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# **Change of Use for Recreation – Private, Incidental Café and Small Bar**

**Unit 7, No. 51 (Lot 1837) Queen Victoria St, Fremantle**

March 2026

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## 1.0 Executive Summary

The Applicant seeks planning approval for the change of use of the existing commercial tenancy at Unit 7, No. 51 (Lot 1837) Queen Victoria St, Fremantle to 'Recreation – Private', incidental 'Restaurant/Café' and incidental 'Small Bar'.

The subject site is zoned 'Mixed Use', with 'Recreation – Private' as a 'D', discretionary use, 'Small Bar' being an 'A', advertised use and 'Restaurant/Café' being an 'A', advertised use pursuant to the City of Fremantle's Local Planning Scheme No. 4.

For this proposal, the Applicant wishes to operate an indoor recreation space, specifically for golf simulation where principally, patrons will pay to play a professionally simulated indoor golf designed for structured practice or casual, social use.

The facility also provides hospitality, predominantly allowing patrons to engage in recreational activities whilst enjoying food and beverage services. It is intended that the café will be open during the morning and transition into a small bar in the afternoon and evening, ensuring appropriate separation of use and management of alcohol services.

It is intended that the proposal is able to service a range of patrons, including local residents and visitors to the area. All activities are held in a controlled indoor environment with minimal impact on surrounding residential uses.

The proposal is consistent with the current and future character of the locality. In particular, in reviewing of the City's draft Local Planning Strategy, the site and its surrounds are allocated as part of the City Centre, which is an activity centre of regional significance. As such, it is foreseen that the surroundings will have increased activation, diversity of uses and day-to-night activities being encouraged. The proposed development will contribute positively to the vibrancy and activation of the precinct by providing a high-quality indoor recreation and hospitality services.

The subject tenancy has access to four (4) car bays as part of the tenancy. Additional public parking is available along Queen Victoria Street and Quarry Street, as well as there being a City-owned car park (Leisure Centre Car Park 14) to the rear of the site.

There is similarly an existing City's owned carpark located at the corner of James Street and Queen Victoria Street. Whilst it is noted that the site has a current planning

application for redevelopment of site, the car park is continuing to be in operation until such time when works are undertaken.

Having considered the planning framework, the application is considered to be compatible with the zoning and character of the locality, which consists of a mixture of land uses. The proposal also will not have any visual or amenity impacts and is not of a scale that is inappropriate to the site.

## 2.0 Background

### 2.1 Purpose

This submission has been prepared by \_\_\_\_\_ on behalf of **(Applicant)** to provide justification for the change of use for 'Recreation – Private', Incidental 'Small Bar' and incidental 'Restaurant/Café' **(proposed development or proposal)** at Unit 7, No. 51 (Lot 1837) Queen Victoria St, Fremantle **(subject site or tenancy)** under the relevant provisions of the planning framework.

In accordance with the City of Fremantle's **(City)** requirements, the following are included with this application:

- City's Application for Development Approval Form;
- Certificate of Title (refer **Attachment 1**);
- ASIC Company Extract (refer **Attachment 2**);
- Site and Development Plans (refer to **Attachment 3**);
- Waste Management Plan (refer **Attachment 4**).
- Acoustic Report (refer to **Attachment 5**).

### 2.2 Site Description

The subject site is one out of the nine (9) commercial tenancy located on the ground floor of a six-storey mixed-use development, known as Liv Apartments in Fremantle. The parent lot sits between both Queen Victoria Street and Quarry Street, with the commercial tenancies having frontage to Queen Victoria Street only.

The existing development is designed to a high level of sustainable building design, with thermal and acoustic insulation, double glazing and energy efficiency practices.

The broader locality of the area is considered to be a mixture of heritage, industrial and commercial uses. Located at the fringe of Fremantle main street and adjacent to the port, the surroundings are largely a mixture of new developments and old industrial warehouses which have been increasingly converted into mixed use building, with medium to high density residential dwellings along Queen Victoria Street.

Along Quarry Street, there are a mixture of lower-level residential dwellings with proximity to the Fremantle Leisure Centre. The subject site act as a transition from the medium to high density development to the lower density dwellings to the south-east.

A site plan demonstrating subject site (tenancy) has been provided at **Attachment 3**.



*Figure 1: Aerial/cadastral of subject site (parent lot) and surrounds (Source: PlanWA)*

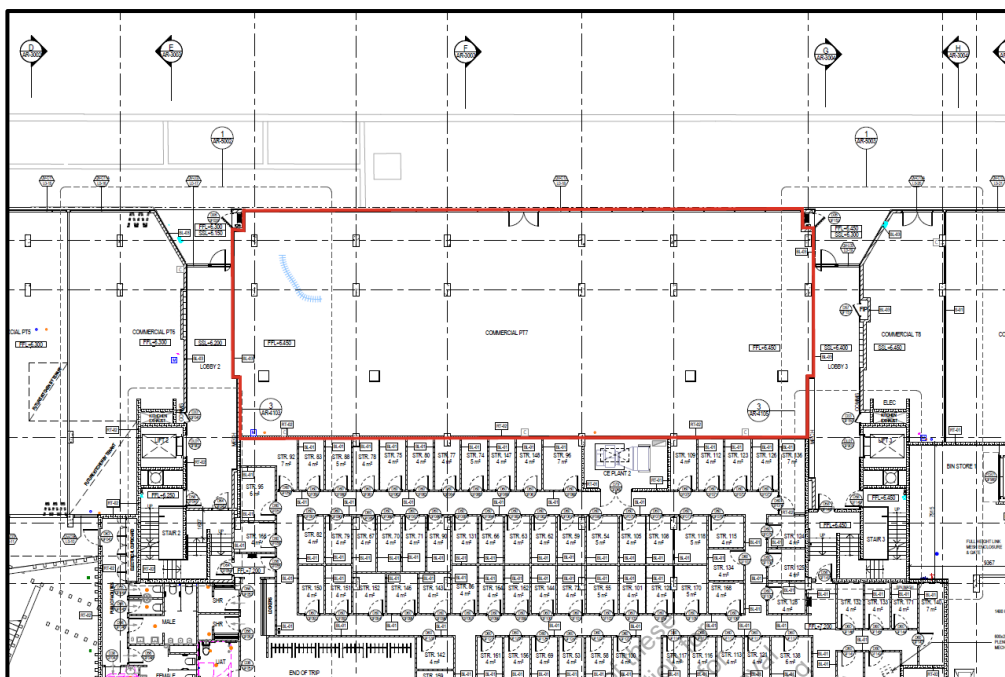


Figure 2: Subject site as part of the commercial tenancies.

## 3.0 Proposal

### 3.1 Purpose

The proposed change of use is intended for an indoor recreational venue, specialising in indoor golf simulation and supplemented by incidental café and small bar.

The predominant use onsite for indoor golf simulation is fully contained and professionally designed to mimic traditional golf, where it can operate within a indoor, confined space. The facility caters for a range of serious golfers seeking structure practice or more casual users that is looking for a fun, social experience.

Within the golfing area, each simulator bays are sectioned with divider, along with sound and impact mat absorber. Beyond golfing, the venue also includes some other complementary recreational elements such as darts.

Food and beverage are also being offered from the incidental café and small bar. The intention of separating the café and small bar is to allow for food and beverage to service all age range and separation of takeaway coffee with in-house services.

The separation also allows for transitioning of morning to evening services of food and beverage. Sale of alcohol is strictly from the small bar only and allowed further control over proper alcohol management. Preparation of food for both café and small bar will be from the centralised kitchen.

The proposed land use is considered to be:

- Predominant 'Recreation – Private';
- Incidental 'Small bar';
- Incidental 'Restaurant/café'

Refer to **Attachment 3** for the internal floor plan.

### 3.2 Hours of Operations

The premise is intended to open from 6am till 10pm, seven (7) days a week, including Public Holidays. The individual uses will operate at different hours, as indicated in the table below.

*Table 1: Operating Hours of each proposed land use*

Land Use	Operating hours
Recreation – Private	Monday to Sunday 10am – 10pm
Café	Monday to Sunday 6am – 3pm
Small Bar	Monday to Sunday 10am – 10pm

### 3.3 Patrons and Staff

It is anticipated that number of patrons will be no more than 100 people at any one time.

Under the small bar liquor licence, a small bar also cannot accommodate more than 120 - 150 people onsite. This is consistent with the proposed development.

Total number of staff will be approximately four (4) people at this stage. It is anticipated that number of staff might increase by one or two (2) when running at full capacity, depending on demand.

### 3.4 Car Parking and Traffic Movement

There is existing four (4) car parking bays that is allocated for the subject site which is for exclusive use of staff only.

Patrons to the venue are expected to park elsewhere and arrive via foot or public transport. This is not uncommon in the City and not dissimilar to other operations in the vicinity of the subject site.

There is publicly available parking on street, along both Queen Victoria Street and Quarry Street. A City owned car park is also available to the rear of the site along Quarry Street (Leisure Centre Car Park 14).

In addition, there is also a car park located on the corner of James Street and Queen Victoria Street. Whilst it has been noted that at the time of preparing for this report, a development application has been submitted for consideration of the City to redevelop the site, the actual works has yet to be undertaken.

A bus stop is located a short away opposite the site (approximately 100m), which services bus routes 107, 111, 148, 158, 160 and 500. It also services high frequency bus routes such as 910 and 998.

### 3.5 Services Access

A loading bay is available to the rear of site, locate within the proposed development on ground floor. Access to loading bay is via Quarry Street.



As indicated within the report, likely noise generating source will be:

- Usage by patrons
- Usage of golf simulators
- Background music

Notably, as part of the existing development, certain noise generating facilities are already onsite and is located on the rooftop and therefore, excluded from consideration:

- Air conditioning condenser unit
- General supply and exhaust air ventilation plant
- Toilet exhaust
- Kitchen exhaust fan

In considering of the noise generation from proposed change of use, the existing façade, consisted of a 8-10mm safety glass door, fully sealed are considered to be at an acceptable standard to screen most of the noise emission.

There is also no inter-floor noise transmission, due to the existing integrity of the concrete floor slab.

To better provides insulation to noise, the following additional noise insulation measures are proposed:

- Brush seals for doorsets will be refreshed as part of the fitout.
- Doors are to remain closed during all hours of operations.
- All waste pipes (on the ceiling) that is connected to apartment above will be lagged using Soundlag 4512C (composite layer of loaded vinyl wrap and open cell foam) to the extent of exposed pipe.
- Simulator strike zone to be underlaid by approximately 20mm acoustic/EVA beneath the fairway.
- None of the strike area being mechanically fixed to slab to minimise transfer of impact to structure.

From a management standpoint, signage will be displayed internally advising patrons to be considerate of nearby residents when using the facility. Should there be unruly behaviours from the patrons, the Manager of site has the rights to refuse entry.

For the collection of waste, noise can be managed to meet the Class 1 of specified works as per the *Environmental Protection (Noise) Regulations 1997*, Regulation 14A, whereby it permit the collection of waste between of 7am – 7pm on Monday to Saturday and 9am – 7pm on Sundays or Public Holidays, where it is done in the quietest reasonable and practical manner.

Having considered all of the above, the proposed development can sufficiently demonstrate that noise concern can be mitigated. Whilst the acoustic report does also suggest that there should be a potential reduction in patrons after 7pm, in light of all the above management requirements and improvements, this is not considered necessary.

Furthermore, it is submitted that the subject site is currently being considered to be included as part of the City's activity centre. This would indicate a level of day and night time activities, especially with increasing residential density in the surroundings in the future. In addition, the proposed development is consistent with intention of mixed-use development being a commercial operation. As such, it is submitted that there should be a higher threshold for noise occurrence in the surroundings, considering all of the above.

### 3.7 Waste Management

Consistent with the requirement of the City's Local Planning Policy – Waste Management Plans, a Waste Management Plan (**WMP**) has been prepared and can be referred to at **Attachment 4**.

Primarily, the WMP demonstrates the storage of bins, area for bin presentation and management of waste collection.

Furthermore, in keeping with the Noise Regulations, collection of waste will be designated to be carried out in between of 7am – 7pm on Monday to Saturday and 9am – 7pm on Sundays or Public Holidays.

### 3.8 Wastewater Management

The proposed toilet facilities are connected to the existing reticulated sewerage system.

For the proposed kitchen, grease trap can be installed and emptied into existing collection point within the building.

### 3.9 Signage

Window sign which covers no more than 50% of the total window area is proposed and therefore is exempted from requiring planning approval pursuant to the City's Local Planning Policy 2.14.

Should other signs be required in the future, this is subject to a separate application to the City.

## 4.0 Planning Framework

### 4.1 City of Fremantle Local Planning Scheme No. 4

Under the Metropolitan Region Scheme (**MRS**), the subject site is zoned 'Central City Area'. Pursuant to the City's Local Planning Scheme No. 4 (**LPS4** or **Scheme**), the subject site is zoned 'Mixed Use' with a R-AC3 coding.

A small section of the site is zoned 'Public Utilities'. The subject site is part of the 'Special Control Area – LPA 2'.



Figure 4: Subject site with City of Fremantle Local Planning Scheme No.4 map overlay. (Source: PlanWA).

The objectives of 'Mixed Use' zone is set out in Clause 3.2.1 (e) of LPS4 as follows:

*Development within the mixed use zone shall:*

- (i) provide for a mix of compatible land uses including light, service and cottage industry, wholesaling, trade and professional services, entertainment, recreation and retailing of goods and services in small scale premises, including showrooms, where the uses would not be detrimental to the viability of retail activity and other functions of the City Centre, Local Centre and Neighbourhood Centre zones;
- (ii) provide for residential at upper level, and also at ground level providing the residential component is designed to contribute positively to an active public domain;
- (iii) ensure future development within each of the mixed used zones is sympathetic with the desired future character of each area,
- (iv) ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality, and
- (v) conserve places of heritage significance the subject of or affected by the development.

The proposal is a change of use application that is part of an approved and existing mixed-use development. The subject site is a vacant commercial tenancy located on ground floor. It is considered that only objective (i) is applicable. The proposed change of use for indoor golf simulation is of recreational nature, in addition to providing incidental food and beverage services. This aligns with the intention of the zone.

#### 4.1.1 Land Use Permissibility

Pursuant to Schedule 1 Division 2 – Land Use Terms Used in Scheme and Table 1 – Zoning Table of LPS4, it is considered that the proposed land uses are listed in the table below.

Table 2: Land Use Definition and Permissibility

Land Use	Definition	Permissibility
Recreation - Private	premises that are – (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge;	'D' discretionary use
Restaurant/Café	premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the Liquor Control Act 1988.	'A' advertised use
Small Bar	the premises the subject of a small bar licence granted under the Liquor Control Act 1988.	'A' advertised use

The primary use of the premise is an indoor golf simulation facility, where patrons can participate in golf-related recreational activities in a fully enclosed environment. The activity involves the use of simulator technology projecting gameplay onto a screen, providing an alternative to traditional outdoor golf that is not weather-dependent and requires significantly less space. It is considered to meet the definition of 'Recreation - Private' being for indoor recreational use and patrons pay for use of the facility.

For the proposed café, the closest applicable land use is 'Restaurant/Café', albeit the proposal not for a restaurant use. The café will operate predominantly during daytime hours for the sale and servicing of food and beverage, predominantly coffee and café style food with seating provided. The scale of the café is ancillary to the predominant recreational use.

A 'Small Bar' land use is also considered applicable which corresponds to the small bar liquor licence that the Applicant will be seeking separate to this application. The small bar component allows for the provision of alcoholic beverages in a controlled environment and supports the transition of the venue from a daytime café into an evening hospitality setting. The café and small bar uses are identified separately to provide operational flexibility while maintaining clear distinction between daytime and evening activities.

Food preparation for both the café and small bar will occur within a shared central kitchen, enabling an efficient transition between uses throughout the day. The food offering is intended to be complementary to the primary recreation use, generally comprising light meals, snacks and share-style dishes rather than a traditional full-service dining experience.

#### 4.1.2 Car Parking

Table 2 – Vehicle Parking of LPS4 sets out the general requirement for car parking bays, delivery bays and bicycle racks for different land uses.

*Table 3: Provisions for Table 2 – Vehicle Parking of LPS4.*

Land Use	Car Parking Bays	Delivery Bays	Bicycle Racks
Recreation - Private	1:5 seats or 1:5 people accommodated	1: service/storage	Class 1 or 2: 1 per 4 employees Class 3: 1 per 200m2 GLA
Restaurant/Cafe	1:5 seats or 1:5m2 dining area, whichever is greater	1: service/storage	Class 1 or 2: 1 per 100m2 public area Class 3: Two

Small Bar	N/A	N/A	N/A
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The development has existing allocated car parking bays for the subject tenancy. As discussed previously, there are only four (4) car parking bays available which is intended to be used by staff.

There is an existing loading bay on the ground floor level that is accessible through Quarry Street. No additional bicycle bays are being provided as there is existing bicycle bays, including end of trip facilities onsite which is available for staff use.

Notwithstanding the requirements for carparking as provided above, the requirement for car parking can be waived or varied as the subject site is located within Local Planning Area 2 – Fremantle (**LPA2**) Sub Area 1 and is subject to Schedule 7 Clause 2.3.1.4 (n), as below.

*n) Council may waive car parking requirements in accordance with clause 4.7.3 for ground level non-residential uses anywhere in Sub Area 1 subject to the development/use being able to generate interest and activity within the adjacent public domain.*

Consideration are being given to the provisions of Clause 4.7.3, consistent with the provisions of Schedule 7 Clause 2.3.1.4 (n). The provisions for Clause 4.7.3 addressed in table below.

Table 4: Provisions for Clause 4.7.3

Provisions	Proposed Development
4.7.3.1 Council may:	
(a) Subject to the requirements of Schedule 7, waive or reduce the standard parking requirement specified in Table 2 subject to the applicant satisfactorily justifying a reduction due to one or more of the following:	
(i) the availability of car parking in the locality including street parking,	N/A – refer to Clause 2.3.1.4 of Schedule 7 which states that this provision does not apply in Sub Area 1.
(ii) the availability of public transport in the locality,	N/A - refer to Clause 2.3.1.4 of Schedule 7 which states that this provision does not apply in Sub Area 1.
(iii) any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces,	The proposed commercial tenancy is part of an existing mixed-use development. The proposed operations can service the existing residents onsite. Furthermore, it offers multiple uses in one tenancy, by offering

	<p>recreation/entertainment and food and beverage services to the public.</p> <p>In addition, most of the business in the vicinity are offices and retail shops which operate between standard business hours generally between 9am – 5pm. This includes:</p> <ul style="list-style-type: none"> <li>• Remedial massage – Monday to Saturday 9:30am till 5pm;</li> <li>• Bridal shop – Monday to Saturday 9am – 5pm;</li> <li>• Clothing shop – Monday to Sunday generally between 10am – 5pm;</li> <li>• Tyre shop – Monday to Saturday 8am – 5pm</li> </ul> <p>It is considered that the café use is likely to be used by residents or businesses in the vicinity which therefore limit demand on car parking. On the other hand, patrons for the indoor golf are more likely to peak after hours, specifically evening time and weekends, which is outside of the general timing of peak activity for surrounding businesses.</p>
<p><i>(iv) any car parking deficiency or surplus associated with the existing use of the land,</i></p>	<p>There are four (4) existing car parking bays which has been allocated to the subject tenancy. These are intended to be reserved for staff use only.</p> <p>There are no additional car parking bays which will be made available to the public on subject site as all the parking bays are accounted for the residential units and other commercial tenancies.</p> <p>However, as per the above, most businesses in the vicinity would rely on street parking or public car parking areas.</p>
<p><i>(v) legal arrangements have been made in accordance with clause 4.7.5 for the parking or shared use of parking areas which are in the opinion of the Council satisfactory,</i></p>	<p>No explicit shared parking arrangements has been made. It is assumed that at the time of the approval on the entire mixed-use development on the land, there would have been an over-arching assessment of parking</p>

	contemplating future land uses in the commercial spaces.,
<i>(vi) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use that existed before the change of parking requirement,</i>	<p>As this is an existing development and the proposal is a change of use application, it is considered that the requirement for carparking for commercial tenancy has been accounted for within the existing allocation.</p> <p>Whilst it is acknowledged that there are no additional provisions of car parking dedicated for patrons, this is not dissimilar to other operations in the vicinity where the public utilise car parking offsite, either on-street or dedicated public car parking areas.</p> <p>Notwithstanding, there are car parking bays available for staff which will minimise further incursion of parking demand on the surroundings.</p>
<i>(vii) the proposal involves the restoration of a heritage building or retention of a tree or trees worthy of preservation,</i>	N/A – the subject site and development is existing. This is a change of use application.
<i>(viii) any other relevant considerations.</i>	<p>The subject site is located in an area with residential and commercial activities. General expectation for the public commuting to the area would be to expect parking to be sought elsewhere.</p> <p>Notwithstanding, it is considered the proposed uses would be beneficial for the existing residents in the surroundings by providing food and beverage and recreational services.</p>

### 4.1.3 Local Planning Area

As indicated above, the subject site is identified within Local Planning Area 2.

With the exception of Clause 2.3.1.4 within Schedule 7 pertaining to car parking as highlighted, no other provisions are applicable to the proposed change of use application.

## 4.2 DRAFT City of Fremantle Local Planning Strategy

In September 2022, the City has prepared and advertised an update to the current Local Planning Strategy 2001. The draft Strategy has now progressed towards final recommendation prior to consideration by Western Australian Planning Commission (**WAPC**). This document is considered to be seriously entertained.

The draft strategy identifies the subject site as within the 'Fremantle City Centre – Strategic Centre'. This differs from the current strategy which identifies the subject site outside of the 'Central City' area. Figures from both current and draft Local Planning Strategy extracted below.

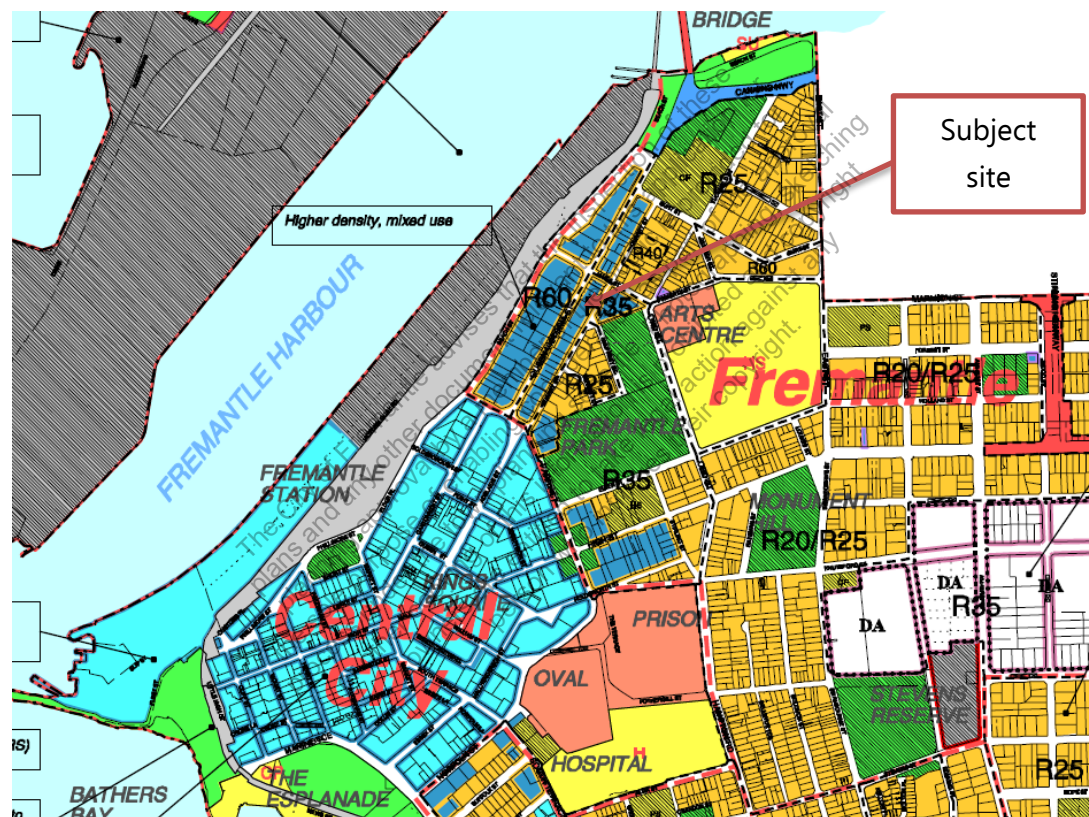


Figure 5: Subject site identified within the current Local Planning Strategy 2001. (Source: City of Fremantle).

Figure 1: City Plan: City Centre Area



Figure 6: Subject site identified within the DRAFT Local Planning Strategy. (Source: City of Fremantle).

The inclusion of the subject site within the City Centre, is largely consistent with the recent changes in demand for residential and commercial land within the City of Fremantle.

As a Strategic Centre under SPP4.2, this area is designated to deliver a comprehensive range of tourism, economic and community services essential to the local government and broader region.

Referring to Table 6 of the draft Strategy, the City Centre area is considered to be Perth's second city and the focus is on "*optimising employment opportunities, supporting a resilient 7-day-a-week economy, facilitating land use diversification and accommodating residential intensification.*"

Considering the above, the proposal is considered to be consistent with the intention of the Draft Local Planning Strategy to create economies and opportunities to support a vibrant and thriving city centre. In addition, the proposed operations is intended to be seven (7) days a week with the facilitation of recreational and food and beverage services.

### 4.3 Local Planning Policy 2.14 – Advertisement Policy

The City's Local Planning Policy 2.14 – Advertisement Policy (**LPP2.14**) is applicable to advertising signs in all zones. Some signage is exempted from requiring planning approval if the conditions are met.

In accordance with Clause 5 of the policy, a window sign if not covering more than 50% of the window area of the tenancy, is exempted from requiring planning approval.

As such it is considered that the proposed signage to be exempted from requiring planning approval. Should further signage be required at a future stage, an application can be submitted to the City at a later date.

### 4.4 Local Planning Policy 2.24 – Waste Management Plans

The City's Local Planning Policy 2.24 – Waste Management Plans (**LPP2.24**) is applicable to all development subject to development approval in the scheme area.

In accordance with Clause 1.1, waste management plan is required for non-residential development, including change of use. However, the details of waste management plan can be truncated for simple development proposals or small tenancy change of use in accordance with Clause 1.4.

Given that the proposed change of use is within an existing commercial tenancy, which is designed with future use in mind, it is considered that a simple indication of bin storage, presentation areas and dimensions may be sufficient.

A simplified Waste Management Plan (**WMP**) has been prepared and can be referred to at **Attachment 4**. Reference has also been made to the City's *Waste Management Guidelines for New Developments* in preparation of the WMP.

### 4.5 Local Planning Policy 3.1.3 – Precinct 3

The Local Planning Policy 3.1.3 – Precinct 3 (**LPP3.1.3**) provides development requirements for Precinct 3 as identified within LPS4 which the subject site is part of.

The subject site is identified as Area C whereby it has a mixture of contemporary and urban mixed use influences. The characteristic of the area is intended to create a new sense of place with residential aspects as well as maintaining the connection to the port.

In particular, section 5 of the policy highlighted provisions for development adjacent to pedestrian access route. The subject tenancy has frontage to Queen Victoria Street and pursuant to provision 5.1.4:

*5.1.4 Where non-residential uses are required at the ground level frontage to a primary street at the locations as shown in Figure 4 the development should:*

*· Be encouraged to incorporate a mix of active land uses at ground level that extend the hours of activity in the adjacent public domain beyond traditional retail hours.*

Given the above, it is considered that the proposed change of use with operating hours between 6am – 3pm for the café and 10am – 10pm for the recreation private/small bar use can be considered and is encouraged.

The rest of the policy pertains to development requirement which is not applicable for a change of use application.

#### 4.6 State Planning Policy 5.4 Road and Rail Noise

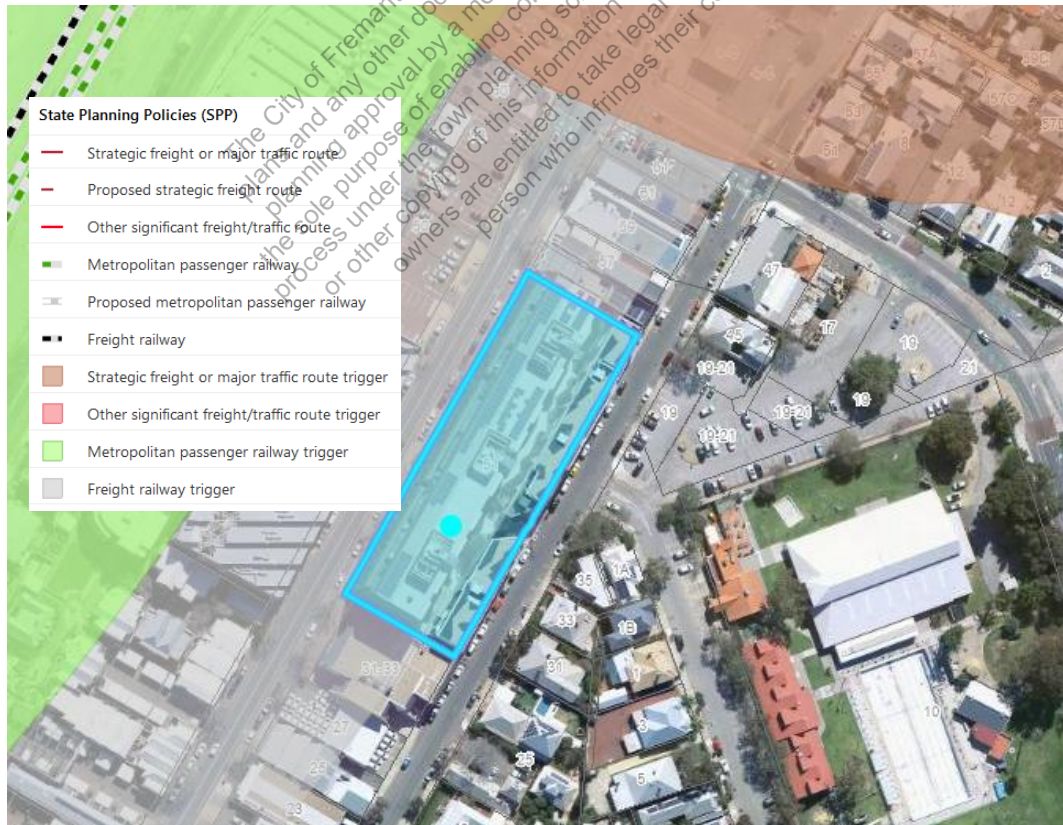


Figure 7: State Planning Policy 5.4 Road and Rail Noise – Freight Railway Trigger' (Source: Plan WA)

The proposed development is within the trigger distance of an 'Freight Railway' as identified in the State Planning Policy 5.4 Road and Rail Noise (**SPP5.4**).

However, the proposed change of use is not considered to be of a noise sensitive land use under the definition of SPP5.4 and therefore the requirement of the policy does not apply.

#### 4.7 Planning and Development (Local Planning Schemes) Regulations 2015

In accordance with Schedule 2 (**Deemed Provisions**) of the *Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations)*, the local government is to have due regard to the relevant matters for consideration outlined under Clause 67(2).

The following matters are considered relevant to the proposed development and are addressed in the following table.

Table 5: Assessment under Deemed Provisions Clause 67(2).

LPS Regulations Schedule 2: Clause 67(2)	
Provisions	Proposed Development
(a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	<p>The relevant provisions under the City's LPS42 have been addressed under <b>Section 4.1</b> of this Report. The proposal is for a change of use for 'Recreation-Private', incidental 'Café', and incidental 'Small Bar'.</p> <p>The proposed land uses are classified as 'A' and 'D' respectively and are capable of being approved.</p> <p>There is existing four (4) car parking bays which are allocated to the subject tenancy. This is to be used by staff. Whilst no parking bays are available to patrons or public, it is not dissimilar to most operations in the area where customers are expected to find on-street parking or to park within the City's car parking area.</p>

LPS Regulations Schedule 2: Clause 67(2)	
Provisions	Proposed Development
	<p>There is a car park area which is available to the rear of site along Quarry Street.</p> <p>It is considered that the proposal is consistent with the aims and provisions of the Scheme and therefore discretion can be exercised to approve the proposal.</p>
<p>(b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</p>	<p>A draft local planning strategy has been prepared and advertised and is provided for Council recommendation prior to the final consideration by WAPC. In this instance, the Strategy is considered to be seriously entertained.</p> <p>The subject site is identified to be within the 'Fremantle City Centre – Strategic Centre' which is an activity centre of regional significance. It is also indicated to be increased as a destination for economic hub.</p> <p>The proposed operations is consistent with the intention for a more vibrant and thriving, seven days a week economy.</p>
<p>(c) any approved State planning policy;</p>	<p>As discussed in <b>Section 4.6</b>, whilst the subject site is located within SPP5.4 trigger area, the requirements are not applicable as the proposed use is not a noise sensitive land use.</p>
<p>(fa) any local planning strategy for this Scheme endorsed by the Commission;</p>	<p>The City's local planning strategy indicates the subject site as being located within 'Fremantle', which is outside of the 'Centre City' area.</p> <p>As indicated above, there has been a shift in the characteristics of the locality which now incorporates the subject site into an activity centre.</p>
<p>(g) any local planning policy for the Scheme area;</p>	<p>As discussed in <b>Section 4.3, 4.4 and 4.5</b> above, considerations have been given to the applicable local planning policies LPP2.14, LPP2.24, LPP3.1.3.</p>

LPS Regulations Schedule 2: Clause 67(2)	
Provisions	Proposed Development
<p>(m) the compatibility of the development with its setting, including —</p> <p>(i) the compatibility of the development with the desired future character of its setting; and</p> <p>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</p>	<p>The proposal is for a change of use within an existing development on site. There are no proposed changes made to the external façade.</p> <p>The proposed use is a non-residential use, consistent with the intention of a mixed use zone.</p> <p>The proposal for a indoor golf simulation, incidental café and small bar is considered to be acceptable in a site which is intended to be incorporated into a city centre, as indicated by the City's draft Strategy.</p> <p>Surrounding development within the immediate locality also consists of an array of uses, from uses that can be found within commercial area which are generally located on the ground floor.</p> <p>When considering the context of the surrounding locality, the proposed use is consistent with the character of the locality.</p>
<p>(n) the amenity of the locality including the following —</p> <p>(i) environmental impacts of the development;</p> <p>(ii) the character of the locality;</p> <p>(iii) social impacts of the development;</p>	<p>There is no foreseeable social or environmental impact arising from the proposed use.</p> <p>The proposed change of use does not propose any additional external works.</p> <p>It has been considered that likely amenity impact arising from the proposed operation would be acoustic and traffic.</p> <p>For traffic, it is considered that no direct access to public parking is available. This is not dissimilar to other businesses in the surroundings.</p>

LPS Regulations Schedule 2: Clause 67(2)	
Provisions	Proposed Development
	<p>From a noise perspective, given the intention of the zone, it is considered that the surroundings would have differing amenity expectation in respect to noise. Nevertheless, the proposed operation as a recreation – private use would be relatively low impact.</p> <p>Noise and impact absorbing mats are installed at the projector screen to ensure that the hitting of golf balls will not cause any noise impact that will exceed acceptable threshold.</p> <p>In addition, should amplified music be required, this will be managed through limiting the noise to decibel that is acceptable to the City.</p>
<p>(s) the adequacy of —</p> <p>(i) the proposed means of access to and egress from the site, and</p> <p>(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;</p>	<p>The site has direct frontage via Queen Victoria Street. There is no vehicular access directly onto site via Queen Victoria Street.</p> <p>All vehicular access, including staff parking, loading and unloading and services access are achieved via Quarry Street.</p> <p>It is anticipated that the patrons will likely park on-street or other dedicated public parking areas in the vicinity.</p> <p>There is also opportunity for surrounding residents to utilise the site which will have a reduced need for car parking.</p>
<p>(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;</p>	<p>It is considered that there is no direct vehicular movement arising from the proposed development as there is no parking available to the public.</p>

LPS Regulations Schedule 2: Clause 67(2)	
Provisions	Proposed Development
	<p>Notwithstanding, consideration are given to the capacity on the subject site. It is considered that there will be no more than 100 people as a maximum capacity. However, it is unlikely that this cap will be reached at all times.</p> <p>Generally, it is anticipated that peak period would have 60 – 70 people. This is equivalent to approximately 120 to 140 traffic movement. However, any movement to and from site will largely be staggered as there is no specific start and end time, aside from the opening and closing hours for the facility.</p>
<p>(u) the availability and adequacy for the development of the following —</p> <ul style="list-style-type: none"> <li>(i) public transport services;</li> <li>(ii) public utility services;</li> <li>(iii) storage, management and collection of waste;</li> <li>(iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);</li> <li>(v) access by older people and people with disability;</li> </ul>	<p>The subject site is located in proximity to public transport. A bus stop is located less than 100m away from the subject site which services multiple routes, including high frequency bus route 910 and 998.</p> <p>For waste management, this has been addressed within the WMP and can sufficiently be managed without causing any impact to surrounding development.</p> <p>The tenancy is located on the ground floor whereby the existing development onsite has already accounted for pedestrian access to the front of site.</p> <p>End of trip facilities and bicycle parking are available for staff use as part of the existing development.</p> <p>The site is accessible to older people and people with disability. All additional internal partitions e.g. toilets meets building compliance.</p>
<p>(w) the history of the site where the development is to be located;</p>	<p>The existing development is intended for commercial tenancy consistent with the proposed use.</p>

## 5.0 Conclusion

The Applicant is seeking development approval for a change of use for 'Recreation – Private' incidental 'Restaurant/Café' and incidental 'Small Bar'. No external modifications are proposed to the existing development on site.

The subject site is located within a 'Mixed Use' zone and is a non-residential use located within an existing commercial tenancy on ground floor.

The proposal is intended to allow for the operation as an indoor golf simulator venue, with incidental food and beverage services provided. This is done via the small café which will facilitate services in the morning and transition to a small bar in the evening.

Small bar licence will be sought concurrent to the current application which will ensure further compliance to the requirements of the alcohol licensing, including capacity, timing of operation and services provided.

When considering the potential amenity impact arising for the change of use, it is considered that they can be managed and mitigated. For traffic, whilst the proposed use will have an increase of parking demand in the surroundings, the proposed use is not inconsistent with the future characteristic of the site and surrounds.

For noise considerations, indoor golf area is fitted with noise and impact absorbent mat to minimise noise. Further noise amplification and/or music are managed through limiting noise decibels that is acceptable to the *Noise Regulations*.

For the reasons outlined in this Report, it is submitted that the proposed development is suitable for the site and is consistent with the applicable planning framework. The proposal is considered to be of a scale and intensity that is acceptable within the Mixed Use zone, has no unacceptable impacts on the locality and is consistent with the objectives of the zone.

Accordingly, it is submitted that the proposal has merit and warrants approval.

We trust that this information is to your satisfaction and welcome the opportunity to review a draft suite of conditions of approval. We otherwise look forward to your prompt and favourable determination.