposed to be developed for a compatible tourism use. Strata or community titling of caravan parks is not permitted as provided by the <i>Strata Titles Act 1985</i> and <i>Community Titles Act 2018</i>.</p>
	<ul style="list-style-type: none"> Facilitate the development of a quality, sustainable tourism facility. Incorporate those facilities associated with tourist accommodation developments such as recreation, entertainment and integrated management. Provide for current and future tourism demand. Have the capacity to accommodate the necessary services, management and 		

Local government

Local government are encouraged to have regard to this Position Statement along with other relevant considerations in the assessment of development applications for tourism land uses and sites zoned for tourism purposes.

6. Definitions

The definitions for forms of tourist accommodation not included in Table 1 of this Position Statement are as per provided in Schedule 1 (Model Provisions) of the LPS Regulations.

Table 1: New and amended definitions

Proposed land use term	Proposed meaning	Dwelling type under the R-Codes
Hosted accommodation (Note: new definition)	<i>means a dwelling or ancillary dwelling, or a portion thereof, used for the purpose of short-term accommodation, with a permanent resident who is present overnight for the duration of the stay either in the dwelling or ancillary dwelling.</i>	Single house, ancillary dwelling, grouped dwelling or multiple dwelling. Note: The WAPC considers the use of an ancillary dwelling for short-term accommodation (where the host resides in the main dwelling and the guest stays in the ancillary dwelling - or vice versa) is a hosted form of short-term rental accommodation.
Holiday house (Note: amended definition)	<i>means a single dwelling used to provide short-term accommodation</i>	Single house
Holiday unit (Note: new definition)	<i>means a grouped dwelling used to provide short-term accommodation</i>	Grouped dwelling
Holiday apartment (Note: new definition)	<i>means a multiple dwelling used to provide short-term accommodation</i>	Multiple dwelling

Land use term	Proposed meaning
Tourist development (Note: amended definition)	<i>means a building, or a group of buildings forming a complex, other than a caravan park, used to provide –</i> (a) <i>short-term accommodation for guests; and</i> (b) <i>onsite facilities for the use of guests; and</i> (c) <i>facilities for the management of the development</i>
Serviced apartment (Note: amended definition)	<i>means a group of units or apartments providing –</i> (a) <i>self-contained short-term accommodation for guests; and</i> (b) <i>any associated reception or recreational facilities</i>
Note: It is intended to delete the land use term 'bed and breakfast' from Schedule 1 (Model Provisions) of the LPS Regulations.	
Note: It is intended to delete the land use term 'holiday accommodation' from Schedule 1 (Model Provisions) of the LPS Regulations.	

General term	Proposed meaning
Short-term accommodation (Note: amended definition)	<i>means temporary accommodation provided on a commercial basis, either continuously or from time-to-time with no guest accommodated for periods totalling more than 3 months in any 12-month period.</i>

Additional Information 2. WAPC draft Planning for Tourism Guidelines



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The Department of Planning, Lands and Heritage acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

Disclaimer

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PURPOSE OF THESE GUIDELINES

These Guidelines should be read in conjunction with the draft Position Statement: Planning for Tourism (the Position Statement). They provide guidance on its implementation and aim to:

- provide context for planning and decision making on tourism development and land use
- encourage strategic planning that considers local tourism and its wider context
- assist local government in planning for tourism in its local planning strategy and local planning scheme
- encourage a consistent approach to tourism in local planning frameworks
- encourage flexible and adaptive design of tourism and mixed-use development suited to each local government area.

These Guidelines supersede and repeal *Tourism Planning Guidelines* (May 2014) and *Holiday Home Guidelines – short stay use of residential dwellings* (September 2009).

BACKGROUND – PLANNING FOR TOURISM IN WESTERN AUSTRALIA

Tourism is a significant contributor to the national and state economy, particularly in regional areas. Western Australia has a diverse natural and cultural landscape which offers an array of unique experiences. The provision of sustainable facilities and businesses that serve tourists and strengthen and diversify the Western Australian economy are crucial to economic development. The *State Planning Strategy 2050* has additional information about tourism in Western Australia.

The planning system has an important role in facilitating investment in tourism in appropriate locations. Under or over supply of tourism facilities may be detrimental to local communities as well as the attractions and features which draw tourists.

Where tourism is considered significant within a locality or region, detailed tourism planning is advised. Planning should be undertaken in consultation with Tourism WA, State Government agencies, tourism associations, local operators and their local community, and take into consideration issues raised in the *State Planning Strategy 2050*, regional strategies, the Position Statement and these Guidelines.

1. LOCAL PLANNING STRATEGY CONSIDERATIONS

A local planning strategy provides the long-term planning directions and actions to manage the change and development of a local government area and informs the local planning scheme.

The strategy should be based on sound planning principles and provide the:

- rationale for future land allocation;
- planning controls; and
- infrastructure needs.

Where tourism is significant to a locality or region, a detailed tourism component should form part of the local planning strategy.

1.1 TOURISM COMPONENT OF THE LOCAL PLANNING STRATEGY

Further to section 5.2 of the Position Statement, local governments are encouraged to address tourism in the local planning strategy in a manner reflective of the importance of tourism in the municipality. Information that should be provided includes:

- Aims, visions and objectives for tourism development and land uses in the local government area.
- Description of current and potential roles for tourism in the local government area.



<ul style="list-style-type: none"> Estimates of current and projected tourism demand for the local government area. Consideration, where appropriate, of existing and potential tourist zones, tourism precincts, tourism sites, tourism land requirements and opportunities for introducing new or specific tourism land uses. Guidance for assessing tourism proposals, including character and design measures, to achieve aspirational tourism development at particular locations. Identification of existing and potential tourism zones, tourism precincts and tourism sites through spatial/strategic mapping. Actions and timeframes to achieve the desired level of tourism. <p>The local planning strategy should be informed by available tourism statistics and may include:</p> <ul style="list-style-type: none"> tourist visitation numbers an inventory of existing tourism uses and developments an inventory of the attractions and natural assets that draw tourists to an area local tourism activities actual and potential economic benefits of tourism to the local community any impacts and proposed treatment of issues (such as noise and waste) associated with tourism. <p>The <i>Local Planning Manual</i> (as amended) provides guidance on the preparation of local planning strategies and should be read in conjunction with these Guidelines.</p>	<h2>1.2 SCOPE AND CONTENT</h2> <p>The tourism component of a local planning strategy should identify:</p> <ul style="list-style-type: none"> tourism sites and assessment based on the capacity for quality, sustainable tourism, addressing current and future demands; a scope and process for additional detailed planning that may be required, to inform future local planning scheme amendments; criteria and principles to guide development of tourism precincts and sites; appropriate planning mechanisms to be introduced into the local planning framework, including the local planning scheme. This may include local planning policies, special control areas, specific tourism zones, detailed planning requirements (for example requiring preparation of a structure plan, or local development plan prior to subdivision or development), or incentives (for example a plot ratio bonus to encourage development or an increased scale of tourism within mixed use development); and key gaps and opportunities for tourism in a locality may be known or need to be identified in order to identify tourism precincts and sites. 	<ul style="list-style-type: none"> The nature and importance of tourism to the local economy in strategic plans/policies. Support for tourism through local planning scheme zones and provisions. Facilitate a variety of holiday accommodation types including short-term rentals and existing caravan parks and camping grounds in preferred locations. Protection of tourism precincts and sites for future tourism development to meet estimated demand, and from incompatible and/or conflicting land uses. Innovative tourist accommodation and facilities that respond to market needs. Tourism growth and development that reinforces unique and local tourism identity and features. <p>A tourism objective should be clear, consistent with goals/vision of the local government strategic plan and tourism characteristics of each locality.</p>
	<h3>1.2.1 Tourism objectives</h3> <p>Tourism objectives should be consistent with the strategic vision to guide appropriate tourism development throughout the locality. In defining tourism objectives, the following may be addressed:</p>	<h3>1.2.2 State and regional planning context</h3> <p>A local planning strategy responds to the <i>State Planning Strategy 2050</i>, the <i>State Government Strategy for Tourism in Western Australia 2020</i> (as amended), and relevant regional and local factors. It should describe the role and importance of tourism in the area through analysis of existing State Government policy, assessment of local tourist attractions and features, contribution made to the local economy and any potential for expansion.</p>



1.2.3 Local tourism profile

The local tourism profile should inform any proposed planning and recommendations for tourism in a local planning strategy. The profile may include an analysis of the characteristics of existing and potential tourism and identify the value of tourism to the local community. Existing, proposed and potential tourism development should be reviewed to establish tourist development needs.

This may include:

- Identification of new types of tourism.
- Justification for increasing the number of tourists accommodated overnight.
- The need for new or additional tourism facilities.

Visitor information statistics are helpful in determining the level of tourism that is occurring in a local government area. The following visitor information (where available) is recommended to be included in the background section of the local planning strategy:

- average length of stay (% overnight visitors);
- purpose of visit (holiday, business, specific attraction/event);
- accommodation selected (type, age, standard occupancy rates, peak periods/seasonality);
- mode of transport (to/from and within local area); and
- demographics (age, gender, international/interstate/intrastate).

Tourism WA and the Australian Bureau of Statistics are resources available to local governments for compiling visitor information.

Note for consultation:

Concurrent with the release of these Guidelines, the State Government is working towards implementation of a registration scheme for hosted and unhosted short-term rental accommodation. It is anticipated the registration scheme will be able to provide data on short-term rental accommodation. Further information on the registration scheme is available from <https://www.dlgsc.wa.gov.au/>

1.2.4 Local planning scheme review

As part of preparing a local planning strategy, a review of the existing local planning scheme should occur and consider whether:

- the local planning scheme adequately protects tourism/tourist uses at risk from other land use planning or zoning pressures;
- the existing planning framework influences location, design and type of tourism development;
- existing planning provisions and policies support and encourage the development of tourism facilities;
- growth and/or development of tourist accommodation, attractions, and/or facilities are influenced by the presence or absence of tourism policy and/or zones; and
- the local planning scheme includes tourism zones, and, if so, are non-tourism uses permissible or discretionary within the zone and if this has affected the development of tourism zoned land.

1.3 SITING AND DESIGN OF TOURIST DEVELOPMENT

1.3.1 Siting

Local governments have the opportunity to consider where tourism uses are best located and the amount of land required to service tourism through community consultation and the preparation or review of its local planning strategy, local planning scheme and local planning policies. The primary objective of a local planning strategy for tourism is the identification of tourism precincts and sites.

The tourism component of a local planning strategy may identify the locations which may be subject to future scheme amendments to cater for future tourism.

Tourism precincts and sites should be planned in locations which enhance the tourist experience and avoid or minimise interface/land use conflict with surrounding uses. Selection and justification of potential tourism locations should consider the following:

- the demand for a proposed tourism use, informed by the local tourism profile;
- access for pedestrians, vehicles and/or public transport;
- provision and access to tourist amenity (e.g. landscape, views, proximity to attractions);
- compatibility of tourism development with surrounding land uses;
- land constraints (e.g. steep slopes, coastal setbacks, water courses);
- vulnerability to natural hazards (e.g. bushfire, cyclone, flood, erosion);



- scale of tourism development and location suitability;
- Infrastructure availability to service the proposed tourism uses; and
- for eco-tourism proposals, the use of education and conservation measures, construction materials, waste management, and energy efficiency.

1.4 TOURISM PRECINCTS

A tourism precinct is a defined area that has potential for the co-location of tourist accommodation, attractions, activities and/or amenities. Tourism precincts should be vibrant, attractive and inviting, offering a variety of uses within an accessible area. A tourism precinct could be an entire town centre or a street block, however it should be walkable. They can support detailed planning for specific tourist accommodation sites, complementary and supporting land uses, and the integration of tourism infrastructure.

The location and scale of a tourism precinct should be informed by the following factors:

- proximity to tourist attractions and facilities;
- be compatible with existing land uses and infrastructure;
- existing and potential tourist accommodation opportunities;
- desired or existing character and amenity;
- visitation statistics for the locality;
- access including transport opportunities; and
- capacity to accommodate a mix of uses that complement tourism development.

1.6 TOURISM FACILITIES

1.6.1 Tourist attractions, activities and amenities

The local planning strategy should include the following details on key tourist attractions, activities and amenities; including their size and the scale of the local tourism industry:

- details of the existing tourism market (for example is it event, cultural, sport, family, adventure, environmental, eco-tourism, health or agri-tourism based?);
- potential new or extended tourist markets to be explored;
- list the types of attractions and experiences (this may include national parks, coastal environments, winery region, cultural and sporting events);

The local planning strategy should identify further detailed planning through the local planning scheme necessary to facilitate an identified tourism precinct.

1.5 TOURISM SITES

A tourism site may include an existing tourist development or non-tourism zoned land that has physical characteristics suited to tourism. Considerations for the selection and identification of tourism sites are provided in Table 1 of these Guidelines.

Future land use and development of tourism infrastructure can be introduced in a local planning strategy by identifying suitable tourism sites and detailing their significance to tourism. This will assist in determining the level of detailed planning to facilitate desired tourism development.

Table 1: Tourism sites - site selection

Criteria	Considerations
Accessibility	Adequate existing or proposed transport links
Uniqueness	A prominent and/or unique landmark of significance
Setting	The site's views, or outlook that encourages recreational tourism activities and/or tourism character
Tourism activities and amenities	The site has or is within easy access of attractions and amenities that promote tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops etc. or is capable of development for activities
Supply of land	The site represents a limited amount of land suitable for a significant tourism use



- type, capacity and number of tourism businesses and activities by tourism category (for example art galleries, breweries, theme parks);
- emerging tourism development opportunities (for example events and/or activities such as festivals, concerts, sporting events, underutilised areas of natural beauty, and adventure activities); and
- tourist amenity of public areas including town centres, streetscapes and public open space.

1.6.2 Tourism infrastructure and services

A local planning strategy should consider infrastructure and services including:

- Identification of service capacity and infrastructure projects with potential to impact tourism growth or quality of visitor experience including access (for example roads, rail, airports), water, wastewater, telecommunications and power (along with potential impacts to other land uses).
- Consideration of tourist movement between accommodation and activities/attractions.
- Access to and from tourist destinations.
- Identification of infrastructure improvements related to tourism in the local government area (for example improve/expand road networks, increased capacity at a local airport to increase tourism access).

1.7 HERITAGE

1.7.1 Historic (built) heritage

Tourism can play a key role in conserving historic heritage when initiated and managed appropriately. The development of heritage buildings and places for commercial tourism may offer a commercially viable option for securing their future. Heritage tourism can contribute to the rejuvenation of regional and urban areas and spread economic benefits across a wide geographical area, such as through themed trails and driving routes.

1.7.2 Aboriginal heritage

Western Australia's rich and diverse Aboriginal heritage gives the State a unique point of difference over other holiday destinations. Aboriginal heritage includes both site and non-site specific values, experiences and activities in urban and regional areas. Tourism, if managed appropriately, can help preserve Aboriginal heritage by encouraging cultural site protection, environmental conservation, and the transfer of inter-generational cultural knowledge.

Tourism also represents a significant opportunity for Aboriginal people to secure sustainable economic, social and job outcomes. An example is the Camping with Custodians touring experience for travellers, which provides income, employment and training opportunities for Aboriginal communities across the Pilbara and Kimberley.

1.8 INTERIM MEASURES IN THE ABSENCE OF A LOCAL PLANNING STRATEGY

Where a local government does not have an endorsed local planning strategy, the assessment of a scheme amendment or development application which proposes a non-tourism use on an existing tourism site should consider the Position Statement, these Guidelines, the *Local Planning Manual* (as amended) and any relevant State and local policies.

For tourism sites within an existing or potential tourism precinct, assessment should consider issues and objectives relevant to the tourism precinct including the importance of tourism for the locality.

1.9 TOURISM RESOURCES

To inform economic development, environmental protection, resource management, housing provision and infrastructure (physical and social), liaison should be undertaken with relevant State agencies and the tourism industry. Tourism WA offers various resources to assist planning for tourism and should be consulted if preparing a local planning strategy for an area where tourism is important. Appropriate consultation should ensure the local planning strategy is relevant and reflective of the local community, industry expectations and wider Western Australian context.



2. GENERAL STATUTORY PLANNING CONSIDERATIONS

2.1 ZONING FOR TOURISM

A variety of tourism development can be accommodated within tourism, mixed use and special use zones. Uses permissible in each local planning scheme zone should reflect and be consistent with the intended tourism outcome. The *Planning and Development (Local Planning Scheme) Regulations 2015* (LPS Regulations) provide provisions for zones and land uses for the use of local government.

The objectives of the Tourism zone in the LPS Regulations are:

- To promote and provide for tourism opportunities,
- To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.
- To allow limited residential uses where appropriate,
- To encourage the location of tourism facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.

In local government areas where tourism is economically significant, the local planning strategy may identify potential tourism zones for the local planning scheme where they do not already exist. Where a tourism site has different or additional objectives to the standard tourism and mixed-use zone objectives, the site may be considered as a special use zone to enable specific objectives unique to the site or tourism use to be included in the objectives for that zone/site only (for example caravan park).

2.1.1 Land use considerations

The local planning scheme needs to determine appropriate use classes and permissibility of tourist development in each zone. Considerations may include:

- Tourist development should be given priority in tourism zones. Local planning schemes that allow residential development in tourism zones need to provide guiding objectives or principles to ensure development is consistent with the tourism purpose of the zone.
- In areas of strong or developing tourism industry, a focus on tourism land use and development is necessary in the local planning scheme.

2.2 DESIGN OF TOURIST DEVELOPMENT

The design principles supporting tourism development siting and design include:

- context and character
- landscape quality
- sustainability

- functionality and build quality

- community

- amenity

- legibility

- built form and scale

- safety

- aesthetics.

Key State policies that support design and assessment Include:

- *Visual Landscape Planning in Western Australia – a manual for evaluation, assessment, siting and design (Visual Landscape Manual)*
- *State Planning Policy 7 Design of the built environment (SPP7 and SPP7.3)*

Both documents are to be considered, where relevant, for tourism proposals and their assessment.

2.3 TOURISM SITES

Identification of tourism sites in the local planning scheme can facilitate long-term protection of land for tourism purposes.

Specific planning controls are encouraged for each tourism site and precinct to set parameters for future planning, such as a structure plan or objectives for development or redevelopment.



The design principles of tourist development listed in these Guidelines (section 2.2) should be considered during site selection and planning. In prioritising tourism sites and to inform detailed planning, the following specific site values may be considered in Table 2 of these Guidelines.

2.4 TOURIST DEVELOPMENT IN NON-TOURISM ZONES

A local planning scheme Tourism zone is provided for in the LP's Regulations. Prior to the introduction of this zone, tourist accommodation and development may have been approved on land not zoned for tourism, including in residential, mixed use, rural and town centre zones. Where appropriate, the local planning strategy should

identify opportunities to rezone these sites to tourism in the local planning scheme review. Tourism uses can be encouraged in mixed use and town centre zones as this may assist in providing a mix and scale of development attractive to both tourists and residents.

2.5 NON-TOURIST DEVELOPMENT IN TOURISM ZONES

Careful consideration is required for any proposal to develop tourism zoned land for non-tourist development, or to re-zone tourism land to an alternate zone, given this may collectively lead to lost opportunities for quality tourism development in the most appropriate locations.

There is a need to consider applications and sites on an individual basis, taking into account particular locational issues, in addition to their potential strategic tourism value. Local government may consider developing assessment criteria to determine the significance of any proposed loss of tourism.

Some local governments have adopted a variety of approaches when dealing with non-tourist development and subdivision on tourism zoned land. Considerations include:

- Residential development should be secondary to the tourism use. See Appendix 1 for further information.
- Establishment of length of stay occupancy restrictions for residential uses.
- Proposals are to remain incidental to, and support, the proposed tourism use on the site.
- Demonstration that non-tourist development will not compromise or adversely impact the tourism zone objectives or surrounding uses.
- Development to incorporate facilities normally associated with tourist accommodation development such as recreation, entertainment facilities and integrated management facilities.

Table 2: Tourism sites – criteria to inform detailed planning

Criteria	Considerations
Suitability in a land use context	Is the tourism site located where potential tourism activity is likely to be limited by proximity to uses that might detract from the tourism character?
Capability	Is the site capable of being developed or expanded for tourism and associated servicing that will not impact its natural attributes or cause environmental damage (for example sewerage capacity, water supply and waste collection)? Preparing for climate change adaptation is important to the sustainability of many key tourism sites.
Size	Is the site of suitable size to sustain a proposed tourism development in terms of design, operation and function, without limiting future potential for expansion? Will development of the site contribute to the delivery of diversified and balanced tourism?
Function	Is the site suited to a particular type of tourist accommodation, certain tourism market needs or the desired range of tourist accommodation for the locality (e.g. beachfront caravan parks, school holiday camps, and Crown tourism leases?)



3. TOURISM USES

3.1 RURAL TOURISM

There has been a long-term trend of increasing demand for tourist accommodation in rural areas, with significant variation in the preferred type and form throughout the State. For example, in pastoral regions there is higher demand for 'station stays' as well as 'adventure tourism', whilst in the South West the demand is for holiday houses in rural settings.

Tourism uses should be incidental to a primary agricultural use. *State Planning Policy 2.5: Rural Planning* provides guidance on land use planning in rural areas.

3.1.1 Strategic considerations

Rural tourism may be encouraged in areas with attractions, preferably with sealed road access. Opportunities may include small-scale caravan and camping grounds that are unlikely to compete with existing formal caravan parks as they offer a different experience, have minimal facilities, and are located in a rural setting.

Planning for rural tourism should be further informed by *draft State Planning Policy 2.9: Planning for Water*, *State Planning Policy 4.1 State Industrial Buffer Policy*, *Government Sewage Policy 2019*, Department of Health *Guidelines for separation of agricultural and residential land uses*, and *State Planning Policy 3.7 Planning in Bushfire Prone Areas*. The *Position Statement: Tourism in Bushfire Prone Areas* also provides relevant information.

3.1.2 Statutory considerations

Where appropriate, small-scale tourist accommodation should generally be either a discretionary (D) or a discretionary with advertising (A) use in the zoning table of a local planning scheme to minimise potential land use conflicts and maintain the primacy of rural land uses.

3.2 ECO-TOURISM

Western Australia's environment and landscape character creates a unique and attractive holiday destination and ecotourism is one of the State's key tourism markets.

Eco-tourism attractions are popular with locals and visitors alike, and include the coastline and waterways, mountain ranges and ancient landforms, unique karri, tingle and jarrah forests and native wildlife, as well as a range of nature-based activities such as hiking, rock climbing, swimming, kite surfing, bushwalking, four-wheel driving and caving.

3.2.1 Strategic considerations

Many of the attractions that encourage tourism are located in regional and remote parts of the State. Some of these areas are prone to natural hazards, such as bushfires, flooding or waterlogging, coastal erosion or cyclones. *State Planning Policy 3.4: Natural Hazards and Disasters* (SPP3.4), *State Planning Policy 3.7: Planning in Bushfire Prone Areas* (SPP3.7) and *State Planning Policy 2.6: State Coastal Planning* (SPP2.6) provide detailed information on planning for vulnerable uses, such as tourist accommodation. The *Position Statement: Tourism in Bushfire Prone Areas* also provides pertinent information.

3.2.2 Statutory considerations

Where relevant, eco-tourism proposals should consider the following:

- bushfire management in accordance with SPP3.7 and State bushfire guidance;
- consistency with relevant zone objectives;
- impact on natural landscape, environment and conservation values;
- appropriate servicing and infrastructure to accommodate the proposed use in an environmentally responsible manner;
- design guidelines and visual impact;
- coastal setbacks in accordance with relevant State planning policy;
- impact on social and cultural values of the area or site; and
- consistency with any relevant National, State and local policy and guidance.



4. TOURIST ACCOMMODATION

There are many different types of tourist accommodation available in Western Australia, and a variety of controls exist to manage their use. As referenced in section 3 of the Position Statement, the term tourist accommodation means short-term accommodation and includes traditional accommodation (for example chalet, serviced apartment, hotel) and short-term rentals (holiday house, holiday unit, holiday apartment, hosted accommodation).

4.1 EXCLUSIONS

Further to section 3.1 of the Position Statement, it is not intended to capture other forms of short-term and temporary accommodation which are:

- not associated with the issues resulting from short-term rental accommodation offered on a commercial basis; and/or
- subject to alternative guidance, legislation and approaches by local government.

The Position Statement and these Guidelines do not apply to the following forms of short-term and temporary accommodation:

1. *House swapping and housesitting*
House swapping is a mutual arrangement made between owners of separate properties to 'swap' homes for a temporary period and is often for holiday accommodation purposes. House swapping is commonly organised through specialised websites.

Housesitting is a mutual arrangement whereby a person stays and cares for a property whilst the owner is away. Housesitting can be a commercial or non-commercial form of accommodation and is commonly arranged through specialised websites.

2. *Lodgers and boarders*

A lodging house is defined under the *Health Act 1911* as any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than six persons, exclusive of the reward, not including the family or the keeper of the house. Common boarding arrangements include backpacker hostels, crisis accommodation, and student accommodation services.

The *Health Act 1911* requires boarding or lodging houses to be registered with a local government who may establish additional local laws for premises.

3. *Personal use of a holiday home or the sharing of a holiday home with the owner's family and friends*
Informal and infrequent sharing between family and friends, and the personal use of private holiday homes is considered a non-commercial arrangement.

4. *Student exchange accommodation*

This is temporary accommodation whereby students stay with a host family in their home whilst studying. These arrangements are commonly organised through student hosting organisations or educational establishments.

5. *Workforce accommodation*

Refers to premises, such as modular or relocatable buildings, used for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis, and for any

associated catering, sporting and recreation facilities for the occupants and authorised visitors. Workforce accommodation is regulated by local government, except where the *Mining Act 1978* and State Agreement Acts prevail (refer to the *Position Statement: Workforce accommodation* for more information).

Residential parks, park home parks and lifestyle villages are also excluded from the Position Statement and these Guidelines as they are forms of long-stay accommodation defined as 'park home park', and are dealt with by other policy and legislation.

4.2 GENERAL STRATEGIC CONSIDERATIONS FOR TOURIST ACCOMMODATION

The impact of tourist accommodation varies throughout the State depending on the importance and prevalence of tourism activity in the locality. The local circumstances should therefore guide management and control of the use. Areas that are known tourism 'hot spots' such as coastal locations may need special attention to ensure the location continues to grow in a controlled manner as a tourist destination.

4.2.1 Land supply

If land supply pressures for tourist accommodation are evident or predicted in a local government area, the tourism component of the local planning strategy should be informed by an accommodation demand/supply study and analysis that forecast estimates of future tourism growth, including likely demand for tourist accommodation.



The detail of the accommodation demand/supply analysis should reflect the extent and importance of local tourism and land use/land supply pressures in the locality.

Tourism accommodation sites are to be protected to ensure they cannot be developed exclusively as residential development. Refer to section 2.5 of these Guidelines for analysis considerations.

4.2.2 Site assessment

A local planning strategy should include identification of suitable land and an assessment of its availability for future tourist accommodation. It should note private, Crown, and local government land currently used for tourist accommodation, the type of accommodation, lease/management arrangements, and future development opportunities.

The following questions should inform the consideration of sites suitable for tourist accommodation:

- Is the site identified in a report/study as having potential for tourism?
- Does the site contain existing tourist accommodation development?
- Is the site located in an area of high tourist amenity and of adequate size to develop tourism facilities?

For short-term rental accommodation, the local planning strategy may identify localities/suburbs where this form of tourist accommodation may be suitable.

4.3 TRADITIONAL ACCOMMODATION

Traditional Accommodation refers to the following land uses:

- cabin
- chalet
- caravan park
- hotel
- motel
- serviced apartment
- tourist development.

4.3.1 Caravan parks

These Guidelines support sections 5.2.1 and 5.3.1 of the Position Statement to provide direction on matters to be taken into consideration when planning for caravan parks, including the development of new, or redevelopment of existing parks.

Caravan parks provide a range of accommodation and facilities that contribute to the diversity of Western Australia's tourist accommodation, particularly in regional areas. Caravan parks provide a comparatively affordable form of short-term accommodation serving caravanning and camping recreation and leisure needs.

Camping grounds, transit and informal camping sites are more likely to be in remote regional areas. Typically, these areas consist of cleared land with no or few facilities (for example toilets or bins). Transit sites may form part of a roadhouse or service station.

Separate to these Guidelines, the requirements of the *Caravan Parks and Camping Grounds Act 1995* and associated regulations, as administered by the Department of Local Government, Sport and Cultural Industries must be met.

Long term residential occupancy of a caravan park (for example residential parks, park home parks, lifestyle villages, transient workforce accommodation parks, and transit parks) is not addressed in these Guidelines.

4.3.1.1 Strategic considerations

4.3.1.1.1 Existing situation

The local planning strategy should identify existing and potential transit and informal camping sites and provide local governments with a sound rationale for determining the future land allocation, planning controls and infrastructure needs for caravan parks. The retention and development of caravan parks as affordable tourist accommodation is encouraged and subject to the following strategic considerations:

- the commercial sustainability of caravan parks and flexibility in product mix;
- facilitation of growth in the caravan park industry;
- the suitable separation of short and long-stay uses within a caravan park;
- development and redevelopment of caravan parks that responds to the site context, environment and economy; and
- caravan park locations and function based on market analysis.



Caravan parks experience competing demands and face many challenges including short-stay and long-stay demands, redevelopment pressures, regulatory requirements, ageing infrastructure and changing market demands. These demands and challenges have contributed to closures throughout the State.

4.3.1.1.2 Considerations for the location and siting of caravan parks

The purpose and design of the caravan park should be justified in relation to its location and context.

The purpose for a caravan park may include a stop-over/ transit caravan park, and/or a destination caravan park for tourists. Details of land tenure and lease agreements should inform any high-level planning.

The local planning strategy should identify potential future caravan park sites in tourism areas where high occupancy rates occur throughout the year. Once identified, future caravan park sites are encouraged to be retained in public ownership and zoned Caravan Park as freehold land is at risk of rezoning for other purposes.

Where practical, caravan parks comprising a long-stay component should be located where there is access to urban facilities and amenities.

There is a presumption against caravan parks comprised of long-stay residents being in areas of high tourism value because it is preferable that these sites/locations are secured for tourism purposes.

4.3.1.1.3 Topography, drainage, soils and vegetation

Caravan parks should not be located on flood prone or water-logged land, nor steep slopes unless suitable mitigation measures are demonstrated. Cleared sites are preferred and any clearing of vegetation for a caravan park development should be minimal and retain mature trees and vegetation.

Caravan parks are not supported in Priority 1 and Priority 2 water resource protection areas, however may be considered in Priority 3 areas provided deep sewerage is available.

Acid sulphate soils and other soil types may not be suitable for development as they are susceptible to slipping and slumping.

4.3.1.1.4 Coastal or fire hazard constraints

Proposed new coastal caravan parks or the redevelopment of an existing caravan park adjacent to the coast must consider coastal processes, landform stability, coastal hazards, climate change and biophysical criteria as part of the application. They may require a coastal hazard risk management and adaptation plan and a foreshore management plan. A bushfire hazard assessment and/or bushfire management plan may be required to inform caravan parks at risk from bushfire hazards. Refer to SPP2.6 and SPP3.7.

4.3.1.1.5 Visual impact

A proposed caravan park should consider impacts on the landscape character and visual amenity from scenic points to minimise visual impacts on high value public views (refer to the *Visual Landscape Planning in Western Australia – a manual for evaluation, assessment, siting and design*).

4.3.1.2 Statutory considerations

In addition to section 5.3.1 of the Position Statement, local planning schemes should address the following in relation to caravan parks and camping:

- facilitate the long-term retention, of caravan parks and camping grounds as a form of affordable short-term accommodation primarily for leisure tourists;
- caravan parks should not be located on land at risk from natural hazards, for example steep slopes or coastal land, due to the temporary and vulnerable nature of accommodation typically found in caravan parks (for example tents, caravans, campervans);
- caravan parks should be flexibly designed to provide a range of accommodation options to facilitate long-term viability, however short-term accommodation options should be the predominant use;
- minimise potential for conflict between short-term and long-stay users of caravan parks through appropriate separation including separate facilities and access;
- park home parks should be identified as not permitted (X) in the Tourism or Special Use – Caravan Park zones;
- caravan parks should identify overflow areas for peak periods where additional space is likely to be required;
- suitable access and egress should be provided to ensure safety of pedestrians, vehicles and cyclists;
- caravan parks should be connected to appropriate services, such as electricity and wastewater supplies;
- the local planning strategy should identify existing and potential transit and informal camping sites; and



- green title subdivision of caravan parks is generally not supported to ensure retention of the caravan park use and avoid management issues associated with private park sites.

Appendix 2 provides further design considerations for local government when assessing proposals for new, or redevelopment of existing caravan parks.

4.3.1.2.1 Accommodation products and permanent structures

Caravan parks may provide a range of accommodation products to meet visitor demand such as powered and unpowered camp sites, minimal service recreational vehicle (RV) sites, on-site vans, cabins, chalets and eco/safari tents. Caravan parks may also provide permanent structures including, but not limited to caretaker's dwelling/manager's residence, shop/office, café, games/recreation room, ablution facilities, camp kitchen and camp laundry. It should also be noted that not all of these accommodation types may be permitted under the *Caravan Parks and Camping Grounds Act 1995* administered by the Department of Local Government, Sport and Cultural Industries.

For the purposes of these Guidelines, constrained areas refer to a specific portion of land that may have restrictions in use due to environmental factors (for example flood plains, coastal land, bushfire prone areas).

4.3.1.2.2 Redevelopment and reinvestment in caravan parks

If a caravan park is proposed to be redeveloped to cater for other forms of tourist accommodation, the range of existing facilities on offer should be retained. Converting entire caravan parks into other forms of tourist accommodation is discouraged. The local planning strategy may suggest a local development plan be prepared when caravan parks are proposed for significant changes. Refer to Appendix 2 Design assessment for proposed or redeveloped caravan parks.

4.3.2 Hotels

Hotel developments are one of the more expensive tourist accommodation ventures and take a significant length of time to obtain a return on investment. Therefore, if a local government seeks to encourage development of a hotel in a tourism precinct or a particular tourism site, incentives to attract developers or measures to promote viability of a hotel or reduce costs may assist in drawing interest. Planning incentives may include plot ratio bonuses, facilitation of mixed-use outcomes and floor space and height inducements. Hotel developments also require other statutory approvals in addition to a development approval (for example liquor licence).

4.4 SHORT-TERM RENTAL ACCOMMODATION

Short-term rentals are the common name given to holiday homes, units or apartments (usually built for residential purposes in areas zoned for residential use) offered for short-term letting, usually through an online booking platform. The prevalence of residential properties being let as short-term rentals in residential areas has increased rapidly in Western Australia since the emergence of online e-commerce booking platforms.

Depending on the type and scale of the short-term rental accommodation proposed, a variety of controls may be applicable to manage the use. These Guidelines propose tailoring of local planning schemes and local planning policies to address the specific issues encountered by individual local governments around tourist accommodation.

Local government is best placed to know the needs of its community and what requirements may need to be placed on short-term rental accommodation providers. Local government is responsible for establishing local regulatory frameworks to manage short-term rental accommodation and for carrying out ongoing management and enforcement.

In addition to local government framework considerations addressed in section 5.2.2 of the Position Statement, the following statutory considerations will assist local governments to address short-term rental accommodation in their locality.



4.4.1 Statutory considerations

4.4.1.1 Zoning

Table 3: Short-term rental zoning considerations

Criteria	Considerations
Determine where short-term accommodation is best located within the local government area	Siting considerations may include: <ul style="list-style-type: none"> • areas of high tourism amenity (e.g. beach access, views, facilities and availability of services) • natural hazards (for example bushfire, cyclone and floods)
Determine appropriate use classes and permissibility in each zone	<p>The following zoning options are suggested approaches for local government consideration:</p> <ul style="list-style-type: none"> • hosted accommodation – P use (exempt development 365 days of the year) in the Residential zone and any other zones deemed appropriate by a local government • all other forms of short-term rental accommodation – D use in local planning scheme and requires planning approval <ul style="list-style-type: none"> – This could apply to all forms of short-term rental accommodation, different types of short-term rental accommodation or be differentiated based on scale such as number of individuals to be accommodated – For accommodation offering sleeping arrangements for 6 or less, could be D use, for 7 or more could be an A use to allow for advertising. • specific types of short-term rental accommodation – X use in local planning scheme.

4.4.1.2 Local planning policies

Local planning policies can be prepared to inform land use and development control. Please refer to section 5.3.2 of the Position Statement for specific guidance on preparing local planning policies to outline local government's approach to short-term rental accommodation.

4.4.2 Management plans

As referenced in section 5.3.2 of the Position Statement, where appropriate, local government may require the applicant to prepare a management plan to address

potential amenity impacts arising from short-term rental accommodation and necessary emergency protocols. A management plan may include, but not be limited to the following:

- Mitigation plan –
To control anti-social behaviour, noise and any other potential conflicts a mitigation plan may be appropriate. Anti-social behaviour should be dealt with by local governments/police in the same manner as a property being used as a residential dwelling.

- Complaints management procedure –
The manager of short-term accommodation should be contactable in the event that a complaint is made. The guest should have 24-hour access to the manager via phone, email or an online app. Some local governments may wish to receive from the operator a record of complaints made against short-term rentals and this should be reflected/included in the complaints management procedure.
- Guest check-in and check-out procedures
Clear check-in and check-out procedures should be outlined in the management plan.
- Health and safety protocols
Other legislation and standards govern the need to provide and maintain appropriate health and safety requirements in short-term rental accommodation. Local government may wish to advise short-term rental operators of these requirements in the management plan.
- Management and provision of car parking
On-site parking provision should be considered to accommodate additional vehicles within the property boundary and should align with existing local government parking policies.
- Waste management
Must specify the requirements of general waste and recycling, bin collection days and location of bins for collection.



4.4.3 Other local government considerations

Local governments may consider it appropriate to provide guidance to short-term rental accommodation operators on the variety of non-planning requirements necessary for the operation of short-term rental accommodation. This section outlines some non-planning requirements which may be relevant.

Note: The Department of Mines, Industry Regulation and Safety and the Real Estate Institute of Western Australia provide information for owners, real estate agents, property managers and purchasers, to address public health and safety, taxation, insurance and amenity requirements, as well as due-diligence processes for short-term rental operations. Further information can be found at www.dmirfs.wa.gov.au.

4.4.3.1 National Construction Code requirements

Short-term rental accommodation is provided for in a range of classifications used in the National Construction Code, available at ncc.abcb.gov.au.

4.4.3.2 Insurance and liability

As many residential public liability insurance policies exclude the use of premises for short-term rentals, it is recommended that landowners/managers check this matter with their insurance providers.

4.4.3.3 Health and safety standards

Other health and safety requirements may be applicable to the operation, such as standards for the serving of food and maintenance of aquatic facilities such as pools and spas.

6. STRATA AND COMMUNITY SCHEME DEVELOPMENT

Under the *Strata Titles Act 1985* and *Community Titles Act 2018* strata and community schemes are comprised of by-laws; the scheme plan (depicting lots); and upon registration, the strata company or community corporation.

The *Strata Titles Act 1985* requires subdivision approval by the WAPC under the *Planning and Development Act 2005* and *Strata Titles Act 1985* prior to the registration of a strata plan to create a strata scheme. Section 6 of the *Strata Titles Act 1985* allows a strata/survey-strata plan to legally restrict uses on strata land.

For strata schemes, the subdivider/developer can supplement the deemed by-laws and add restrictions regarding short-term letting. For community schemes, the community corporation can also apply by-laws to allow or restrict uses within the community scheme as a whole or for schemes within certain tiers. Planning approval for short-term rental accommodation within a strata or community scheme does not override the need for body corporate approval.

The *Community Titles Act 2018* requires WAPC approval of the community development statement, which governs the subdivision and development of land subject to a community scheme, and subdivision. Sections 25 and 43 of the *Community Titles Act 2018* allows a community titles scheme plan to legally restrict uses on community titled land or development.

Note: The applicable strata or community titles scheme plan for grouped and multiple dwellings should be checked for consistency prior to an approval being issued.

5. LOCAL LAWS

Note for consultation:

Concurrent with the release of the draft Position Statement and Guidelines, the State Government is working towards implementation of a registration scheme for hosted and unhosted short-term rental accommodation, which was a key recommendation of the 2019 Economics and Industry Standing Committee's inquiry "Levelling the playing field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia".

Some local governments currently have local laws requiring short-term rental accommodation operators register with the local government for an annual licence. How these existing local government registration systems will interact with or be superseded by the State registration scheme is currently under consideration. Further information on the registration scheme is available from <https://www.dlgsc.wa.gov.au/>

Under the *Local Government Act 1995*, a local government may create a local law when considered necessary.

As such, local governments may consider introducing a local law where individuals running short-term rental accommodation must meet certain requirements in order to register with the State's mandatory registration scheme. The local government could outline conditions of operation such as parking requirements, emergency evacuation plans, and number of guests.

Requirements could apply to all forms of short-term rental accommodation, different types of accommodation or be differentiated based on scale such as the number of individuals to be accommodated.



6.1 SHORT-TERM RENTAL ACCOMMODATION IN RESIDENTIAL STRATA AND COMMUNITY TITLES SCHEME DEVELOPMENT

The use of a residential strata or community titles scheme property (for example apartment, unit, villa, flat, townhouse) for tourist accommodation has additional obligations to a single house on a freehold lot.

Strata and community titles scheme complexes could be more susceptible to the potential negative impacts of short-term rental accommodation due to:

- the proximity of neighbours
- the reliance on shared facilities
- the high proportion of whole-premise short-term accommodation (i.e. un-hosted).

Where development approval is required and is supported by the strata company or community corporation, one or more units or an entire development may be approved by the strata company or community corporation for short-term rental accommodation, subject to conditional requirements or restrictions. Strata companies and community corporations are suitably positioned to address neighbour concerns rather than individual strata or community titles owners. The strata company or community corporation may also vote to:

- prohibit the use of strata/community titles units for tourist accommodation;
- allow the use of particular properties for short-term rental accommodation;

- apply restrictions and management plans; or
- allow the use of all strata/community titles units for short-term rental accommodation.

Under current strata laws, strata companies can adopt model by-laws which enable them to:

- manage some of the impacts that may arise from uses such as short-term rental accommodation, including management of common property; and
- require that an owner/occupier must notify the strata company of a change of use of that lot including if it is to be used for short-term rental accommodation.

Strata companies and community corporations can also formulate their own by-laws to:

- help manage the behaviour of owners/occupiers and invitees, noise, vehicle parking, the appearance of a lot and waste disposal;
- vary the insurance payable by owner/occupiers who short-term let; and
- restrict the use of tenancies for the purpose of short-stay rental accommodation.

The *Strata Titles Act 1985* and *Community Titles Act 2018* do not include model by-laws to prohibit or restrict short-term rental accommodation. However, a strata company or community corporation may vote to set their own by-laws to prohibit or restrict the use.

The requirements of the *Strata Titles Act 1985* and *Community Titles Act 2018* must be observed in all circumstances. If strata or community scheme by-laws do not permit the use and the strata company has not approved the use, the use remains illegal under the *Strata*

Titles Act 1985 and *Community Titles Act 2018*. A planning approval does not override the need for an approval of the strata company or community corporation. Where it is proposed to use a strata or community titles property for short-term rental accommodation (or other form of tourist accommodation) the onus is on the owner to confirm the permissibility of the use under the relevant by-laws.

Landgate has prepared guidance to assist strata companies in managing short-term rentals in strata schemes. The Guide to Strata Titles can be found at www.landgate.wa.gov.au.



APPENDIX 1: MIXED USE RESIDENTIAL DEVELOPMENT

Factors to consider in determining the proportion of mixed use and/or residential development in areas of primary tourism.

- What are the tourism values of the site?
- What site, precinct and location factors support residential or mixed use of the tourism site?
- Is the site sufficiently large enough to cater for a residential component in addition to the intended sustainable tourism use?
- Is the proposed residential development appropriate and sustainable in the broader planning context?
- Isolated and new residential settlements should not be supported.
- What tourist accommodation facilities exist or are proposed in the area? Has the capacity for new tourism development and the projected demand and range of tourist accommodation been identified for the tourism site, precinct, locality and region?
- Residential development should complement tourism development.
- Tourism uses should be located in areas of greatest tourism amenity within a site (for example beachfront), not proposed residential uses.
- Residential dwellings should be designed and integrated into the tourism use and its management.
- Has a structure plan been prepared (or should it be) to integrate residential and tourism uses ensuring the proposed tourism use is enhanced and avoids potential land use conflict (for example noise from tourist accommodation impacting permanent residential amenity)?
- Do proposed residential lot sizes reflect and enhance the desired tourism use?
- Should length of stay residential occupancy restrictions be implemented?
- Are non-tourism land uses and development, and proposed tourism uses compatible in terms of proposed lot sizes, building heights, scale and character of development?

- Are there potential impacts to surrounding areas from combining tourism and residential uses?
- Relevant State and local government policies and guidelines should be considered in assessment.
- The design of the overall proposal should ensure ease of access in and around the site for tourists.
- Tourism uses should incorporate recreation, entertainment and integrated management traditionally provided in tourist accommodation (for example swimming pool, lookout area, cycle paths, barbecue area).
- Separate staging of tourism and mixed use/residential development is discouraged.
- Strata or community titling of tourist accommodation (including serviced apartments) should include an appropriate management statement to ensure tourist accommodation is restricted to short-term use, prohibit use as permanent accommodation and, preferably include on-site management.
- Proposing the inclusion of permanent residential accommodation into an existing tourism development should only be supported where it is demonstrated as facilitating a quality tourism outcome or benefit (for example major refurbishment of tourism use, increased capacity of tourist accommodation, renovation or development of new public space, new pool and restaurant facilities).

APPENDIX 2: DESIGN ASSESSMENT FOR PROPOSED OR REDEVELOPED CARAVAN PARKS

Caravan parks should separate short-term from long-term accommodation to reduce risk of noise and anti-social behaviour. Separate facilities and access for long and short-term accommodation is encouraged.

Small portions of long-term accommodation may be considered in caravan parks provided that short-term accommodation (tourist accommodation) is located in areas where the highest tourism amenity occurs (for example the beachfront, proximity to shared ablution blocks).

Where relevant, overflow caravan parking locations should be included in caravan park proposals. Local governments endorse the provision of overflow facilities as part of licences required under the *Caravan Parks and Camping Grounds Act 1995*.

Design should consider:

- (a) **Access** – Suitable access and egress must be demonstrated in proposals to ensure traffic, cyclist and pedestrian safety within the caravan park. Secondary or alternative access routes should be included in proposals to cater for emergency evacuation (for example fire or flood). Internal roads should be designed to minimise potential conflict between pedestrians and vehicles and allow manoeuvring space for recreational vehicles and vehicles towing caravans.
 - (b) **Amenity** – Vegetation and landscape plans that integrate the proposed caravan park into the surrounding landscape should be included and assessed as part of any application. Design minimising opportunity for crime, the use of complementary structure styles, colours, materials, suitable fencing, and separate recreational areas (for example playgrounds and pools) and quiet activity areas should be considered in proposals and their assessment.
 - (c) **Services** – Utility services such as electricity, landline telephone or mobile phone network accessibility, demonstrable water supply and the proposed system for wastewater treatment should form part of any proposal. Written confirmation by service providers of the availability and capacity of services, particularly in peak season, is to be submitted with applications for proposed caravan parks.
- If reticulated sewerage is not available, on-site wastewater disposal must be proposed and provided to the satisfaction of the Department of Health.

Caravan parks used for short-term accommodation must have facilities that accept waste from caravans. Known as chemical toilet dump points, they should be located away from accommodation in areas with no tourism amenity. If seeking an exemption from providing a dump point in the proposed caravan park, access to an alternative off-site dump point must be identified as part of the application. Waste from mobile toilet and sanitation fixtures is not permitted in dump points as it will interfere with the efficient operation of conventional onsite water disposal systems. Further information is available from the Department of Health.

If a caravan park is proposed to cater for both long and short-term accommodation consideration should be given to the provision of additional services and infrastructure. Long-term caravan park sites must be fitted with individual meters for electricity and water tap or connection.

Additional Information 3. Previous item FPOL1901-3

FPOL1901-3 SUBMISSION TO PARLIAMENTARY INQUIRY ON SHORT STAY ACCOMMODATION

Meeting Date: 23 January 2019
Responsible Officer: Director Planning & Strategic Projects
Decision Making Authority: Council
Agenda Attachments: Nil

SUMMARY

The Economics and Industry Standing Committee of the Legislative Assembly of the Parliament of Western Australia is conducting an inquiry into matters relating to the regulation of short-stay accommodation in WA. The Committee is inviting submissions on the matters covered by the inquiry, to be made by 25 January 2019.

Given the significant role played by short-stay accommodation in supporting Fremantle's visitor economy, it is recommended that the City of Fremantle makes a submission. This report sets out the content of a recommended submission by the City for Council's consideration and approval.

BACKGROUND

The Economics and Industry Standing Committee of the Legislative Assembly of the Parliament of Western Australia is conducting an inquiry into matters relating to the regulation of short-stay accommodation in WA, with particular reference to:

1. The forms and regulatory status of short-stay accommodation providers in regional and metropolitan Western Australia, including existing powers available to local government authorities.
2. The changing market and social dynamics in the short-stay accommodation sector.
3. Issues in the short-stay accommodation sector, particularly associated with emerging business models utilising online booking platforms.
4. Approaches within Australian and international jurisdictions to ensure the appropriate regulation of short-stay accommodation.

The Committee will report to the House by 27 June 2019, and to assist its inquiry it is inviting submissions on matters within the above terms of reference to be made by 25 January 2019.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

CONSULTATION

None applicable. The purpose of the report is to recommend a submission by the City in response to consultation being undertaken by the Economics and Industry Standing Committee.

OFFICER COMMENT

Given the significant role played by short-stay accommodation in supporting Fremantle's visitor economy, and the proactive approach taken by the City in recent years in managing certain forms of accommodation through the City of Fremantle Short Stay Accommodation Local Law, it is considered that the City can make a useful contribution to this parliamentary inquiry. The remainder of this report sets out the content of a recommended submission by the City for Council's consideration and approval. The structure of the submission is based on the four key issues identified in the terms of reference for the inquiry.

The forms and regulatory status of short-stay accommodation providers in WA, including existing powers available to local government authorities.

a) Short-stay accommodation is not new, but some business models are.

Various forms of short-stay accommodation, principally servicing tourists or business visitors, have existed across WA for many years. These include hotels, motels, backpackers/hostel style accommodation, serviced self-catering apartments in purpose-built developments, caravans/park homes/chalets on licensed Caravan Parks, and accommodation offered within residential dwellings either with or without the service of breakfast or other meals.

Most of these forms of accommodation are easily recognised, and already appropriately regulated for at a state and/or local government level. Provisions to assess and regulate the land use impacts associated with the development and use of buildings purposely developed for short-stay use are, in the view of the City of Fremantle, already adequately provided for through the *Planning and Development Act 2005* and local planning schemes prepared and administered under that Act. The model provisions for local planning schemes contained in Schedule 1 to the *Planning and Development (Local Planning Schemes) Regulations 2015* provide consistent categories for the zoning of land, and definitions of land uses, to be applied in individual local planning schemes across WA.

The regulation of building, health, fire and other safety matters, and consumer protection issues associated with short-stay accommodation are also well established through existing state legislation and the City of Fremantle considers adequate inspection and

compliance powers are available at state and local level to administer these statutory requirements.

The City considers the primary issue that the Standing Committee's inquiry should focus on is the consequences - both positive and negative - of the use and management as short-stay accommodation of dwellings primarily intended for long-term residential occupation. Although this type of accommodation has existed to some degree for many years (e.g. traditional 'bed and breakfast' establishments), the rapid growth in recent years of online booking platforms aided by disruptive technologies has led to a major increase in the popularity of both providing and staying in conventional dwellings. This has tended to blur the boundary between traditional commercial operators/businesses and the emerging market typified by Airbnb members. This blurring can cause a number of tensions, particularly because a significant proportion of the accommodation offered for rental on Airbnb and similar online platforms is located in predominantly residential areas not traditionally associated with the supply of short-stay, tourist-orientated accommodation.

The City took a proactive approach to addressing this issue ten years ago. Although this pre-dated the major growth in 'Airbnb-type' accommodation offerings and booking technology, the City considers its approach has stood the test of time well and can offer a useful case study to the inquiry that could inform recommendations on a suitable framework for wider application.

b) City of Fremantle's approach to local regulation of short-stay accommodation.

In 2007-08 the City considered a number of options for dealing with the regulation of short stay accommodation in the form of dwellings used predominantly for that purpose, generally involving the owner/proprietor residing in another property.

The City concluded that it is difficult to satisfactorily deal with such uses through the planning development approval process, because rather than involving assessment of physical aspects of a development which can be objectively assessed (e.g. building design, number of parking spaces, etc.) the use of a dwelling which might otherwise be occupied as a main residence by an owner or long-term tenant as short stay accommodation raises more subjective issues of impacts that *may* occur, but do not occur *of necessity in every case*. Impacts from such use (in terms of potential nuisance to neighbours from noise disturbance, etc.) are more dependent on the manner in which the property is managed than on physical attributes of the use which are really no different to those involved with long term residential occupation of the same building.

The difficulty with attempting to assess impacts such as noise disturbance from comings and goings or social activities by short stay occupants of dwellings through the planning system is that they may equally apply to any long-term household which, through the lifestyle of its occupants, may create local nuisance to neighbours without any opportunity for control through the development approval process. Furthermore, planning enforcement is made difficult by the challenge of clearly distinguishing between short-term and long-term occupancy of a dwelling.

For these reasons, the City decided to adopt an approach of exempting the land use of short-stay accommodation in the form of occupation of single, grouped or multiple dwellings (where occupied by 6 or less people) from requiring development approval in all zones under the Local Planning Scheme. However, in parallel the City adopted a Short Stay Accommodation Local Law under the provisions of the *Local Government Act 1995*.

The City's reason for adopting this approach was based on evidence that the primary concerns of the local community about short stay accommodation in residential locations related to matters of adequate management of such accommodation and guest behaviour, rather than the use of the property per se. As explained above, the City considered that these issues could not be effectively addressed through the statutory planning process, but could fall within the scope of matters that may legitimately be included in a Local Law made under section 3.5(1) of the *Local Government Act 1995*.

In 2009 the Joint Standing Committee on Delegated Legislation considered, and accepted, the City's proposition that the City of Fremantle Short Stay Accommodation Local Law 2008 was within the City's lawmaking powers under the *Local Government Act 1995* and is not inconsistent with the *Planning and Development Act 2005*.

In summary, the City of Fremantle Short Stay Accommodation Local Law makes the following provisions:

- The proprietor of a dwelling intended to be used as short-stay accommodation must register the dwelling with the City, and must not use the property for such purposes without having been issued a certificate of registration by the City.
- A certificate of registration will not permit more than 6 persons to occupy a dwelling for short-stay accommodation purposes.
- The following conditions apply to all certificates of registration:
 - Each booking must be for a minimum stay of 2 consecutive nights.
 - A minimum of 1 on-site car parking space must be available for the exclusive use of occupants.
 - The manager of the short stay accommodation must be contactable, using contact details provided to the City, at any time of the day or night and the manager must respond, within 12 hours, to any contact made relating to the accommodation.
 - The proprietor must promptly inform the CEO of the City of any change that would affect the currency of the details of the registration.
- A breach of the local law is an offence punishable by a penalty of \$4,000 or modified penalty of \$400.

Since the local law took effect in March 2009, the City has found it to be a generally effective mechanism to regulate the use of dwellings for short-stay accommodation purposes. In particular, the requirements for registration of short-stay dwellings and conditions of registration requiring a minimum stay of 2 consecutive nights and a nominated manager to be contactable by neighbours or any other person on a '24/7' basis have proved very effective in minimising detrimental impacts such as so-called 'party house' one-night bookings by large groups.

Since the local law came into effect, the City has averaged less than 5 complaints per year regarding the operation of registered short-stay dwellings or the operation of alleged unregistered short stay accommodation. As of 1 December 2018, 222 properties within the City of Fremantle have current certificates of registration for use as short-stay accommodation. In August 2017 the City conducted a cross-check of properties registered for short-stay use against properties within the City of Fremantle being advertised for rental as short-stay accommodation on online booking platforms. This did not reveal any significant disparity between the number of properties advertised for rent on platforms such as Airbnb and the number of properties registered under the City's local law. In fact, the number of registered properties exceeded the number being advertised at the time of the check.

The City considers these statistics indicate a high level of voluntary compliance with the local law by short-stay accommodation operators, and a regulatory approach which balances the interests of accommodation operators, the amenity of neighbours and the resource capacity of the local government in a proportionate manner.

c) Suggested guiding principles for a regulatory framework

Based on its experience with the approach described in b) above, the City suggests that any recommendations the Standing Committee might consider making about regional or state-wide approaches to regulation of short-stay accommodation should be based on the following principles:

- A balanced and practical approach. Clear rules are needed regarding what type of approval is required, and in what circumstances, but at the same time local government does not have the capacity or resources to administer an overly burdensome regulatory framework.
- Flexibility. Consistency of definitions and regulatory approaches across different local government areas will assist all stakeholders, but a regulatory framework needs to be flexible enough to adapt to the local situation given the likelihood of significant variations in the nature, extent and impacts of short-stay accommodation in different locations across both metropolitan and regional WA.
- Simplicity and transparency. It is in the best interests of accommodation providers, the wider community, and regulatory agencies (especially local governments) to provide clear, simple approval and complaint resolution pathways which do not involve excessive 'red tape', are proportionate to the relatively low impact nature of such accommodation, and do not divert local government attention and resources away from dealing with issues of greater strategic significance.
- Blended regulation. A combination of proportionate government regulation and industry self-regulation by accommodation providers and booking platforms/agencies is a preferable approach.

The changing market and social dynamics in the short-stay accommodation sector.

The last decade has seen significant competitive pressures placed on a number of industries as a result of digital disruption. The introduction of Uber rideshare services has changed the way consumers procure transport, which has impacted market share for traditional taxi services. Similar trends have been seen within the short-stay accommodation sector with the introduction of AirBnB room share based services. Technology has been at the centre of the success of both of these examples, with consumers now able to book competitively priced accommodation or transport at the touch of a button via mobile applications.

Whilst technology has been an enabler for this kind of change, there has also been a shift towards a sharing economy. With the aid of technology consumers are now prepared to step outside of the realm of traditional hotel/B&B type models and start staying in people's homes with the primary drivers being affordability, choice and unique experiences. AirBnB users are able to choose anything from a luxury penthouse, a standard residential apartment, a cabin in a river boat or even a tree house in the forest.

The affordability, choice and uniqueness that models like AirBnB offer consumers adds significantly to a destinations ability to attract visitors, as this increase in supply and choice can help drive demand across a broader range of potential visitors.

Issues in the short-stay accommodation sector, particularly associated with emerging business models utilising online booking platforms.

Whilst the emergence of new technology driven business models in the short stay accommodation sector have helped to drive choice and affordability, the ease at which short-stay accommodation suppliers have been able to engage with platforms such as AirBnB, Expedia and Booking.com has highlighted some concerns around the ability to regulate these operators both from a safety and a commercial land use perspective.

In the absence of a consistent regulatory framework, there is risk of room share and AirBnB providers not meeting health and safety requirements that established commercial accommodation operators would normally be required to adhere to. This has also raised questions around the ability to audit and regulate smaller room share based operators given the number and scale of listings.

The Hotel industry has also been vocal in identifying an 'uneven playing field'. This is primarily due room share based models not being subjected to the usual commercial overheads that hotels are, therefore enabling room share operators to provide significantly cheaper accommodation than hotels.

The City of Fremantle has responded to these issues by introducing a differential rate on registered short stay properties from 1 July 2018.

Approaches within Australian and international jurisdictions to ensure the appropriate regulation of short-stay accommodation.

The City of Fremantle is aware of the following examples of approaches adopted under other jurisdictions, which it considers are relevant to the scope of the inquiry.

In New South Wales, an inquiry by the NSW Parliament's Legislative Assembly Committee on Environment and Planning led to publication of an options paper on short-term holiday letting by the NSW Department of Planning and Environment in 2017. Following the options paper, in June 2018 the NSW Government announced a whole-of-government framework for short-stay accommodation featuring the following key elements:

- Short-stay letting of residential properties is exempt from requiring planning approval whether the host/owner is present at the property or not, but for properties within Greater Sydney if the host is not present there is a 180 day per year limit on short-term letting.
- A mandatory Code of Conduct for short-stay accommodation operators and online booking platforms covering management issues such as noise and dealing with disruptive guests.
- Provisions for strata property management bodies to adopt strata by-laws prohibiting short-stay letting if the unit owner does not live in the property being let out.
- Recognition of the significant contribution short-stay accommodation booked through online platforms such as Airbnb makes to the Australian economy.

International examples:

San Francisco – local city ordinance (local law) introduced in 2015. This allows permanent residents of San Francisco to register to be a short-term rental host of a residential property which they own and occupy themselves for at least 275 nights per year. Renting out of the property when the host is not in occupation is limited to 90 nights per year. Registration does not override any strata property by-law that may prohibit short-term rental of a dwelling in a multi-unit development. The City of San Francisco local government has an 'Office of Short Term Rentals' which administers and enforces the local law.

Vancouver – City of Vancouver local law came into effect on 1 April 2018 requiring property owners intending to let a property for short stay accommodation to obtain a Short Term Rental Accommodation licence from the City. Only properties which are the principal residence of the owner (defined as where they spend over 180 days per year) may be licensed. 'Good neighbour' rules require licence holders to take responsibility for guests conforming with noise and parking management protocols.

London – short term rental of an entire residential property without planning approval limited to 90 days per year.

Many major European cities including Paris, Berlin, Madrid and Barcelona operate similar controls (with variations) that require properties used as short stay accommodation to be registered as such, and to be limited in use for a maximum number of nights per year (varied, but generally 120 nights per year or less) and/or to be limited to properties which are the owners' own principal place of residence.

The City of Fremantle offers the following observations in relation to these examples.

- A common theme of approaches to regulation is the use of a short stay accommodation registration or licensing system, with an onus on property owners/operators to register and comply with basic provisions relating to property use and responsible management. The approach already applied by the City of Fremantle through its Short Stay Accommodation Local Law is consistent with this trend.
- Major cities which have introduced relatively strict controls over short stay accommodation (particularly controls which limit the maximum number of nights per year accommodation may be let for) are destinations which experience mass tourism on a scale far in excess of that occurring in WA currently or within the foreseeable future. By way of comparison, according to Tourism WA statistics in the year ending 30 June 2018 WA received a total of approximately 2.5 million interstate and international visitors, compared to 15.5 million in NSW (mostly visiting Sydney) in the same period. In 2017, measuring international visitors alone, Berlin received 5.1 million, Madrid 5.5 million, Barcelona 8.9 million and Paris 16.1 million (source: Mastercard 2017 Global Destination Cities Index).
- In some of these overseas cities, there is evidence of distortion of local housing markets (particularly the supply and cost of long-term rental housing for local residents) caused by high concentrations of properties, including entire apartment blocks in some instances, in the most popular tourist localities being turned over to entirely short-stay accommodation. To a lesser degree this has also occurred in limited parts of Sydney and Melbourne, according to a recently published study by the Australian Housing and Urban Research Institute (*Technological disruption in private housing markets: the case of Airbnb*, published November 2018). Measures to restrict the availability of short-stay accommodation in some of the above mentioned cities has, at least in part, been justified as a response to effects on local housing markets. However, the City of Fremantle is not aware of any clear evidence that trends in short stay accommodation supply and demand are causing similar impacts within WA to any significant degree, and therefore it considers that mechanisms such as limiting the maximum number of nights in a year a property may be offered for rent on a short stay basis are not warranted, given the negative impact they would have on the availability of tourist accommodation and the practical difficulties and resource implications they would present in terms of compliance monitoring.

Conclusion

It is recommended that a submission be made by the City based on the contents of the Officer Comment section above. The deadline for submissions is 25 January, prior to the date of the January Ordinary Council Meeting on 30 January. Accordingly it is proposed to lodge the submission immediately after consideration of the item by FPOL Committee, and the Standing Committee will be advised that any additional or amended comments arising from consideration of the item by council on 30 January will be submitted immediately following the council meeting.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE RECOMMENDATION ITEM FPOL1901-3
(Officer's recommendation)

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Council:

- 1. Endorse the submission by the Chief Executive Officer to the Legislative Assembly of WA's Economics and Industry Standing Committee inquiry into Short-Stay Accommodation, based on the contents of the report on the matter included in the agenda of the Finance, Policy, Operations and Legislation Committee meeting held on 23 January 2019.**

Carried en-bloc: 7/0

**Cr Ingrid Waltham, Cr Hannah Fitzhardinge, Cr Doug Thompson,
Cr Adin Lang, Cr Sam Wainwright, Cr Jenny Archibald, Cr Andrew Sullivan**