



Meeting attachments

Ordinary Meeting of Council

Wednesday 12 February 2025 6pm

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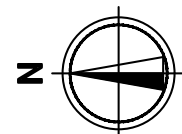
NO.	DATE	REVISION
A	20/08/24	DESIGN ADVISORY COMMITTEE ISSUE
B	28/08/24	DEVELOPMENT APPLICATION ISSUE
C	05/12/24	REVISED DEVELOPMENT APPLICATION
D	31/01/25	REVISED DEVELOPMENT APPLICATION ISSUE

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PROPOSED OVERALL SITE PLAN

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FREMANTLE PUBLIC GOLF COURSE
MONTREAL STREET, FREMANTLE

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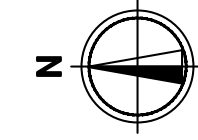
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B	28/08/24	DEVELOPMENT APPLICATION ISSUE	CPH	CPH
C	16/11/24	REVISED LANDSCAPING DETAILS	CPH	CPH
D	07/01/25	REVISED DEVELOPMENT APPLICATION ISSUE	CPH	CPH
E	09/01/25	REVISED CARPARK LAYOUT	CPH	CPH

PROPOSED SITE PLAN
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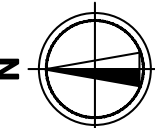
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A	28.06.24	DESIGN APPROVED FOR COMMITTEE ISSUE
B	28.11.24	DEVELOPMENT APPLICATION ISSUE
C	05.11.24	REVISED DEVELOPMENT EXTENTS
D	17.01.25	REVISED DEVELOPMENT APPLICATION ISSUE

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FOCUSED SITE PLAN

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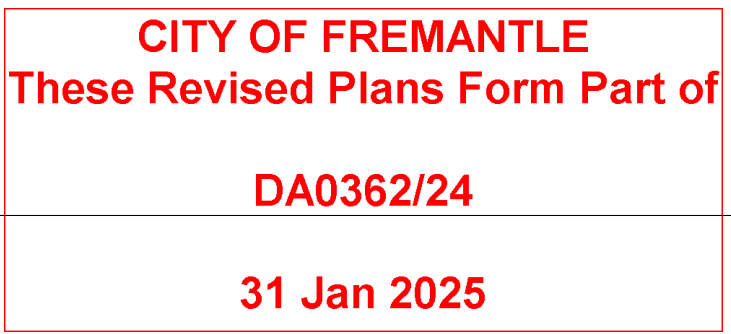
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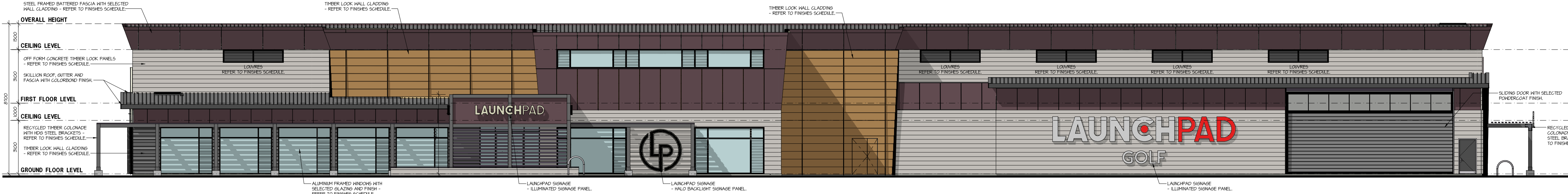
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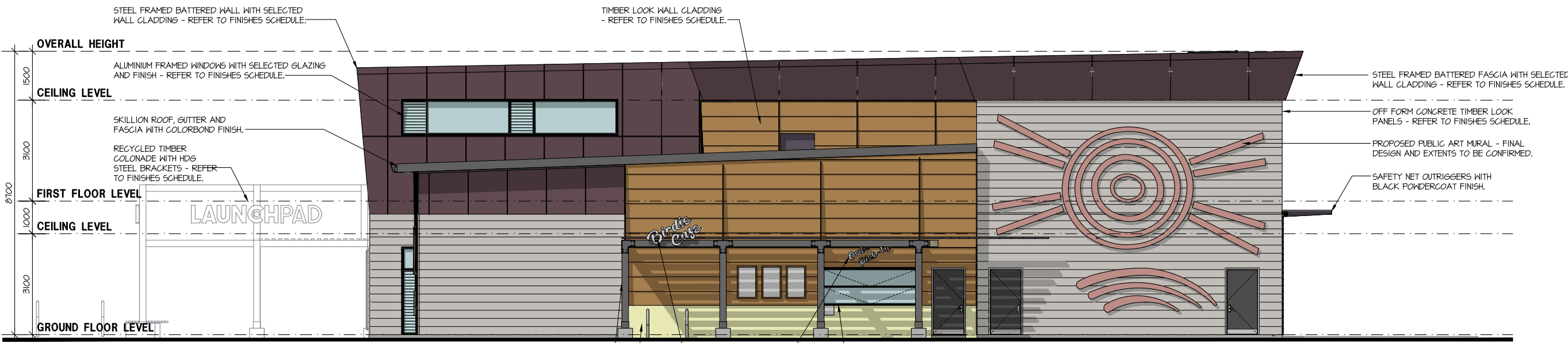




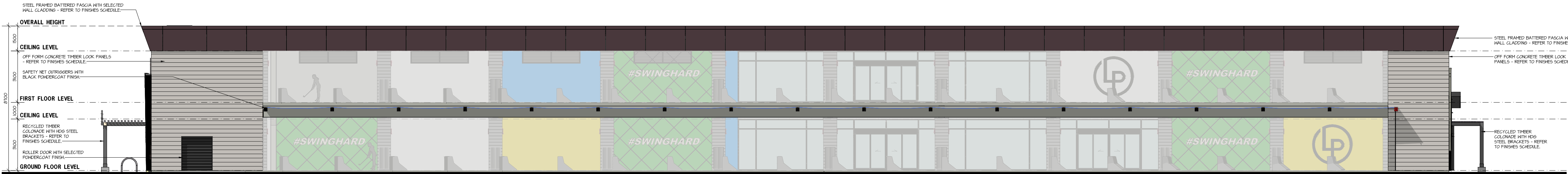
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SCALE 1:100



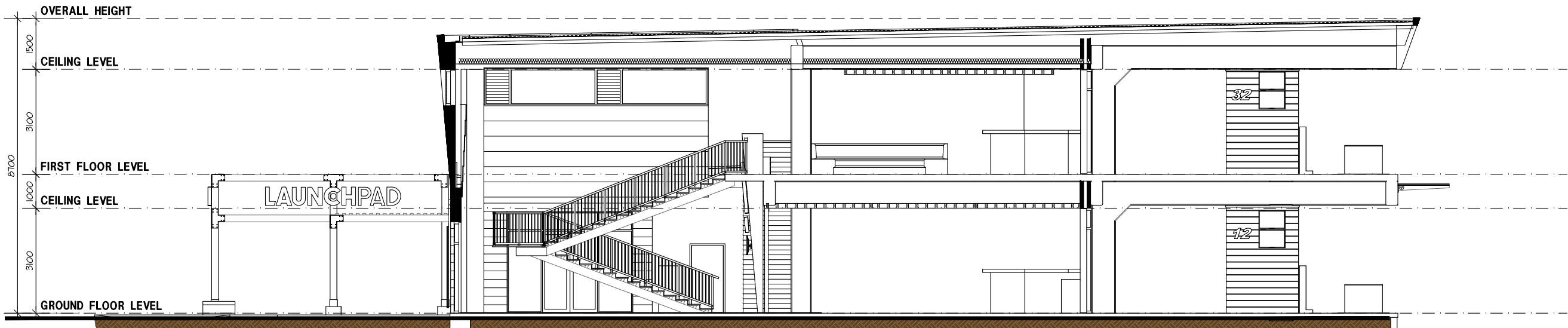
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ELEVATION E4
SCALE 1:100

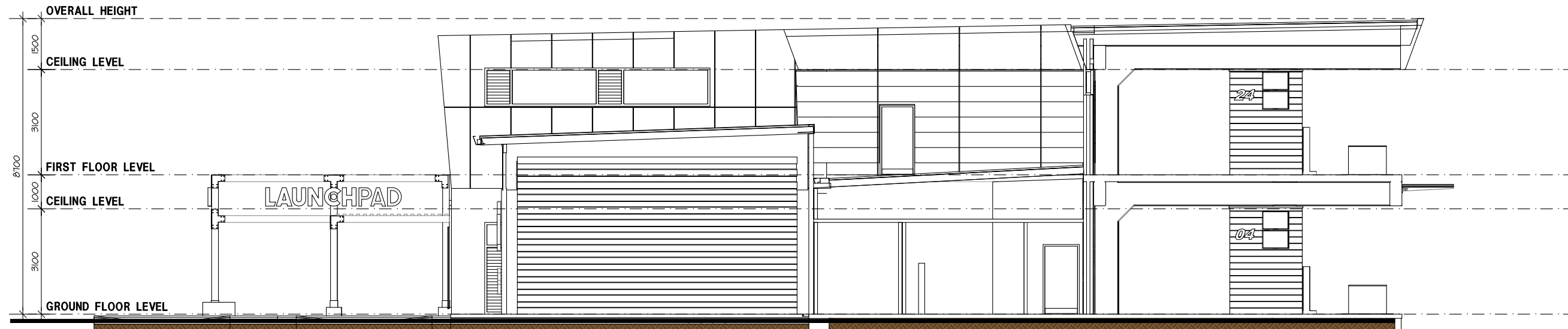


ELEVATION E3
SCALE 1:100



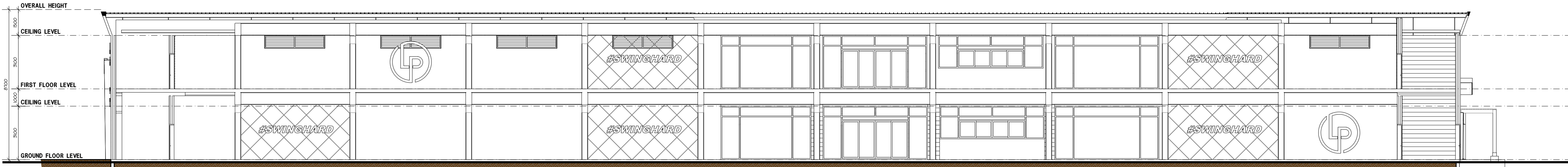
SECTION A-A
SCALE 1:100

SCHEMATIC



SECTION B-B
SCALE 1:100

SCHEMATIC



SECTION C-C
SCALE 1:100

SCHEMATIC

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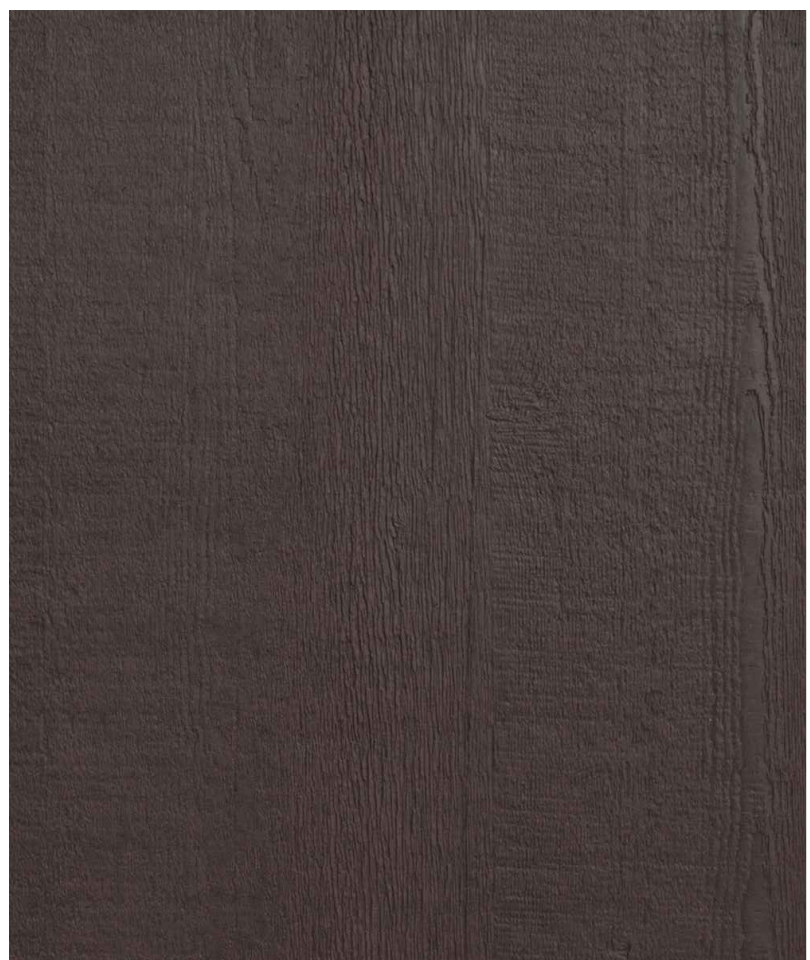
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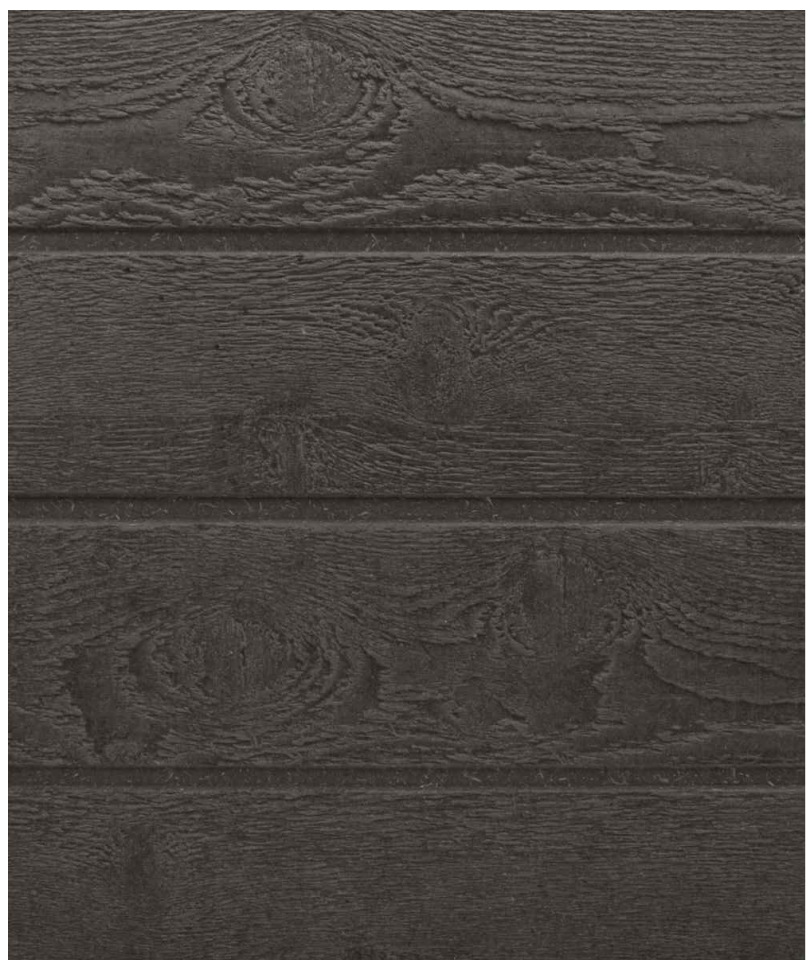
EXTERIOR MATERIAL AND COLOUR BOARD



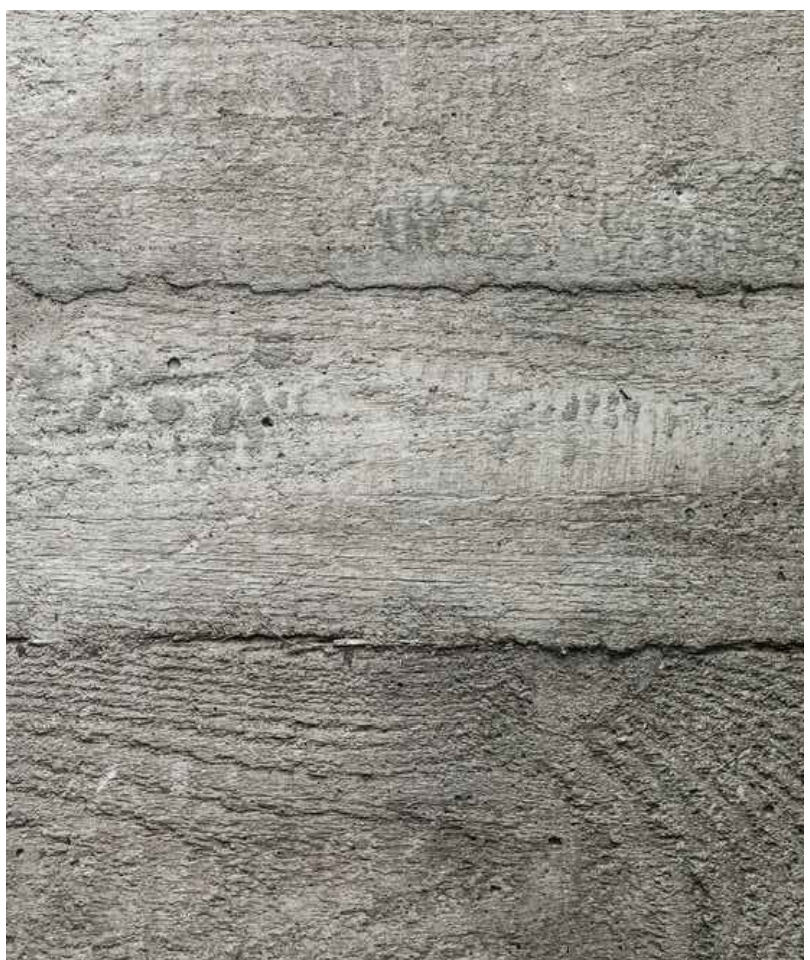
① UPPER WALL CLADDING
WEATHERTEX - WEATHERGROOVE NATURAL 1200mm



② WALL CLADDING - HORIZONTAL 400mm BOARD
WEATHERTEX - WEATHERGROOVE NATURAL - WALNUT STAIN



③ WALL CLADDING - HORIZONTAL WEATHERBOARD
WEATHERTEX - BELFLOK ECOGROOVE 180mm - IRON TEA STAIN



④ EXTERIOR WALLS - CONCRETE
CONCRETE TILT PANEL - OFF FORM TIMBER BOARD - NATURAL GREY



⑤ EXTERNAL PATHS
CONCRETE - EXPOSED AGGREGATE - BURAL "COCOISE"



⑥ COLONADE TIMBER COLUMNS AND BEAMS
TIMBER - BLACK TIMBER STAIN



⑦ ROOF SHEETING
LYSAGHT KLIPLOK - COLORBOND "WINDSPRAY"



⑧ COLONADE EXPOSED STEEL BRACKETS
BLACKENED STEEL



⑨ ALUMINIUM WINDOW AND DOOR JOINERY
POWERCOAT - DULUX "NIGHT SKY"



⑩ ALUMINIUM LOUVRES
POWERCOAT - DULUX "NIGHT SKY"

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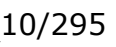
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**Appendix 11:
Waste Management Plan**



Reduce. Reuse. Recycle

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Lot 555 (20) Montreal St, Fremantle
Proposed Recreation Development
Waste Management Plan



Prepared for:
Ashdabs Pty Ltd

November 2024

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Lot 555 (20) Montreal St, Fremantle

Prepared for: Ashdabs Pty Ltd
Prepared by: Paul Ghantous
Date: 7 November 2024
Project number: U24.130

Version control

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U24.130.r02	04/11/24	PG	DRAFT	Planning Solutions
U24.130.r02a	07/11/24	PG	FINAL	Planning Solutions



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1 Introduction

This Waste Management Plan has been prepared by Urbii on behalf of Ashdabs Pty Ltd with regards to the Proposed Recreation Development, located at Lot 555 (20) Montreal St, Fremantle.

The subject site is situated on the eastern side of Montreal Street, within Fremantle Public Golf Course, as shown in Figure 1. It is proposed to develop the site into a 'LaunchPad Golf' recreational development. The development includes driving range facilities, food and beverage and a pro shop.

The key issues that will be addressed in this WMP include calculation of the waste generation of the site, assessment of waste storage provisions and documentation of the waste collection arrangements.



Figure 1: Subject site

Source: Hindley & Associates



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2 Objectives

The objectives of this WMP are adapted from the WALGA *Commercial and Industrial Waste Management Plan Guidelines*:

- Ensure that the long-term waste management needs for the development are met in an efficient and sustainable manner.
- Minimise the impact of waste services and facilities on the streetscape and surrounds, in relation to both the footpath/public realm and the frontage of the development.
- Reduce the impact of waste collection services and facilities on the amenity of the locality particularly in terms of noise and odour.
- Maximise safety for both waste collection staff and the public.
- Minimise traffic and footpath obstruction.

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3 Referenced documents

The documents referenced in preparing this WMP may include, but are not limited to:

- City of Melbourne *Guidelines for Waste Management Plans* 2021;
- City of Perth *Waste Guidelines for all Developments* 2019;
- WALGA *Commercial and Industrial Waste Management Plan Guidelines*;
- WALGA *Multiple Dwelling Waste Management Plan Guidelines*;
- WALGA *Subdivision Waste Management Plan Guidelines*; and,
- Waste Authority WA *Waste Avoidance and Resource Recovery Strategy for 2030*.



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4 Guiding concepts

Urbii adopts the guiding concepts of the State’s Waste Strategy and encourages these concepts to be considered in all developments to the furthest extent feasible.

4.1 Waste hierarchy

The *Waste Avoidance and Resource Recovery Strategy 2030* applies the waste hierarchy (Figure 2), which is a widely accepted decision-making tool. The waste hierarchy ranks waste management options in order of their general environmental desirability. Waste avoidance is the most preferred option in the hierarchy.

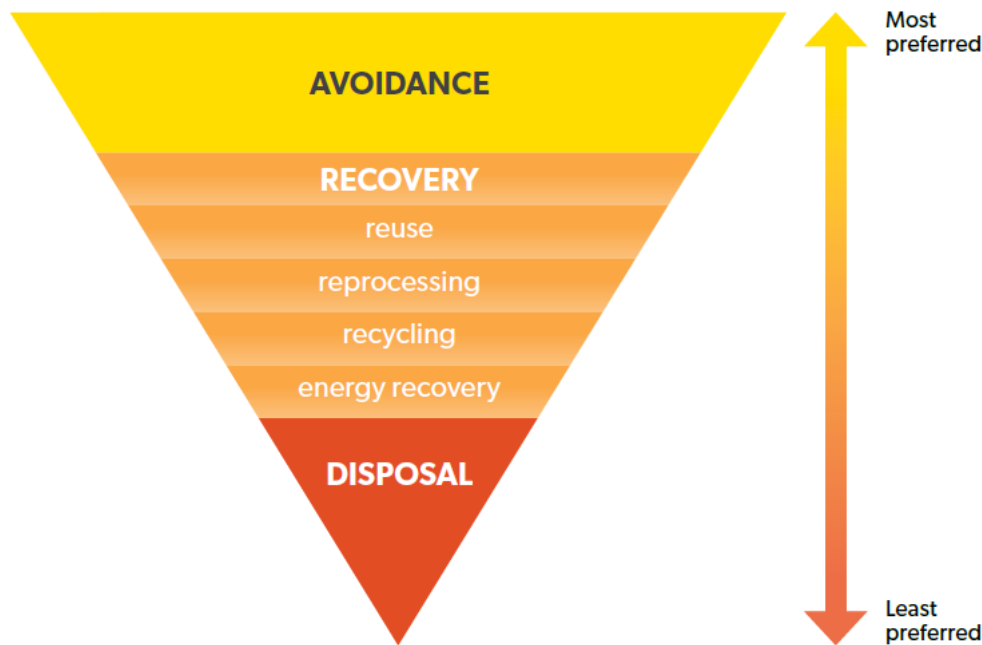


Figure 2: Waste hierarchy

Source: Waste Authority WA *Waste Avoidance and Resource Recovery Strategy for 2030*.

Resource recovery options recover value from materials, thereby offsetting the environmental impacts of extracting and processing raw materials. Energy recovery is the least preferred recovery option. Disposal is the least preferred option. Disposal generally recovers the least value from materials and delivers the least environmental benefit.

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4.2 Circular economy

A circular economy (Figure 3) makes use of established sustainability concepts, including life cycle thinking and resource efficiency. A circular economy should consider the flow of both materials and energy. It moves away from the linear ‘take, make, use and dispose’ model, to one which keeps materials and energy circulating in the economy for as long as possible.

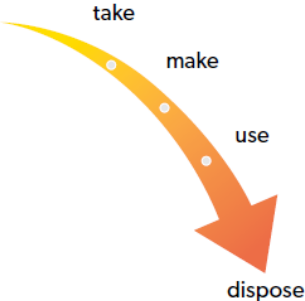
Current approach	Circular economy
	
Linear flow of materials – ‘take, make, use and dispose’ model.	Circular flow of materials – materials sorted and retained in the economy for as long as possible.
Limited use of renewable materials and energy.	Preference for renewable materials and energy.
Significant volumes of materials disposed of and lost to the economy. Loss of embodied materials, energy and water.	Materials recovered as high up the waste hierarchy as possible. Embodied materials, energy and water retained in the economy. Organic materials re-enter and regenerate the environment safely (for example, as compost).
Materials managed locally and globally.	Preference to manage materials locally to reduce the costs and impacts of transport, and to provide local employment and investment opportunities.
Economic value of materials, employment and investment not fully accounted for.	Economic value of materials, employment and investment accounted for.
Limited focus on life cycle thinking.	Products designed and manufactured to minimise environmental impact through whole of life.

Figure 3: Transitioning to a circular economy

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5 Proposed development

The proposal for the subject site is for a recreation development, comprising:

- Upgraded driving range facilities with 40 hitting bays;
- A combination of bar, lounge, dining and driving range seating;
- Kitchen and bar facilities;
- Toilet and shower facilities;
- Fremantle Public Golf Course Pro Shop (210m²);
- Delivery, service and waste collection area;
- Car parking including:
 - Off-street car park 1: 36 on-site car parking bays, including 2 x ACROD bays and 2 x EV charging bays;
 - Off-street car park 2: 32 car parking bays;
 - 27 additional 90-degree on-street car parking spaces;
 - Use of 57 existing on-street car parking spaces;
- Five bicycle rails which can park up to 10 bicycles (double-sided).

Vehicle access to the off-street car parks is proposed via four new crossovers on Montreal Street.

Waste will be collected internally via private waste collection service. Waste and delivery vehicle servicing will be accommodated within a designated covered service area at the front of the site.

The proposed development plans are included for reference in Appendix A.

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6 Waste generation

The waste generation of the development has been estimated through first principles calculation. The following assumptions have been adopted for conservative and robust analysis:

- Assume 546 two-way vehicle trips per day (based on traffic generation documented in the Transport Impact Assessment).
- Traffic is equivalent to 273 vehicle entries to the development per day.
- Assume a conservative vehicle occupancy rate of 2 people per car, this equates to 546 people per day attending the driving range.
- Assume all people consume one meal on site.
- Assume each meal prepared on site generates:
 - 1L of General Waste.
 - 1L of Food Organics.
 - 0.5L of Recycling Waste.
 - 0.5L of Cardboard.

The estimated waste generation for the development is detailed in Table 1.

Table 1: Estimated development waste generation

Waste Stream	Daily Meals	L/meal	L Per day	L Per week
GW	546	1	546	3822
FOGO	546	1	546	3822
REC	546	0.5	273	1911
CARD	546	0.5	273	1911
Total			1638	11466

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7 Waste systems

7.1 Internal bin storage areas

General waste and recycling bins will be distributed throughout public areas for disposal of waste by visitors.

Back of house and staff areas will be provided with separate bins to dispose of four waste streams.

Employed cleaners will empty bins regularly and transfer waste to the bin store.

7.2 External bin storage areas

Bin storage areas at this development must be adequate to contain all waste and recycled material generated on the premises for the intended waste collection frequency. A bin store is proposed to be provided on ground level within the service courtyard (Figure 4). A bin wash down pad with drainage and hot and cold water is also provided.

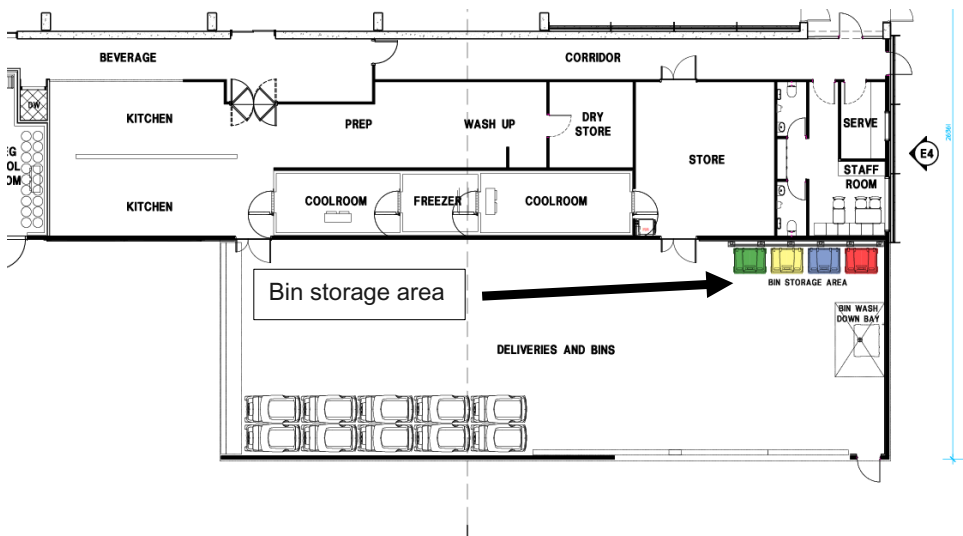


Figure 4: Bin store location

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7.2.1 Bin size, quantity and colour

It is proposed to provide the following bins to service the development:

- 1 x 1,100L General Waste.
- 1 x 1,100L FOGO.
- 1 x 1,100L Recycling.
- 1 x 1,100L Cardboard.

7.2.2 Bin storage area design

Urbii has checked the proposed bin storage location and confirmed that required clearances are provided. A bin storage plan is included in Appendix B.

The following is a list of generic advice offered for consideration at subsequent detailed design stages of the project:

- **Size:** The size of the area set aside for the management of waste is sufficient to accommodate the number of bins required (based on the compaction ratio and the collection regime provided).
- **Ventilation and odour:** The design of the bin store will provide for adequate natural ventilation through ventilated doors which will be permanent, unobstructed natural ventilation openings direct to the external air, not less than one-twentieth i.e. 5% of the floor area.
- **Lighting:** Artificial light controlled by switches will be located both outside and inside the storage area.
- **Signage:** Clear and easy to read "NO STANDING" signs and "DANGER" warning signs will be fixed to the external face of the bin store and signage designating the correct sorting of waste streams will be fixed to the internal wall(s).
- **Aesthetics:** The bin store should be designed to be consistent with the overall aesthetics. The waste collection point is located away from the front or main entrances to the buildings and avoids setting bins out along the external walls of the building.
- **Protection from Fire, theft and vandalism:** The bin store is located on the ground level and access will be restricted to only the Site Supervisor and the approved building users & maintenance staff.
- **Washing bins and waste storage area:** The bin store will have bin-washing facilities including an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock and have floor drainage installed. The site maintenance team will be responsible for washing bins (or contracting the waste and recycling service provider to wash bins) and for maintenance of the bin store.
- **Distance from service area & truck access:** The rear loader waste truck can directly access the bins from the bin storage area.



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8 Waste collection

8.1 Waste vehicle types

A private waste contractor will be engaged to empty bins via a rear lift truck. A rear lift truck is recommended to service the bin store as there is a 4.75m height clearance. The available height clearance suits a rear lift truck.

8.2 Waste collection frequency

The proposed collection frequency of different waste streams is detailed in Table 2.

Table 2: Proposed waste collection frequency

General Waste				
Weekly generation (L)	Bin size (L)	Number of bins	Weekly collection frequency	Weekly capacity (L)
3822	1100	1	4	4400
FOGO				
Weekly generation (L)	Bin size (L)	Number of bins	Weekly collection frequency	Weekly capacity (L)
3822	1100	1	4	4400
Recycling				
Weekly generation (L)	Bin size (L)	Number of bins	Weekly collection frequency	Weekly capacity (L)
1911	1100	1	2	2200
Cardboard				
Weekly generation (L)	Bin size (L)	Number of bins	Weekly collection frequency	Weekly capacity (L)
1911	1100	1	2	2200

8.3 Vehicle access and maneuvering

Waste collection will be facilitated within the internal service courtyard. Swept path analysis was undertaken for a 12.5m Heavy Rigid Vehicle (HRV) and is presented in Appendix C. The swept path analysis confirms that waste trucks can enter and exit the site in forward gear.

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9 Additional waste requirements

9.1 Bulk waste

Bulk waste can include old and broken furniture and electronic items/white goods and materials generated. Bulk waste can be stored in the back of house area, service courtyard or another storage room for a brief time until arrangements can be made for removal.

9.2 E-waste

Storage space for E-waste will be accommodated in designated storage areas or in the back of house areas. E-waste will be disposed of in a suitable manner, such as bulk drop-off to the tip or using public battery recycling boxes.

9.3 Garden organics

The site caretaker will manage garden organic waste associated with landscape maintenance. Garden waste can be placed in bins if there is space or can be removed by trailer to be disposed offsite in a suitable location.

9.4 Liquid waste and grease

Some internal areas may need grease arrestors to control grease and fat content in wastewater. These requirements are governed by the Water Corporation which provides the following general advice:

“Under the Water Services Act 2012, all businesses involved in the retail food industry must obtain written permission before discharging any waste into our wastewater system. During the trade waste application assessment process our trade waste officers assess if a grease arrestor is required based on the type of activities being undertaken. In general, retail food businesses that prepare and cook on site require a grease arrestor.”

A qualified FOGMan (fats, oils and grease management) contractor should be engaged to remove cooking oils, fats and grease from relevant areas. Supporting infrastructure for these areas should be considered at detailed design and internal fit-out stages

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10 Waste management

General waste and recycling bins will be distributed throughout public areas for disposal of waste by visitors. Back of house and staff areas will be provided with separate bins to dispose of four waste streams. Employed cleaners will empty bins regularly and transfer waste to the bin store.

Designated staff will be responsible for:

- Cleaning the bin storage area and facilities; and,
- Regularly cleaning bins.

The appointed facility manager will be responsible to:

- Appoint a staff member for:
 - arranging pick-up times for the bins by the private contractor, including moving the bins from the bin store to the collection point;
 - arranging for the bins to be cleaned and sanitised; and
 - coordinating the cleaning of the bins and bin storage areas every two (2) to three (3) weeks;
- Deal promptly with any issues or complaints relating to hygiene, noise, odour or other inconvenience; and,
- Provide adequate training for relevant staff regarding waste management.

A copy of the Waste Management Plan will be maintained within the office/administration area of the premises for reference and records.

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11 Conclusion

As demonstrated within this Waste Management Plan, the proposed development provides sufficient bin storage and adequate bins to service the site for all waste streams.

Furthermore, the servicing of the bins by private service can be adequately achieved without having an adverse impact on the site and the local street network.



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Appendices

Appendix A: Proposed development plans

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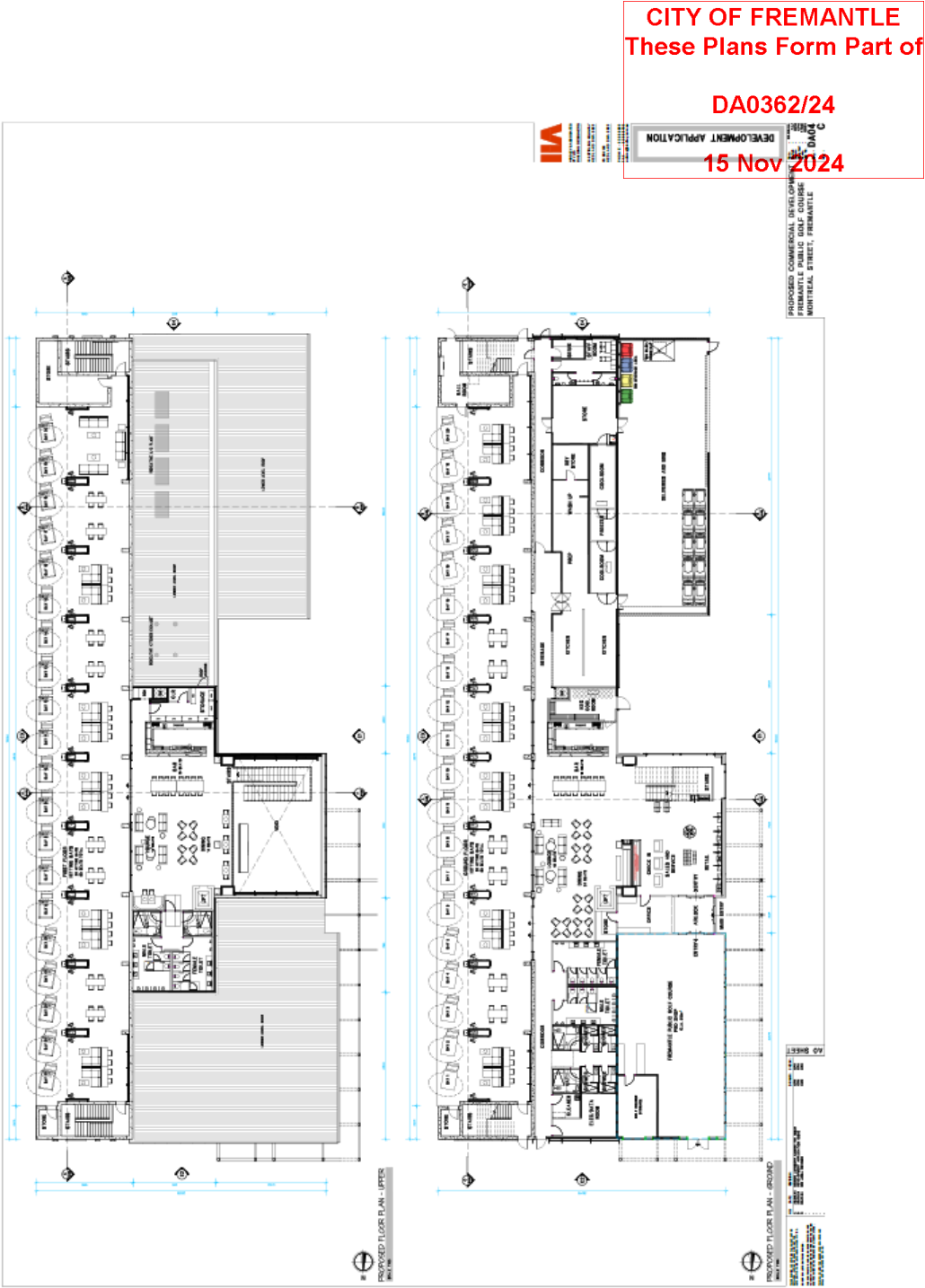


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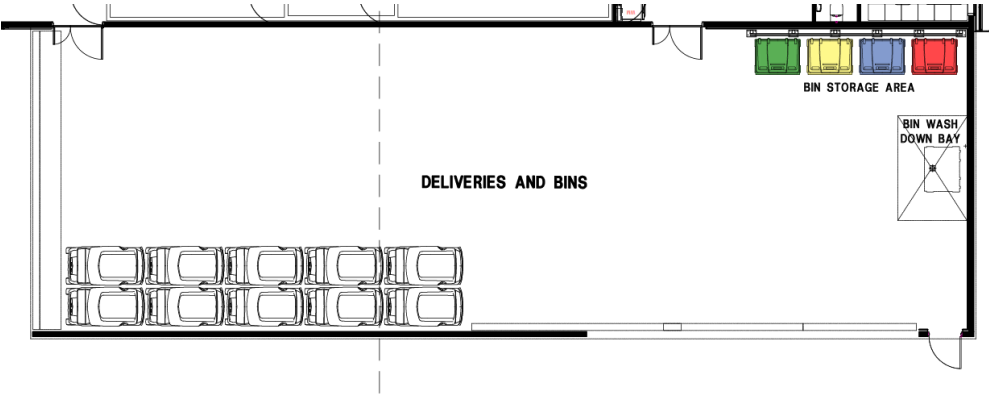
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Appendix B: Bin storage plan



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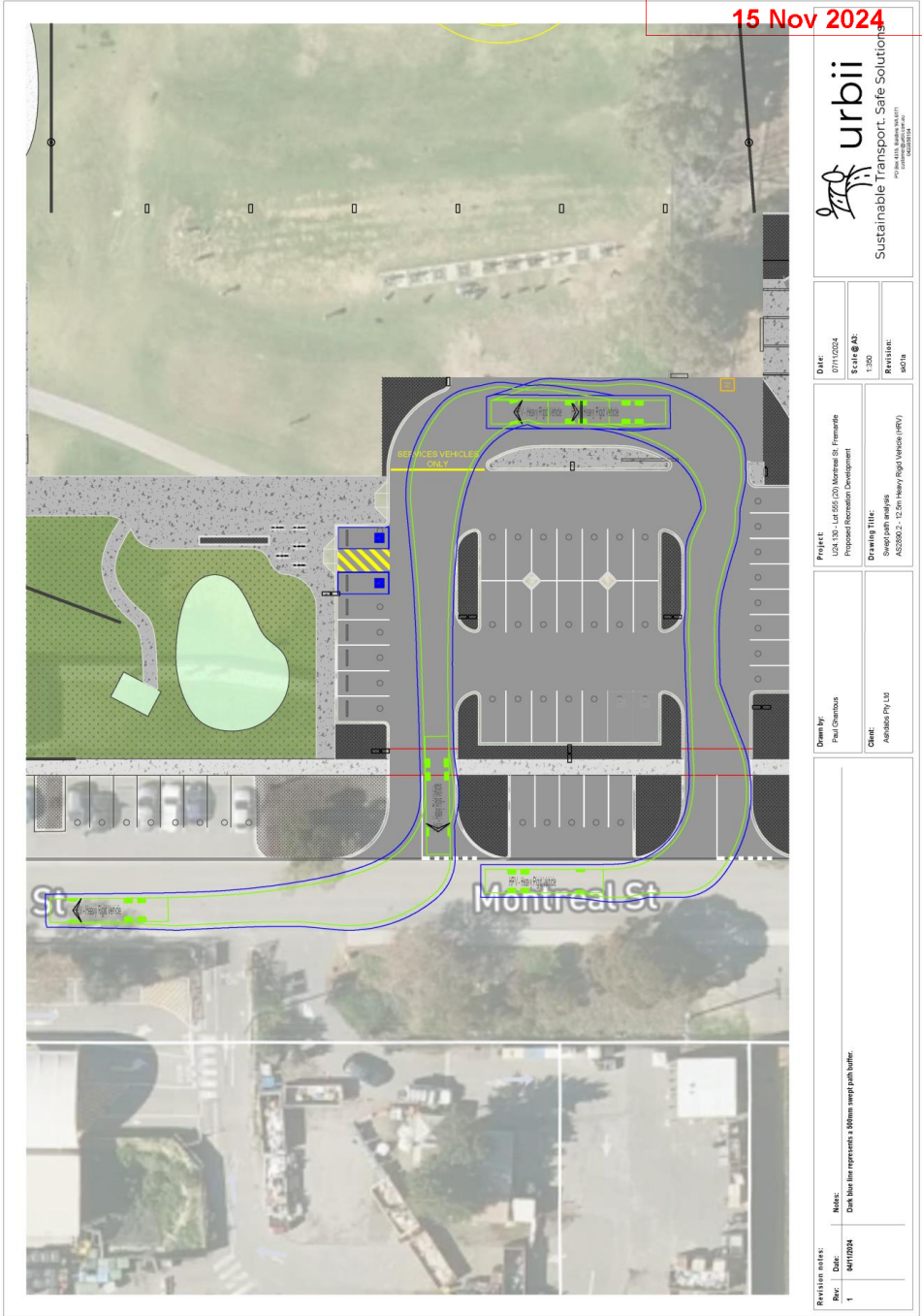
Appendix C: Swept path analysis

Swept path diagrams are included in this section of the report. Different coloured lines are employed to represent the various envelopes of the vehicle swept path, as described below:

- Cyan represents the wheel path of the vehicle
- Green represents the vehicle body envelope
- Blue represents a 500mm safety buffer line, offset from the vehicle swept path

The swept path diagrams are also provided separately in high-quality, A3 PDF format.

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Appendix 8:
Environmental Noise Assessment



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Environmental Noise Assessment - LaunchPad Golf

Lot 555 (20) Montreal Street, Fremantle

Reference: 24099385-01A

Prepared for:
Ashdabs Pty Ltd ITF The Gunson Family Trust



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Reference: 24099385-01A

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This report has been prepared in accordance with the scope of services described in the contract or agreement between Lloyd George Acoustics Pty Ltd and the Client. The report relies upon data, surveys, measurements and results taken at or under the particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the Client. Furthermore, the report has been prepared solely for use by the Client, and Lloyd George Acoustics Pty Ltd accepts no responsibility for its use by other parties.

Date	Rev	Description	Author	Verified
11-Oct-24	0	Issued to Client	Dave Perry	Matt Moyle
5-Nov-24	A	Issued to Client	Dave Perry	Matt Moyle

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EXECUTIVE SUMMARY

Lloyd George Acoustics was engaged by Ashdabs Pty Ltd ITF The Gunson Family Trust to undertake an environmental noise assessment for the proposed LaunchPad Golf development (the Project) to be located at Lot 555 (20) Montreal Street, Fremantle.

The development (refer *Appendix A* plans) consists of:

- Driving Range, kitchen with back-of-house, and small dining and bar areas over two floors
- Upgrades to existing parking areas and additional on grade carparking
- Mechanical plant
- Loading dock

The project is at Development Application (DA) stage with detailed design ongoing. This report discusses the acoustic requirements relevant at approval stage (noise emissions) and is based on preliminary design documentation and indicative acoustic data.

Operational noise has been assessed against the requirements of the *Environmental Protection (Noise) Regulations 1997* with compliance predicted at the nearest and surrounding noise sensitive premises during the proposed hours of operation.

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1. INTRODUCTION

Lloyd George Acoustics was engaged by Ashdabs Pty Ltd ITF The Gunson Family Trust to undertake an environmental noise assessment for the LaunchPad Golf development to be located at Lot 555 (20) Montreal Street, Fremantle - refer *Figure 1-1*.

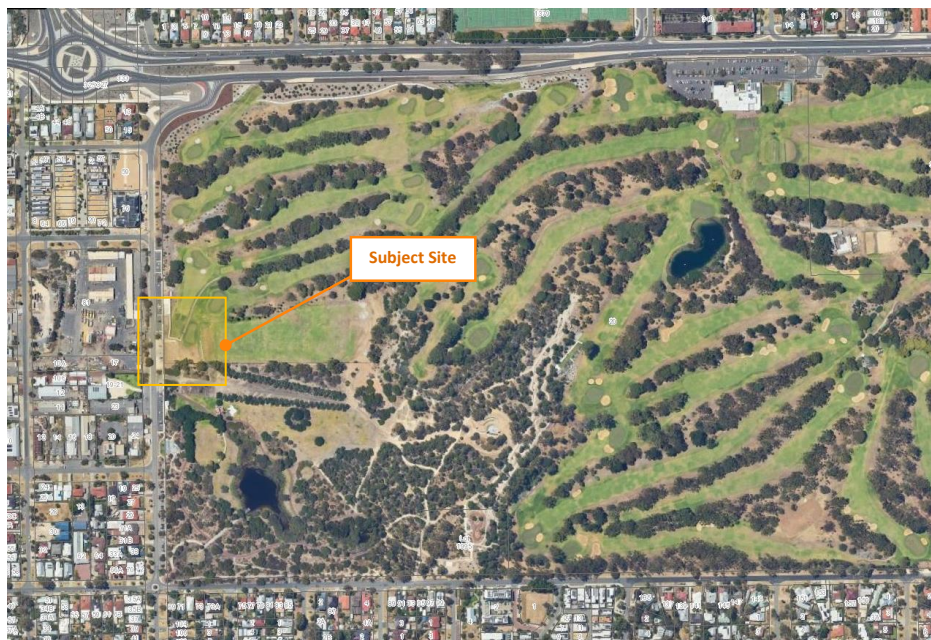


Figure 1-1: Subject Site Location (Source: DPLH PlanWA)

The development will include 40 semi-enclosed driving range bays, kitchen, dining and bar facilities over two-levels. Proposed operating hours are 7.00am to 11.00pm (Sunday to Wednesday) and 7.00am to 12.00am (Thursday to Saturday).

With regard to noise emissions, consideration is given to patron and driving range noise, use of house speaker systems for background music, mechanical services and carpark noise emissions at neighbouring properties, against the prescribed standards of the *Environmental Protection (Noise) Regulations 1997*.

Appendix C contains a description of some of the terminology used throughout this report.

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2. CRITERIA

Environmental noise in Western Australia is governed by the *Environmental Protection Act 1986*, through the *Environmental Protection (Noise) Regulations 1997* (the Regulations).

2.1. Regulations 7, 8 & 9

This group of regulations provide the prescribed standard for noise as follows:

“7. Prescribed standard for noise emissions

- (1) Noise emitted from any premises or public place when received at other premises –

(a) must not cause, or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind; and

(b) must be free of –

(i) tonality; and

(ii) impulsiveness; and

(iii) modulation,

when assessed under regulation 9.
- (2) For the purposes of subregulation (1)(a), a noise emission is taken to significantly contribute to a level of noise if the noise emission ... exceeds a value which is 5 dB below the assigned level at the point of reception.”

Tonality, impulsiveness and modulation are defined in regulation 9 (refer *Appendix C*). Under regulation 9(3), “Noise is taken to be free of the characteristics of tonality, impulsiveness and modulation if -

- (a) the characteristics cannot be reasonably and practicably removed by techniques other than attenuating the overall level of noise emission; and
- (b) the noise emission complies with the standard prescribed under regulation 7(1)(a) after the adjustments in the table [Table 2-1] ... are made to the noise emission as measured at the point of reception.”

Table 2-1: Adjustments Where Characteristics Cannot Be Removed

Where Noise Emission is Not Music*			Where Noise Emission is Music	
Tonality	Modulation	Impulsiveness	No Impulsiveness	Impulsiveness
+ 5 dB	+ 5 dB	+ 10 dB	+ 10 dB	+ 15 dB

* These adjustments are cumulative to a maximum of 15 dB.

The assigned levels (prescribed standards) for all premises are specified in regulation 8(3) and are shown in *Table 2-2*. The L_{A10} assigned level is applicable to noises present for more than 10% of a representative assessment period, generally applicable to “steady-state” noise sources. The L_{A1} is for short-term noise sources present for less than 10% and more than 1% of the time. The L_{Amax} assigned level is applicable for incidental noise sources, present for less than 1% of the time.

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Table 2-2 Baseline Assigned Levels

Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area ¹	0700 to 1900 hours Monday to Saturday (Day)	45 + influencing factor	55 + influencing factor	65 + influencing factor
	0900 to 1900 hours Sunday and public holidays (Sunday)	40 + influencing factor	50 + influencing factor	65 + influencing factor
	1900 to 2200 hours all days (Evening)	40 + influencing factor	50 + influencing factor	55 + influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	35 + influencing factor	45 + influencing factor	55 + influencing factor
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial Premises	All hours	60	75	80
Industrial and Utility Premises	All hours	65	80	90

1. *highly sensitive area* means that area (if any) of noise sensitive premises comprising —
 (a) a building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
 (b) any other part of the premises within 15 metres of that building or that part of the building.

The influencing factor (IF), in relation to noise received at noise sensitive premises, has been calculated as either 0, 3, 5 or 6 dB, as determined in *Appendix B*. *Table 2-3* shows the assigned levels including the influencing factor and transport factor at the receiving locations.

Figure 2-1 shows the location of noise sensitive premises considered in the assessment.

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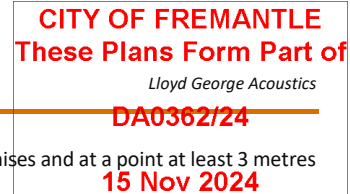
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Figure 2-1 Noise Sensitive Premises

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Table 2-3 Assigned Levels				
Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
R1 (+5 dB IF) Nearest Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday (Day)	50	60	70
	0900 to 1900 hours Sunday and public holidays (Sunday)	45	55	70
	1900 to 2200 hours all days (Evening)	45	55	60
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	40	50	60
R2 (+3 dB IF) Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday (Day)	48	58	68
	0900 to 1900 hours Sunday and public holidays (Sunday)	43	53	68
	1900 to 2200 hours all days (Evening)	43	53	58
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	38	48	58
R3 (+6 dB IF) Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday (Day)	51	61	71
	0900 to 1900 hours Sunday and public holidays (Sunday)	46	56	71
	1900 to 2200 hours all days (Evening)	46	56	61
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	41	51	61
R4 Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday (Day)	45	55	65
	0900 to 1900 hours Sunday and public holidays (Sunday)	40	50	65
	1900 to 2200 hours all days (Evening)	40	50	55
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	35	45	55



It must be noted the assigned levels above apply outside the receiving premises and at a point at least 3 metres away from any substantial reflecting surfaces.

The assigned levels are statistical levels and therefore the period over which they are determined is important. The Regulations define the Representative Assessment Period (RAP) as *"a period of time of not less than 15 minutes, and not exceeding 4 hours, determined by an inspector or authorised person to be appropriate for the assessment of a noise emission, having regard to the type and nature of the noise emission"*. An inspector or authorised person is a person appointed under Sections 87 & 88 of the *Environmental Protection Act 1986* and include Local Government Environmental Health Officers and Officers from the Department of Water Environmental Regulation. Acoustic consultants or other environmental consultants are not appointed as an inspector or authorised person. Therefore, whilst this assessment is based on a 4-hour RAP, which is assumed to be appropriate given the nature of the operations, this is to be used for guidance only.

2.2. Regulation 3

"3. Regulations do not apply to certain noise emissions

- (1) *Nothing in these regulations applies to the following noise emissions –*
 - (a) *Noise emissions from the propulsion and braking systems of motor vehicles operating on a road;"*

The car park is considered a road and therefore vehicle noise (propulsion and braking) is not assessed. Noise from vehicle car doors however are assessed, since these are not part of the propulsion or braking system.

2.3. Regulation 14A

"14A. Waste Collection and Other Works

- (2) *Regulation 7 does not apply to noise emitted in the course of carrying out class 1 works if –*
 - (a) *The works are carried out in the quietest reasonable and practicable manner; and*
 - (b) *The equipment used to carry out the works is the quietest reasonably available;*

class 1 works means specified works carried out between -

- (a) *0700 hours and 1900 hours on any day that is not a Sunday or a public holiday; or*
- (b) *0900 hours and 1900 hours on a Sunday or public holiday.*

specified works means -

- (a) *The collection of waste; or*
- (b) *The cleaning of a road or the drains for a road; or*
- (c) *The cleaning of public places, including footpaths, cycle paths, car parks and beaches;"*

In the case where specified works are to be carried out outside of class 1, a noise management plan is to be prepared and approved by the CEO.

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3. METHODOLOGY

Computer modelling has been used to predict the noise emissions from the development to all nearby receivers. The software used was *SoundPLAN 9.0* with the ISO 9613 algorithms (ISO 17534-3 improved method) selected, as they include the influence of meteorological conditions. Input data required in the model are listed below and discussed in *Section 3.1* to *Section 3.4*:

- Meteorological Information;
- Topographical data;
- Ground Absorption; and
- Source sound power levels.

3.1. Meteorological Conditions

Meteorological information utilised is provided in *Table 3-1* and is considered to represent worst-case conditions for noise propagation. At wind speeds greater than those shown, sound propagation may be further enhanced, however background noise from the wind itself and from local vegetation is likely to be elevated and dominate the ambient noise levels.

Table 3-1: Modelling Meteorological Conditions

Parameter	Day (7.00am to 7.00pm)	Night (7.00pm to 7.00am)
Temperature (°C)	20	15
Humidity (%)	50	50
Wind Speed (m/s)	Up to 5	Up to 5
Wind Direction*	All	All

* The modelling package allows for all wind directions to be modelled simultaneously.

Alternatives to the above default conditions can be used where one year of weather data is available and the analysis considers the worst 2% of the day and night for the month of the year in which the worst-case weather conditions prevail (source: *Draft Guideline on Environmental Noise for Prescribed Premises*, May 2016). In most cases, the default conditions occur for more than 2% of the time and therefore must be satisfied.

3.2. Topographical Data

Topographical data was adapted from publicly available information (e.g. *Google*) in the form of spot heights and combined with the site plan.

Existing buildings were incorporated in the noise model, as these can provide noise shielding as well as reflection paths. Receivers are modelled at a height of 1.4 metres above ground or floor if multi-storey. Single storey buildings are modelled with a height of 3.5 metres and double storey buildings assumed to be 7.0 metres in height. Montreal Commons is a 5-storey building and has been modelled at a height of 17.5m, noting the Ground Floor is commercial only with classification as a noise sensitive premises beginning at the 1st floor.

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3.3. Ground Absorption

Ground absorption has been modelled at 0.0 (0%) for roads, 1.0 (100%) for grass and 0.5 (50%) elsewhere, noting that 0.0 represents hard reflective surfaces such as water and 1.0 represents absorptive surfaces such as grass.

3.4. Source Sound Levels

The sound power levels used in the modelling are provided in Table 3-2.

Table 3-2 Source Sound Power Levels, dB

Description	Octave Band Centre Frequency (Hz)								Overall dB(A)
	63	125	250	500	1k	2k	4k	8k	
Driving Range – driver 'hits' (L _{Max})	92	82	79	86	91	93	102	102	106
Car Park Door Closings (L _{Max})	71	74	77	81	80	78	72	61	84
Patron Noise – 65 per floor (L ₁₀)	78	81	84	86	78	75	73	72	86
Loudspeakers – 10 per floor (L ₁₀)	78	78	78	78	78	78	78	78	85
Bar – Refrigeration Plant (L ₁₀)	74	73	72	75	76	74	72	70	80
4 x Kitchen Exhaust Fan (KEF) (L ₁₀)	90	94	90	78	79	77	78	76	87
4 x Multi-Unit VRF AC Condensers (L ₁₀)	78	73	68	67	66	61	56	51	70
8 x Toilet Exhaust Fan (TEF) (L ₁₀)	76	75	71	62	62	57	58	54	68
Standard Truck Deliveries (L _{A1})	97	88	84	85	80	78	76	72	87

With regards to the above sources, please note the following assumptions:

- Golf driving range Sound Power Levels (SWLs) taken from on-site measurements used in previous similar projects, modelled as 0.5m above floor level;
- Building Services Plant SWLs taken from typical equipment suited to this size and type of development, assumed to be located on facility roof – no initial screening;
- Patron noise (SWL dB, L_{A10}) levels are derived from the German Standard VDI 3770 *Characteristic noise emission values of sound sources - Facilities for recreational and sporting activities* which outlines characteristic noise emission values for sound sources in recreational and sporting settings. VDI 3770 specifies a sound power level (SWL dBA) of 65 dB per person for crowds less than 300. An additional 3dB has been applied to account for the L_{A10} statistical noise metric used for assessment. Occupancy has been modelled as three (3) persons per driving range booth for a total of 130 patrons using the driving ranges.
- Background music sound system modelled as distributed ceiling speakers (10 per floor) located above seating areas with each loudspeaker producing Sound Pressure Level of 75 dB(A) at 1m;
- Car Park Doors Closing modelled at 1.0 metres above ground;
- Loading noise is representative of standard truck deliveries and is modelled at 0.5 metres above ground.

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4. RESULTS AND ASSESSMENT

Noise levels were predicted by way of noise modelling to the nearest residential premises, a 5-storey apartment building located at 76 Knutsford Street, Fremantle (Montreal Commons). Surrounding noise sensitive premises located more than 300m from the development have also been included (Terrazzo Lane and Stevens Street).

As the development includes proposed operating hours after 10pm, assessment against the night-time criteria has been applied. Noise modelling was conducted for the following operational scenarios:

- Scenario 1 - Night (L_{A10}) - patrons noise, background music and mechanical services
- Scenario 2 - Night (L_{Amax}) - driving range hits and car park door slams
- Scenario 3 - Day (L_{A1}) - loading bay activity

4.1. Scenario 1 – Night L_{A10} (Patron Noise, Music and Mechanical Services)

Scenario 1 examines noise emissions (L_{A10}) associated with use of the driving ranges during the night-time period, including patron noise, background music and mechanical services. Noise breakout from patrons dining inside the development have not been included, as noise generating activity in the outdoor areas (driving range) will be the dominant noise source.

Location of L_{A10} noise sources (Patron Noise, Background Music and Mechanical Plant) is shown below in Figure 4-1.



Figure 4-1: Patron, Music and Mechanical Plant Sources

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The results for the Night L_{A10} operational scenario are provided in Table 4-1. No penalty for *tonality*, *impulsiveness* or *modulation* has been applied, as it is reasonable to assume the predicted noise levels would be indistinguishable from existing ambient background noise at the point of reception.

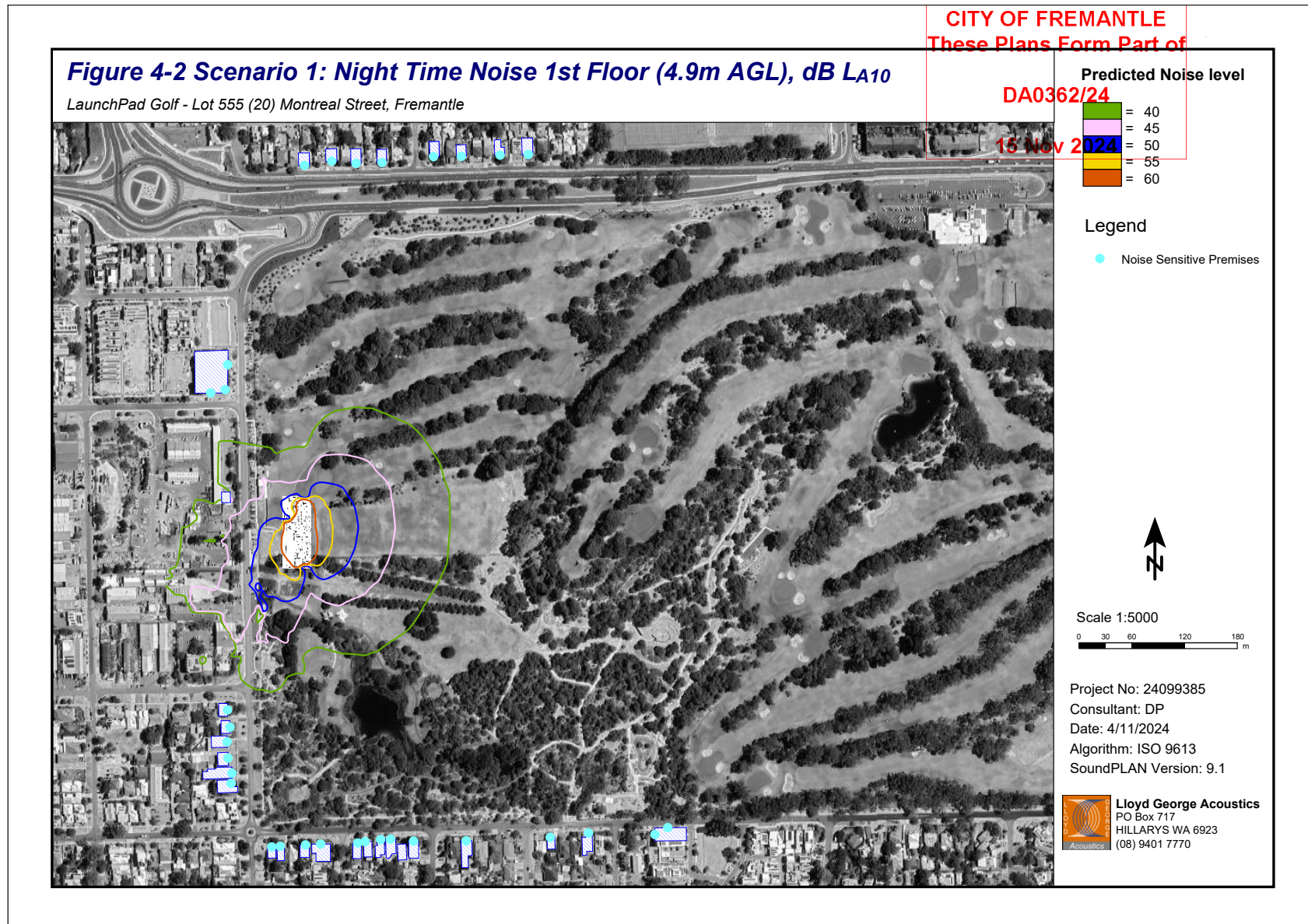
Noise contour plots are provided in Figure 4-2 showing noise levels at 4.9m above ground, representing of the height of the 1st residential floor (Level 1) at 76 Knutsford St, Fremantle (Montreal Commons).

Table 4-1: Scenario 1 - Predicted Levels and Assessment, dB L_{A10}

Receiver*	Patron Noise	Music	Mech Plant	Total	Night Assigned Level	Assessment
Montreal Commons – Level 1	29	25	33	35	40	Complies
Montreal Street residences ¹	25	22	35	36	38	Complies
Terrazzo Lane residences ¹	21	19	22	25	41	Complies
Stevens Street residences ¹	26	24	27	30	35	Complies

Note 1: Represents the highest noise level of a group of receivers

Based on the predicted noise levels, compliance against the Assigned Levels (L_{A10}) will be achieved for the night-time period for the operational scenario described above.



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4.2. Scenario 2 – L_{Amax} (Driving range and Carpark activity)

Scenario 2 assesses driving range golf ball strike noise (L_{Amax}) from all driving range bays and car doors closing from additional carpark locations. Car doors closing and striking of golf balls may be considered *Impulsive* under the Regulations for intrusive noise characteristics, hence a +10 dB adjustment is applied.

Location of L_{Amax} noise sources (Driving Range, Carpark areas) is shown below in Figure 4-3.



Figure 4-3: Driving Range and Carpark Sources

The results for the Night (L_{Amax}) scenario are provided in Table 4-2.

Figure 4-4 shows noise contours at 4.9m above ground, representing of the height of the 1st residential floor (Level 1) at 76 Knutsford St, Fremantle (Montreal Commons). Note that the contour plots do not include the adjustment for impulsiveness.

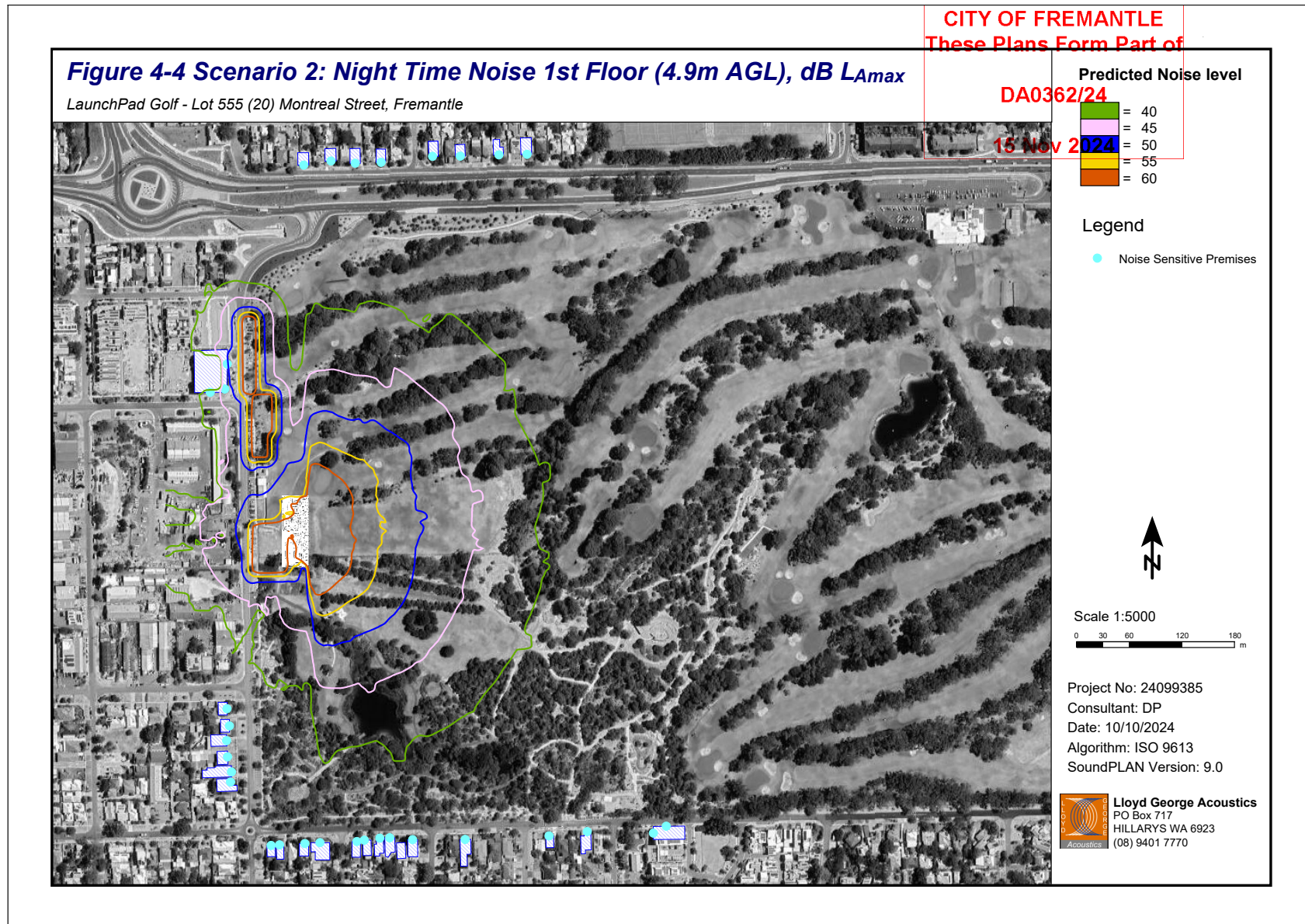
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Table 4-2: Scenario 2 - Predicted Levels and Assessment, dB L_{Amax}

Receiver	Car Park ²	Driving Range ²	Night Assigned Level	Assessment
Montreal Commons – Level 1	57	49	60	Complies
Montreal Street residences ¹	38	46	58	Complies
Terrazzo Lane residences ¹	35	38	61	Complies
Stevens Street residences ¹	31	44	55	Complies

Note 1: Represents the highest noise level of a group of receivers
Note 2: Includes +10dB adjustment for intrusive noise characteristics

Based on the predicted noise levels presented above, compliance against the Assigned Levels (L_{Amax}) will be achieved for the night-time period for the operational scenario described above.



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4.3. Scenario 3 – Day LA1 (Loading Bay)

Scenario 3 assesses typical Loading Bay operations (LA1) during standard daytime hours (7.00am to 7.00pm, Monday to Saturday). Location for Loading Bay activity noise source (LA1) is shown in Figure 4-5.



Figure 4-5: Loading Bay Source

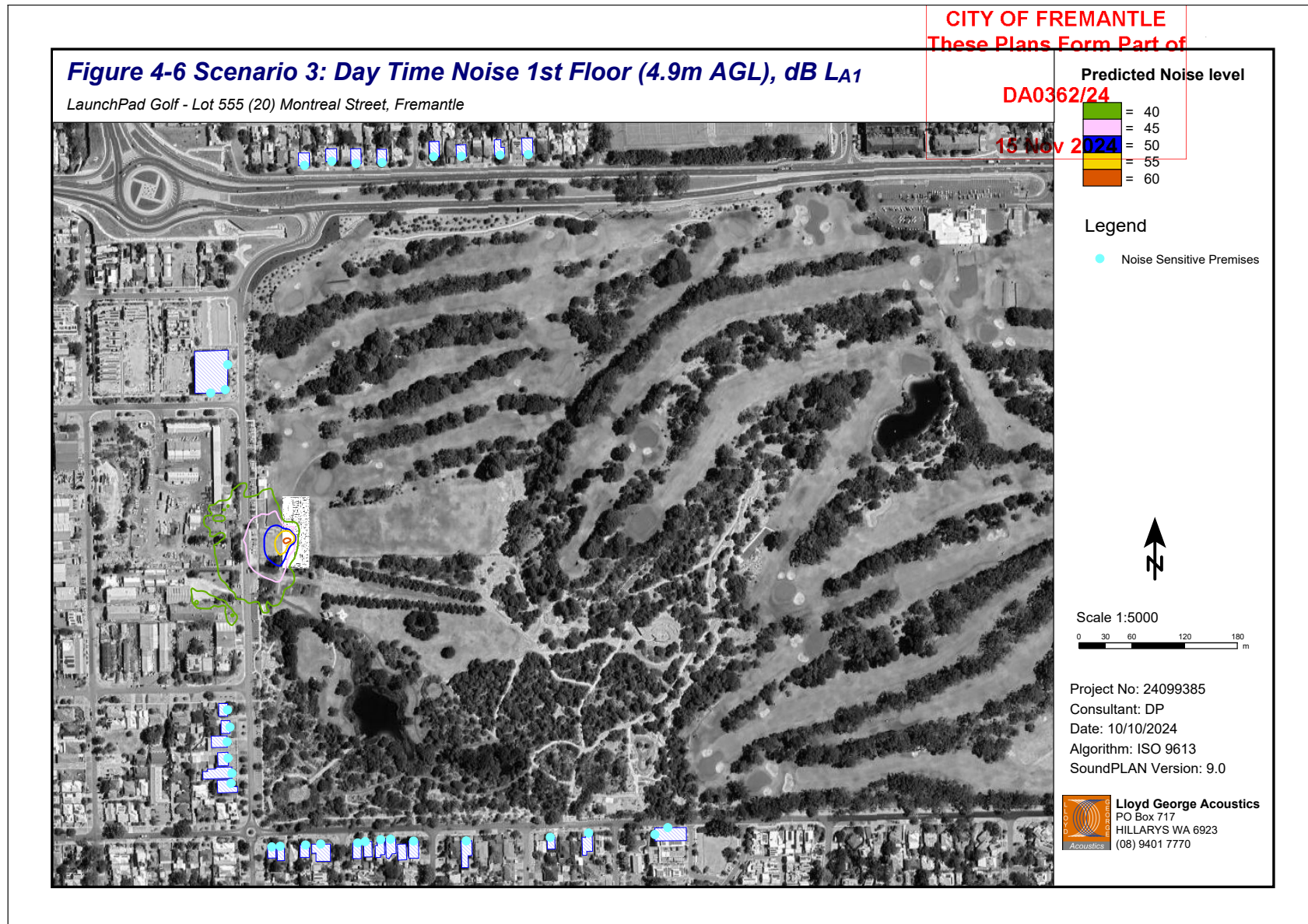
The results for the Day (LA1) scenario are provided in Table 4-3. Noise contour plots are provided below in Figure 4-6 showing noise levels at 4.9m above ground, representing of the height of the 1st residential floor (Level 1) at 76 Knutsford St, Fremantle (Montreal Commons).

Table 4-3: Scenario 3 - Predicted Levels and Assessment, dB LA1

Receiver	Total	Day Assigned Level	Assessment
Montreal Commons – Level 1	31	60	Complies
Montreal Street residences ¹	< 30	58	Complies
Terrazzo Lane residences ¹	< 30	61	Complies
Stevens Street residences ¹	< 30	55	Complies

Note 1: Represents the highest noise level of a group of receivers

Based on the predicted noise levels, compliance against the Assigned Levels (LA1) will be achieved during the day-time period for the operational scenario described above. It should be noted that compliance would also be achieved where loading occurs during the evening and night time periods, where the Assigned Levels are 5 to 10 dB lower, respectively.



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5. CONCLUSION

5.1. Patron Noise

Patron noise (SWL dB, L_{A10}) levels are derived from the German Standard VDI 3770 *Characteristic noise emission values of sound sources - Facilities for recreational and sporting activities* with occupancy modelled as 130 patrons being located in the semi-enclosed driving range balconies.

Predicted patron noise levels comply with the night-time assigned level of L_{A10} 40dB at the nearest noise sensitive premises.

In practice, received noise levels from the development will be a direct consequence of the nature of patron behaviour which is variable, and may rise/fall in specific circumstances or situations. The resulting sound levels received at the nearest noise sensitive premises will therefore be interdependent upon the management policy and principals in operating the venue.

5.2. Background Music

Sound system was modelled using 20 ceiling speakers each producing 75 dB(A), SPL @ 1m for music playback at 'background' noise levels. Low-frequency content including the use of subwoofer systems has not been considered. Should the client propose such systems; detailed design and coordination with the architect, AV and acoustic consultant should be carried out.

Predicted sound system (background music) noise levels comply with the night-time assigned level of 40 dB L_{A10} at the nearest noise sensitive premises.

5.3. Building Services Noise

Mechanical services design is unknown at this stage and inductive plant selection and location has been used at this stage of development. The building services noise assessed within Scenario 1 (L_{A10}) includes 8 x Toilet Exhaust Fans (TEF), 4 x Multi-zone VRF AC condensers, and 4 x Kitchen Exhaust Fans (KEF).

As the predicted levels are based on file data and assumed plant locations, it is recommended ongoing assessment of mechanical plant selection be carried out at detailed design by a suitably qualified acoustical consultant.

Predicted mechanical plant noise levels comply with the night-time assigned level of L_{A10} 40 dB at the nearest noise sensitive premises.

5.4. Car Park and Driving Range

Car Park doors closing noise and Driving Range golf ball hits have been assessed using L_{Amax} criteria, with predicted levels up to 57 dB L_{Amax} inclusive of +10dB *Impulsive* penalty when assessed across all receivers. This result complies with the regulations limit of 60 dB L_{Amax} during night-time hours of 10.00pm – 7.00am, and Sunday/Public Holiday hours of 10.00pm – 9.00am without further mitigation.

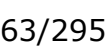
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5.5. Loading Bay Noise

Loading bay noise is predicted to comply with *the Regulations* limits during daytime operation. While compliance is achieved outside of the daytime period, Loading Bay activities are still recommended to be conducted during the hours of 7.00am to 7.00pm, Monday to Saturday.

Appendix A – Development Plans

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Appendix B – Influencing Factor Calculation

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The assigned levels combine a baseline assigned level with an influencing factor, with the latter increasing the assigned level on the basis of the existence of significant roads and commercial or industrial zoned land within an inner circle (100 metre radius) and an outer circle (450 metre radius) of the noise sensitive premises. The calculation for the influencing factor is:

$$= \frac{1}{10} (\% \text{ Type A}_{100} + \% \text{ Type A}_{450}) + \frac{1}{20} (\% \text{ Type B}_{100} + \% \text{ Type B}_{450})$$

where :

% Type A₁₀₀ = the percentage of industrial land within
a 100m radius of the premises receiving the noise

%TypeA₄₅₀ = the percentage of industrial land within
a 450m radius of the premises receiving the noise

% Type B₁₀₀ = the percentage of commercial land within
a 100m radius of the premises receiving the noise

%TypeB₄₅₀ = the percentage of commercial land within
a 450m radius of the premises receiving the noise

+ Transport Factor (maximum of 6 dB)

= 2 for each secondary road (6,000 to 15,000 vpd) within 100m

= 2 for a major road (> 15,000 vpd) within 450m

= 6 for a major road within 100m

The nearest noise sensitive premises is identified as:

- R1 – Montreal Commons, 5-storey apartment building (76 Knutsford Street, Fremantle)

Surrounding noise sensitive premises located at considerably distances (>150m) have been included in the assessment.

- R2 – Montreal Street residences (25 – 33 Montreal Street, Fremantle)
- R3 – Terrazzo Lane residences (9 – 53 Terrazzo Lane, Fremantle)
- R4 – Stevens Street residences (69 – 125 Stevens Street, Fremantle)

Table B-1 shows the percentage of industrial and commercial land within the inner (100 metre radius) and outer (450 metre radius) circles of all noise sensitive premises (R1 – R4). Figure B-5-1 shows the location industrial and commercial land for the nearest noise sensitive premises (R1).

Table B-1: Percentage of Land Types within 100m and 450m Radii

Receiver	Land Type	Within 100m	Within 450m
R1	Type A - Industrial and Utility	14	6
	Type B – Commercial	0	14
R2	Type A - Industrial and Utility	11	15
	Type B – Commercial	0	0

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Receiver	Land Type	Within 100m	Within 450m
R3	Type A - Industrial and Utility	0	0
	Type B – Commercial	0	0
R4	Type A - Industrial and Utility	0	0
	Type B – Commercial	0	0

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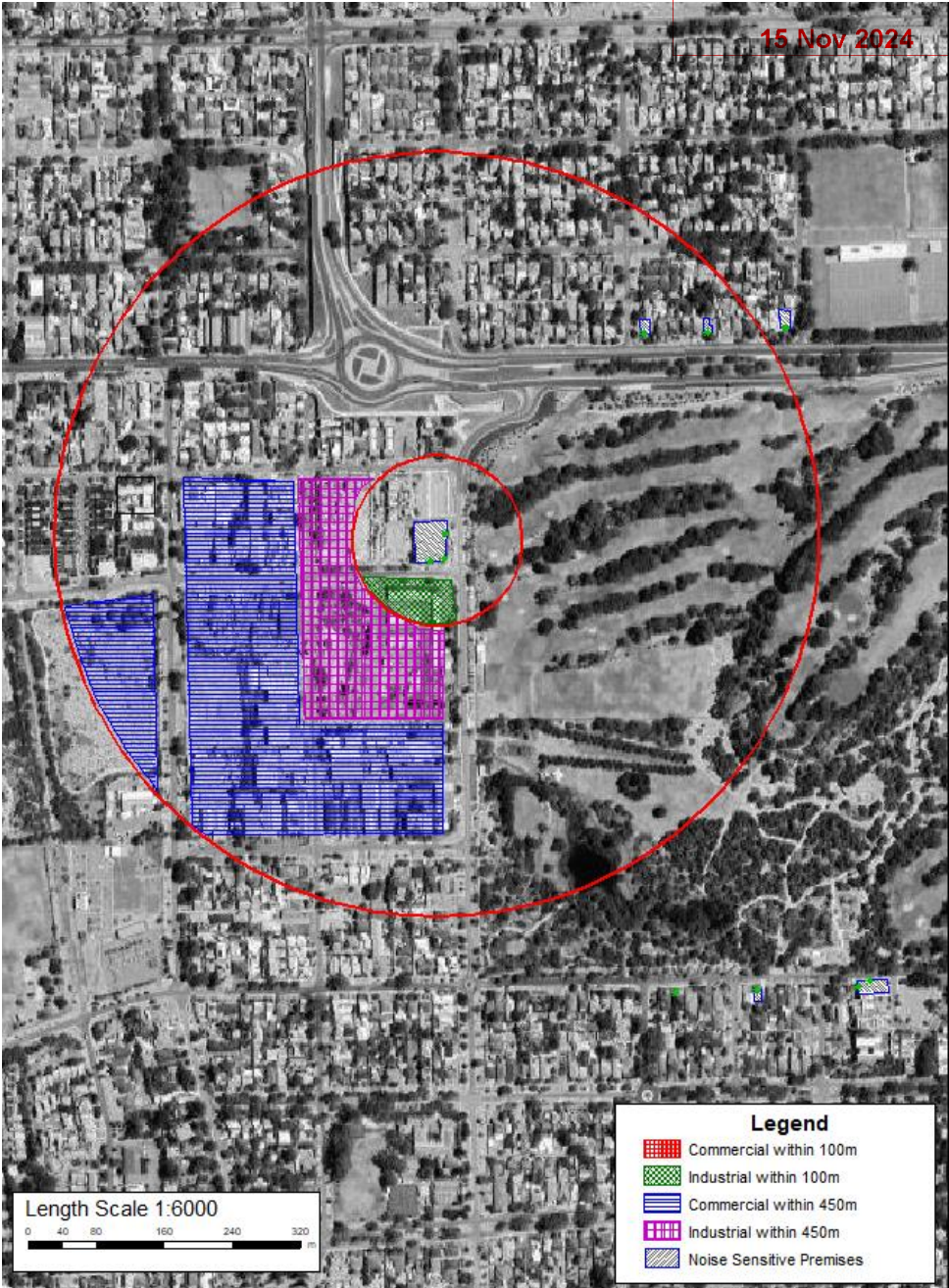


Figure B-5-1: Land Types within 100m and 450m Radii of R1

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From the Main Roads WA Traffic Website (refer *Figure B-5-2*), *Table B-2* shows the relevant roads within the inner (100 metre radius) and outer (450 metre radius) circles.

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Table B-2: Relevant Roads within 100m and 450m Radii

Receiver	Within 100m		Within 450m
	Major Road (+ 6 dB)	Secondary Road (+ 2 dB)	Major Road Not Within 100m (+ 2 dB)
R1	-	-	Stirling Hwy - South of Marmion St
R2	-	-	-
R3	High St - East of Stirling Hwy	-	Stirling Hwy - South of Marmion St
R4	-	-	-

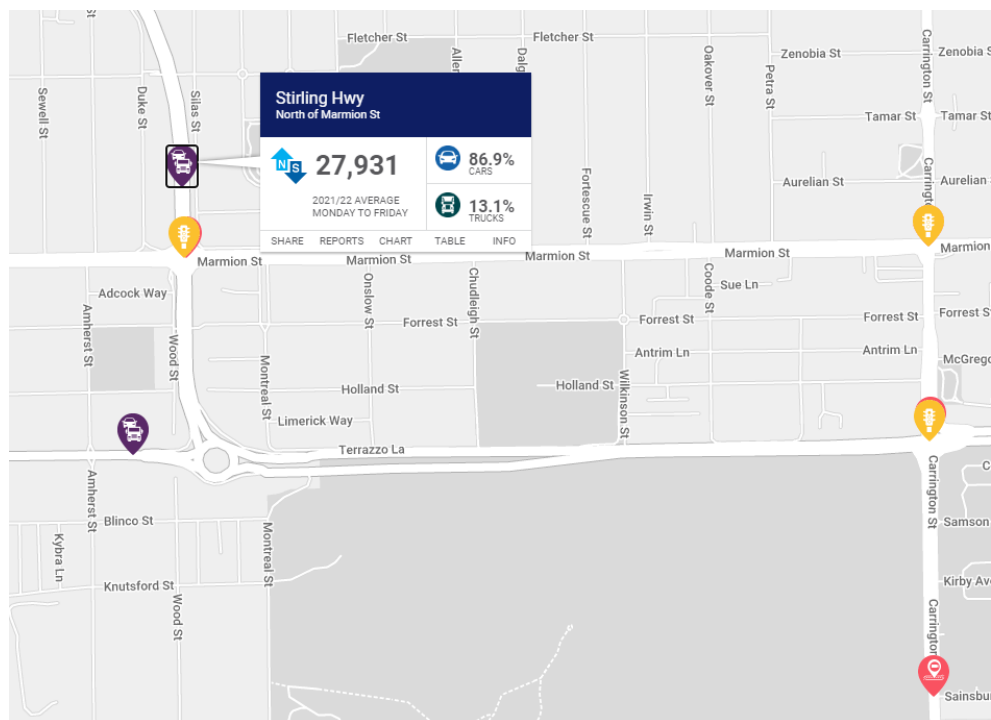


Figure B-5-2: MRWA Published Traffic Data

Table B-3 combines the percentage land types and Transport Factor to calculate the influencing factor.

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Table B-3: Influencing Factor Calculation, dB

Receiver	Industrial Land	Commercial Land	Transport Factor	Total
R1	1.9	0.7	2.0	5
R2	2.6	0.0	0.0	3
R3	0.0	0.0	6.0	6
R4	0.0	0.0	0.0	0

The influencing factor calculated in Table B-3 is combined with those baseline assigned levels of Table 2-2, resulting in the project assigned levels provided in Table 2-3.

Appendix C – Terminology

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The following is an explanation of the terminology used throughout this report:

- **Decibel (dB)**

The decibel is the unit that describes the sound pressure levels of a noise source. It is a logarithmic scale referenced to the threshold of hearing.

- **A-Weighting**

An A-weighted noise level has been filtered in such a way as to represent the way in which the human ear perceives sound. This weighting reflects the fact that the human ear is not as sensitive to lower frequencies as it is to higher frequencies. An A-weighted sound level is described as L_A , dB.

- **Sound Power Level (L_w)**

Under normal conditions, a given sound source will radiate the same amount of energy, irrespective of its surroundings, being the sound power level. This is similar to a 1kW electric heater always radiating 1kW of heat. The sound power level of a noise source cannot be directly measured using a sound level meter but is calculated based on measured sound pressure level at known distances. Noise modelling incorporates source sound power levels as part of the input data.

- **Sound Pressure Level (L_p)**

The sound pressure level of a noise source is dependent upon its surroundings, being influenced by distance, ground absorption, topography, meteorological conditions etc. and is what the human ear actually hears. Using the electric heater analogy above, the heat will vary depending upon where the heater is located, just as the sound pressure level will vary depending on the surroundings. Noise modelling predicts the sound pressure level from the sound power levels taking into account ground absorption, barrier effects, distance etc.

- **L_{ASlow}**

This is the noise level in decibels, obtained using the A-frequency weighting and the S (slow) time weighting. Unless assessing modulation, all measurements use the slow time weighting characteristic.

- **L_{AFast}**

This is the noise level in decibels, obtained using the A-frequency weighting and the F (fast) time weighting. This is used when assessing the presence of modulation.

- **L_{APeak}**

This is the greatest absolute instantaneous sound pressure level in decibels using the A-frequency weighting.

- **L_{Amax}**

An L_{Amax} level is the maximum A-weighted noise level during a particular measurement.

- **L_{eq}**

The L_{eq} level represents the average noise energy during a measurement period.

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- **L₁**

The L₁ level represents the noise level exceeded for 1 percent of the measurement period and is considered to represent the average of the maximum noise levels measured.

- **L₁₀**

The L₁₀ level represents the noise level exceeded for 10 percent of the measurement period and is considered to represent the “intrusive” noise level.

- **L₉₀**

The L₉₀ level represents the noise level exceeded for 90 percent of the measurement period and is considered to represent the “background” noise level.

- **One-Third-Octave Band**

Means a band of frequencies spanning one-third of an octave and having a centre frequency between 25 Hz and 20000 Hz inclusive.

- **Representative Assessment Period**

Means a period of time not less than 15 minutes, and not exceeding four hours, determined by an inspector or authorised person to be appropriate for the assessment of a noise emission, having regard to the type and nature of the noise emission.

- **L_{Amax} assigned level**

Means an assigned level, which, measured as a L_{ASlow} value, is not to be exceeded at any time.

- **L_{A1} assigned level**

Means an assigned level, which, measured as a L_{ASlow} value, is not to be exceeded for more than 1 percent of the representative assessment period.

- **L_{A10} assigned level**

Means an assigned level, which, measured as a L_{ASlow} value, is not to be exceeded for more than 10 percent of the representative assessment period.

- **Major Road**

Is a road with an estimated average daily traffic count of more than 15,000 vehicles.

- **Secondary / Minor Road**

Is a road with an estimated average daily traffic count of between 6,000 and 15,000 vehicles.

- **Tonal Noise**

A tonal noise source can be described as a source that has a distinctive noise emission in one or more frequencies. An example would be whining or droning. The quantitative definition of tonality is:

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- the presence in the noise emission of tonal characteristics where the difference between –
 - (a) the A-weighted sound pressure level in any one-third octave band; and
 - (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A\text{ Slow}}$ levels.

This is relatively common in most noise sources.

- **Modulating Noise**

A modulating source is regular, cyclic and audible and is present for at least 10% of the measurement period. The quantitative definition of modulation is:

- a variation in the emission of noise that —
 - (a) is more than 3 dB $L_{A\text{ Fast}}$ or is more than 3 dB $L_{A\text{ Fast}}$ in any one-third octave band; and
 - (b) is present for at least 10% of the representative assessment period; and
 - (c) is regular, cyclic and audible.

- **Impulsive Noise**

An impulsive noise source has a short-term banging, clunking or explosive sound. The quantitative definition of impulsiveness means:

- a variation in the emission of a noise where the difference between L_{Apeak} and L_{Amax} is more than 15 dB when determined for a single representative event.

- **R_w**

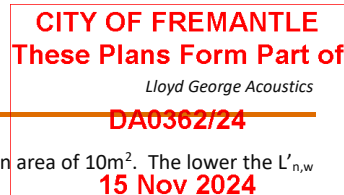
This is the weighted sound reduction index. It is a single number rating determined by moving a grading curve in integral steps against the laboratory measured transmission loss until the sum of the deficiencies at each one-third-octave band, between 100 Hz and 3.15 kHz, does not exceed 32 dB. The higher the R_w value, the better the acoustic performance.

- **C_{tr}**

This is a spectrum adaptation term for airborne noise and provides a correction to the R_w value to suit source sounds with significant low frequency content such as road traffic or home theatre systems. A wall that provides a relatively high level of low frequency attenuation (i.e. masonry) may have a value in the order of –4 dB, whilst a wall with relatively poor attenuation at low frequencies (i.e. stud wall) may have a value in the order of -12 dB.

- **$L'_{n,w}$**

This is the weighted normalised impact sound pressure level, which is determined by measuring the sound pressure level in the receiving room in one-third-octave bands between 100 Hz and 3.15 kHz and moving a grading curve in integral steps, such that the curve is as high as possible without the sum of deficiencies



exceeding 32 dB. The normalisation is to a receiving room sound absorption area of 10m². The lower the $L'_{n,w}$ value the better the acoustic performance.

- **Assessment Method**

Means a method used for determining that a Building Solution complies with the Performance Requirements.

- **Verification Method**

Means a test, inspection, calculation or other method that determines whether a performance solution complies with the relevant performance requirements.

- **Performance Solution**

Means a method of complying with the performance requirements other than by a deemed to satisfy solution.

- **Deemed to Satisfy Provisions**

Means provisions which are deemed to satisfy the Performance Requirements.

- **Deemed to Satisfy Solution**

Means a method of satisfying the deemed to satisfy provisions.

- **Expert Judgement**

Means the judgement of an expert who has the qualifications and experience to determine whether a Performance Solution or Deemed to Satisfy Solution complies with the Performance Requirements.

- **Habitable Room**

Means a room used for normal domestic activities, and

- a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but
- b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

- **Public Corridor**

Means an enclosed corridor, hallway or the like which –

- a) Serves as a means of egress from 2 or more sole-occupancy units to a required exit from the storey concerned; or
- b) Is required to be provided as a means of egress from any part of a storey to a required exit.

- **Performance Requirement**

Means a requirement which states the level of performance which a Performance Solution or deemed to satisfy solution must meet.

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- **Sole Occupancy Unit**

Means a room or other part of a building for occupation by one or joint owner, lessee, tenant, or other occupier to the exclusion of any other owner, lessee, tenant, or other occupier and includes –

- a) a dwelling; or
- b) a room or suite of rooms in a Class 3 building which includes sleeping facilities; or
- c) a room or suite of associated rooms in a Class 5, 6, 7, 8 or 9 building; or
- d) a room or suite of associated rooms in a Class 9c aged care building, which includes sleeping facilities and any area for the exclusive use of a resident.

- **Class 2 Building**

A building containing 2 or more sole occupancy units each being a separate dwelling.

- **Class 3**

A residential building, providing long term or transient accommodation for a number of unrelated persons, including –

- a) a boarding house, guest house, hostel, lodging house or backpacker accommodation.
- b) a residential part of a hotel or motel.
- c) a residential part of a school.
- d) accommodation for the aged, children or people with disability.
- e) a residential part of a health-care building which accommodates members of staff.
- f) a residential part of a detention centre
- g) a residential care building.

- **$L_{Aeq(Day)}$**

The $L_{Aeq(Day)}$ level is the logarithmic average of the L_{Aeq} levels from 6.00am to 10.00pm.

- **$L_{Aeq(Night)}$**

The $L_{Aeq(Night)}$ level is the logarithmic average of the L_{Aeq} levels from 10.00pm to 6.00am.

- **$L_{A10,18hour}$**

The $L_{A10,18hour}$ level is the arithmetic average of the hourly L_{A10} levels between 6.00am and midnight.

- **$L_{Aeq,24hour}$**

The $L_{Aeq,24hour}$ level is the logarithmic average of the L_{Aeq} levels from over an entire day.

- **Noise-sensitive land use and/or development**

Land-uses or development occupied or designed for occupation or use for residential purposes (including dwellings, residential buildings or short-stay accommodation), caravan park, camping ground, educational establishment, child care premises, hospital, nursing home, corrective institution or place of worship.

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- **About the Term 'Reasonable'**

An assessment of reasonableness should demonstrate that efforts have been made to resolve conflicts without comprising on the need to protect noise-sensitive land-use activities. For example, have reasonable efforts been made to design, relocate or vegetate a proposed noise barrier to address community concerns about the noise barrier height? Whether a noise mitigation measure is reasonable might include consideration of:

- The noise reduction benefit provided;
- The number of people protected;
- The relative cost vs benefit of mitigation;
- Road conditions (speed and road surface) significantly differ from noise forecast table assumptions;
- Existing and future noise levels, including changes in noise levels;
- Aesthetic amenity and visual impacts;
- Compatibility with other planning policies;
- Differences between metropolitan and regional situations and whether noise modelling requirements reflect the true nature of transport movements;
- Ability and cost for mobilisation and retrieval of noise monitoring equipment in regional areas;
- Differences between Greenfield and infill development;
- Differences between freight routes and public transport routes and urban corridors;
- The impact on the operational capacity of freight routes;
- The benefits arising from the proposed development;
- Existing or planned strategies to mitigate the noise at source.

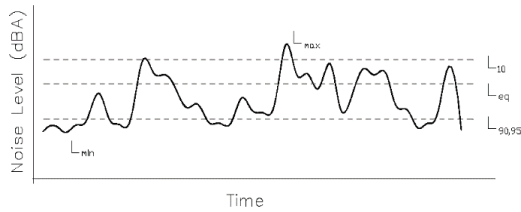
- **About the Term 'Practicable'**

'Practicable' considerations for the purposes of the policy normally relate to the engineering aspects of the noise mitigation measures under evaluation. It is defined as "reasonably practicable having regard to, among other things, local conditions and circumstances (including costs) and to the current state of technical knowledge" (*Environmental Protection Act 1986*). These may include:

- Limitations of the different mitigation measures to reduce transport noise;
- Competing planning policies and strategies;
- Safety issues (such as impact on crash zones or restrictions on road vision);
- Topography and site constraints (such as space limitations);
- Engineering and drainage requirements;
- Access requirements (for driveways, pedestrian access and the like);
- Maintenance requirements;
- Bushfire resistance or BAL ratings;
- Suitability of the building for acoustic treatments.

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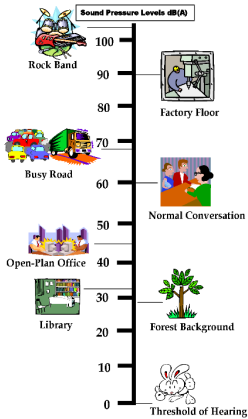
- Chart of Noise Level Descriptors



- Austrorads Vehicle Class

VEHICLE CLASSIFICATION SYSTEM		
AUSTRORADS		
LIGHT VEHICLES		
1	SCOOTER, City Van, Wagon, 4WD, 1800cc, 1000kg, 1000kg	
2	SCOOTER, TOWING, Toller, Caravan, Boat	
HEAVY VEHICLES		
3	TWO AXLE TRUCK OR BUS, 12000kg	
4	THREE AXLE TRUCK OR BUS, 18000kg, 2 axle groups	
5	FOUR AXLE TRUCK, 24000kg, 3 axle groups	
6	THREE AXLE ARTICULATED, 18000kg, 3 axle groups	
7	FOUR AXLE ARTICULATED, 24000kg, 3 or 4 axle groups	
8	FIVE AXLE ARTICULATED, 24000kg, 3 or 4 axle groups	
9	SIX AXLE ARTICULATED, 24000kg, 3 or 4 axle groups	
LONG VEHICLES AND ROAD TRAINS		
10	DOUBLE or HEAVY TRUCK and TRAILER, 24000kg, 3 axle groups	
11	DOUBLE ROAD TRAIN, 24000kg, 3 or 4 axle groups	
12	TRIPLE ROAD TRAIN, 24000kg, 3 or 4 axle groups	

- Typical Noise Levels



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**Appendix 9:
Light Impact Assessment**



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Light Impact Assessment
Proposed Launchpad Golf

Fremantle Public Golf Course
Montreal St, Fremantle WA

rubidium light

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Version	Author/Reviewer	Date	Description of changes
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About Rubidium Light

Rubidium Light is a specialist lighting design consultancy that works with stakeholders across many areas of development from concept to final construction.

Rubidium Light has been operating since 2011 and brings together an in-depth knowledge of lighting and its application in technically difficult lighting solutions.

Rubidium Light prides itself on its ability to react quickly and in a cost-effective manner to provide outcomes both responsible and cost effective to its clients and the environment.



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rubidium light

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INTRODUCTION

Rubidium Light was engaged by Planning Solutions to undertake an external lighting design and Lighting Impact Assessment on a proposed golf driving range at Montreal Street, Fremantle WA. The objective of this assessment is to quantify the possible adverse effects of light from the proposed lighting in accordance with procedures as outlined AS/NZS4282-2023 *Control of the Obtrusive Effects of Outdoor Lighting* and Australian Government Civil Aviation Safety Authority Part 139 Manual of Standards 2019.

DEFINITIONS

Luminous flux

The Measure of the quantity of light. For a lamp or luminaire, it normally refers to the total light emitted irrespective of the direction in which it is distributed. Unit: lumen (lm)

Luminous intensity

The concentration of luminous flux emitted in a specified direction. Unit: candela (cd)

Luminance

The physical quantity corresponding to the brightness of a surface (e.g., a lamp, luminaire, sky or reflecting material) in a specified direction. It is the luminous intensity of an area of the surface divided by that area. Unit: candela per square meter (cd/m²)

Illumination

A general expression for the quantity of light arriving at a surface. The physical measure of illumination is illuminance.

Illuminance

The luminous flux arriving at a surface divided by the area of the illuminated surface. Unit: lux (lx)

Reflectance

The ratio of the total luminous flux reflected from a surface to the total luminous flux which arrives at the surface. Usually expressed as a decimal in the range of 0 to 1 but may also be expressed as a percentage.

Glare

The discomfort or impairment of vision experienced when parts of the field of view (e.g., lamps, luminaires, sky) are excessively bright in relation to the general surroundings.

Luminaire

Equipment which houses the light source and directs the light in the desired directions. It includes items necessary for fixing, protecting, and operating the light source.

Threshold increment (TI)

The measure of disability glare expressed as the percentage increase in contrast required between an object and its background for it to be seen equally well with a source of glare present. Higher values of TI correspond to a greater disability glare.

Astronomical Twilight

Astronomical twilight is defined as when the geometric centre of the Sun is between 18° and 12° below the horizon.

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SITE DESCRIPTION

The proposed golf driving range is located within the Fremantle Public Golf Course, on the Montreal Street frontage, Fremantle WA.

The property on which the proposed facility is located is contained within the Fremantle Public Golf Course to the immediate North, East and South, and is surrounded by commercial properties to the West.

There are residential properties located along Stevens Road to the far South, Terrazzo Place to the far North, and Montreal Street and Stack Street to the South-West of the site.

The proposed installation includes external lighting to the carpark and paths between Montreal Street and the clubhouse, and floodlights mounted to the roof on the Eastern side of the clubhouse and to the fence pylons at 24m and 36m height.

The golf targets are internally illuminated with LEDs. As they are mounted horizontally, and contained within the terrain of the driving range, they will not be visible by observers outside the facility.

OPERATION

As the actual hours of operation are unknown, the installation has been evaluated for both curfew and non-curfew operation, allowing for extended night-time operation.

The proposed floodlights are fitted with DALI dimming controls to allow for reduced lighting for operational needs.

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RELEVANT GUIDELINES AND STANDARDS

The proposed exterior lighting is reviewed against the requirements of the following standards to ensure compliance and reduce the adverse effects of lighting at night to road users, aircraft (if in the vicinity of aerodromes) and the surrounding environment.

AS/NZS 4282:2023 *Control of the obtrusive effects of outdoor lighting*

5.2.1. Environmental Zones

This document outlines Environmental Zones to which the proposed lighting will be evaluated based on the location of the proposed lighting relative to its surrounding environment.

Excerpt from Standard Table 3.1 Environmental Zone

Zones	Description	Examples
A0	Intrinsically Dark	UNESCO Starlight Reserve. IDA: Dark Sky Parks, Reserves or Sanctuaries Major optical observatories Other accreditations for dark sky places for example astrotourism, heritage value, astronomical importance, wildlife/ecosystem protection Lighting for safe access may be required
A1	Dark	Relatively uninhabited rural areas (including terrestrial, marine, aquatic and coastal areas) Generally roadways without streetlighting through rural areas
A2	Low district brightness	Sparsely inhabited rural and semi-rural areas Generally roadways without streetlighting through suburban, rural or semi-rural areas other than intersections
A3	Medium district brightness	Suburban areas in towns and cities Generally roadways with streetlighting through suburban, rural or semi-rural areas
A4	High district brightness	Town and city centres and other commercial areas Residential areas abutting commercial areas Industrial and Port areas Transport Interchanges
TV	High district brightness	Vicinity of major sport and event stadiums during TV broadcasts

The proposed lighting is evaluated under the requirements of **A3**

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5.2.2. Maximum Values of Light Technical Parameters

Excerpt from Standard Table 3.2 Maximum Values of Light Technical Parameters as it applies to horizontal surfaces

Zones	Vertical illuminance levels (E _v) L _x		Threshold increment (TI)		Sky glow
	Non-curfew	Curfew	%	Default adaptation level (L _{ad})	Upward light ratio
A0	0 ^a	0.0	N/A	N/A	0.00
A1	2	0.1	20%	0.1	0.00
A2	5	1	20%	0.2 ^b	0.01
A3	10	2	20%	1	0.02
A4	25	5	20%	5	0.03
TV	N/A	N/A	20%	10	0.08

NOTES:

- a For A0, E_v shall be as close to zero as practicable without impacting safety considerations.
b For an internally illuminated sign in a A2 zone, L_{ad} ≤0.25 cd/m²

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5.3. Australian Government Civil Aviation Safety Authority Part 139 (Aerodromes) Manual of Standards 2019

15 Nov 2024

This guide outlines the requirements of upward spill light within 6000m of an aerodrome. This requirement ensures no light sources interfere with the take-off and landing operations of aircraft.

Manual of Standards Part 139—Aerodromes

Chapter 9:
Visual Aids Provided by Aerodrome Lighting

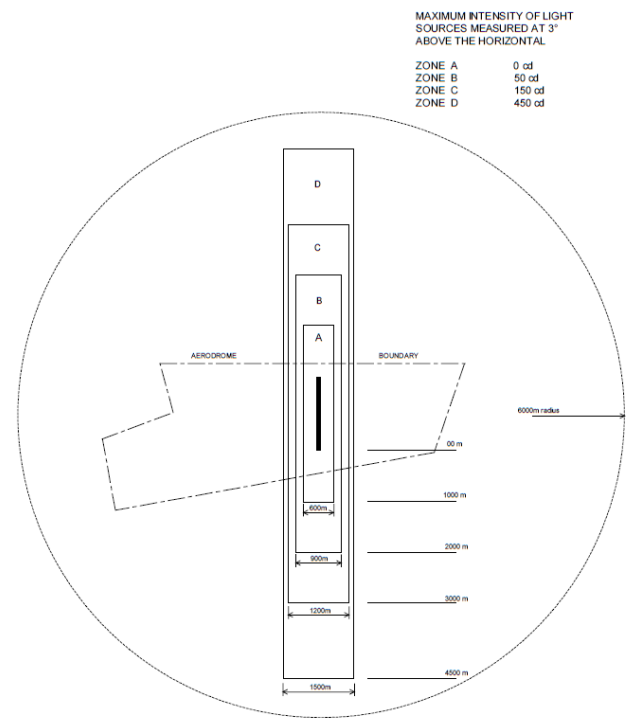


Figure 9.21-1: Maximum lighting intensities



Version 1.1: February 2003

9-141

As the proposed sign location is not within a 6000m radius of an aerodrome this requirement **does not apply**.

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5.2. Combined Relevant Maximum Values of Light Technical Parameters

Below is a summary of the combined Maximum Value of Light Technical Parameter at which proposed signage will be evaluated for its surrounding environmental conditions and time of day.

Approximate lux levels noted in Lighting Conditions column are provided to allow the sign installer to set dimming percentage relative to prevailing lighting conditions though the use of a photo electric cell and must be adjusted to comply with the above listed standards and guidelines.

Zones	Vertical illuminance levels (Ev) Lx		Threshold increment (TI)		Sky glow Upward light ratio
	Non-curfew	Curfew	%	Default adaptation level (Lad)	%
A3	10	2	20%	1	0.02

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7.5 Sky glow Upward Light Ratio

Analysis of the lighting model and IES formatted photometric file provided shows an asymmetrical distribution emission to mitigate upward light ratio. 1.2% of all light emitted is above the vertical plane.

COMPLIANT

7.6 Threshold Increment

Threshold Increment has been evaluated using computer modelling with AGI32 version 21.2.0.61 software. All relevant travel directions towards to the side have been evaluated has been analysed as per the method outlines in AS/NZS4282-2023 at an adaptation luminance of 1 applied. COMPLIANT

7.7 Vertical illuminance Levels

Residences were evaluated as per the method outlines in AS/NZS4282-2023 for a A3 zone post-curfew.

COMPLIANT

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CERTIFICATION

The proposed exterior lighting for the carpark and associated paths, and the golf floodlighting is compliant with all relevant standards if installed in accordance with the designs shown on the drawing set ASH01995-E01.



Scott Forbes MIES RLP #2715
Principal Lighting Engineer
Rubidium Light

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TYPE L1



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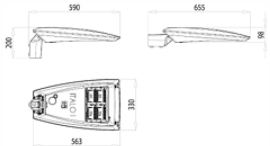
TYPE P1, P2

Product Sheet

TECHNICAL DIVISION

ITALO 1

Rev. AUG-24







ITALO 1	
MAIN CHARACTERISTICS	
Applications	Street lighting.
Optic	STE-M/S: Asymmetrical optic for suburban street lighting. STU-M/S: Asymmetrical optic for street, urban and cycle-path lighting. STW: Asymmetrical optic for wide urban and suburban road lighting, specific for wet asphalts. SV: Asymmetrical optic for very narrow urban streets or highway entrance/exit turns. S05/S07: Asymmetrical optic for street, urban and green areas lighting. STA: Asymmetrical optic for wide urban road and cycle-path lighting. OP-DX/SX: Asymmetrical optic for crosswalks lighting. Colour temperature: 4000K, 3000K, 2700K, 2200K (others in option) CRI ≥ 70 LOR= 100%, DLOR= 100%, ULOR= 0% Photobiological safety class: EXEMPT GROUP LED source efficiency: 185 lm/W @ 140mA, Tj=85°C, 4000K
Insulation class	II, I
Protection degree	IP66/IP67/ IK09 total
Dimensions	See the drawing
Weight	max 7 kg
Exposed surface	Side: 0.05m² – Top: 0.16m² SCx: 0.048 m²
Mounting	Bracket / Post-top: Ø33mm + Ø60mm Ø60mm + Ø76mm(optional)
Tilt Angle	Post-top: -10°/+25° (step di 5°) Bracket: -25°/+10° (step di 5°)
LED Modules	Removable / Replaceable.
Gear tray	Tool-free opening of wiring compartment. Removable plate.
Operating temp.	-40°C / +55°C
Storage temp	-40°C / +80°C
Main reference standards	EN 60598-1, EN 60598-2-3, EN 62471, PD EPRS 003 / EN 62722-2-1 2016 EN 55015, EN 61547, EN 61000-3-2, EN-61000-3-3





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TYPE W1

XSPW Series

WALL PACK

Featuring a slim, low-profile design, the Cree Lighting XSPW Wall Mount offers durability and efficiency without sacrificing performance. The rugged aluminium housing and mounting box are designed for easy installation, offering through-wired or conduit entry from the top, bottom, sides and rear. The XSPW also includes Cree Lighting's industry-leading NanoOptic® Precision Delivery Grid system, delivering more light where it needs to be.

The XSPW offers a premier site lighting solution that incorporates exceptional thermal management with high-quality components and an unmatched paint finish.

The XSPW is part of Cree Lighting's XSP Family, which can be combined to provide a complete exterior site lighting solution.



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APPENDIX B – OBTRUSIVE LIGHT ANALYSIS RESULTS

Obtrusive Light - Compliance Report
AS/NZS 4282:2023, A3 - Medium District Brightness, Curfew
Filename: ASH01995 - 1 INITIAL
5/11/2024 3:35:45 PM

Illuminance
Maximum Allowable Value: 2 Lux

Calculations Tested (5):

Calculation Label	Test Results	Max. Illum.
REL BDY TERRAZZO LN 1_Ill_Seg1	PASS	0
REL BDY TERRAZZO LN 2_Ill_Seg1	PASS	0
REL BDY STACK STREET_Ill_Seg1	PASS	0
REL BDY MONTREAL STREET_Ill_Seg1	PASS	0
REL BDY STEVEN ST_Ill_Seg1	PASS	0

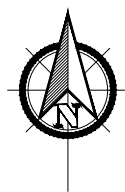
Luminous Intensity (Cd) At Vertical Planes
Maximum Allowable Value: 2500 Cd

Calculations Tested (5):

Calculation Label	Test Results
REL BDY TERRAZZO LN 1_Cd_Seg1	PASS
REL BDY TERRAZZO LN 2_Cd_Seg1	PASS
REL BDY STACK STREET_Cd_Seg1	PASS
REL BDY MONTREAL STREET_Cd_Seg1	PASS
REL BDY STEVEN ST_Cd_Seg1	PASS

Upward Waste Light Ratio (UWLR)
Maximum Allowable Value: 2.0 %

Calculated UWLR: 1.2 %
Test Results: PASS

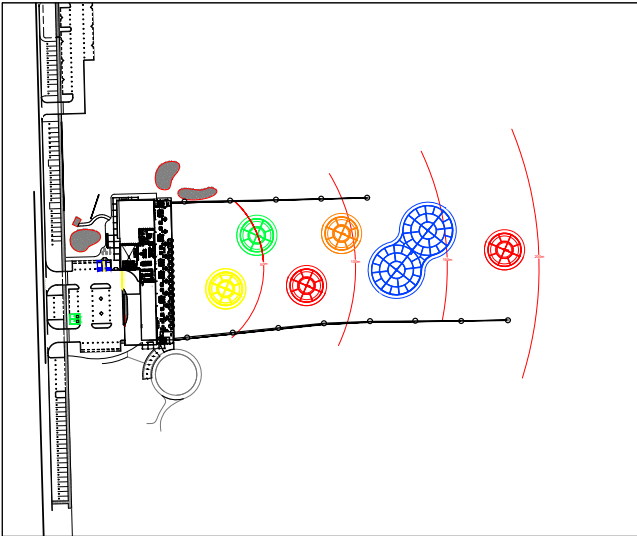


PROPOSED LAUNCHPAD GOLF
FREMANTLE PUBLIC GOLF COURSE
MONTREAL STREET FREMANTLE WA

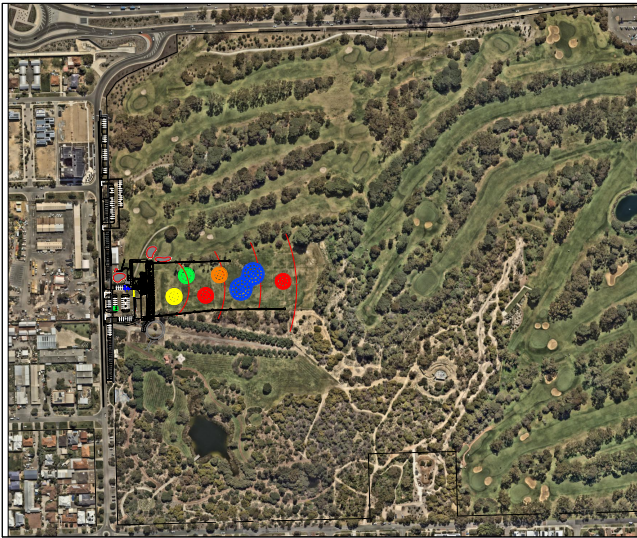
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SITE PLAN
SCALE: N.T.S.



LOCALITY PLAN
SCALE: N.T.S.

GENERAL LIGHTING NOTES:

1. THIS DRAWING SET DEMONSTRATES COMPLIANCE FOR CARPARK AND DRIVEWAYS WITH AS/NZS1158.3.1 SUB CAT. PC1 AND PCD.
2. ALL LUMINAIRE DATA IS SUPPLIED BY MANUFACTURER.
3. DESIGN SOFTWARE USE AGI32 V22.
4. ALL CALCULATIONS AND RESULTS PROVIDED ARE SUBJECT TO TOLERANCES IN ACCORDANCE WITH AS/NZS3827.1-1998 AND AS.NZS3827.2-1998 LIGHTING SYSTEM PERFORMANCE AND ACCURACY TOLERANCES.
5. MINIMUM CARPARK POLE SETBACK TO BE 600mm FROM FACE OF KERB.

OBTRUSIVE LIGHTING ANALYSIS:

6. COMPLIANCE WITH AS/NZS4282-2023 IS DEMONSTRATED FOR AN A3 ENVIRONMENTAL ZONE FOR NON-CURFEW AND CURFEW OPERATION (i.e. 24 HRS).
7. ALL OBTRUSIVE LIGHT ANALYSIS IS EVALUATED AT INITIAL FLUX.



LIGHTING CERTIFICATION
LIGHTING CERTIFIED TO COMPLY WITH THE FOLLOWING AUSTRALIAN STANDARDS:

* CARPARK AND DRIVEWAYS COMPLIANT WITH AS/NZS1158.3.1:2020 SUB CAT. PC1, PCD AND PCX.
* AS/NZS4282:2023 FOR NON-CURFEW AND CURFEW OPERATION IN AN A3 ENVIRONMENTAL ZONE.

* ALL LUMINAIRE DATA HAS BEEN SUPPLIED BY MANUFACTURER.

LAUNCHPAD GOLF, FREMANTLE WA

MIES No. 2715

Rev.	Date	Dim.	Description	Chkd.

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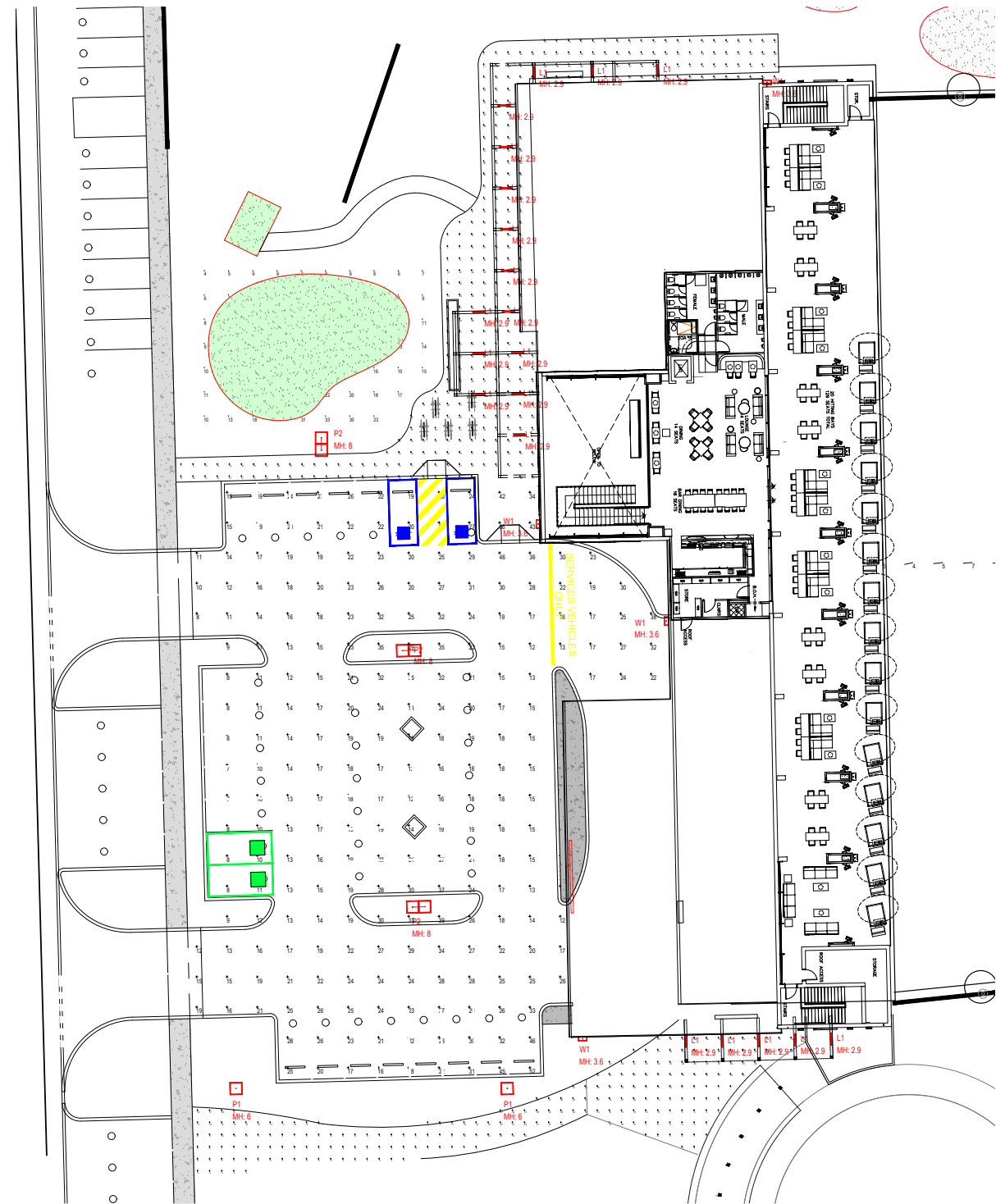
Project:
PROPOSED LAUNCHPAD GOLF
FREMANTLE PUBLIC GOLF COURSE
FREMANTLE WA

Title:
ELECTRICAL SERVICES
LIGHTING
TITLE PAGE

Drawn: SAF Chk TD Date: 05/11/2024
Scale:
Drawing No. Rev Size
ASH01995-E01-1 A3

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Luminaire Schedule							
Project: CARPARK							
Symbol	Qty	Label	Description	Luminaire Lumens	Luminaire Watts	Filename	
	20	L1	DARKON SLIM C IP67 1031 24W 3000K LED IP67 EXTRUSION MOUNTED TO UIS ARBOR BEAM	0.700	1237	23.8239	SLIM C IP67_1031_WHT_WHT_3K.IES
	2	P1	HBW LIGHTING AEC ITALO 1 0F2H1 S05 3.7-4M 76W 3000K LED AREA LIGHT POLE-MOUNTED AT 6m	0.700	8360	76	ITALO 1 0F2H1 S05 3.7-4M.IES
	3	P2	TWIN BACK-TO-BACK HBW LIGHTING AEC ITALO 1 0F2H1 S05 3.7-4M 76W 3000K LED AREA LIGHT POLE-MOUNTED AT 8m	0.700	8360	76	ITALO 1 0F2H1 S05 3.7-4M.IES
	4	W1	ADVANCED LIGHTING XSPW-B-WM-4ME-4L-30K 33W 3000K LED WALL LIGHT MOUNTED AT 3.6m	0.700	4270	33	XSPW-B-WM-4ME-4L-30K-UL_CONFIGURED.ies

Calculation Summary						
Project: CARPARK						
Label	CalcType	Avg	Max	Min	Min/Avg	Max/Avg
CARPARK Ev	Illuminance	20	52	7	N.A.	2.34
CARPARK Ev1	Illuminance	N.A.	20	3	N.A.	N.A.
CARPARK Ev2	Illuminance	N.A.	21	4	N.A.	N.A.
PATH TO PRO SHOP	Illuminance	37	86	6	0.16	N.A.
SOUTHERN PATH	Illuminance	19	74	3	0.16	N.A.

GENERAL LIGHTING NOTES:

- CARPARK AND DRIVEWAYS COMPLY WITH AS/NZS1158.3.1 SUB CAT. PC1, PCD AND PCX.
- ALL LUMINAIRE DATA IS SUPPLIED BY MANUFACTURER.
- DESIGN SOFTWARE USE AGI32 V21.
- ALL CALCULATIONS AND RESULTS PROVIDED ARE SUBJECT TO TOLERANCES IN ACCORDANCE WITH AS/NZS3827.1-1998 AND AS.NZS3827.2-1998 LIGHTING SYSTEM PERFORMANCE AND ACCURACY TOLERANCES.
- MINIMUM POLE SETBACK TO BE 600mm FROM FACE OF KERB.

Rev.	Date	Dim.	Description	Chkd.

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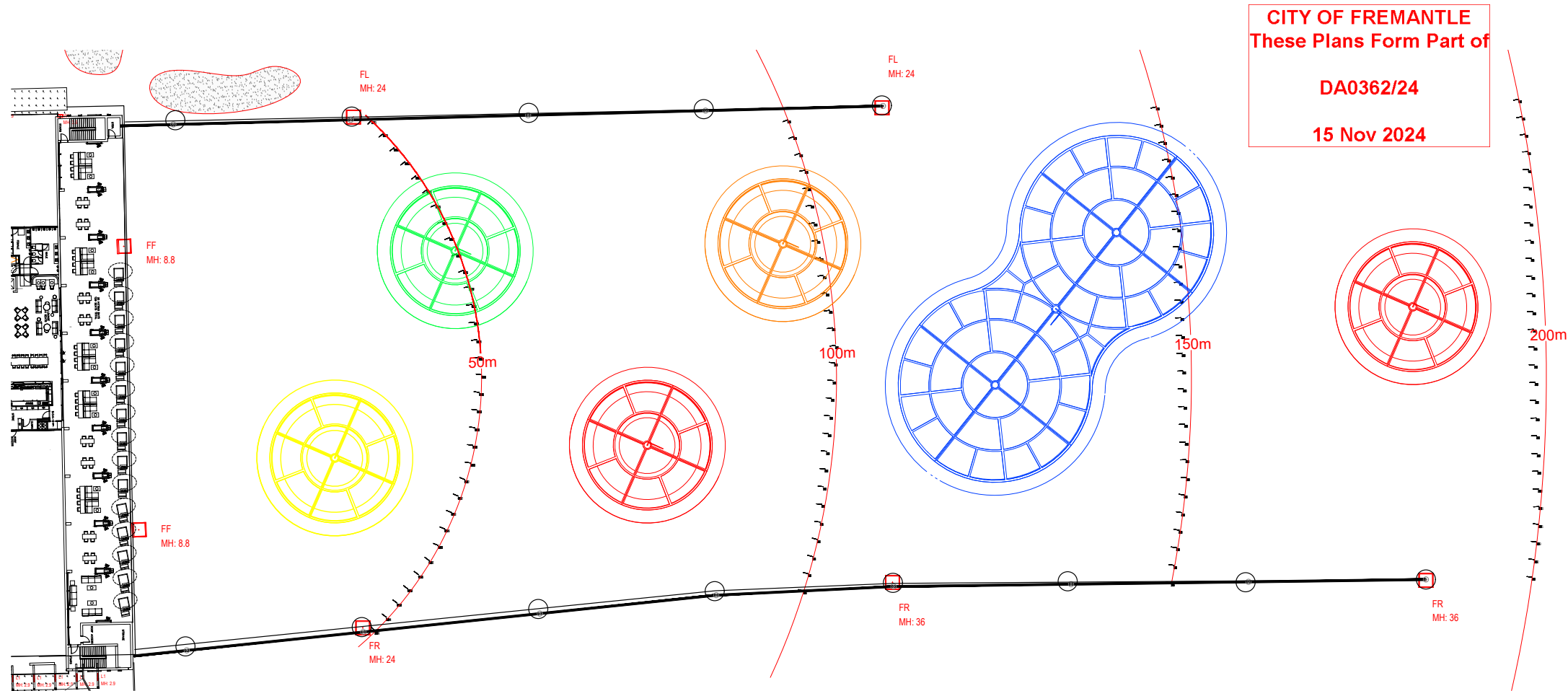
Project:
PROPOSED LAUNCHPAD GOLF
FREMANTLE PUBLIC GOLF COURSE
FREMANTLE WA

Title:
ELECTRICAL SERVICES
LIGHTING
GENERAL ARRANGEMENT CARPARK

Drawn: SAF Chk TD Date: 05/11/2024
Scale:
Drawing No. Rev Size
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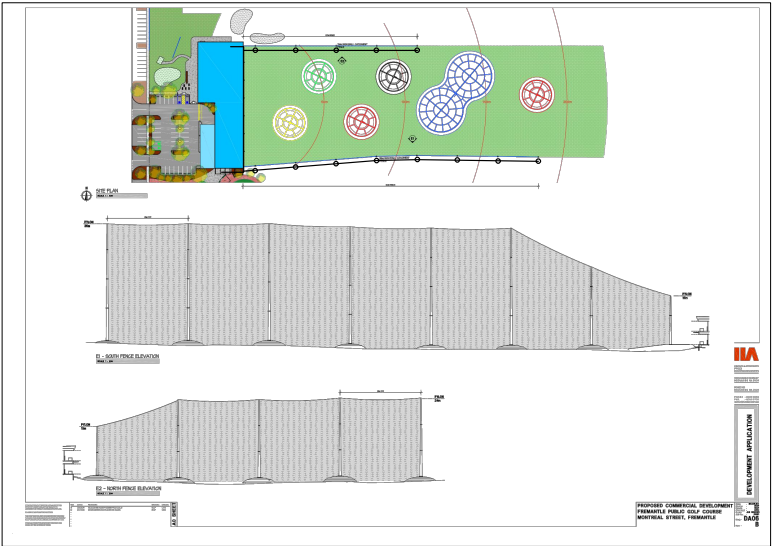




Luminaire Schedule							
Project: GOLF							
Symbol	Qty	Label	Description	LLF	Luminaire Lumens	Luminaire Watts	Filename
FF	2	FF	EWO PM286979_C100139292_Rival_AFC01-FCO-320led 1160W 4000K LED SPORTS FLOOD AFC01 OPTIC DALI-DIMMING MOUNTED TO ROOF OF CLUBHOUSE	0.800	138510	1157.1	ewo_PM286979_C100139292_Rival_AFC01-FCO-320led.ies
FL	2	FL	EWO PM286985_C100139327_Rival_AP10-L-FCO-320led 1160W 4000K LED SPORTS FLOOD LEFT OPTIC DALI-DIMMING MOUNTED TO FENCE PYLON	0.800	143636	1157.1	ewo_PM286985_C100139327_Rival_AP10-L-FCO-320led.ies
FR	3	FR	EWO PM286987_C100139328_Rival_AP10-R-FCO-320led 1160W 4000K LED SPORTS FLOOD RIGHT OPTIC DALI-DIMMING MOUNTED TO FENCE PYLON	0.800	143636	1157.1	ewo_PM286987_C100139328_Rival_AP10-R-FCO-320led.ies

GENERAL LIGHTING NOTES:

- FLOODLIGHTS ARE MOUNTED TO ROOF OF CLUBHOUSE AND TO FENCE PYLONS AS SHOWN TO PROVIDE OPTIMAL VISUAL CONDITIONS TO GOLFERS WHILST COMPLYING WITH UPWARD SPILL LIGHT LIMITS REQUIRED FOR COMPLIANCE WITH AS/NZS4282:2023.
- ALL FLOODLIGHTS ARE PROVIDED WITH DIMMING TO ALLOW FOR ON-SITE ADJUSTMENTS AS REQUIRED FOR OPERATIONAL PURPOSES.
- ALL LUMINAIRE DATA IS SUPPLIED BY MANUFACTURER.



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Project:
PROPOSED LAUNCHPAD GOLF
FREMANTLE PUBLIC GOLF COURSE
FREMANTLE WA

Title:
ELECTRICAL SERVICES
LIGHTING
GENERAL ARRANGEMENT GOLF

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Obtrusive Light - Compliance Report

AS/NZS 4282:2023, A3 - Medium District Brightness, Curfew

15 Nov 2024

5/11/2024 3:35:45 PM

Illuminance

Maximum Allowable Value: 2 Lux

Calculations Tested (5):

Calculation Label	Test Results	Max. Illum.
REL BDY TERRAZZO LN 1_III_Seg1	PASS	0
REL BDY TERRAZZO LN 2_III_Seg1	PASS	0
REL BDY STACK STREET_III_Seg1	PASS	0
REL BDY MONTREAL STREET_III_Seg1	PASS	0
REL BDY STEVEN ST_III_Seg1	PASS	0

Luminous Intensity (Cd) At Vertical Planes

Maximum Allowable Value: 2500 Cd

Calculations Tested (5):

Calculation Label	Test Results
REL BDY TERRAZZO LN 1_Cd_Seg1	PASS
REL BDY TERRAZZO LN 2_Cd_Seg1	PASS
REL BDY STACK STREET_Cd_Seg1	PASS
REL BDY MONTREAL STREET_Cd_Seg1	PASS
REL BDY STEVEN ST_Cd_Seg1	PASS

Upward Waste Light Ratio (UWLR)

Maximum Allowable Value: 2.0 %

Calculated UWLR: 1.2 %

Test Results: PASS

Rev.	Date	Dim.	Description	Chkd.

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Project:
PROPOSED LAUNCHPAD GOLF
FREMANTLE PUBLIC GOLF COURSE
FREMANTLE WA

Title:
ELECTRICAL SERVICES
LIGHTING
OBTRUSIVE LIGHT ANALYSIS

Drawn: SAF Chk TD Date: 05/11/2024
Scale:
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Appendix 6:
Arborist Report

Tree Protection Form Part 1
DA0362/24
15 Nov 2024



WESTWORKS
— CONSULTANCY —

Tree Protection Report

Location: Fremantle Public Golf Course, 22 Monteval Street, Fremantle

Report Prepared for: Launch Pad Golf

Date: 25 September 2024

Mark Short
Grad Cert Arboriculture

Arboricultural Consultant
Westworks Consultancy

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Mobile: 0417 011 426
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TREE PROTECTION REPORT - WESTWORKS CONSULTANCY

DA0362/24

15 Nov 2024

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TREE PROTECTION REPORT - WESTWORKS CONSULTANCY

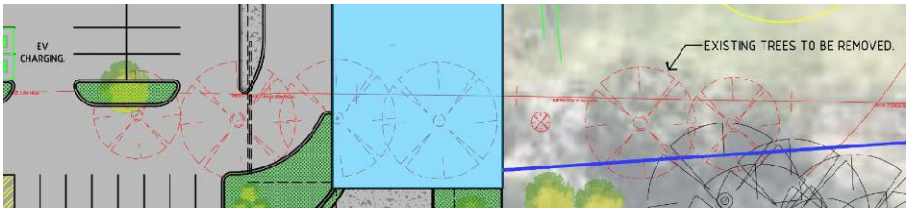
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15 Nov 2024

1.0 Introduction

An assessment was undertaken on 7 trees located within the subject area of the Fremantle Public Golf Course Driving Range on the 25 September 2024, to provide advice health, condition, level of risk and Amenity value of 7 trees identified for removal as part of a proposed development at the golf course by Launch Pad Golf.

This development would see the possible removal of 7 trees, in order to make additional space for a driving range facility as part of the development of a new golf complex.



A Tree Protection Report outlines the requirements for protecting trees identified for retention in accordance with the Australian Standard AS4970:2009-Protection of Trees on Development Sites and provides an overview of the health, structure, dimensions, and tree protection zones for each individual tree.

This report follows the on-site assessment of all trees meeting the criteria of inclusion as per the City of Fremantle Stage one specification.

Stage 1

Tree Inspection and Assessment

Visual Tree Assessment (VTA) – Collect baseline information on each individual tree.

- Geolocation, numbering, benchmark photo and number tagging of each tree.
- Collection of characteristic information i.e. Botanical name, Common name, Age class, useful life expectancy (ULE), Pests/Diseases, Height, crown spread, diameter of main stem at breast height (DBH @ 1.4m above ground), health and structure conditions, diameter of main stem just above root flare.
- Quantified Tree Risk Assessment for trees to be retained
- Helliwell Visual Tree Amenity Value for all trees

The data collected provides Westworks Consultancy with the information needed to produce a list of appropriate works and restrictions to best protect the trees.

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TREE PROTECTION REPORT - WESTWORKS CONSULTANCY

DA0362/24

15 Nov 2024

2.0 Methodology

This tree assessment consisted of a ground based basic tree assessment utilising the principals of Visual Tree Assessment (VTA) as outlined by Mattheck and Breloer (1994) and Lonsdale's approach (1999) and methods as per The Australian Standard for Protection of Trees on Development Sites (AS 4970- 2009)

This assessment also included the following:

- Numbering of each tree with a metal tag (for reference in this report)
- Collecting details of the Protections zone for the whole tree and Structural Root Zone
- Careful consideration of each tree's requirements in conjunction with the clients limitations to produce recommendations to best protect and work around each tree as required

The trees were assessed against the following areas, using the following tools.

- Forestry Workers Measuring Tape.
- Camera.
- Probing tools

Please note: an aerial assessment, PiCUS sonic tomograph and soil or tissue sampling was not undertaken during this assessment, however, each are an available option for an additional assessment should the results of this investigation deem it appropriate.

2.1 Species Identification.

This consultant and associates have a combined over 20 years' experience working with Western Australian tree species, with key proficiency identifying those which are endemic and native to the local Perth regions. Additionally, there are resources to the disposal of Westworks Consultancy to assist in tree species identification including, but not limited to, peer reviewed books and journals, outsourced associates with particular expertise and access to the Western Australian Herbarium (Department of Biodiversity, Conservation and Attractions).

2.2 Tree Measurements

- The height of the tree is an approximate height taken in meters (m)
- The canopy spread gives an indication of the general spread of the canopy in meters.
- The diameter of the trunk (DBH) is measured at 1.4m above ground level.
- The diameter of the root flare (DRF) is measured as low to the ground as possible.

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2.3 Methodology – Tree Health

- **Good:** The tree will show good to excellent vigour throughout the tree for the species.
The tree will exhibit a full and healthy canopy of foliage with only minimal pest or diseases evident.
- **Fair:** The tree is growing in a reasonable condition and shape with adequate canopy foliage for the species. Minor dead wood may be present throughout the crown, with reasonable colour and density when compared to a typical healthy specimen of that species.
- **Poor:** The tree appears stunted and not growing to its full capability with the canopy potentially visibly showing signs of openness and thinning with excessive amounts of dead or dying limbs. Evidence of established pest and disease issues will be evident or symptoms of stress indicating the tree is in decline.
- **Very poor:** The tree is in a state of decline with the canopy visibly open with considerable deadwood with pest and diseases being present throughout the tree as it enters the final stages of senescing.
- **Dead:** No more living tissue evident.

2.4 Methodology - Structure

- **Good:** The tree will have optimum spacings of first order branches, with open angles of attachment and no inclusions, the trunk is applying very visible signs of annualised response growth. There are no observable defects. This is a high-quality specimen for the species.
- **Fair:** The tree is displaying evenly spaced first order branches, with structurally sound unions, the trunk is applying annualised wood to maintain optimum structural integrity. There may be some minor defects, yet the tree is managing these appropriately. This is a "normal" specimen for the species.
- **Poor:** Minor structural defects observed, there may be damage to the cambium, included bark, which reduces the structural integrity of a union, and/or the tree may have been lopped, which has significantly altered its form.
- **Very poor:** The tree is in a state of decline with poor branch spacings and attachment. Major structural defects have been observed.
- **Has Failed:** The tree is of a significantly poor structural integrity to the point where A failure event was observed to have occurred.

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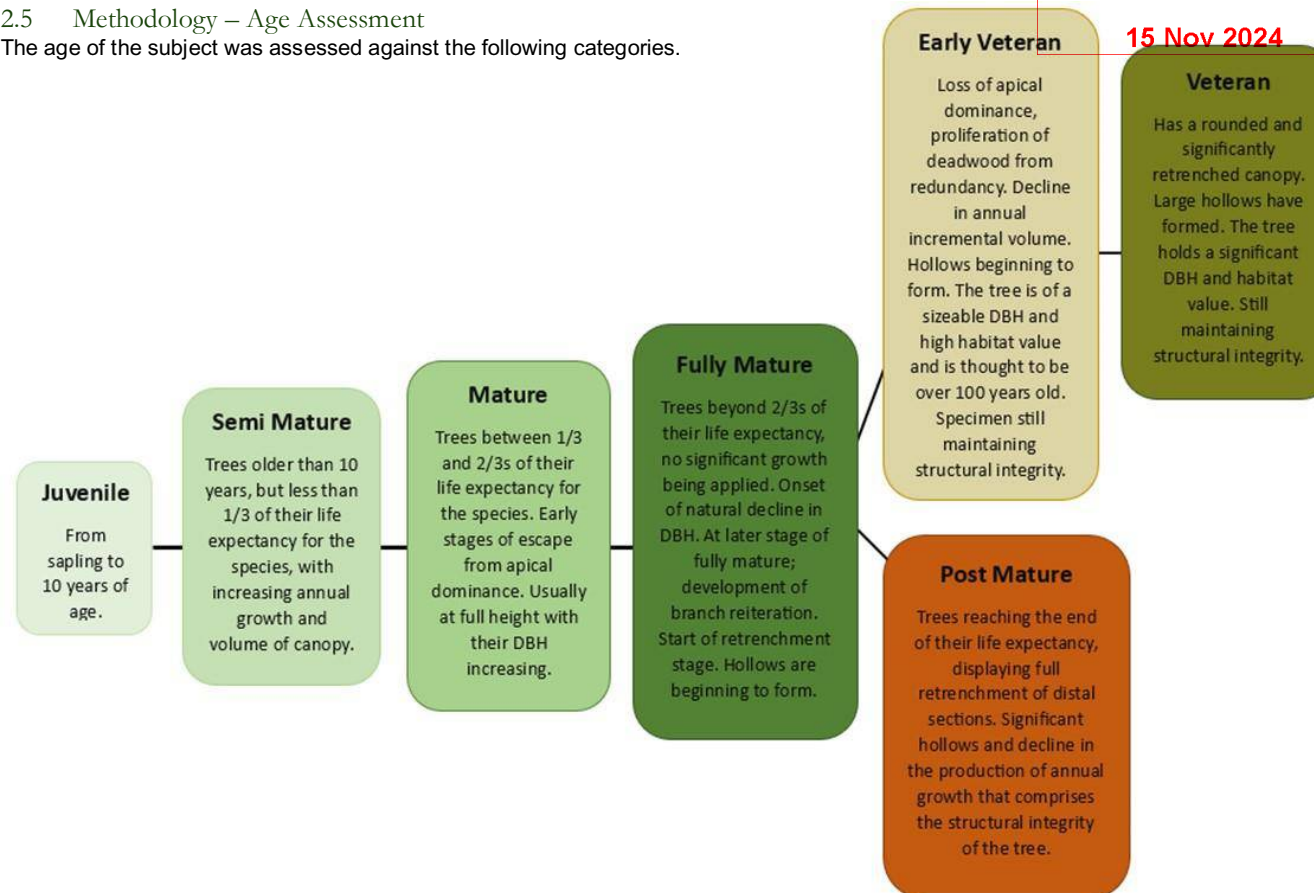
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2.5 Methodology – Age Assessment

The age of the subject was assessed against the following categories.



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2.6 Useful Life Expectancy

➤ **Very Long** (Greater than 40 + years)

Very high quality and high value, these trees would hold such a condition that make them a valuable part of the environment/ landscape, would be considered to hold a Useful Life Expectancy (ULE) of greater than 40 years, thus allowing them to make a substantial contribution for a long period of time.

➤ **Long** (Greater than 20 to 40 years)

High quality and high value, these trees would hold such a condition that make them a valuable part of the environment/ landscape, would be considered to hold a Useful Life Expectancy (ULE) of 40 years of greater, thus allowing them to make a substantial contribution.

➤ **Medium** (Between 11 and 20 years)

Medium quality and medium value, trees of this category are thought of as making a significant contribution to the area they dwell in and would be considered to hold a ULE of a minimum of 20 years.

➤ **Short** (Between 6 and 10 years)

Low quality and low value. These trees would be regarded as being in an adequate condition that would see them being retained for a period that would allow new plantings to establish. They would be considered as having a ULE of 5 to 10 years.

➤ **Transient** (Less than 5 years)

Very Low quality and very low value, these trees would be regarded as having a poor form, displaying a low vitality, and may be exhibiting initial signs of structural decline. They would be considered to have a ULE of less than 5 years and are to be included in a plan for replacement.

➤ **Dead or hazardous** (no remaining ULE).

Trees in this category would be considered to hold such a condition that would potentially hold no value or in their current state it would be reasonable to undertake their removal for reasons of sound Arboricultural management, due to a high level of risk.

2.7 Origin of species

➤ **Endemic** – A species of plant indigenous to the subject location, not found outside this region (South-West Province).

➤ **Native** – A species of plant indigenous to Australia.

➤ **Exotic** – A species of plant introduced to Australia via anthropogenic activities.

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2.8 Helliwell Valuation

All trees were assessed for the amenity Value, which is essentially, what the tree is worth in a monetary sense. This system assigns points over 6 areas:

- **Size** - The area of the tree, from one viewpoint
- **Duration** – The probable length of time that the tree is likely to contribute to the visual amenity of the area
- **Importance** (in the Landscape) – An expression of the visual prominence of the tree
- **Presence of Other Trees**
- **Suitability to the Setting** - An assessment of the visual impact the tree has upon the space available. Aim to have the largest and densest tree the space may appropriately contain
- **Form** – This is based upon what is regarded as “normal” structure for the species being assessed

Each of the scores are multiplied against each other to derive a Total Score, this is the multiplied by a monetary base value. Typically, the monetary base value is set by the Arboricultural Association (UK) on an annual basis, which is then converted to Australian Dollars. The base value for 2024 is £46.92, which equates to \$91.62 at 25/09/24

25 Sept, 11:30 pm UTC · Disclaimer

46.92

Pound sterling ▾

91.62

Australian Dollar ▾

However, whilst this valuation has been undertaken in line with the guidance note and base value as described above, it should be noted that many Local Governments have set their own base values in their fees and charges, as required under the Local Government Act. As such their valuations may vary.

Factor	Points									
	0	0.5	1	2	3	4	5	6	7	8
Size	Less than 2m ²	2 - 5m ²	5 - 10m ²	10 - 20m ²	20 - 30m ²	30 - 50m ²	50 - 100m ²	100 - 150m ²	150 - 200m ²	Over 200m ²
Duration	Less than 2 yrs		2 - 5 yrs	5 - 40 yrs	40 - 100 yrs	100+ yrs				
Improtance	none	Very Little	Little	Some	Considerable	Great				
Tree Cover		Woodland	Many	some	Few	None				
Suitability to Setting	Not	Poor	Just	Fairly	Very	Particularly				
Form		Poor	Average	Good						

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2.9 Quantified Tree Risk Assessment Explained

The Quantified Tree Risk Assessment (QTRA) system, developed by Mike Ellison at Cheshire Woodlands, applies established and accepted risk management principles to tree safety management. QTRA quantifies the risk of significant harm from tree failure in a way that considers the benefits conferred by trees and the monetary cost of management.

Though it may seem counterintuitive, the first step in this assessment is not the condition of the tree, but the usage of the land (Target) on which the tree stands. By valuing the target first, the tree owner and risk assessor can determine whether or not, and by what degree of rigour, further inspection or management is required. Where necessary, the tree is then evaluated in terms of its size and Probability of Failure (PoF). Ranges of value for target size, and PoF are entered into a QTRA calculator which generates a colour-coded Risk of Harm (RoH).

This system moves the judgment of tree safety away from the labelling of trees as either 'safe' or 'unsafe', to a quantifiable probability, with predetermined limits of tolerable or acceptable risk.

- Trees with an RoH less than 1/1,000,000 are 'Broadly Acceptable'. The risks in this category are described as being As Low As Reasonably Practicable (ALARP) and only require review by the owner or stakeholder.
- Trees with an RoH from 1/10,000 up to 1/1,000,000 are 'Tolerable'. The risks in this category are considered tolerable where imposed on others, provided they are ALARP.
- Trees with an RoH from 1/1,000 up to 1/10,000 are 'Tolerable by Agreement' or 'Unacceptable'. Orange tolerable trees are only tolerable if all those exposed to the risk agree to it. Orange unacceptable trees will not be tolerated when risks are imposed on others, the risk must be controlled.
- Trees with an RoH greater than 1/1,000 up to 1/1 are 'Unacceptable' and must have the risk removed.

In the event of a 'tolerable' or 'acceptable' risk being realised, the shareholder is in a position to demonstrate the risk has been managed reasonably and proportionately.

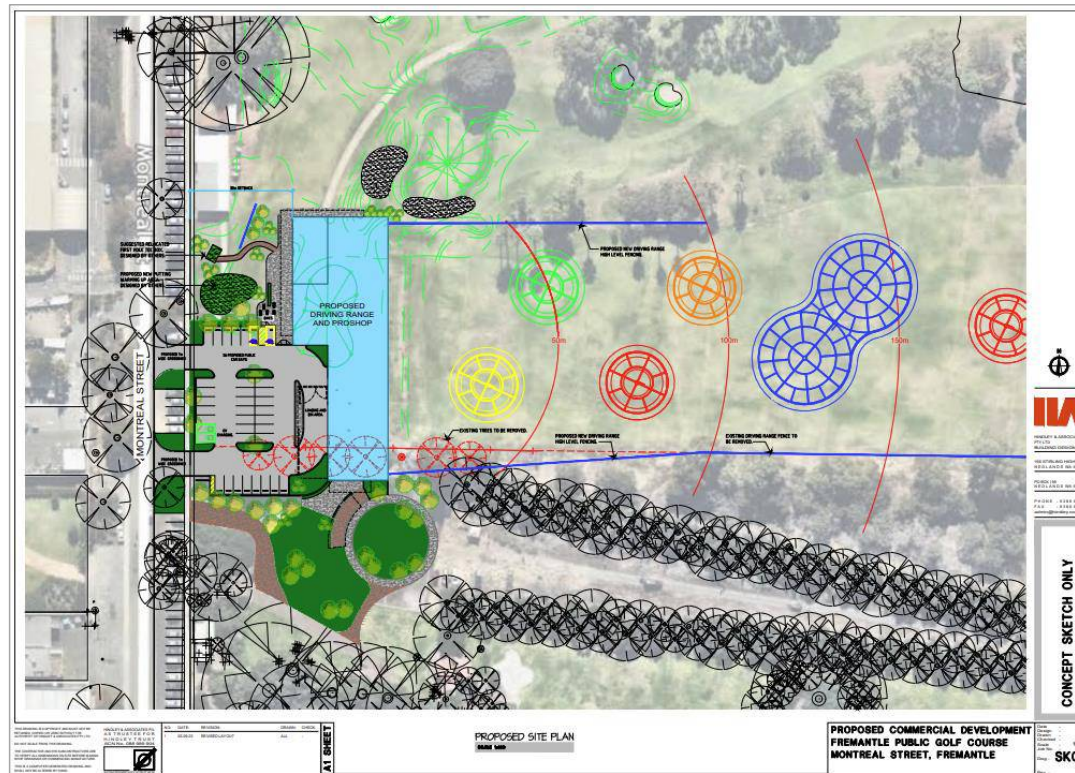
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3.0 Map of the Subject Area (Proposed Construction Plan)



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4.0 Location of Subject Tree(s)

Subject trees are marked with coloured dots, correlating to their species name in the legend provided.



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5.0 Tree Assessment

Each of the 7 subject trees collected in the subject area is allotted a single page summary report, produced using an arborist specific GIS software.

All observations presented in this report are true for the date of assessment (25 September 2024).

Details include:

- Descriptions of the subject trees' health and structure
- The measurements for the TPZ and the SRZ
- Any works recommended to improve the health and structural integrity of the tree.
- The latitude & longitude of the trees' location within the grounds, &
- A photo of the whole tree.

Summary reports are on the following pages.

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Tuart Tree ID #1	
Tree Details	
Latin Name:	Eucalyptus gomphocephala
Common Name:	Tuart
Tree Age:	Mature
Health:	Fair
Structure:	Fair
Tree Height (Estimated) [m]:	15
Canopy Spread [m]:	13
DBH [cm]:	90
DBH Range:	>75cm
Diameter at Root Flare (DRF) [cm]:	0.78
Tree Protection Zone (TPZ) [m]:	10.8
Structural Root Zone (SRZ) [m]:	2.98
Useful Life Expectancy:	40+ years
Observations-Structural Issues:	Deadwood
Species origin:	Endemic
Work Requirements:	Remove all deadwood over 25mm in diameter
Observation Comments:	Boring insects observed in larger deadwood
QTRA Risk Category:	Broadly Acceptable
Tree Location	
Longitude:	115.766358
Latitude:	-32.054535
Photos Street View Map View	
	
image.jpg 25/09/2024	

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Tuart Tree ID #2		Tree Location	
Tree Details		Longitude: 115.766413	
Latin Name:	Eucalyptus gomphocephala	Latitude: -32.054534	
Common Name:	Tuart	Photos Street View Map View	
Tree Age:	Mature		
Health:	Fair		
Structure:	Poor		
Tree Height (Estimated) [m]:	18		
Canopy Spread [m]:	15		
DBH [cm]:	94.87		
DBH Range:	>75cm		
Diameter at Root Flare (DRF) [cm]:	0.95		
Tree Protection Zone (TPZ) [m]:	11.38		
Structural Root Zone (SRZ) [m]:	3.24		
Useful Life Expectancy:	20-40 years		
Observations-Structural Issues:	Broken Limb, Deadwood, Missing bark on branch, Epicormic shoots, Missing bark on trunk		
Species origin:	Endemic		
Work Requirements:	Passively Monitor		
Observation Comments:	Witches broom observed to most of its northern canopy		
QTRA Risk Category:	Broadly Acceptable		

image.jpg
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Tuart Tree ID #3		Tree Location	
Tree Details		Longitude: 115.766514	
Latin Name:	Eucalyptus gomphocephala	Latitude: -32.054545	
Common Name:	Tuart	Photos Street View Map View	
Tree Age:	Juvenile		
Health:	Poor		
Structure:	Very Poor		
Tree Height (Estimated) [m]:	5		
Canopy Spread [m]:	4		
DBH [cm]:	18		
DBH Range:	16-30cm		
Diameter at Root Flare (DRF) [cm]:	0.17		
Tree Protection Zone (TPZ) [m]:	2.16		
Structural Root Zone (SRZ) [m]:	1.57		
Useful Life Expectancy:	1-5 years		
Observations-Structural Issues:	Deadwood, Canopy decline		
Species origin:	Endemic		
Work Requirements:	Remove to ground level - Full stump grind		
Observation Comments:	This tree is in decline		
QTRA Risk Category:	Broadly Acceptable		

image.jpg
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Tuart Tree ID #4	
Tree Details	
Latin Name:	Eucalyptus gomphocephala
Common Name:	Tuart
Tree Age:	Semi mature
Health:	Fair
Structure:	Fair
Tree Height (Estimated) [m]:	17
Canopy Spread [m]:	14
DBH [cm]:	96
DBH Range:	>75cm
Diameter at Root Flare (DRF) [cm]:	0.87
Tree Protection Zone (TPZ) [m]:	11.52
Structural Root Zone (SRZ) [m]:	3.12
Useful Life Expectancy:	40+ years
Observations-Structural Issues:	Deadwood
Species origin:	Endemic
Work Requirements:	No Action Required
Observation Comments:	Leaf eating insects observed
QTRA Risk Category:	Broadly Acceptable
Tree Location	
Longitude:	115.766646
Latitude:	-32.054544
Photos Street View Map View	
	
image.jpg 25/09/2024	

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Tuart Tree ID #5	
Tree Details	
Latin Name:	Eucalyptus gomphocephala
Common Name:	Tuart
Tree Age:	
Health:	Dead
Structure:	
Tree Height (Estimated) [m]:	13
Canopy Spread [m]:	11
DBH [cm]:	46.07
DBH Range:	46-60cm
Diameter at Root Flare (DRF) [cm]:	
Tree Protection Zone (TPZ) [m]:	5.53
Structural Root Zone (SRZ) [m]:	
Useful Life Expectancy:	0 years
Observations- Structural Issues:	
Species origin:	
Work Requirements:	Remove to ground level - Full stump grind
Observation Comments:	
QTRA Risk Category:	Tolerable

Tree Location	
Longitude:	115.766738
Latitude:	-32.054540

Photos

Street View

Map View



image.jpg
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Tuart Tree ID #6	
Tree Details	
Latin Name:	Eucalyptus gomphocephala
Common Name:	Tuart
Tree Age:	Semi mature
Health:	Fair
Structure:	Fair
Tree Height (Estimated) [m]:	17
Canopy Spread [m]:	11
DBH [cm]:	81.18
DBH Range:	>75cm
Diameter at Root Flare (DRF) [cm]:	1.23
Tree Protection Zone (TPZ) [m]:	9.74
Structural Root Zone (SRZ) [m]:	3.61
Useful Life Expectancy:	40+ years
Observations- Structural Issues:	Deadwood
Species origin:	Endemic
Work Requirements:	Remove to ground level - Full stump grind, No Action Required
Observation Comments:	Leaf eating insects observed on lower leaves.
QTRA Risk Category:	Broadly Acceptable
Tree Location	
Longitude:	115.766872
Latitude:	-32.054540
Photos Street View Map View	
	
image.jpg 25/09/2024	

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Tuart Tree ID #7	
Tree Details	
Latin Name:	Eucalyptus gomphocephala
Common Name:	Tuart
Tree Age:	Semi mature
Health:	Fair
Structure:	Fair
Tree Height (Estimated) [m]:	17
Canopy Spread [m]:	11
DBH [cm]:	68.29
DBH Range:	60-75cm
Diameter at Root Flare (DRF) [cm]:	0.91
Tree Protection Zone (TPZ) [m]:	8.19
Structural Root Zone (SRZ) [m]:	3.18
Useful Life Expectancy:	40+ years
Observations-Structural Issues:	Deadwood
Species origin:	Endemic
Work Requirements:	Remove to ground level - Full stump grind, No Action Required
Observation Comments:	Leaf eating insects observed on lower leaves.
QTRA Risk Category:	Broadly Acceptable
Tree Location	
Longitude:	115.766992
Latitude:	-32.054543
Photos Street View Map View	
	
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6.0 Discussion

Of the 7 subject trees, trees 1, 4, 6 and 7, were found to hold a level of health and structural condition which are considered normal for the species. Whilst they have minor levels of leaf eating pest infestation, this is also normal of the species of tree and does not require any action at this time.

Furthermore, they were found to present an acceptable level of risk, as per the Quantified Tree Risk Assessment system (QTRA), not requiring any risk mitigation works this time.

Tree 2 was found to have been heavily pruned, likely to provide clearance to the driving range. This recent and previous pruning has resulted in a significant loss of lower branches that play an important role in managing wind loading. This tree, if retained, it would require annual inspections to monitor its progress and provide advice on appropriate pruning into the future.

Tree 3 was found to be in poor condition, with a poor structural form. It is recommended to remove and replant with a new specimen.

Tree 5 was found to be dead and can be removed to ground level, inclusive of stump grinding.

All trees were evaluated for their Amenity Value, using the Helliwell Valuation system 2008, as per guidance Note 4. The values are as listed below.

Helliwell valuation									
	Size	Duration	Importance	Tree Cover	Suitability	Form	Score	Base Rate (AUS)	Amenity Value
Tree 1	7	4	1	1	4	1	112	\$ 91.62	\$ 10,261.44
Tree 2	8	4	1	1	4	1	128	\$ 91.62	\$ 11,727.36
Tree 3	3	1	1	1	4	1	12	\$ 91.62	\$ 1,099.44
Tree 4	8	4	1	1	4	1	128	\$ 91.62	\$ 11,727.36
Tree 5	6	0	1	1	1	0.5	0	\$ 91.62	\$ -
Tree 6	7	4	1	1	4	1	112	\$ 91.62	\$ 10,261.44
Tree 7	7	4	1	1	4	1	112	\$ 91.62	\$ 10,261.44
Total									\$ 45,077.04



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7.0 Conclusion

The 7 subject trees have likely been identified for removal in order to make use of the existing driving range area and accommodate a new parking area, putting green and Tee box.

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8.0 Tree Protection Information

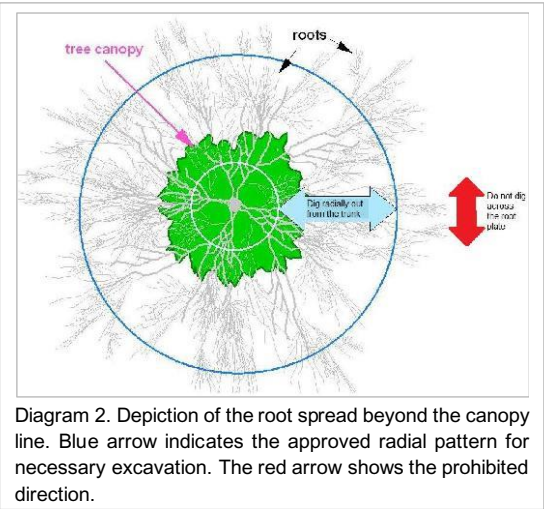
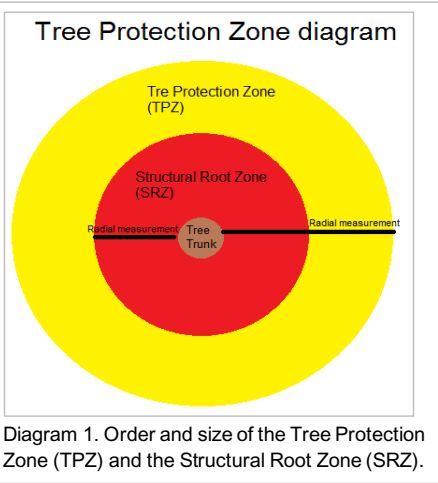
The Australian standard for Protection of trees on development sites, AS 4970 – 2009, serves to set out protection measures for trees throughout the period of construction and is comprised of two zones (Diagram 1).

The first is the Tree Protection Zone (TPZ) which considers protection of both the canopy and roots. For this protection zone to be effective, it is ideal that no plant or equipment intrude throughout the duration of excavation or construction.

The Tree Protection Zone should be the primary consideration during the design process, and only when absolutely necessary should it fall to the second zone.

The second, is the Structural Root Zone (SRZ). For many years it has been believed to be the ultimate ‘No Dig Zone’ for construction. However, excavation can be undertaken provided a qualified Project Arborist is witness for the duration of SRZ encroachment. It is important that any excavation works conducted within this zone is done so in a radial pattern and not across the root plate of the trees (Diagram 2). This excavation is best done by hand, or with vacuum systems. Mechanical equipment should only be used for hard digging.

Please note, the root system of any tree extends considerably further than the canopy line, as depicted above. As such, it is imperative the radial pattern for mechanical equipment be followed. Digging across the root plate (diagram 2) leads to damage along the root, possibly fracturing at the root crown, where the root joins onto the base of the tree. This can lead to death of the root and possible decline or even death of the tree.



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Excavation and root cutting within the zones.

The process with mechanical equipment (within the TPZ) starts by scraping radially along the surface to gradually expose roots, allowing them to be cut cleanly (Diagram 2). This reduces the possibility of significant damage occurring and will help to maintain the good condition of the trees into the future.

All staff and contractors undertaking any form of excavation would be required to follow this process and may only cut roots found outside the TPZ that are smaller than 50mm in diameter. Any requirement to cut roots larger than this should be deferred to the Project Arborist for advice. Where pruning of roots is undertaken, a sharp saw, or bypass secateurs must be used. The tool must also be cleaned with Methylated spirits or a 2% bleach solution before and after pruning to eliminate the possibility of contamination.

Roots are not to be torn, pulled, or cut with an axe. Once a root is cut appropriately, the remainder of it leading away from the tree can be pulled out.

This report provides Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) measurements (SRZ) for all trees collected in the subject area

Should any works need to be undertaken within the TPZ that are likely to or are observed to expose roots over 50mm in diameter, it is recommended that the work cease, and the Project Arborist be consulted prior to works continuing. The Project arborist will provide further guidance, possibly resulting in the need for site supervision. This is especially important for any form of soil movement and excavation. Any excavation within the SRZ can only be undertaken under the supervision of the Project Arborist.

Where excavation is being undertaken within the TPZ during spring and summer periods, it is also recommended to apply supplemental water to each of the trees to prevent unnecessary stress. A minimum of 500 litres of water every second day is advisable to ensure the longevity of these trees during the construction period, and for 2 months following completion.

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9.0 Tree Protection Measures within TPZ and SRZ

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Within the Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) for each tree, site workers and contractors are NOT to allow the following to occur.

- Mechanical excavation including trenching without consulting the site Arborist.
- Excavation for silt fencing.
- Cultivation.
- Storage.
- Preparation of chemicals, including preparation of cement products.
- Parking of vehicles and plant.
- Refuelling.
- Dumping of waste.
- Placement of fill.
- Lighting of fires.
- Soil level changes.
- Temporary or permanent installation of utilities and signs.
- Physical damage to the tree.

9.1 TPZ control measures

- Always where possible, establish and work outside the TPZ, fencing off the TPZ boundary (see 7.3) to avoid physical damage to the tree and root plate.
- Where practical, always trench outside the TPZ. Impacting more than 10% of the TPZ can affect the long-term health of the tree.
- Where it is not possible to work outside the TPZ and an encroachment of more than 10% is required, the site Arborist must be contacted prior to further works being completed.
- Within the TPZ, minimise the extent impacted and for significant encroachments, under bore/directional drill at least 600 mm beneath the ground surface, or if excavating, hand dig or use an air knife.

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9.2 Activity Outside the Tree Protection Zone

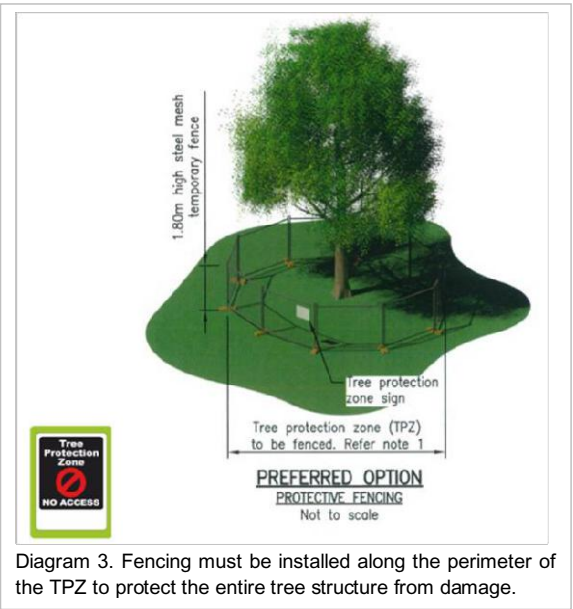
Planning of site operations should take sufficient account of wide loads, tall loads and plant with booms, jibs, and counterweights (including piling rigs), in order to operate without coming into contact with retained trees. Such contact can result in serious damage to the trees and may compromise their safe retention or make their retention impossible. Consequently, any transit or traverse of plant in proximity to trees should be conducted under supervision with a spotter, to ensure that adequate clearance from trees is maintained at all times.

Additional precautions outside the exclusion zone - Materials whose accidental spillage would cause damage to a tree should be stored and handled well away from the outer edge of its TPZ.

9.3 Tree Protection Fencing

An exclusion zone should be established along the TPZ perimeter (or as nominated) of retained trees and cordoned off with a physical barrier of a ridged chain mesh fence, 1.8m in height, which is securely anchored (Diagram 3). The fence should be identified with a TPZ sign to inform workers of the restricted access. The role of these fences is to prevent any damage to the complete tree including root system (SRZ & TPZ), stem and branch structure as well as the crown or canopy.

The site Arborist must be consulted at any time entry into a TPZ of the retained trees is required. No routing of services, parking of vehicles, stacking of builder's materials, equipment etc. is to occur within the TPZ of retained tree/s, nor disposal of fuels, paints, chemicals etc. within the protected TPZ area which could otherwise cause injury and/or adversely affect the health of a retained tree.



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9.4 Installation of Underground Services Within the TPZ

All services should be routed outside the TPZ. If underground services must be routed within the TPZ, they should be installed by directional drilling, the directional drilling bore should be at least 600 mm deep.

For manual excavation of trenches the project arborist should advise on roots to be retained and should monitor the works. Manual excavation may include the use of pneumatic and hydraulic tools.

9.5 Avoiding Physical Damage to Roots

To avoid damage to tree roots, existing ground levels should be retained within the TPZ. Intrusion into soil (other than for piling) within the TPZ is generally not acceptable, and topsoil within it should be retained *in situ*. Limited manual excavation within the TPZ might be acceptable, subject to justification. However, such excavation should be undertaken carefully, using hand-held tools and preferably by compressed air soil displacement.

Exposed roots should immediately be wrapped, or covered with hessian, to prevent desiccation and to protect them from rapid temperature changes. Any wrapping should be removed prior to backfilling, which should take place as soon as possible with a maximum of 8hrs exposure.

Roots with a diameter smaller than 25mm may be pruned back, making a clean cut with a suitable sharp tool (e.g., secateurs or handsaw), except where they occur in clumps. Roots occurring in clumps, or with diameter 25 mm and over, should be severed only following consultation with the project Arborist, as roots may be essential to the tree's health and stability. As mentioned in '6.0 Tree Protection Information', all tools used to prune roots must be cleaned with Methylated spirits or a 2% bleach solution before and after pruning to eliminate the possibility of contamination.

Prior to backfilling, retained roots should be surrounded with topsoil or uncompacted sharp sand. Alternatively, other loose inert granular fill should be applied before soil or other suitable material is replaced. This material should be free of contaminants and other foreign objects potentially injurious to tree roots.

Please note: builders' sand should not be used as it has a high salt content which is toxic to tree roots.

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9.7 Maintaining Tree Health

Where excavation is being undertaken within the TPZ of any tree, it is recommended to apply supplemental water to each of the trees to prevent unnecessary stress.

Watering needs to start at least 2 months before construction starts. With water being applied, especially, to the side where there will not be any excavation. This is to encourage the trees to produce new roots to replace those that may be lost during excavation works.

Any affected tree should be watered as per the table below, relative to the season(s)

Watering Regime		
Time period	Volume	Frequency
15 Oct to 30 April	1000 L	every second day
1 May to 30 June	500 L	every second day
1 July to 15 Sept	200 L	every second day - do not water on days of heavy rain fall
16 Sept to 15 Oct	500	every second day

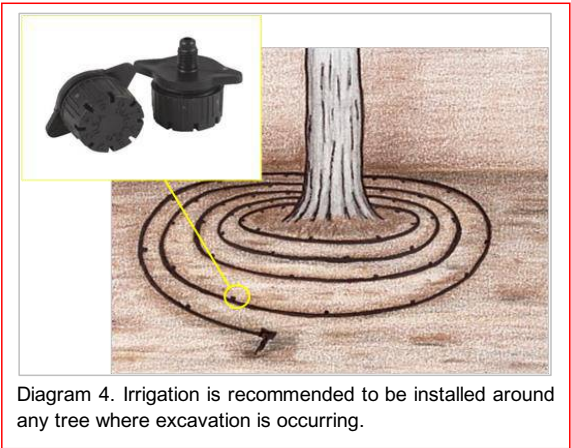


Diagram 4. Irrigation is recommended to be installed around any tree where excavation is occurring.

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10.0 Glossary of Arboricultural Terminology

Abscission - The shedding of a leaf or other short-lived part of a woody plant, involving the formation of a corky layer across its base; in some tree species twigs can be shed in this way.

Abiotic - Pertaining to non-living agents, e.g., environmental factors.

Absorptive roots - non-woody, short-lived roots, generally having a diameter of less than one millimetre, the primary function of which is uptake of water and nutrients.

Adaptive growth - In tree biomechanics, the process whereby the rate of wood formation in the cambial zone, as well as wood quality, responds to gravity and other forces acting on the cambium. This helps to maintain a uniform distribution of mechanical stress.

Adaptive roots - The adaptive growth of existing roots; or the production of new roots in response to damage, decay or altered mechanical loading.

Adventitious shoots - Shoots that develop other than from apical, axillary, or dormant buds; see also 'epicormic'

Anchorage - The system whereby a tree is fixed within the soil, involving cohesion between roots and soil and the development of a branched system of roots which withstands wind and gravitational forces transmitted from the aerial parts of the tree.

Axil - The place where a bud is borne between a leaf and its parent shoot.

Bacteria - Microscopic single-celled organisms, many species of which break down dead organic matter, and some of which cause diseases in other organisms.

Bark - A term usually applied to all the tissues of a woody plant lying outside the vascular cambium, thus including the phloem, cortex, and periderm; occasionally applied only to the periderm or the phellem.

Basidiomycotina (Basidiomycetes) - One of the major taxonomic groups of fungi.

Bolling - A term sometimes used to describe pollard heads.

Bottle-butt - A broadening of the stem base and buttresses of a tree, in excess of normal and sometimes denoting a growth response to weakening in that region, especially due to decay.

Bracing - The use of rods or cables to restrain the movement between parts of a tree.

Branch:

- **Primary** - A first order branch arising from a trunk or stem
- **Lateral** - A second order branch, subordinate to a primary branch
- **Sub-lateral** - A third order branch, originating from lateral branch

Branch bark ridge - The raised arc of bark tissues that forms within the acute angle between a branch and its parent stem.

Branch-collar - A visible swelling formed at the base of a branch.

Brown-rot - A type of wood decay in which cellulose is degraded, while lignin is only modified.

Buckling - An irreversible deformation of a structure subjected to a bending load.

Buttress zone - The region at the base of a tree where the major lateral roots join the stem, with buttress-like formations on the upper side of the junctions.

Cambium - Layer of dividing cells producing xylem (woody) tissue internally and phloem (bark) tissue externally.

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Canker - A persistent lesion formed by the death of bark and cambium due to colonisation by fungi or bacteria.

Canopy species - Tree species that mature to form a closed forest canopy.

Cleaning out - The removal of dead, crossing, weak, and damaged branches, where this will not damage or spoil the overall appearance of the tree.

Compartmentalisation - The chemical confinement of disease, decay, or other dysfunction within a tree's tissue, due to passive and/or active defences operating at the boundaries of the affected region.

Compression fork - An acute angled fork that is mechanically optimised for the growth pressure that two or more adjacent stems exert on each other.

Compression strength - The ability of a material or structure to resist failure when subjected to compressive loading, measurable in trees with special drilling devices.

Compressive loading - Mechanical loading which exerts a positive pressure, the opposite to tensile loading.

Tree Protection Zone - Area from which access is prohibited for the duration of the project to prevent damage to a tree.

Crown/Canopy - The main foliage bearing section of the tree.

Crown lifting - The removal of limbs and small branches to a specified height above ground level.

Crown thinning - The removal of a proportion of secondary branch growth throughout the crown to produce an even density of foliage around a well-balanced branch structure.

Crown reduction/shaping - A specified reduction in crown size whilst preserving, as far as possible, the natural tree shape.

Crown reduction/thinning - Reduction of the canopy volume by thinning to remove selected branches whilst preserving the natural tree shape.

Deadwood - Branch or stem wood bearing no live tissues.

Decurrent - A system of branching in which the crown is borne on a number of major widely spreading limbs of similar size.

Defect - In relation to tree hazards, any feature of a tree which detracts from the uniform distribution of mechanical stress, or which makes the tree mechanically unsuited to its environment.

Delamination - The separation of wood layers along their length, visible as longitudinal splitting.

Dieback - The death of parts of a woody plant, starting at shoot-tips or root-tips.

Disease - A malfunction in or destruction of tissues within a living organism, usually excluding mechanical damage; in trees, usually caused pathogens.

Distal - In the direction away from the main body of a tree or subject organism (cf. proximal)

Dominance - In trees, the tendency for a leading shoot to grow faster or more vigorously than the lateral shoots; also, the tendency of a tree to maintain a taller crown than its neighbours.

Dormant bud - An axial bud which does not develop into a shoot until after the formation of two or more annual wood increments; many such buds persist through the life of a tree and develop only if stimulated to do so.

Dysfunction - In woody tissues, the loss of physiological function, especially water conduction, in sapwood.

DBH (Diameter at Breast Height) - Stem diameter measured at a height of 1.4 metres or the nearest measurable point. Where measurement at a height of 1.4 metres is not possible, another height may be specified.

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Endophytes - Micro-organisms that live inside plant tissues without causing overt disease, but in some cases capable of causing disease if the tissues become physiologically stressed.

Epicormic shoot - A shoot having developed from a dormant or adventitious bud and not having developed from a first-year shoot.

Excescence - Any abnormal outgrowth on the surface of tree or other organism.

Excurrent - In trees, a system of branching in which there is a well-defined central main stem, bearing branches which are limited in their length, diameter, and secondary branching (cf. decurrent).

Fastigiate - Having upright, often clustered branches.

Flush cut - A pruning cut which removes part of the branch bark ridge and or branch-collar.

Girdling root - A root which circles and constricts the stem or roots possibly causing death of phloem and/or cambial tissue.

Habit - The overall growth characteristics, shape of the tree and branch structure.

Haloing - Removing or pruning trees from around the crown of another (usually mature or post-mature) tree to prevent it becoming suppressed.

Hazard beam - An upwardly curved part of a tree in which strong internal stresses may occur without being reduced by adaptive growth, prone to longitudinal splitting.

Heartwood/false-heartwood - The dead central wood that has become dysfunctional as part of the aging processes and being distinct from the sapwood.

Heave - The lifting of pavements and other structures by root diameter expansion; also, the lifting of one side of a wind-rocked root-plate.

High canopy tree species - Tree species having potential to contribute to the closed canopy of a mature forest.

Incipient failure - In wood tissues, a mechanical failure which results only in deformation or cracking, and not in the fall or detachment of the affected part.

Included bark (ingrown bark) - Bark of adjacent parts of a tree (usually forks, acutely joined branches or basal flutes) which is in face-to-face contact.

Infection - The establishment of a parasitic micro-organism in the tissues of a tree or other organism.

Internode - The part of a stem between two nodes; not to be confused with a length of stem which bear nodes but no branches.

Lever arm - A mechanical term denoting the length of the lever represented by a structure that is free to move at one end, such as a tree or individual branch.

Lignin - The hard, cement-like constituent of wood cells; deposition of lignin within the matrix of cellulose microfibrils in the cell wall is termed Lignification.

Lions tailing - When a branch of a tree that has few if any side branches except at its end and is thus liable to snap due to end-loading.

Loading - A mechanical term describing the force acting on a structure from a particular source, e.g., the weight of the structure itself or wind pressure.

Longitudinal - Along the length (of a stem, root, or branch).

Lopping - A term often used to describe the removal of large branches from a tree, but also used to describe other forms of cutting

Minor deadwood - Deadwood of a diameter less than 25mm and or unlikely to cause significant harm or damage upon impact with a target.

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Mulch - Material laid down over the rooting area of plants to help conserve moisture; mulch may consist of organic matter, or artificial material.

Mycelium - The body of a fungus, consisting of branched filaments (hyphae).

Occlusion - The process whereby a wound is progressively closed by the formation of new wood and bark around it.

Pathogen - A micro-organism which causes disease in another organism.

Photosynthesis - The process whereby plants use light energy to split hydrogen from water molecules and combine it with carbon dioxide to form the molecular building blocks for synthesizing carbohydrates and other biochemical products.

Phytotoxic - Toxic to plants.

Pollarding - The removal of the tree canopy, back to the stem or primary branches, usually to a point just outside that of the previous cutting.

Primary branch - A major branch, generally having a basal diameter greater than 0.25 x stem diameter.

Probability - A statistical measure of the likelihood that a particular event might occur.

Pruning - The removal or cutting back tree parts to growth points.

Rams-horn - In connection with wounds on trees, a roll of occluding tissues which has a spiral structure as seen in cross section.

Reactive Growth/Reaction Wood - Production of woody tissue in response to altered mechanical or external loading.

Residual wall - The amount of non-decayed wood remaining following decay of internal wood

Rib - A ridge of wood that has usually developed because of locally increased mechanical loading. Often associated

with internal cracking in the wood of the stem, branch, or root.

Ringbarking (girdling) - The removal of a ring of bark and phloem around the circumference of a stem or branch, normally resulting in an inability to transport photosynthetic assimilates above or below the area of damage.

Ripewood - The older central wood of those tree species in which sapwood gradually ages without being converted to heartwood.

Root-collar - The transitional area between the stem/s and roots.

Root zone - Area of soils containing absorptive roots of the tree/s described. The Primary root zone is that which we consider of primary importance to the physiological well-being of the tree.

Sapwood - Living xylem tissues.

Selective delignification - A kind of wood decay (white-rot) in which lignin is degraded faster than cellulose.

Shedding - In woody plants, the normal abscission, rotting off or sloughing of leaves, floral parts, twigs, fine roots, and bark scales.

Shrub species - Woody perennial species forming the lowest level of woody plants in a forest or garden and not normally considered to be trees.

Simultaneous white rot - A kind of wood decay in which lignin and cellulose are degraded at about the same rate.

Soft-rot - A kind of wood decay in which a fungus degrades cellulose within the cells,

Spores - Propagules of fungi; most spores are microscopic and dispersed in air or water.

Sporophore - The spore bearing structure of fungi.

Stem/s - Principle above-ground structural component(s) of a tree that supports its branches.

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Stress - In plant physiology, a condition under which one or more physiological functions are not operating within their optimum range, for example due to lack of water, inadequate nutrition, or extremes of temperature: In mechanics, the application of an external force to an object.

Stringy white-rot - The kind of wood decay produced by selective delignification.

Structural roots - Roots, generally having a diameter greater than 50 millimetres, and contributing significantly to the structural support and stability of the tree.

Structural root zone (ZRZ) - The zone of the root plate most likely to contain roots that are critical for anchorage and the stability of the tree.

Subsidence - In relation to soil or structures resting in or on soil, a sinking due to shrinkage when certain types of clay soil dry out, sometimes due to extraction of moisture by tree roots.

Subsidence - In relation to branches of trees, a term that can be used to describe a progressive downward bending due to increasing weight.

Taper - In stems and branches, the degree of change in girth along a given length.

Targets - In tree risk assessment persons or property or other things of value which might be harmed or damaged by falling parts of a tree

Topping/ Lopping - In arboriculture, the removal of the crown of a tree, or of a major proportion of it.

Torsional stress - Mechanical stress applied by a twisting force.

Translocation - Plant physiology, the movement of water and dissolved materials through the body of the plant.

Transpiration - The evaporation of moisture from the surface of a plant, especially via the stomata of leaves; it

exerts a suction which draws water up from the roots and through the intervening xylem cells.

Tree Protection Zone (TRZ) - This is an area left around a tree to ensure protection of the above and below ground parts of the tree during construction works. It will usually include the SRZ and is usually recommended to be fenced off for the period of the works.

Understorey - This layer consists of younger individuals of the dominant trees, together with smaller trees and shrubs which are adapted to grow under lower light conditions.

Understorey tree species - Tree species not having potential to attain a size at which they can contribute to the closed high canopy of a forest or garden.

Vascular wilt - A type of plant disease in which water-conducting cells become dysfunctional.

Vessels - Water-conducting cells in plants, usually wide and long for hydraulic efficiency; generally, not present in coniferous trees.

Vigour - The expression of carbohydrate expenditure to growth (in trees).

Vitality - A measure of physiological condition.

White-rot - A range of kinds of wood decay in which lignin, usually together with cellulose and other wood constituents, is degraded.

Wind exposure - The degree to which a tree or other object is exposed to wind, both in terms of duration and velocity.

Windthrow - The blowing over of a tree at its roots.

Woundwood - Wood with atypical anatomical features, formed in the vicinity of a wound.

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12.0 Appendices

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12.1 Appendix 1 - TPZ Sign



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12.2 Appendix 2 - Soil compaction

Due to the relationship between soil profiles and tree physiology, soil compaction is recognised as a primary cause for tree health decline.

Soil compaction is common in isolated planting areas such as: narrow medians, raised planters & small tree pits located in areas surrounded by concrete, bitumen, or other impermeable surfaces. It is often caused by heavy vehicular traffic during construction, frequent foot traffic, erosion and dense garden beds causing further restriction & competition by other vegetation (i.e., weeds, grass & over companion planting). These conditions cause a weak soil profile which will continue to require review and maintenance.

Soil compaction and Impermeable surfaces over the root plate of trees will:

- Reduce the physical space available for tree root movement.
- Reduce aeration by compressing the macropores in the soil. This in turn restricts or inhibits metabolic functions.
- Prevents water from reaching the soil, reducing water availability.
- Inhibits organic detritus processes; therefore, reducing nutritional composition and microbe abundance & diversity in the soil.
- The compression of macropores, can cause poor drainage leading to water logging and root rot.
- Soil can become hygroscopic and hydrophobic.
- Heavy and repeated surface activity can damage and break roots.
- Lead to property or infrastructure damage as roots seek path of least resistance.

An industry standard for the measurement of soil compaction for woody plant growth (i.e., Dicotyledon trees) is by resistance to penetration (psi) as determined with a penetrometer. A psi less than 90 is indicative of soil with few root growth impediments, with very minor constraints. Non-compacted soil should not exceed 250psi, reaching this resistance at a depth of 50cm.

While critical soil compaction limits can vary among species, research suggests the critical soil strength limit for trees is approximately 300psi. This level of compaction reduces the root growth by 60%.

Soil compaction can be alleviated by many ways. The level of intrusion and financial burden is dependent on the severity of the compaction.

The installation of tree protection fencing helps to prevent a significant amount of compaction that could occur without it.

Soil Compaction Limits for Trees (Dicotyledons)		
Penetration Resitance (psi)	Acceptability	Root Response
1-100	Good	Few root growth impediments
100-200	Fair	Root penetration reduced to 80%
300	Average Action recommended	Soil compaction limit. Root penetration reduced to 60% strength
300-450	Poor Action Required	Root movement less than 5% strength
500+	Very Poor Action Required	Root Movement inhibited
700+	Unacceptable Intervention Required	Roots likley to cause damage to bitumen and concrete

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13.0 Disclaimer and Limitations

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- a. References in this report to the "Consultant" means listed on the cover page as an employee of Westworks Consultancy. References in this report to Westworks Consultancy means Westworks Group Pty Ltd as trustee for Ussheridan Trust trading as Westworks Consultancy (ACN 156 131 010 ABN 23 100 208 057).
- b. In this report a reference to a group of persons includes a reference to all of them collectively, any two or more collectively and each of them individually.
- c. The releases and limitations in this report apply to the Arborist, Westworks Consultancy and any employees, directors, contractors, and agents of the Arborist and/or Westworks Consultancy.
- d. This report only covers identifiable defects present at the time of inspection. The Arborist and Westworks Consultancy accept no responsibility and cannot be held liable for any structural defect or unforeseen event/situation that may occur after the time of inspection.
- e. The Arborist and Westworks Consultancy cannot and do not guarantee trees contained within this report will be structurally sound under all circumstances and cannot and do not guarantee that the recommendations made will categorically result in the tree being made "safe." Unless specifically mentioned this report will only be concerned with above ground inspections, that will be undertaken visually from ground level.
- f. Trees are living organisms and as such cannot be classified as "safe" under any circumstances.
- g. Failure events can occur for any number of reasons at any time and cannot always reasonably be foreseen, as any number of circumstances can come about at any time before or after an inspection that the Arborist and Westworks Consultancy may not be aware of.
- h. All recommendations are made based on what can be reasonably identified at the time of inspection therefore the author accepts no liability for any recommendations made.
- i. Care has been taken to obtain all information from reliable sources. All data has been verified or as much as possible; however, the Arborist and Westworks Consultancy can neither guarantee nor be responsible for the accuracy of information provided by others.
- j. Booking of re-assessment after the prescribed period is the responsibility of the land manager/owner only. The Arborist and Westworks Consultancy are not responsible for providing reminders or notification that re assessment may be due and will not be held responsible to reinspect the listed trees until requested.
- k. The Arborist and Westworks Consultancy make no express warranties under this report.
- l. Except as the report specifically states, or as contained in any express warranty provided in relation to any goods or services provided or to be provided, the report does not include by implication any other term, condition or warranty in respect of the quality, merchantability, acceptability, fitness for purpose, condition, description, assembly, manufacture, design or performance of the goods or services or any contractual remedy for their failure.
- m. If the client is a consumer nothing in the Report restricts, limits, or modifies the client's rights or remedies against Westworks Consultancy for failure of a statutory guarantee under the ACL save to the extent lawfully permissible.
- n. To the greatest extent permitted under law the Arborist and Westworks Consultancy are not liable to the client or any third party in any way under or in connection with the Report or in connection with the goods or services provided by them to the client or any third party.
- o. To the greatest extent permitted under law the Arborist and Westworks Consultancy are not liable for any indirect or consequential losses or expenses suffered by the client or any third party, howsoever caused, including but not limited to loss of turnover, profits, business or goodwill or any liability to any other party.
- p. The client expressly acknowledges and agrees that:
 - i. it has not relied upon, any service involving skill and judgement, or on any advice, recommendation, information, or assistance given by the Arborist or Westworks Consultancy, their agents, contractors, or employees in relation to any goods or services or their use or purpose.
 - ii. it has not made known, whether expressly or by implication, to the Arborist and Westworks Consultancy any purpose for which it requires the goods or services and it has the sole responsibility of satisfying itself that any goods or services as suitable for the use of the client.
 - iii. nothing in this Report is to be interpreted as excluding, restricting, or modifying the application of any non-excludable State or Federal legislation applicable to the sale of goods or supply of service.
 - iv. Any reinspection is the responsibility of the tree owner to arrange as required.

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**Appendix 10:
Bushfire Attack Level Assessment Report**



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PO Box 437, Leederville, WA 6903
enquiries@westenv.com.au

Bushfire Attack Level (BAL) Assessment Report

Site details			
Address: Lot 555 (20) Montreal Street			
Suburb: Fremantle		State: Western Australia	
Local Government Area: City of Fremantle			
Description of Building Works: Pro Shop and Driving Range			
Report details			
Project number	A24.203	Report version	0
Assessment date	25/09/2024	Report date	1/10/2024
Author	Daniel Panickar (BPAD L3-37802)		

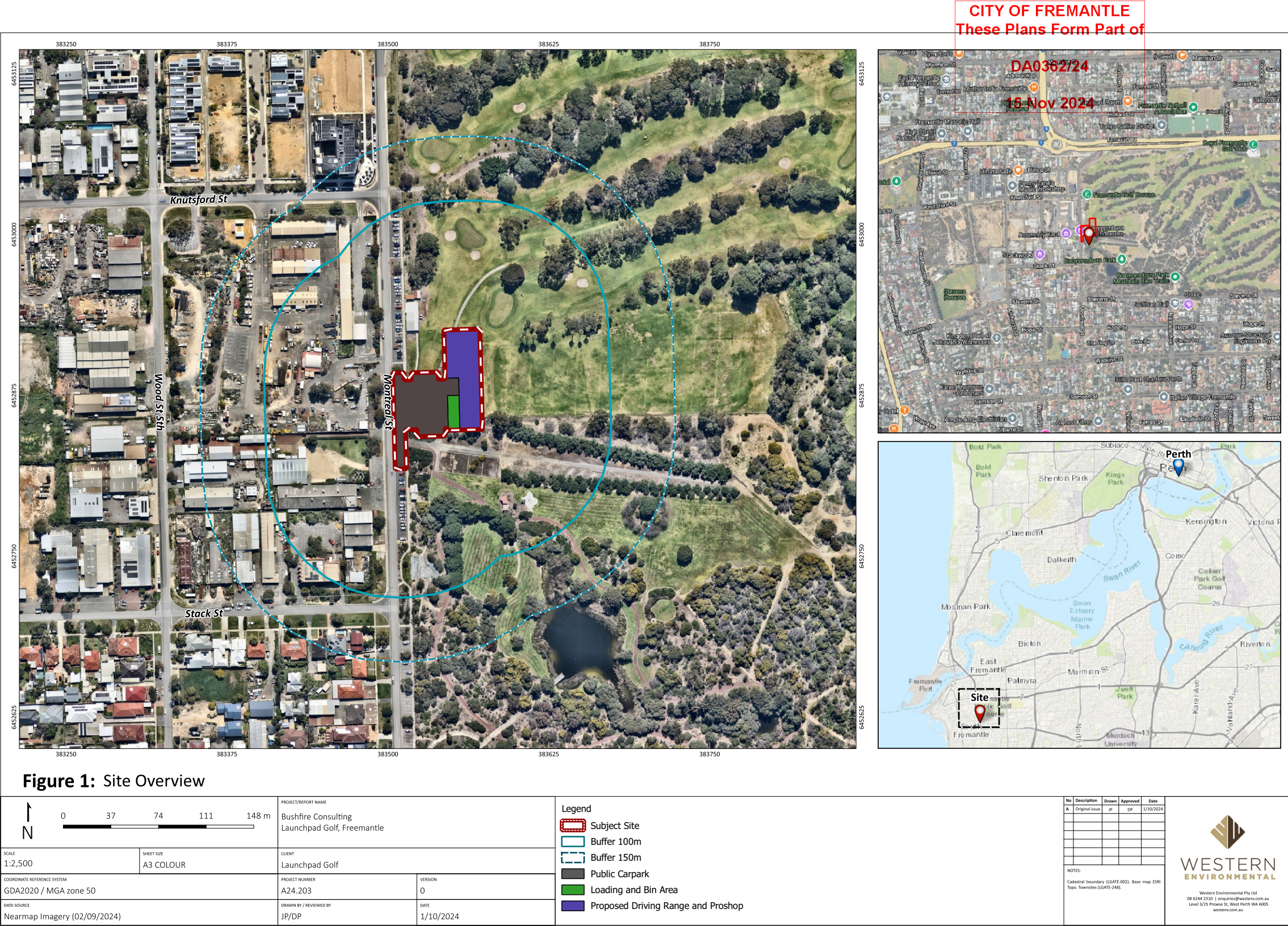
Site Assessment and Site Plan

This Bushfire Attack Level (BAL) assessment has been undertaken to support the proposed development of a driving range facility at Lot 555 (20) Montreal Street, Fremantle (the subject site; Figure 1).

The assessment of the subject site was undertaken on 25/09/2024 for the purpose of determining the BAL in accordance with *Australian Standard AS 3959: 2018 Construction of Buildings in Bushfire Prone Areas* (AS 3959: 2018; SA 2018) Simplified Procedure (Method 1).

Vegetation Classification

All vegetation within 150 m of the subject site was classified in accordance with Clause 2.2.3 of AS 3959: 2018. Each distinguishable vegetation class with the potential to determine the BAL is identified in Table 1 and presented in Figure 2.



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Table 1: Vegetation Classification

Plot 1	Class D Scrub
Photo Point 1 Vegetation within this plot comprises tall shrubs and low trees with an average height >2 m. Vegetation does not exceed 6 m in height. Slope under vegetation was assessed as upslope/flat land.	
Plot 1	Class D Scrub
Photo Point 2 Vegetation within this plot comprises tall shrubs and low trees with an average height >2 m. Vegetation does not exceed 6 m in height. Slope under vegetation was assessed as upslope/flat land.	
Plot 1	Class D Scrub
Photo Point 3 Vegetation within this plot comprises tall shrubs and low trees with an average height >2 m. Vegetation does not exceed 6 m in height. Slope under vegetation was assessed as upslope/flat land.	



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Plot 2 Photo Point 4 This plot comprises roads, buildings and other built assets.	Excluded - clause 2.2.3.2 (e) 15 Nov 2024
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Plot 3	Excluded - clause 2.2.3.2 (f)
Photo Point 7 Vegetation within this plot comprises managed parkland and managed fairways, woods and greens within the Fremantle Public Golf Course. Vegetation is considered low threat as per Clause 2.2.3.2 of AS 3959: 2018. This photo depicts a landscaped garden bed.	 32°34'16.1154558" -0.3m 25/09/2024 11:38:32 am
Plot 3	Excluded - clause 2.2.3.2 (f)
Photo Point 8 Vegetation within this plot comprises managed parkland and managed fairways, woods and greens within the Fremantle Public Golf Course. Vegetation is considered low threat as per Clause 2.2.3.2 of AS 3959: 2018.	 32°34'17.115460" -2.0m 25/09/2024 11:41:09 am
Plot 3	Excluded - clause 2.2.3.2 (f)
Photo Point 9 Vegetation within this plot comprises managed parkland and managed fairways, woods and greens within the Fremantle Public Golf Course. Vegetation is considered low threat as per Clause 2.2.3.2 of AS 3959: 2018.	



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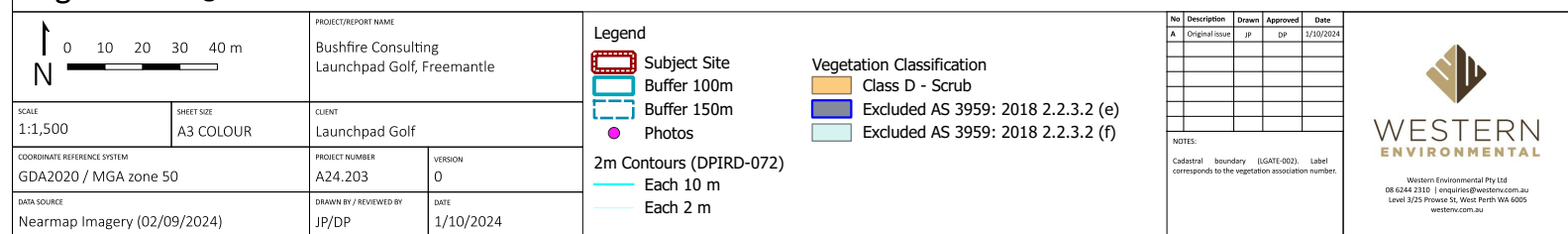
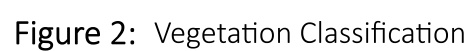
Plot 3 Photo Point 10 Vegetation within this plot comprises managed parkland and managed fairways, woods and greens within the Fremantle Public Golf Course. Vegetation is considered low threat as per Clause 2.2.3.2 of AS 3959: 2018.	Excluded - clause 2.2.3.2 (f) 15 Nov 2024 
Plot 3 Photo Point 11 Vegetation within this plot comprises managed parkland and managed fairways, woods and greens within the Fremantle Public Golf Course. Vegetation is considered low threat as per Clause 2.2.3.2 of AS 3959: 2018.	Excluded - clause 2.2.3.2 (f) 
Plot 3 Photo Point 12 Vegetation within this plot comprises managed parkland and managed fairways, woods and greens within the Fremantle Public Golf Course. Vegetation is considered low threat as per Clause 2.2.3.2 of AS 3959: 2018.	Excluded - clause 2.2.3.2 (f)  :32°3'20", 115°46'3", 0.5m 25/09/2024 11:48:11 am



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Plot 3 Photo Point 13 Vegetation within this plot comprises managed parkland and managed fairways, woods and greens within the Fremantle Public Golf Course. Vegetation is considered low threat as per Clause 2.2.3.2 of AS 3959: 2018.	Excluded - clause 2.2.3.2 (f) 15 Nov 2024 
Plot 3 Photo Point 11 Vegetation within this plot comprises managed parkland and managed fairways, woods and greens within the Fremantle Public Golf Course. Vegetation is considered low threat as per Clause 2.2.3.2 of AS 3959: 2018.	Excluded - clause 2.2.3.2 (f) 
Plot 3 Photo Point 12 Vegetation within this plot comprises managed parkland and managed fairways, woods and greens within the Fremantle Public Golf Course. Vegetation is considered low threat as per Clause 2.2.3.2 of AS 3959: 2018.	Excluded - clause 2.2.3.2 (f) 





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Relevant Fire Danger Index

The Fire Danger Index for this site has been determined in accordance with Table 2.1 of AS 3959: 2018 and is presented in Table 2.

Table 2: Fire Danger Index (FDI)

Relevant Fire Danger Index			
FDI 40 ☐ Table 2.4.5	FDI 50 ☐ Table 2.4.4	FDI 80 ☒ Table 2.4.3	FDI 100 ☐ Table 2.4.2

Potential Bushfire Impacts

The potential bushfire impact to the site / proposed development from each of the identified vegetation plots are identified below in Table 3.

Table 3: Method 1 BAL Calculation (BAL Contours)

Plot	Vegetation classification	Effective slope	Separation distances required (m)				
			BAL-FZ	BAL-40	BAL-29	BAL-19	BAL-12.5
1	Class D Scrub	All upslopes and flat land (0 degrees)	<10	10 - <13	13 - <19	19 - <27	27 - <100
2	Excluded - clause 2.2.3.2 (e)	-	No separation distances required - BAL-LOW				
3	Excluded - clause 2.2.3.2 (f)	-	No separation distances required - BAL-LOW				

Determined Bushfire Attack Level (BAL)

The determined Bushfire Attack Level (highest BAL) for the proposed works has been determined in accordance with Clause 2.2.6 of AS 3959: 2018 relevant data from the site assessment shown in Figure 3 and Table 4.



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Table 4: BAL Assessment Summary

Building/Asset	Plot Most Affecting BAL Rating	Separation Distance	BAL Rating
Pro Shop / Driving Range	Plot 1	79 m	BAL-12.5

Note: This BAL rating is based on the information current at the date of this document and is valid for 12 months.





Figure 3: Bushfire Attack Level (BAL) Contours

 0 10 20 30 40 m		PROJECT/REPORT NAME Bushfire Consulting Launchpad Golf, Fremantle		Legend Subject Site Buffer 100m Buffer 150m Bushfire hazard Interface Public Carpark Loading and Bin Area Proposed Driving Range and Proshop Bushfire Attack Level (BAL) BAL-FZ BAL-40 BAL-29 BAL-19 BAL-12.5 BAL-LOW
--	--	---	--	---

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Conclusion

The proposed driving range facility is exposed to a BAL rating of BAL-12.5. As the pre-development BAL rating for the proposed commercial development is $\leq$ BAL-29, bushfire planning requirements under *State Planning Policy 3.7 Bushfire* (WAPC, 2024a) and the associated *Planning for Bushfire Guidelines* (WAPC, 2024b) are not triggered.

No further bushfire reporting is considered necessary for assessment of the development to occur.



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References

Standards Australia (SA). (2018). *Construction of buildings in bushfire-prone areas* (AS 3959: 2018).

Western Australian Planning Commission (WAPC). (2024a). *State Planning Policy 3.7 Bushfire*. Government of Western Australia.

Western Australian Planning Commission (WAPC). (2024b). *Planning for Bushfire Guidelines*. Government of Western Australia.



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DA0362/24

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Appendix A

Additional Information / Advisory Notes



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This assessment was undertaken as per AS 3959: 2018. It is important that the current version of AS 3959, is consulted for construction purposes.

This BAL rating is based on the information current at the date of this letter and is valid for 12 months from the date of this letter.

Bushfire Attack Level (BAL) as set out in the Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas (AS 3959), as referenced in the Building Code of Australia.

Bushfire Attack Level (BAL)	Classified vegetation within 100 m of the site and radiant heat flux exposure thresholds	Description of predicted bush fire attack and levels of exposure	Construction Section as per AS 3959
BAL-LOW		There is insufficient risk to warrant specific construction requirements.	4
BAL-12.5	$\leq 12.5 \text{ kW/m}^2$	Ember attack	3 and 5
BAL-19	$> 12.5 \text{ kW/m}^2 \leq 19 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing radiant heat flux.	3 and 6
BAL-29	$> 19 \text{ kW/m}^2 \leq 29 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing radiant heat flux	3 and 7
BAL-40	$> 29 \text{ kW/m}^2 \leq 40 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing radiant heat flux with the increased likelihood of exposure to flames.	3 and 8
BAL-FZ	$> 40 \text{ kW/m}^2$	Direct exposure to flames from fire front in addition to radiant heat flux and ember attack	3 and 9

Source: "AS 3959: 2018 Construction of buildings in bushfire-prone areas" published by Standards Australia, Sydney.



Vend Property
Address:40 McCombe Avenue SAMSON
Childcare Centre
Job Number: 23047

Drawing No	Description
01	Cover Page
02	Existing Site Survey
03	Site Plan
04	Context Plan
05	Ground Floor
06	Roof Plan
07	Elevations



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These Revised Plans Form Part of
DA0118/24
20 December 2024

CITY OF FREMANTLE
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DA0118/24
20 December 2024



Client	
Vend Property	
Project Name	
Chiffchaff Centre	
Project Address	
40 McBride Avenue SAMSON	
Existing Site Survey	
Scale:	
Sheet Size:	
Project No.	
Revision Number:	
23047	6.0
Drawing No.	
02 of 07	

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[illegible]

6.30	Development Approval	11/02/24
1.30/42	Re-Design	26/11/24
5.30	Survey	27/03/24
4.80	CRP	27/02/24
7.00 - 3.00	Concept	04/10/23
Revision	Description	Date



Client
Vend Property

Project Name
Childcare Centre

Project Address
40 McCombe Avenue SAMSON

Drawing Title:
Context Plan

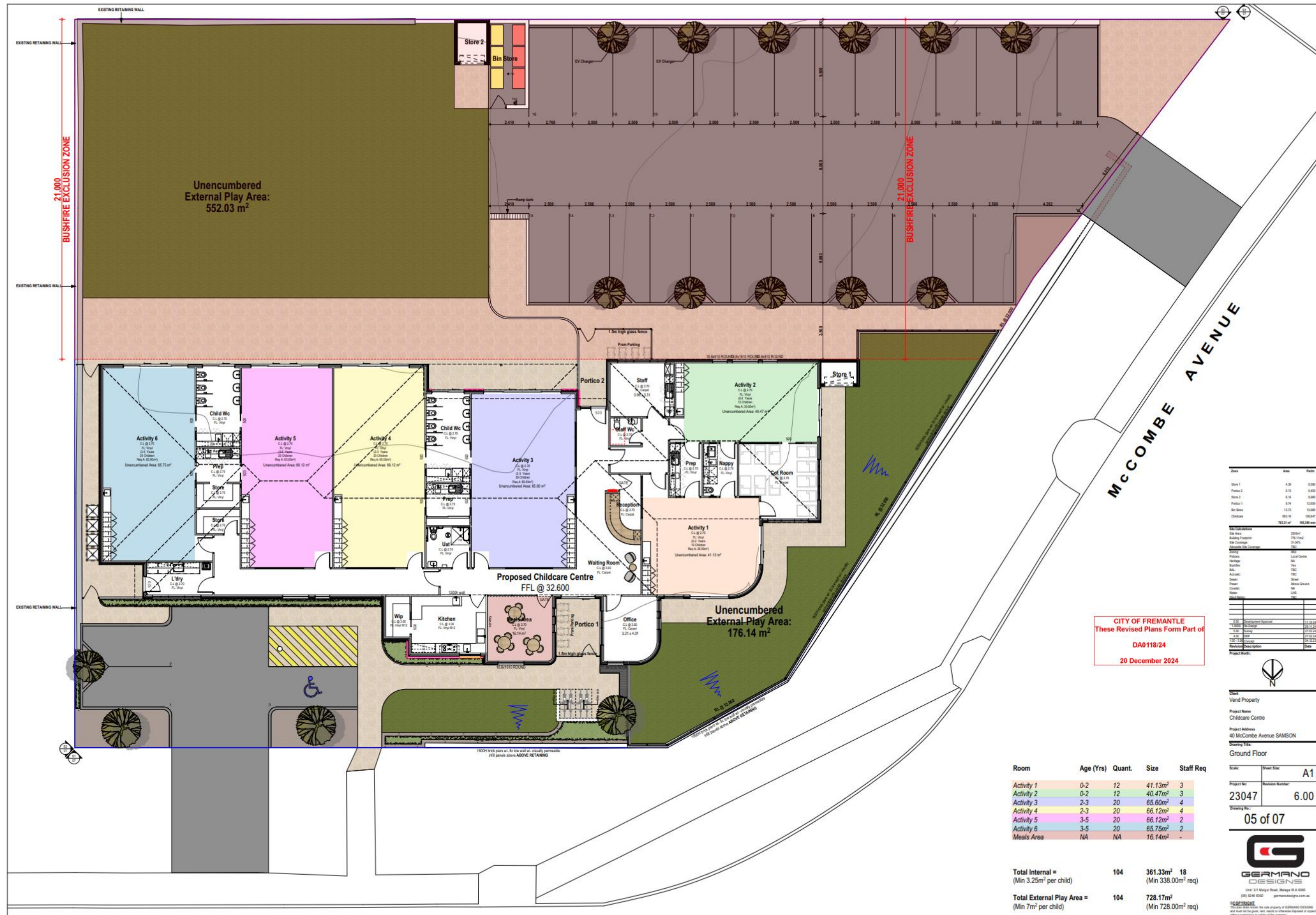
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Project No:	Revision Number:	
23047	6.00	

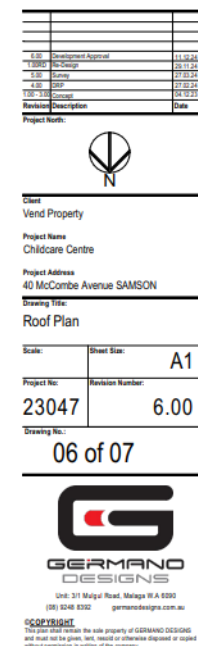
04 of 07



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Bushfire Attack Level (BAL) Certificate
Determined in accordance with AS 3959:2018

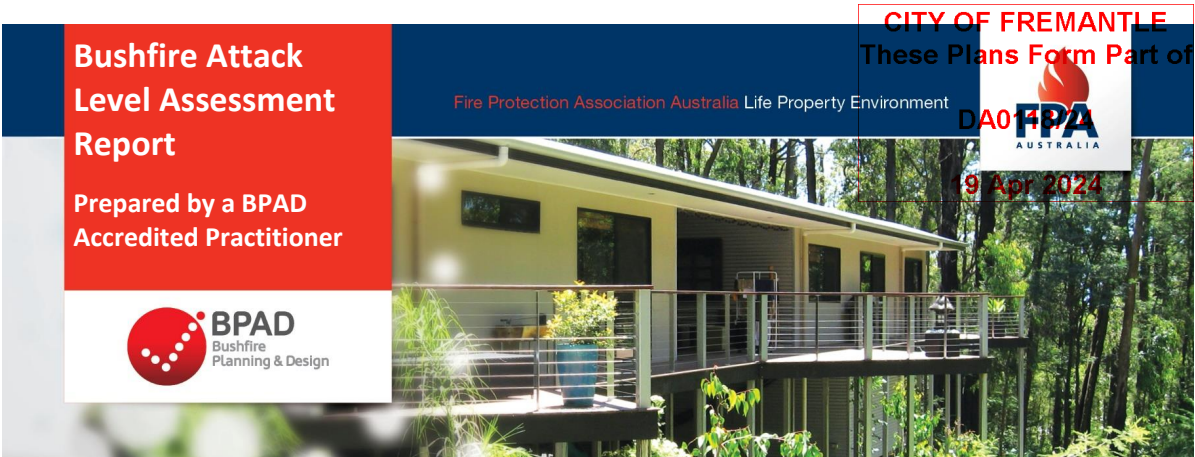
This Certificate has been issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme. The certificate details the conclusions of the full Bushfire Attack Level Assessment Report (full report) prepared by the Accredited Practitioner.

Property Details and Description of Works					
Address Details	Unit no	Street no	Lot no	Street name / Plan Reference	
		40	303	McCombe Avenue	
Local government area	Suburb			State	Postcode
	Samson			WA	6163
	City of Fremantle				
Main BCA class of the building	Class 9b	Use(s) of the building	Childcare Centre		
Description of the building or works	Proposed Childcare Centre				

Determination of Highest Bushfire Attack Level				
AS 3959 Assessment Procedure	Vegetation Classification	Effective Slope	Separation Distance	BAL
Method 1	Class A - Open Forest - A03	D/Slope>0-5°	34m	BAL-29

BPAD Accredited Practitioner Details	
Name John Greenwood	
Company Details WABAL	
I hereby certify that I have undertaken the assessment of the above site and determined the Bushfire Attack Level stated above in accordance with the requirements of AS 3959:2018.	

Reliance on the assessment and determination of the Bushfire Attack Level contained in this certificate should not extend beyond a period of 12 months from the date of issue of the certificate. If this certificate was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated certificate issued.

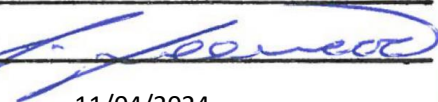


AS 3959 BAL Assessment Report

This report has been prepared by an Accredited BPAD Practitioner using the Simplified Procedure (Method 1) as detailed in Section 2 of AS 3959:2018. FPA Australia makes no warranties as to the accuracy of the information provided in the report. All enquiries related to the information and conclusions presented in this report must be made to the BPAD Accredited Practitioner.

Property Details and Description of Works					
Address Details	Unit no	Street no	Lot no	Street name / Plan Reference	
		40	303	McCombe Avenue	
Local government area	Suburb			State	Postcode
	Samson			WA	6163
	City of Fremantle				
Main BCA class of the building	Class 9b	Use(s) of the building	Childcare Centre		
Description of the building or works	Proposed Childcare Centre				

Report Details			
Report / Job Number	Report Version	Assessment Date	Report Date
J024369	1	10 April 2024	11 April 2024

BPAD Accredited Practitioner Details	
Name John Greenwood	I hereby declare that I am a BPAD accredited bushfire practitioner. Accreditation No. BPAD 36633 Signature  Date 11/04/2024 Authorised Practitioner Stamp
Company Details 	
Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated report issued.	

BAL Assessment Report

Fire Protection Association Australia Life Property Environment
DA0118/24

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Vegetation Classification

All vegetation within 100m of the site / proposed development was classified in accordance with Clause 2.2.3 of AS 3959-2018. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below.

Photo ID: 1	Plot: 1	West Elevation-32.070460, 115.802602 ©WABCA  Lot 303 No.40 McCombe Avenue Samson 616311/04/2024
Vegetation Classification or Exclusion Clause		
Excludable – Clause 2.2.3.2(f)		
Description / Justification for Classification		
Plot 1 refers to the surrounding urban vegetation, which has been excluded as being managed and low threat.		
Photo ID: 2	Plot: 1	East Elevation-32.070433, 115.801976 ©WABCA  Lot 303 No.40 McCombe Avenue Samson 616311/04/2024
Vegetation Classification or Exclusion Clause		
Excludable – Clause 2.2.3.2(f)		
Description / Justification for Classification		
An alternative view of Plot 1, showing the surrounding urban vegetation, which has been excluded as being managed and low threat.		

BAL Assessment Report

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DA0118/24

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19 Apr 2024

Photo ID:	3	Plot:	1
Vegetation Classification or Exclusion Clause			
Excludable – Clause 2.2.3.2(f)			
Description / Justification for Classification			
Photo 3 is another alternative view of Plot 1, showing the surrounding urban vegetation situated in the carpark of Samson recreation centre which has been excluded as 2.2.3.2.			
South East Elevation 			

BAL Assessment Report

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Photo ID: 4	Plot: 2	North Elevation -32.070546, 115.801327 ©WABCA  Lot 303 No.40 McCombe Avenue Samson 6163 11/04/2024
Class A - Open forest - A03		
Description / Justification for Classification		
Plot 2 is an area of Class A vegetation located in Sir Fredrick Samson Park from 34 metres of northern west side and on a downslope side between 0 to 5 degrees of the proposed childcare centre. Consisting of Trees in average of 30 metres high, with 30 %- 70% foliage cover. Including some lower trees and shrubs.		
Photo ID: 5	Plot: 2	North West Elevation -32.070708, 115.801189 ©WABCA  Lot 303 No.40 McCombe Avenue Samson 6163 11/04/2024
Vegetation Classification or Exclusion Clause		
Class A - Open forest - A03		
Description / Justification for Classification		
An alternative view of Plot 2, showing an area of Class A vegetation located in Sir Fredrick Samson Park from 34 metres of northern west side and on a downslope side between 0 to 5 degrees of the proposed childcare centre. Consisting of Trees in average of 30 metres high, with 30 %- 70% foliage cover. Including some lower trees and shrubs.		

BAL Assessment Report

Fire Protection Association Australia Life Property Environment

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19 Apr 2024

Relevant Fire Danger Index

The fire danger index for this site has been determined in accordance with Table 2.1 or otherwise determined in accordance with a jurisdictional variation applicable to the site.

Fire Danger Index

FDI 40 ☐

FDI 50 ☐

FDI 80 ☒

FDI 100 ☐

Table 2.4.5

Table 2.4.4

Table 2.4.3

Table 2.4.2

Potential Bushfire Impacts

The potential bushfire impact to the site / proposed development from each of the identified vegetation plots are identified below.

Plot	Vegetation Classification	Effective Slope	Separation (m)	BAL
1	Excludable – Clause 2.2.3.2(f)	N/A	N/A	BAL – LOW
2	Class A - Open forest - A03	Downslope >0-5 Degrees	34m	BAL – 29

Table 1: BAL Analysis

Determined Bushfire Attack Level (BAL)

The Determined Bushfire Attack Level (highest BAL) for the site / proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2018 using the above analysis.

Determined Bushfire Attack Level

BAL – 29

BAL Assessment Report

Fire Protection Association Australia Life Property Environment
DA0118/24

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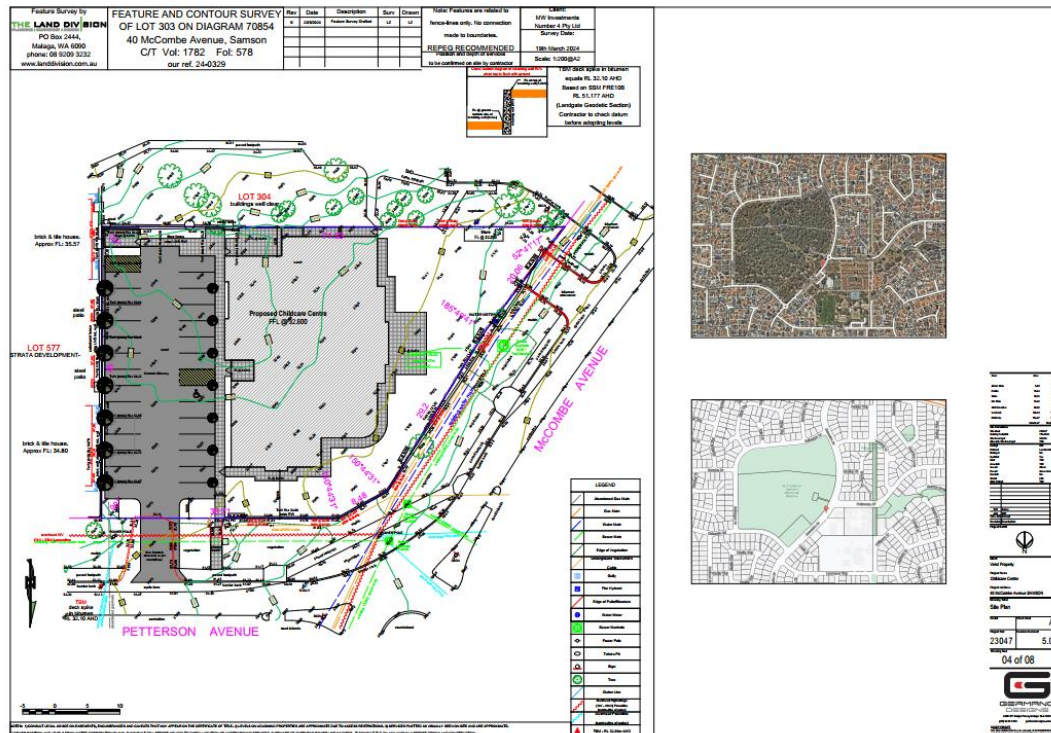
19 Apr 2024

Appendix 1: Plans and Drawings

Plans and drawings relied on to determine the bushfire attack level

Drawing / Plan Description Site Plan

Job Number	Revision	Date of Revision
23047	0	22/03/2024



BAL Assessment Report

Fire Protection Association Australia Life Property Environment
DA0118/24

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19 Apr 2024

Appendix 2: Additional Information / Advisory Notes

BUSHFIRE ATTACK LEVELS AND CORRESPONDING SECTIONS
FROM AS 3959:2018

Bushfire Attack Level (BAL)	Classified vegetation within 100 m of the site and heat flux exposure thresholds	Description of predicted bushfire attack and levels of exposure	Construction Section
BAL-LOW	See Clause 2.2.3.2	There is insufficient risk to warrant any specific construction requirements	4
BAL-12.5	≤12.5 kW/m ²	Ember attack.	3 & 5
BAL-19	>12.5 kW/m ² ≤19 kW/m ²	Increasing levels of ember attack and burning debris ignited by wind-borne embers together with increasing heat flux	3 & 6
BAL-29	>19 kW/m ² ≤29 kW/m ²	Increasing levels of ember attack and burning debris ignited by wind-borne embers together with increasing heat flux	3 & 7
BAL-40	>29 kW/m ² ≤40 kW/m ²	Increasing levels of ember attack and burning debris ignited by wind-borne embers together with increasing heat flux with the increased likelihood of exposure to flames	3 & 8
BAL-FZ	>40 kW/m ²	Direct exposure to flames from fire front in addition to heat flux and ember attack	3 & 9

RADIANT HEAT THRESHOLDS OF PAIN AND IGNITION FROM AS 3959:2018

In a bushfire, radiant heat levels may be unsafe for humans and could also ignite combustible materials in the vicinity. Table G1 provides an indication of the potential effects of radiant heat levels on both humans and selected materials to assist the reader in understanding the implications of the different BALs.

TABLE G1 - TYPICAL RADIANT HEAT INTENSITIES FOR VARIOUS PHENOMENA

PHENOMENA	kW/m ²
Pain to humans after 10 s to 20 s	4
Pain to humans after 3 s	10
Ignition of cotton fabric after a long time (piloted) (see Note 2)	13
Ignition of timber after a long time 13 (piloted) (see Note 2)	13
Ignition of cotton fabric after a long time (non-piloted) (see Note 3)	25
Ignition of timber after a long time (non-piloted) (see Note 3)	25
Ignition of gabardine fabric after a long time (non-piloted) (see Note 3)	27
Ignition of black drill fabric after a long time (non-piloted) (see Note 3)	38
Ignition of cotton fabric after 5 s (non-piloted) (see Note 3)	42
Ignition of timber in 20 s (non-piloted) (see Note 3)	45
Ignition of timber in 10 s (non-piloted) (see Note 3)	55

NOTES:
1. Source AS 1530.4—2005.
2. Introduction of a small flame to initiate ignition.
3. Flame not introduced to initiate ignition.

HOW TO PROCEED WITH THIS DOCUMENT

1. If you have been issued with a BAL report that requires **no further clearing / thinning**, this document can be submitted with your application for Development Approval **and** your application for Building Approval with your local authority.
2. If you need to amend the vegetation on your lot to achieve a maximum allowable BAL-29, clearing and thinning of vegetation may be required. In this case all vegetation amendments must be completed and a further site inspection carried out by the bushfire consultant. A **Final BAL Report** can then be issued **at additional cost**. The final BAL report will enable the completion of a compliance certificate by your builder / building inspector. This can then be submitted to your local authority for Building Approval.

Bushfire management plan/Statement addressing
the Bushfire Protection Criteria coversheet

Site address: Lot 303 (#40) McCombe Avenue, Samson

Site visit: Yes ☒ No ☐

Date of site visit (if applicable): Day 23 Month July Year 2024

Report author or reviewer: Nathan Peart

WA BPAD accreditation level (please circle):

Not accredited ☐ Level 1 BAL assessor ☐ Level 2 practitioner ☐ Level 3 practitioner ☒

If accredited, please provide the following.

BPAD accreditation number: 38808 Accreditation expiry: Month May Year 2025

Bushfire management plan version number: 3.2

Bushfire management plan date: Day 16th Month January Year 2025

Client/business name: CF Town Planning & Development

	Yes	No
Has the BAL been calculated by a method other than method 1 as outlined in AS3959 (tick no if AS3959 method 1 has been used to calculate the BAL)?	☐	☒
Have any of the bushfire protection criteria elements been addressed through the use of a performance principle (tick no if only acceptable solutions have been used to address all of the bushfire protection criteria elements)?	☐	☒

	Yes	No
Is the proposal any of the following (see SPP 3.7 for definitions)?		
Unavoidable development (in BAL-40 or BAL-FZ)	☐	☒
Strategic planning proposal (including rezoning applications)	☐	☒
High risk land-use	☐	☒
Vulnerable land-use	☒	☐

None of the above ☐

Note: Only if one (or more) of the above answers in the tables is yes should the decision maker (e.g. local government or the WAPC) refer the proposal to DFES for comment.

Why has it been given one of the above listed classifications (E.g. Considered vulnerable land-use as the development is for accommodation of the elderly, etc.)?

Occupation by minors who may require additional assistance in a bushfire event.

The information provided within this bushfire management plan to the best of my knowledge is true and correct:

Signature of report author or reviewer



Date 16.01.25



Bushfire Management Plan

Proposed Childcare

Lot 303 (#40) McCombe Avenue, Samson

16 January 2025

Bushfire Management Plan (DA)



Document Control

Doc name:	Bushfire Management Plan (DA) - Lot 303 (#40) McCombe Avenue, Samson				
Version	Date	Author		Reviewer	
1	07/08/2024	Nathan Peart	NP	Nathan Peart	NP
	Initial Report Issued				
2	14/10/2024	Nathan Peart	NP	Nathan Peart	NP
	Revised vegetation assessment				
3.1	06/12/2024	Nathan Peart	NP	Nathan Peart	NP
	Redesign to respond to DFES comments, Update Measurement to Plot 1				
3.2	16/01/2025	Nathan Peart	NP	Nathan Peart	NP
	Update Measurement to Plot 1				

Disclaimer and Limitation

This report is prepared solely for the client, any future landowners of the subject lot and is not for the benefit of any other person and may not be relied upon by any other person. Bushfire Smart accepts no liability or responsibility whatsoever for or in respect of any use or reliance upon this report and its supporting material by any third party.

The mitigation strategies contained in this report are considered to be prudent minimum standards only, based on the writer's experience as well as standards prescribed by relevant authorities. It is expressly stated that Bushfire Smart and the writer do not guarantee that if such standards are complied with or if a property owner exercises prudence, that a building or property will not be damaged or destroyed by bushfire or that lives will not be lost in a bush fire. Fire is an extremely unpredictable force of nature. Changing climatic factors (whether predictable or otherwise) either before or at the time of a fire can also significantly affect the nature of a fire and in a bushfire prone area it is not possible to completely guard against bushfire.

Further, the growth, planting or removal of vegetation; poor maintenance of any fire prevention measures; addition of structures not included in this report; or other activity can and will change the bushfire threat to all properties detailed in the report. Further, the achievement of the level of implementation of fire precautions will depend on the actions of the landowner or occupiers of the land, over which Bushfire Smart has no control.

This report does not negate the need to follow Local government authority requirements for Firebreak and Fuel Hazard Reduction. The client agrees that in submitting this report they approve of and will comply with all requirements detailed.

About the author:

Bushfire Smart has been providing bushfire risk management reports and advice for over 7 years and undertake assessments of planning and land development applications to verify compliance with State Planning Policy 3.7 and associated bushfire regulations.

Nathan Peart is the bushfire lead and has over 20 years' experience in the construction and planning fields. Nathan has completed a Graduate Diploma in Bushfire Protection at the University of Western Sydney. Nathan is supported by several other team members with varying levels of accreditation.

Bushfire Smart hold Professional Indemnity Insurance to the value of \$2,000,000 which includes cover for bushfire attack level assessments, planning, design and advice services as prescribed in FPA Australia's Bushfire Planning and Design Accreditation Scheme for a BPAD - Level 3 practitioner.

Author/Reviewer		
Nathan Peart	BPAD 38808	
Level 3 Bushfire Planning and Design (BPAD) Accredited Practitioner		
E: BAL@BushfireSmart.com.au	Ph: 9555 9444	

08 9555 9444

BAL@bushfiresmart.com.au

Address: 71 Allnutt Street, Mandurah, 6210

Postal: PO Box 4160, Mandurah North, WA, 6210

Bushfire Management Plan (DA)



Executive Summary

The proposal is for Lot 303 (#40) McCombe Avenue, Samson regarding a development application for a proposed Childcare Centre.

The proposal is in an area that has been designated as bushfire-prone and must therefore comply with State Planning Policy 3.7 (SPP 3.7). Guidelines for Planning Bushfire Prone Areas Version 1.4 (the Guidelines) has been used to determine the proposal's compliance with SPP 3.7. The design has been extensively redesigned to address the concerns raised by DFES regarding the vegetation within the neighbouring community centre gardens. The management of the vegetation within this area is within the control of the City of Fremantle and while management is evident DFES did not deem it to be excludable.

An assessment against the bushfire protection criteria (Appendix Four of the guidelines) is required to be undertaken. The following table summarises the outcome of this assessment.

Table A.1: Summary of assessment against bushfire protection criteria

Element	Acceptable Solution	Compliance Method	Compliance notes.
1: Location	A1.1 Development location	Acceptable Solution	The development can achieve a BAL 29 rating
2: Sitting of development	A2.1 Asset Protection Zone (APZ)	Acceptable Solution	Entire lot to be maintained to APZ requirements.
3: Vehicular Access	A3.1 Public Roads	Acceptable Solution	Public roads meet the minimum technical requirements of guidelines.
	A3.2a Multiple access routes	Acceptable Solution	Access is provided in at least two different directions.
	A3.2b Emergency access ways	N/A	
	A3.3 Through-roads	N/A	
	A3.4a Perimeter roads	N/A	
	A3.4b Fire service access routes	N/A	
	A3.5 Battle axes	N/A	
4: Water	A3.6 Private driveways	Acceptable Solution	Private driveways can meet the requirements of the guidelines.
	A4.1 Identification of future water supply	N/A	
	A4.2 Provision of water for firefighting purposes	Acceptable Solution	Hydrants provided to comply with Water Corporation's No. 63 Water Reticulation Standard.

Bushfire Management Plan (DA)



Bushfire hazard issues that have been identified:

A landscape fire to the west of the development presents the highest risk subjecting the site to ember attack. Consideration was also given to the possibility of embers igniting the vegetation in the community centre gardens to the south of the property. The two small sections of bushes have some ground fuels however these are isolated from other vegetation and due to the small, isolated fuel bed is unlikely to achieve a full rate of spread that would impact the proposed childcare centre. However, in order to respond to concerns from DFES regarding the lack of the management of this vegetation, the vegetation that forms part of community gardens has been classified as forest (Worst Case Vegetation).

The proposal is a vulnerable use as it accommodates patrons who will need assistance evacuating during a bushfire emergency. A bushfire emergency evacuation plan is to be completed and implemented as part of the proposal prior to occupation.

Compliance with this BMP, and therefore SPP 3.7, will require action prior to, during and after development. The items requiring implementation include:

- BEEP to be prepared and requirements to be acted upon including:
 - o Annual preparations
 - o Daily inspections and preparations
 - o Staff training
 - o Arrangements with transport providers and refuge locations

The entire report should be read in conjunction with the guidelines to ensure all requirements are understood.

Bushfire Management Plan (DA)



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Bushfire Management Plan (DA)



1 Proposal and Site Details

1.1 Proposal Details

Lot 303 (#40) McCombe Avenue, Samson (subject lot) is a vacant cleared lot. This proposal is for the construction of a new childcare centre on an existing vacant lot.



Figure 1: Site Plan

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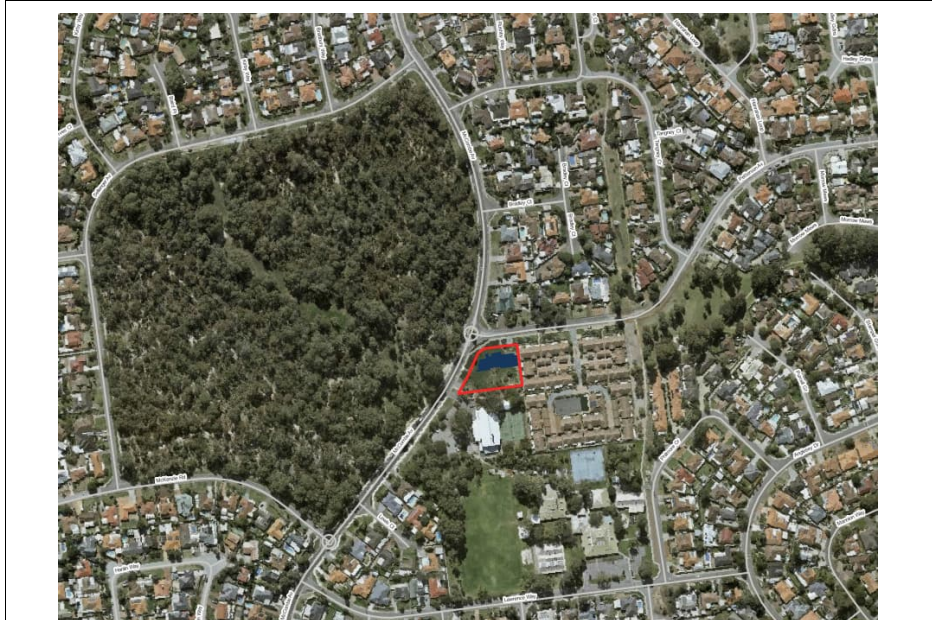


Figure 2: Location Plan

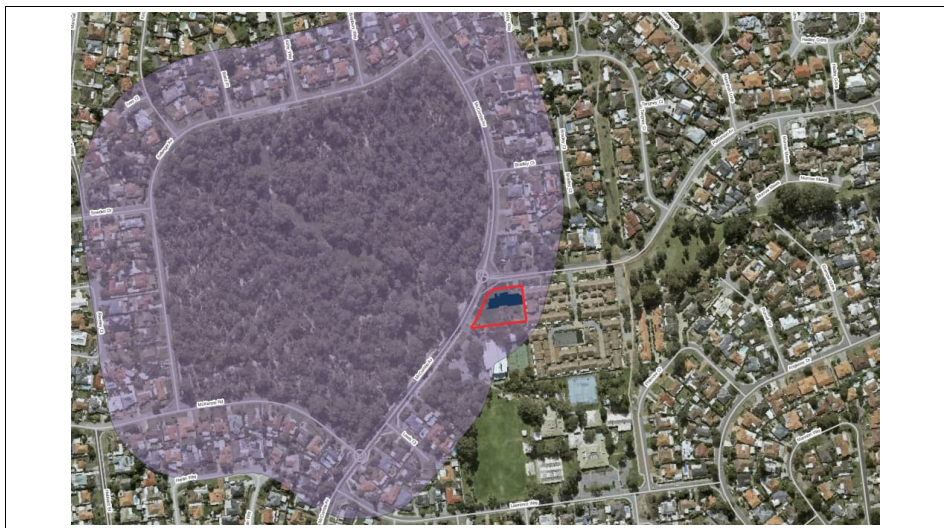


Figure 3: Map of Bushfire Prone Area for Subject Site

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2 Environmental Considerations

To identify environmental, biodiversity, and conservation values on the subject site, the site has been examined against the following databases as shown in Table 1.

Table 1: Assessment against environmental considerations

Object	Database	Identified	Details
Geomorphic Wetlands: Swan Coastal Plain / Augusta to Walpole	DBCA-019 / DBCA-017	No	Site not identified within database.
Ramsar sites (Wetland areas designated under the Ramsar Convention)	DBCA-010	No	Site not identified within database.
Threatened and Priority Flora	DBCA-036	No	Site not identified within database.
Threatened and Priority Fauna	DBCA-037	No	Site not identified within database.
Threatened Ecological Communities	DBCA-038	Yes	Site identified within area – further action required. 
Bush Forever Areas - 2000	DPLH-019	No	Site not identified within database.
Clearing Regulations – Environmentally Sensitive Areas	DWER-046	No	Site not identified within database.
SWAN Bioplan Regionally Significant Natural Areas 2010	DWER-070	No	Site not identified within database.
Local government biodiversity/planning	-	No	-

The subject site has been identified by the Department of Biodiversity, Conservation and Attractions (DBCA) as being within a threatened ecological community.

The existing lot is a cleared lot with no further clearing required.

2.1 Native vegetation – modification and clearing

The site has been checked against the Native Vegetation mapping conducted by the Department of Primary Industries and Regional Development (DPIRD-005). Native vegetation has not been found on the site.

2.2 Revegetation/landscape plans

The proposal does not include revegetation or landscaping plans.

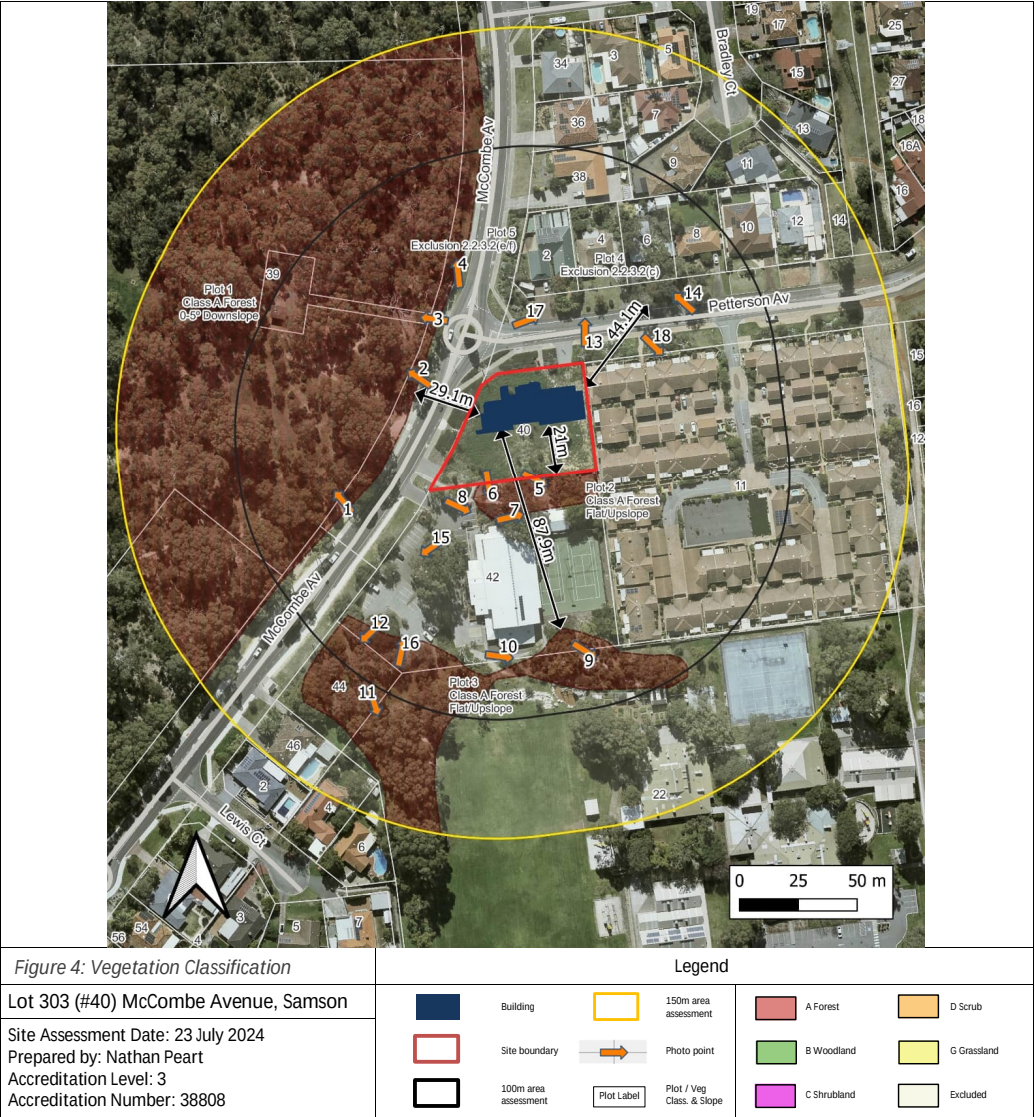
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3 Bushfire Assessment

3.1 Site Assessment

The assessment of this site/development was undertaken by a BPAD Accredited Practitioner to determine the Bushfire Attack Level in accordance with AS 3959-2018 Simplified Procedure (Method 1).



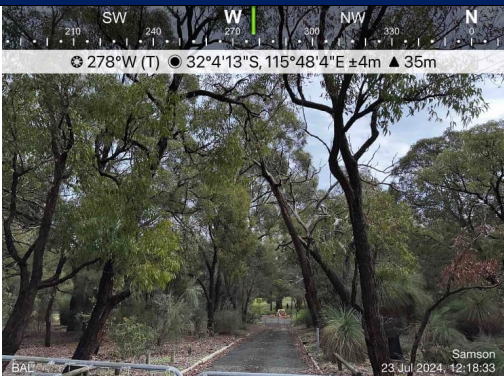
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3.1 Vegetation Classification

All vegetation within 100m of the site / proposed development was classified in accordance with Clause 2.2.3 of AS 3959 – 2018. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below.

Plot:	1	Effective Slope (°):	>0-5°	Separation Distance (m):	29.1m
Vegetation Classification or Exclusion Clause:			Class A Forest - Open forest A-03		
Description / Justification for Classification:					
Large reserve features multi-storied vegetation with interconnected fuel layers. The plot contains fine fuels, shrubs, scrub, and trees ranging from 5 to 20 meters in height, with a high foliage cover exceeding 30%.					
					
Photo ID: 1			Photo ID: 2		
					
Photo ID: 3			Photo ID: 4		

Bushfire Management Plan (DA)



Plot:	2	Effective Slope (°):	Flat/Upslope	Separation Distance (m):	21m
Vegetation Classification or Exclusion Clause:			Class A Forest - Low open forest A-04		
Description / Justification for Classification:					
The neighbouring lot has two small areas with fine fuels, shrubs, and scrub. Due to the isolated nature and limited extent of these fuel beds, they are unlikely to present a risk of supporting a bushfire or attaining a rate of spread that would impact the proposal. However, to ensure all risks have been considered this vegetation has been classified as Forest under AS3959.					
Photo ID: 5			Photo ID: 6		
Photo ID: 7			Photo ID: 8		

Bushfire Management Plan (DA)



Plot:	3	Effective Slope (°):	Flat/Upslope	Separation Distance (m):	87.9m
Vegetation Classification or Exclusion Clause:			Class A Forest - Low open forest A-04		
Description / Justification for Classification:					
The neighbouring lot has small areas with unmanaged fine fuels, shrubs, scrub, and trees with minimal separation and interconnected fuel layers. The plot has high foliage cover at maturity, exceeding 30%.					
NEESESS 306090120150180210 122°SE (T) 32°4'17"S, 115°48'6"E ±4m ▲ 40m  BAL 23 Jul 2024, 12:15:20 Samson Photo ID: 9			NEESESS 306090120150180210 98°E (T) 32°4'17"S, 115°48'5"E ±4m ▲ 40m  BAL 23 Jul 2024, 12:14:52 Samson Photo ID: 10		
ESESSW 90120150180210240 162°S (T) 32°4'18"S, 115°48'3"E ±4m ▲ 38m  BAL 23 Jul 2024, 12:14:05 Samson Photo ID: 11			SESSWN 150180210240270300 227°SW (T) 32°4'17"S, 115°48'3"E ±4m ▲ 36m  BAL 23 Jul 2024, 12:13:32 Samson Photo ID: 12		

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Plot:	4	Effective Slope (°):	N/A	Separation Distance (m):	>20m
Vegetation Classification or Exclusion Clause:		Excludable - 2.2.3.2(c) Multi Areas < 0.25Ha			
Description / Justification for Classification:					
A nearby small lot with unmanaged vegetation is located more than 20 meters from the subject site and other classified vegetation.					
Photo ID: 13			Photo ID: 14		

Bushfire Management Plan (DA)



Plot:	5	Effective Slope (°):	N/A	Separation Distance (m):	N/A
Vegetation Classification or Exclusion Clause:			Excludable - 2.2.3.2 (e/f) Non-Vegetated Areas & Low Threat Vegetation		
Description / Justification for Classification:					
The surrounding developed residential area includes large non-vegetated spaces such as roads, driveways, car parks, and walkways. Most of the surrounding lots are managed with small private gardens that have low overall fuel loads, high moisture content, and insufficient fuels to significantly increase bushfire risk.					
S SW W NW 150 180 210 240 270 300 330 ☉ 235°SW (T) ● 32°4'15"S, 115°48'4"E ±4m ▲ 35m  BAL Samson 23 Jul 2024, 12:12:44			NW N NE E 300 330 0 30 60 90 ☉ 12°N (T) ● 32°4'17"S, 115°48'3"E ±4m ▲ 38m  BAL Samson 23 Jul 2024, 12:16:20		
Photo ID: 15			Photo ID: 16		
N NE E SE 0 30 60 90 120 150 ☉ 69°E (T) ● 32°4'13"S, 115°48'6"E ±4m ▲ 36m  BAL Samson 23 Jul 2024, 12:19:13			NE E E S SW 60 90 120 150 180 210 ☉ 134°SE (T) ● 32°4'13"S, 115°48'8"E ±4m ▲ 37m  BAL Samson 23 Jul 2024, 12:19:41		
Photo ID: 17			Photo ID: 18		

Bushfire Management Plan (DA)



Relevant Fire Danger Index

The fire danger index for this site has been determined in accordance with Table 2.1 or otherwise determined in accordance with a jurisdictional variation applicable to the site.

Fire Danger Index

FDI 40 ☐

Table 2.7

FDI 50 ☐

Table 2.6

FDI 80 ☒

Table 2.5

FDI 100 ☐

Table 2.4

Potential Bushfire Impacts

The potential bushfire impact to the site / proposed development from each of the identified vegetation plots are identified below.

Table 1: BAL Analysis

Plot	Vegetation Classification	Effective Slope	Separation (m)	BAL
1	Class A - Forest	>0-5°	29.1m	BAL – 29
2	Class A - Forest	Flat/Upslope	21m	BAL – 29
3	Class A - Forest	Flat/Upslope	87.9m	BAL – 12.5
4	Excludable – Clause 2.2.3.2(c)	N/A	N/A	BAL – LOW
5	Excludable - 2.2.3.2 (e/f) Non-Vegetated Areas & Low Threat Vegetation	N/A	N/A	BAL – LOW

Determined Bushfire Attack Level (BAL)

The Determined Bushfire Attack Level (highest BAL) for the site / proposed development has been determined in accordance with clause 2.2.6 of AS 3959 – 2018 using the above analysis.

Determined Bushfire Attack Level

BAL – 29

4 Bushfire Hazard Issues

A landscape fire from the reserve to the west could have a significant impact on the site during a bushfire event. Dual carriage way road of McCombe Avenue provides a buffer between the proposed childcare and the vegetation that has been classified as bushfire prone. There are two small pockets of garden in the community centre to the south with fine fuels, shrubs, and scrub. Due to the isolated nature and limited extent of these fuel beds, Bushfire Smart does not believe they present a risk of supporting a bushfire or attaining a rate of spread that would impact the proposal, however to address DFES concerns in relation to classification of the vegetation it has been classified as Forest under AS3959.

5 Assessment against the Bushfire Protection

An assessment against the bushfire protection criteria (Appendix Four of the guidelines) is required to be undertaken for any strategic planning proposal, subdivision and development application for a site that has

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or will, on completion, have a bushfire hazard level above 'Low' or a BAL rating above BAL LOW. The following section details the measure to be taken so that this proposal complies with these.

Element 1: Location

Intent:

The intent of this element is to ensure the proposal is located in the least possible risk of bushfire to facilitate the protection of people, property and infrastructure. To satisfy the intent, the proposal is required to be located in an area where the bushfire hazard assessment is or will, on completion, be moderate or low, or a BAL-29 or below, and the risk can be managed.

The development is not considered to be unavoidable.

Proposed bushfire management strategies:

The habitable buildings are located within an area that on completion, would be in an area that is a moderate bushfire level and achieves a BAL-29 rating. The bin storage and small storage area 2 are not habitable buildings and as they are located greater than 6 metres from the habitable buildings are not required to be considered under AS3959.

The southern play area is located within an area that is greater than BAL 29. However, this does not form part of the habitable area, and it is not an area where staff or children would shelter in the case of a bushfire. The Emergency Plan to be developed by the operator, is to incorporate appropriate guidance on monitoring requirements and measures to be taken on days of higher bushfire risk.

Element 2: Siting and design of development

Intent:

The intent of this element is to ensure that the siting and design of development minimises the level of bushfire impact.

Proposed bushfire management strategies:

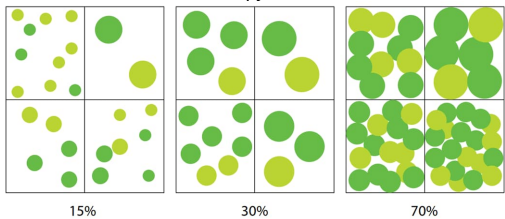
The entire lot is cleared of vegetation and is to be maintained to a low fire threat for the life of the buildings. All landscaping and vegetation are to be managed as per Schedule 1 of the guidelines, extract shown below. This includes, but not limited to, ensuring all trees planted within the gardens of the subject site will, at maturity, have the correct canopy separation of at least 5 metres from trees on the neighbouring lots. Ensuring management of risk and not compromising the setback requirements. The current design, as submitted can meet the APZ requirements as listed below.

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Schedule 1: Standards for asset protection zones (WAPC 2021)

Object	Requirement
Fences within the APZ	Should be constructed from non-combustible materials (for example, iron, brick, limestone, metal post and wire, or bushfire-resisting timber referenced in Appendix F of AS 3959).
Fine fuel load (Combustible, dead vegetation matter <6 millimetres in thickness)	- Should be managed and removed on a regular basis to maintain a low threat state. - Should be maintained at <2 tonnes per hectare (on average). - Mulches should be non-combustible such as stone, gravel or crushed mineral earth or wood mulch >6 millimetres in thickness.
Trees* (>6 metres in height)	- Trunks at maturity should be a minimum distance of six metres from all elevations of the building. - Branches at maturity should not touch or overhang a building or powerline. - Lower branches and loose bark should be removed to a height of two metres above the ground and/or surface vegetation. - Canopy cover within the APZ should be <15 per cent of the total APZ area. - Tree canopies at maturity should be at least five metres apart to avoid forming a continuous canopy. Stands of existing mature trees with interlocking canopies may be treated as an individual canopy provided that the total canopy cover within the APZ will not exceed 15 per cent and are not connected to the tree canopy outside the APZ.  15% 30% 70% Figure 19: Tree canopy cover – ranging from 15 to 70 per cent at maturity.
Shrub* and scrub* (0.5 metres to six metres in height). Shrub and scrub >6 metres in height are to be treated as trees.	- Should not be located under trees or within three metres of buildings. - Should not be planted in clumps >5 square metres in area. - Clumps should be separated from each other and any exposed window or door by at least 10 metres.
Ground covers* (<0.5 metres in height. Ground covers >0.5 metres in height are to be treated as shrubs)	- Can be planted under trees but must be maintained to remove dead plant material, as prescribed in 'Fine fuel load' above. - Can be located within two metres of a structure, but three metres from windows or doors if >100 millimetres in height.
Grass	Grass should be maintained at a height of 100 millimetres or less, at all times. Wherever possible, perennial grasses should be used and well-hydrated with regular application of wetting agents and efficient irrigation
Defendable space	Within three metres of each wall or supporting post of a habitable building, the area is kept free from vegetation, but can include ground covers, grass and non-combustible mulches as prescribed above.
LP Gas Cylinders	- Should be located on the side of a building furthest from the likely direction of a bushfire or on the side of a building where surrounding classified vegetation is upslope, at least one metre from vulnerable parts of a building. - The pressure relief valve should point away from the house. - No flammable material within six metres from the front of the valve. - Must sit on a firm, level and non-combustible base and be secured to a solid structure.

Bushfire Management Plan (DA)



Element 3: Vehicular Access

Intent:

To ensure that the vehicular access serving a subdivision/development is available and safe during a bushfire event.

Proposed bushfire management strategies:

Element 3 will be satisfied using Acceptable Solutions:

A3.1 Public Roads

The minimum requirements under this acceptable solution are applicable to all proposed and existing public roads. Public roads meet the minimum technical requirements in Table 6, Column 1.

A3.2a Multiple access routes

Public road access is provided in two different directions to at least two different suitable destinations with an all-weather surface (two-way access). McCombe Avenue travels to South Street and Winterfold Street providing multiple routes to suitable destinations. Destinations will be explored further in the BEEP that is to be completed prior to occupation of this proposal.

A3.2b Emergency access way – Not Applicable

A3.3 Through-roads – Not Applicable

A3.4a Perimeter Roads – Not Applicable

A3.4b Fire service access route – Not Applicable

A3.5 Battle-axe access legs – Not Applicable

A3.6 Private Driveways

The proposal is within a reticulated area, speed limit on the road is 70km/h or less and all driveways are 70 metres long or less and the building is within 70 metres of the road, Therefore, there are no requirements.

Bushfire Management Plan (DA)



Element 4: Water

Intent:

To ensure that water is available to enable people, property and infrastructure to be defended from bushfire.

Proposed bushfire management strategies:

Element 4 will be satisfied using Acceptable Solutions:

A4.1 Identification of future water supply – Not Applicable

A4.2 Provision of water for firefighting purposes

Water supply will be through reticulated water with hydrant connections provided in accordance with Water Corporation's No. 63 Water Reticulation Standard.

Bushfire Management Plan (DA)



6 Implementation

The following tables set out the responsibilities of the developer(s), landowner(s) and local government for the initial implementation and ongoing maintenance associated with this proposal.

Management Action	Timing
Proponent/Landowner	
Engage an accredited Level 3 BPAD consultant to complete a BEEP for the facility	Prior to occupancy
Conduct training with all senior members onsite as per BEEP	Prior to occupancy
Operator/Landowner	
Maintain the entire lot to Asset Protection Zone (APZ) standard stated in this BMP	Ongoing
Implement requirements of the BEEP including establishing EMT and conducting reviews	Ongoing
Conduct annual and daily preparation as per requirements of BEEP	Ongoing
Ensure all visitors are aware of Bushfire risk and evacuation procedures	Ongoing

Bushfire Management Plan (DA)



6.1 Acknowledgement

Acknowledgement - Proponent

The proponent acknowledges the responsibilities as listed above and the requirement to ensure that should the land transfer to a new owner, the new owner is aware of the BMP and their ongoing responsibility.

7 General References

Standards Australia. (2009). AS 3959-2018 Construction of buildings in bushfire-prone areas. Sydney.

WA Department of Planning. (2016). Visual Guide for bushfire risk assessment in Western Australia.

Western Australian Planning Commission. (2015). State Planning Policy 3.7 Planning in Bushfire Prone Areas. Perth.

Western Australian Planning Commission. (2021). Guidelines for Planning in Bushfire Prone Areas Version 1.4. Western Australia.

8 Online references

Office of Bushfire Risk Management (OBRM). (2017). Map of Bush Fire Prone Areas. Accessed at: <https://maps.slip.wa.gov.au/landgate/bushfireprone/>

Office of Bushfire Risk Management (OBRM), Bushfire Risk Management (BRM) Plan Guidelines, viewed October 2020.

WA Local Government Association (WALGA). Environmental Planning Tool. Accessed at: pbp.walga.asn.au/Tools/EnvironmentalPlanningTool.html

Bushfire Management Plan (DA)



9 Appendices

Appendix A: Spatial Representation of proposed risk management measures (Next Page)

Bushfire Management Plan (DA)





**PROPOSED CHILD CARE CENTRE
40 MCCOMBE AVENUE
SAMSON**

ENVIRONMENTAL ACOUSTIC ASSESSMENT

MARCH 2024

OUR REFERENCE: 32408-2-24095

Rochdale Holdings Pty Ltd A.B.N. 85 009 049 067 trading as:
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DOCUMENT CONTROL PAGE

ENVIRONMENTAL ACOUSTIC ASSESSMENT
PROPOSED CHILD CARE CENTRE
SAMSON

Job No: 24095

Document Reference: 32408-2-24095

FOR

GERMANO DESIGNS

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This report has been prepared in accordance with the scope of services and on the basis of information and documents provided to Herring Storer Acoustics by the client. To the extent that this report relies on data and measurements taken at or under the times and conditions specified within the report and any findings, conclusions or recommendations only apply to those circumstances and no greater reliance should be assumed. The client acknowledges and agrees that the reports or presentations are provided by Herring Storer Acoustics to assist the client to conduct its own independent assessment.

Herring Storer Acoustics

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APPENDICIES

A	PLANS
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1. INTRODUCTION

Herring Storer Acoustics were commissioned by Germano Designs to undertake an acoustic assessment of noise emissions associated with the proposed child care centre to be located at 40 McCombe Avenue, Samson.

The report considers noise received at the neighbouring premises from the proposed development for compliance with the requirements of the *Environmental Protection (Noise) Regulations 1997*. This report considers noise emissions from:

- Children playing within the outside play areas of the centre; and
- Mechanical services.

We note that from information received from DWER, the bitumised area would be considered as a road, thus noise relating to motor vehicles is exempt from the *Environmental Protection (Noise) Regulations 1997*. We note that these noise sources are rarely critical in the determination of compliance. However, as requested by council and for completeness, they have been included in the assessment, for information purposes only.

For information, a plan of the proposed development is attached in Appendix A.

2. SUMMARY

Noise received at the neighbouring residences from the outdoor play areas would comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*, provided outdoor play is limited to the day period (ie after 7am).

Noise from the mechanical services has also been assessed to comply with the relevant criteria. However, as the design of the mechanical services has not been undertaken at this stage of the project, it is recommended that the mechanical services design be reviewed for compliance with the Regulatory requirements.

It is noted that noise associated with cars movements and cars starting are exempt from complying with the Regulations. However, noise emissions from car doors is not strictly exempt from the Regulations. Noise received at the existing neighbouring residences from these noise sources would comply with the Regulatory requirements, at all times.

Thus, noise emissions from the proposed development, would be deemed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* for the proposed hours of operation, with the inclusion of the following:

- 1 Although the proposed facility would open before 7 am (ie during the night period), the outdoor play area would not be used until after 7am. Thus, noise received at the neighbouring existing residences from the outdoor play area needs to comply with the assigned day period noise level.
- 2 We note mechanical plant is to be placed on the east side of the building on the ground adjacent to "Activity 6".
- 3 Air conditioning units to run using "Night Mode" between 10PM and 7AM.
- 4 We note that no additional barriers to those existing on site are required.
- 5 We note that for this centre there are NO parking restrictions.

3. CRITERIA

The allowable noise level at the surrounding locales is prescribed by the *Environmental Protection (Noise) Regulations 1997*. Regulations 7 & 8 stipulate maximum allowable external noise levels. For highly sensitive area of a noise sensitive premises this is determined by the calculation of an influencing factor, which is then added to the base levels shown below in Table 3.1. The influencing factor is calculated for the usage of land within two circles, having radii of 100m and 450m from the premises of concern. For other areas within a noise sensitive premises, the assigned noise levels are fixed throughout the day, as listed in Table 3.1.

TABLE 3.1 - BASELINE ASSIGNED OUTDOOR NOISE LEVEL

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area	0700 - 1900 hours Monday to Saturday (Day)	45 + IF	55 + IF	65 + IF
	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day)	40 + IF	50 + IF	65 + IF
	1900 - 2200 hours all days (Evening)	40 + IF	50 + IF	55 + IF
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays (Night)	35 + IF	45 + IF	55 + IF
Commercial Premises	All Hours	60	75	80
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80

Note: L_{A10} is the noise level exceeded for 10% of the time.
L_{A1} is the noise level exceeded for 1% of the time.
L_{Amax} is the maximum noise level.
IF is the influencing factor.

Under the Regulations, a highly sensitive area means that area (if any) of noise sensitive premises comprising –

- (a) A building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
- (b) Any other part of the premises within 15 m of that building or that part of the building.

It is a requirement that received noise be free of annoying characteristics (tonality, modulation and impulsiveness), defined below as per Regulation 9.

- “impulsiveness” means a variation in the emission of a noise where the difference between L_{Apeak} and L_{Amax(Slow)} is more than 15 dB when determined for a single representative event;
- “modulation” means a variation in the emission of noise that –
- (a) is more than 3 dB L_{Afast} or is more than 3 dB L_{Afast} in any one-third octave band;
 - (b) is present for more at least 10% of the representative assessment period; and
 - (c) is regular, cyclic and audible;

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Our Ref: 32408-3-24095

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“tonality” means the presence in the noise emission of tonal characteristics where the difference between –

- (a) the A-Weighted sound pressure level in any one-third octave band; and
- (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A_{slow}}$ levels.

Where the noise emission is not music, if the above characteristics exist and cannot be practicably removed, then any measured level is adjusted according to Table 3.2 below.

TABLE 3.2 - ADJUSTMENTS TO MEASURED LEVELS		
Where tonality is present	Where modulation is present	Where impulsiveness is present
+5 dB(A)	+5 dB(A)	+10 dB(A)

Note: These adjustments are cumulative to a maximum of 15 dB.

The neighbouring locations have been identified as the residential premises to the north – R1, the residential premises to the east – R2, and the commercial premises to the south – R3 shown in Figure 1.



FIGURE 1 – NEIGHBOURING PREMISES

For these premises, zoning from City of Fremantle Intramaps has been utilised to determine the influencing factor, with 15% of the land in the inner circle and 5% of the land in the outer circle would be considered commercial, resulting in a +1 dB influencing factor. Thus, the assigned noise levels would be as listed in Table 3.3.

TABLE 3.3 - ASSIGNED OUTDOOR NOISE LEVEL

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
R1, R2	0700 - 1900 hours Monday to Saturday (Day)	46	56	66
	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day)	41	51	66
	1900 - 2200 hours all days (Evening)	41	51	56
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays (Night)	36	46	56
R3	All Hours	60	75	80

Note: L_{A10} is the noise level exceeded for 10% of the time.
L_{A1} is the noise level exceeded for 1% of the time.
L_{Amax} is the maximum noise level.

4. PROPOSAL

From information supplied, we understand that the child care centre normal hours of operations would likely between 0630 and 1800 hours, Monday to Friday (closed on public holidays). It is understood that the proposed childcare centre will cater for approximately 104 children.

It is noted that although the proposed child care centre would open before 7 am (ie during the night period), the outdoor play area would not be used until after 7am.

5. MODELLING

To assess the noise received at the neighbouring premises from the proposed development, noise modelling was undertaken using the noise modelling program SoundPlan.

Calculations were carried out using the DWER's weather conditions, which relate to worst case noise propagation, as stated in the Department of Environment Regulation "*Draft Guidance on Environmental Noise for Prescribed Premises*". These conditions include winds blowing from sources to the receiver(s).

Calculations were based on the sound power levels used in the calculations are listed in Table 5.1, as well as plans and contours provide by the client.

TABLE 5.1 – SOUND POWER LEVELS

Item	Sound Power Level, dB(A)
Children Playing	<24 months 78 (per 10 children) >24 months 83 (per 10 children)
Car Moving in Car Park	79
Car Starting	85
Door Closing	87
Air conditioning condensing unit	4 of 71
Air conditioning condensing unit (night mode)	4 of 65

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Notes:

- 1 Acoustic modelling of outdoor play noise was made, based on 104 children within the outdoor play area (ie worst case scenario), broken down as follows:

0-2 years – 24 places
2-3 years – 40 places
3+ years – 40 places
- 2 The noise level for the mechanical plant has been based on the sound power levels used for previous assessment of child care centres. From other studies, we understand that the noise associated with the condensing units would be conservative.
- 3 For this child care centre, the mechanical plant units have been placed on the east side of the building on the ground adjacent to “Activity 6”.
- 4 Air conditioning units to run using “Night Mode” between 10PM and 7AM.
- 5 No specialist acoustic fencing required for the ground floor, existing barriers only.
- 6 To determine the restriction to the parking, a point noise source was located in each car bay.
- 7 Modelling shows that noise received at the neighbouring residences from car doors closing would comply with the assigned noise level for both day and night period.
- 8 With only staff arriving before 07:00 am, there would be no car starts before 7am.
- 9 Calculations were undertaken for the receivers at 1.5 metres above the ground level.
- 10 Noise modelling was undertaken to a number of different receiver locations for each of the neighbouring residences. However, to simplify the assessment, only the noise level in the worst case location (ie highest noise level), have been listed.

6. ASSESSMENT

The tables below show the assessment of noise emissions of concern from the operation. Standard building construction will be sufficient to ensure that noise from inside the building will meet the regulations.

The resultant noise levels at the neighbouring residence from children playing outdoors and the mechanical services are tabulated in Table 6.1.

From previous measurements, noise emissions from children playing does not contain any annoying characteristics. Noise emissions from the mechanical services could be tonal and a +5 dB(A) penalty would be applicable, as shown in Table 6.1. Noise emissions from both outdoor play and the mechanical services needs to comply with the assigned L_{A10} noise levels.

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**TABLE 6.1 - ACOUSTIC MODELLING RESULTS FOR L_{A10} CRITERIA
OUTDOOR PLAY AREAS AND MECHANICAL PLANT**

Neighbouring Premises	Calculated Noise Level (dB(A))		
	Children Playing	Mechanical Plant	Mechanical Plant (Night Mode)
R1 Residential	44	36 (41)	30 (35)
R2 Residential	40	33 (38)	27 (32)
R3 Commercial	49	16 (21)	10 (15)

() Includes +5 dB(A) penalty for tonality

With regards to noise associated with cars within the parking area, resultant noise levels are tabulated in Tables 6.2 and 6.3. It is noted that noise emissions from a moving car being an L_{A1} noise level, with noise emissions from cars starting and doors closing being an L_{Amax} noise level. Based on the definitions of tonality, noise emissions from car movements and car starts, being an L_{A1} and L_{Amax} respectively, being present for less than 10% of the time, would not be considered tonal. Thus, no penalties would be applicable, and the assessment would be as listed in Table 6.2 (Car Moving) and Table 6.3 (Car Starting). However, noise emissions from car doors closing could be impulsive, hence the +10dB penalty has been included in the assessment.

**TABLE 6.2 - ACOUSTIC MODELLING RESULTS L_{A1} CRITERIA
CAR MOVING**

Neighbouring Premises	Calculated Noise Level (dB(A))
R1 Residential	28
R2 Residential	41
R3 Commercial	38

**TABLE 6.3 - ACOUSTIC MODELLING RESULTS L_{Amax} CRITERIA
CAR STARTING / DOOR CLOSING**

Neighbouring Premises	Calculated Noise Level (dB(A))			
	Car Start		Car Door	
	Day Period	Night Period	Day Period	Night Period
R1 Residential	32	N/A	31 [41]	31 [41]
R2 Residential	44	N/A	41 [51]	41 [51]
R3 Commercial	39	N/A	38 [48]	38 [48]

[] Includes +10 dB(A) penalty for impulsiveness.

Tables 6.4 to 6.10 summarise the applicable Assigned Noise Levels, and assessable noise level emissions for each identified noise.

**TABLE 6.4 – ASSESSMENT OF L_{A10} NOISE LEVEL EMISSIONS
OUTDOOR PLAY (DAY PERIOD)**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	44	46	Complies
R2 Residential	40	46	Complies
R3 Commercial	49	60	Complies

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**TABLE 6.5 – ASSESSMENT OF L_{A10} DAY/EVENING PERIOD NOISE LEVEL EMISSIONS
MECHANICAL PLANT**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	41	46 Day / 41 Evening	Complies
R2 Residential	38	46 Day /41 Evening	Complies
R3 Commercial	21	60	Complies

**TABLE 6.6 – ASSESSMENT OF L_{A10} NIGHT PERIOD NOISE LEVEL EMISSIONS
MECHANICAL PLANT ON “NIGHT MODE”**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	35	36	Complies
R2 Residential	32	36	Complies
R3 Commercial	15	60	Complies

**TABLE 6.7 – ASSESSMENT OF L_{A1} NIGHT PERIOD NOISE LEVEL EMISSIONS
CAR MOVEMENTS**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	28	46	Complies
R2 Residential	41	46	Complies
R3 Commercial	38	75	Complies

**TABLE 6.8 – ASSESSMENT OF L_{Amax} DAY PERIOD NOISE LEVEL EMISSIONS
CAR STARTING**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	32	66	Complies
R2 Residential	44	66	Complies
R3 Commercial	39	80	Complies

**TABLE 6.9 – ASSESSMENT OF L_{Amax} DAY PERIOD NOISE LEVEL EMISSIONS
CAR DOOR**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	41	66	Complies
R2 Residential	51	66	Complies
R3 Commercial	48	80	Complies

**TABLE 6.10 – ASSESSMENT OF L_{Amax} NIGHT PERIOD NOISE LEVEL EMISSIONS
CAR DOOR**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	41	56	Complies
R2 Residential	51	56	Complies
R3 Commercial	48	80	Complies

7. CONCLUSION

Noise received at the neighbouring residences from the outdoor play area would comply with day period assigned noise level.

The mechanical plant units have also been assessed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* at all times given the conditions below. Note that it is recommended that an updated assessment on mechanical plant be undertaken once selection has been made.

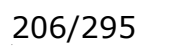
It is noted that noise associated with cars movements and cars starting are exempt from complying with the Regulations. However, noise emissions from car doors are not strictly exempt from the Regulations. Noise received at the neighbouring residences from these noise sources would comply with the Regulatory requirements, at all times.

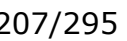
Thus, noise emissions from the proposed development, would be deemed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* for the proposed hours of operation, with the inclusion of the following:

- 1 Although the proposed facility would open before 7 am (ie during the night period), the outdoor play area would not be used until after 7am. Thus, noise received at the neighbouring existing residences from the outdoor play area needs to comply with the assigned day period noise level.
- 2 We note mechanical plant is to be placed on the east side of the building on the ground adjacent to "Activity 6"
- 3 Air conditioning units to run using "Night Mode" between 10PM and 7AM.
- 4 We note that no additional barriers to those existing on site are required.
- 5 We note that for this centre there are NO parking restrictions.
- 6 Finally, it is recommended to adopt best practices in managing a child care centre to reduce noise, including but not limited to no amplified music to be played outside, and favouring soft finishes in the outdoor play area.

APPENDIX A

PLANS





2024

WASTE MANAGEMENT PLAN



LOT 303 (NO.40) McCOMBE AVENUE, SAMSON

**PROPOSED CHILD CARE PREMISES
CITY OF FREMANTLE**

CF Town Planning & Development



Prepared for

Germano Designs and the landowners for the construction of a new child care premises on Lot 303 (No.40) McCombe Street, Samson.

Prepared by

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A handwritten signature in blue ink, appearing to read 'Carlo Famiano'.

Carlo Famiano
Director
CF Town Planning & Development

Name	Position	Document Revision	Date
Mr Carlo Famiano	Town Planner	Waste Management Plan	8 April 2024
Mr Carlo Famiano	Town Planner	Waste Management Plan(Rev1)	13 December 2024

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Appendix 1: Bin Store Location

Appendix 2: - Site Development Plans



1.0 BACKGROUND & DESCRIPTION

CF Town Planning & Development have been commissioned by Germano Designs and the landowners to prepare a Waste Management Plan (WMP) in support of the development application currently being considered by the City of Fremantle for a new child care premises on Lot 303 (No.40) McCombe Avenue, Samson ('Subject Land').

According to the City of Fremantle's current operative Local Planning Scheme No.4 (LPS No.4), the Subject Land is classified 'Local Centre' zone and is located within the 'Local Planning Area No.9 (Samson)'.

Under the terms of the City's LPS No.4, the development and use of land classified 'Local Centre' zone for 'Child Care Premises' purposes are identified as a discretionary uses (i.e. "A").

Lot 303 is irregular in shape, comprises an area of 2,500m², has frontage to Petterson Avenue along the land's northern lot boundary and McCombe Avenue along the land's western lot boundary. The Subject Land is currently vacant/unused land and does not comprise any physical improvements.

The proposed development includes the construction of a single storey building for child care premises purposes.

1.1 Building Area

A copy of the site development plans are provided in Appendix 2. It is significant to note that the development will comprise a floor area of 1,406.42m² (including the outdoor play area and other facilities). The following table provides a breakdown of the areas for the development:

Table 1 – Floor Area Usage

USAGE	AREA
Building	652.22m ²
Outdoor Plan Area	728.63m ²
Store & Portico	25.57m ²
Total Active Area of Child Care Premises	1,406.42m ²

For the purpose of calculating waste generation, it should be noted that the floor area of the reception, kitchen/prep, cot room, planning room, meals room, sensory room, nappy, office and playrooms (i.e. active areas) of the proposed child care premises total 435m².

2.0 PURPOSE OF WASTE MANAGEMENT PLAN

This Waste Management Plan has been prepared and submitted with the City of Fremantle as part of the current development application being considered for the Subject Land.

The aim of this Plan is to:

1. Identify the indicative volume of waste generation.
2. Ensure adequate facilities are provided to serve the future operations of the child care premises on the Subject Land.
3. Demonstrate the proposed design meets industry best practice.
4. Provide for an adequate on-site bin pick-up location and minimize any impacts on traffic safety and vehicle movements along the adjoining road network.
5. Develop the framework of operational procedures required from the center operator to ensure that the management of waste is to best practice.

3.0 KEY REFERENCE MATERIAL

- WALGA Commercial and Industrial Waste Management Plan Guidelines;
- New South Wales (NSW) Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities;
- Sustainability Victoria (Victorian State Government); and
- Discussions with the City of Fremantle Planning Department.

4.0 ESTIMATED VOLUMES & BIN TYPE

4.1 Types of Waste Generated

Commercial and industrial operations can generate a wide variety of the waste types. Table 2 below lists the types of waste typically generated for commercial/industrial developments (Table from WALGA 'Commercial and Industrial Waste Management Plan Guidelines'). It is recognised that the waste type generated will vary between different business operations.

Table 2 – Waste Types

WASTE STREAM	COMMENT
General Waste	The quantity and composition of general waste generated by a commercial or industrial operation can vary significantly. General waste includes non-recyclable plastics, food waste, recyclable packaging which is contaminated with food waste and other non-recyclable materials, as well as recyclables which have not been placed in the correct bin.
Recyclables	Workers frequently consume beverages packaged in recyclable containers, such as aluminium cans and polyethylene terephthalate (PET) bottles and milk is often provided by organisations in liquid paperboard or high density polyethylene (HDPE) containers. These materials can form a significant proportion of the waste stream in commercial and industrial buildings. Occasional company events can also generate irregular but significant quantities of glass and other containers.
Glass	Glass bottles are a primary component of the waste streams generated within licensed venues such as pubs and clubs, as well as food retailers such as cafes and some take-away shops. Glass is very dense which makes it difficult to store and move efficiently

Office Paper	Waste audits have shown that by quantity, paper is by far the largest waste stream generated from offices. Office paper is generally white, A4-size and 80 grams per square metre (gsm, g/m ²), although many other combinations of colour, size and grade are also generated. Office paper is a higher grade paper and as it is usually generated in large quantities it is generally collected separately and recycled.
Cardboard and Bulk Packaging	Most waste generated from non-food retail facilities is bulk packaging material that protects goods delivered to the facility for sale or distribution.
Plastic Film	Plastic film, such as shrink pallet wrap, is another major component of non-food retail building waste. This material is very bulky, but very light weight and compacts well.
Food Waste	Most commercial and industrial developments generate some quantities of food waste. The volumes of food waste generated within a development can vary significantly depending on the type and scale of the business; ranging from uneaten employee/staff meals within office buildings through to food outlets, which can produce large quantities of food waste on a daily basis.
Cooking Oil & Grease	Used cooking oil is produced in large volumes by food retailers such as fish and chips shops and fried chicken stores. Waste oil can cause significant issues if improperly disposed of to the sewage system.
Controlled Waste	The Environmental Protection (Controlled Waste) Regulations 2004 apply to a controlled waste that is produced by, or as a result of: • An industrial or commercial activity • A medical, nursing, dental, veterinary, pharmaceutical or other related activity • Activities carried out on or at a laboratory • An apparatus for the treatment of sewage. An apparatus for the treatment of sewage. Controlled Waste is defined as all liquid waste, and any waste that cannot be disposed at a Class I, II or III landfill site.
Other Wastes	These can include printers, copies, and toner cartridges, IT equipment, batteries, mobile phones, furniture, florescent lights, paint, pallets and mattresses, timber, ferrous and non-ferrous metal

The staff of the child care premises will be responsible to sort the waste through the provision of labeled bins throughout the building. The waste and recyclable streams that would apply to the proposed child care premises on the Subject Land would be as following:

- General waste; and
- Co-mingled recycling, which includes all paper, cardboard, plastic, glass, aluminum and steel cans.

4.2 Volume

As previously mentioned, the proposed new child care premises on the Subject Land will include the construction of one (1) building comprising an active area (i.e. internal and external) of 1,406.42m². For the purpose of calculating waste generation, it should be noted that the floor area of the staff room, reception, kitchen/prep, cot room, planning room, meals room, sensory room, nappy, office and playrooms (i.e. active areas) of the proposed child care premises total 435m².

In order to provide the necessary service, this Waste Management Plan estimates the volume of waste generated by the use. The waste generation rates prescribed by 'Sustainability Victoria' has been

adopted for the proposed child day care centre (using the generation rates prescribed for 'Commercial Development – Childcare').

In light of the above and in accordance with Sustainability Victoria, the following weekly waste generations rates associated for each stream of waste (i.e. general waste and recycling) are provided:

Table 3: Waste Generation Rates

USE TYPE	GENERAL WASTE	RECYCLE WASTE
Childcare	350L/100m ² per week	350L/100m ² per week

It should be noted that the proposed child day care premises on the Subject Land will operate between Monday to Friday (i.e. 5 days).

The following equation was used to calculate the anticipated weekly general waste and recycling generation:

- Waste, recycle generation calculations

$$\text{Total Amount of Waste Type} = (\text{Floor Area}/100\text{m}^2) \times \text{Waste Rate}$$

The following weekly waste generation calculations are provided in support of the development for the purpose of establishing the number of bins required in support of the new child care premises, based on the entire usable area of the site:

Table 4 – Weekly Waste Generation

USE TYPE	AREA OF BUILDING (ACTIVE SPACE)	GENERAL WASTE	RECYCLE WASTE
Child Care Premises	435m ²	1,522.5 litres	1,522.5 litres

4.3 Bin Type

Given the volume of waste being generated by the proposed use on the land, this Waste Management Plan recommends the use of 660L rubbish bins to service the property with collection rates for each stream of waste being once per week. Figure 1 illustrates the dimension of a 660L bin.

As outlined above and later within this report, the waste collection intervals will be once per week for both general and recycled waste.

The following equation was used to calculate the number of bins required to service the development:

- Total bins required for general/recycle waste

$$\text{Total Number of Bins Required} = \text{Total Weekly Waste Generated}/660\text{L}.$$



Given the waste generation calculation outlined in Table 4, the following bin requirements will be applied to the proposed child care premises on the Subject Land:

- General waste bins- 3 x 660L
- Recycle waste bins- 3 x 660L

It should be noted that there is sufficient space within the proposed bin storage areas to accommodate the various bins required to service the development. The following calculation (i.e. Table 5) are provided in support of the waste generation and the number of bins required to service the use:

The following calculation are provided in support of the waste generation and the number of bins required to service the use:

Table 5 – Bin Capacity

WASTE TYPE	BIN SIZE	NUMBER OF BINS	COLLECTION INTERVALS	BIN CAPACITY	ACTUAL WASTE COLLECTION
General Waste	660L	3	1 per week	1,980L per week	1,522.5 litres
Recycle Waste	660L	3	1 per week	1,980L per week	1,522.5 litres

In light of the above bin capacity calculations, it is contended that the provision of the bin numbers and pick up intervals listed in Table 5, including associated storage facilities, is sufficient to accommodate the needs of the future occupants of the development.

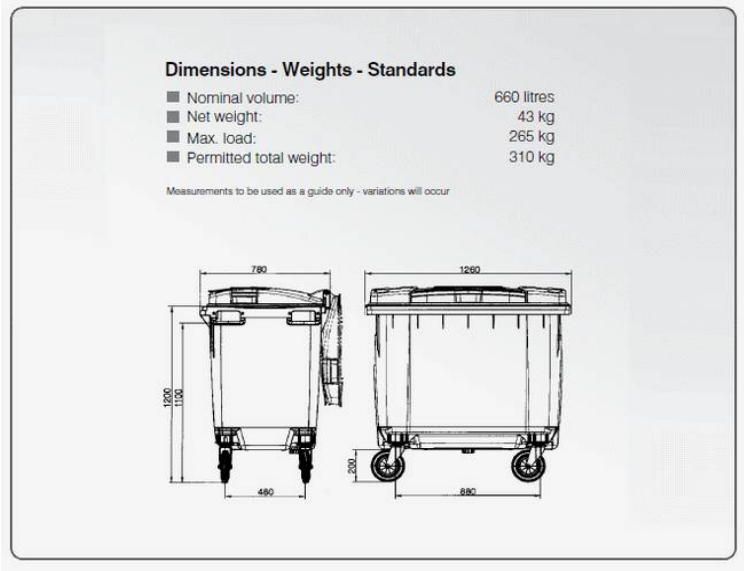


Figure 1 – Bin type & dimensions

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5.0 COLLECTION FREQUENCY & PROVIDER

Following discussions with the City of Fremantle (i.e. planning department), it has been advised that the waste truck should access and egress the site in a forward gear (i.e. on-site pick up).

In light of the above, the operator of the child care premises will appoint a private contractor as the rubbish collection service provider, with the following indicative collection services being provided for the development on the Subject Land:

- Weekly 660 litre general waste bin collection (i.e. potentially Friday).
- Weekly 660 litre recycling bin collection (i.e. potentially Monday).

It is significant to note that all green waste will be collected and disposed of by a private landscape contractor which will collect and disposal of green waste (i.e. small garden prunings etc) as part of the weekly maintenance of the landscaping area and outdoor activity areas of the development.

All bins will be collected by the private contractor on-site using an 8.8 metre long truck (see Figure 2). The rubbish truck will service the development from the McCombie Avenue, accessing the site in a forward gear, with the ability to turn on-site and exit onto McCombie Avenue in a forward gear to avoid any adverse impacts on traffic movements along the local road network. Pick-up times will be undertaken during non-peak periods of the child care premises during time when parents are not attending the site and therefore allowing for vacant bays within the car parking area. Figure 3 illustrates the truck movement paths prepared by Premise (consulting traffic engineers).

On collection day, the truck will be stationary for a short period of time, with collection time being outside of the peak vehicle movement periods for the child day care premises (i.e. outside the pick-up and drop-off times). This will result in the rubbish service attending the site between 10am and 2pm once per week per rubbish type/stream. Given this, it is expected that there will be little disruptions to the on-site vehicle movements experienced during the weekly rubbish pick-up period. Furthermore, the service will not conflict with the peak vehicles movements on the adjoining streets.

It should be noted that there is sufficient space within the car parking area to enable the trucks to service the rubbish bins for pick-up (see Appendix 1 – Bin Storage Location).

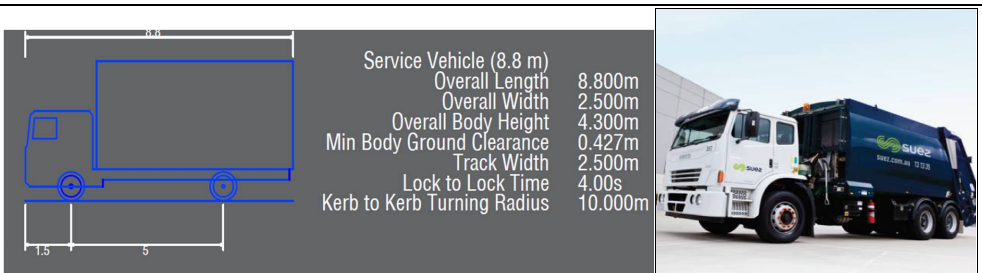


Figure 2 – Rubbish truck & specifications to be adopted for the development (which includes a reversing camera to access/egress the subject land)



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6.0 LOCATION, SIZE & FEATURES OF BIN STORAGE AREA

6.1 Bin Store Area & layout

As previously mentioned, the proposed child care premises on the Subject Land will require a total of six (6) 660 litre mobile rubbish bins. The following table provides a breakdown of the required area for the bin storage area to accommodate the required bins:

Table 6 – Bin Storage Area

BIN SIZE	BIN AREA ALLOWANCE	QUANTITY	MANOEUVRING SPACE ALLOWANCE	AREA REQUIRED
660L MGB (General Waste)	1.16m ²	3 bins	X 1.5 (shared access)	5.22m ²
660L MGB (Recycle Waste)	1.16m ²	3 bins	X 1.5 (shared access)	5.22m ²
			Total Area Required	10.44m²
			Total Area provided	13.73m²

As demonstrated above, the bin store area comprises sufficient area to accommodate the bins and provide surplus area to accommodate any other waste materials. The bin store area proposed for the development will comprise gates to allow for easy access and storage of the bins. The store has been designed to provide easy removal of the bins for servicing and cleaning (see Appendix 1 – Bin Store Location & Figure 5).

6.2 Bin Store Location & Features

The development will include one (1) bin storage area to service the child care premises on the land.

The bin storage area will be located to the rear of the Subject Land, abutting the car parking area. The bin store will contain a masonry screen fence to provide screening of the bin store from being viewed from the street (see Appendix 1 – Bin Store Location & Figure 4).

The proposed location of the bin storage area will:

- i) Minimise odour levels impacting on the occupants/patrons of the child care premises;
- ii) The bin store is located away from any habitable rooms of the existing dwelling/s on the adjoining eastern property (the adjoining eastern property comprises a higher floor level of some 3 metre higher than the proposed development);
- iii) The bin store will abut the landscaping area of the community centre in the adjoining southern property;
- iv) The bin store will be located within the car parking area to allow for servicing on collection day; and
- v) Provide easy access for the future operators of the child care premises.



Figure 4 – Aerial Site Plan. Location of the bin store on the Subject Land.

Key design points of the bin storage area are as follows:

- The bin storage area will comprise a tap and connection to sewer for wash-down purposes.
- The bin storage area will comprise a 100mm concrete floor.
- The bin store will be located to the rear of the Subject Land, abutting the on-site car parking area of the development, will comprise a screen wall and will therefore the bins will not be visible from the street or adjoining/adjacent properties.
- The bin store area will be screened (i.e. 1.8 metre high masonry wall) and gated to hide its view from the internal pedestrian path.
- The bin store will be well away from the outdoor play area and will provide security.
- The bin storage area will be secured and screened from the operators of the development.
- Adequate space to move and access bins.
- Provide adequate ventilation of the bins store area.
- Install appropriate signage.
- Provide a secure area from theft and vandalism.
- Adequate on-site collection area (see Appendix 1 – Bin Store Location & Figure 5).

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It is anticipated that the location of the bin storage area within the street setback area and in close proximity to the car parking area of the development will provide easy access by the operators of the child care premises on the land.

The bin storage area will be located within the car parking area of the child care premises, well away from any residential properties (i.e. centrally along the southern lot boundary of the Subject Land) and comprise a masonry fence around the perimeter of the compound to provide security and further reduce any transfer of noise.

It is expected that the bin storage area will generate minimal vertical and horizontal noise transfer during use. As such, it is contended that the noise generated from the bin storage area will not result in any undue impacts on the adjoining properties and would be consistent with noise generated by a typical residential development.

In light of the above, it is contended that there will be no notable impacts on the existing development on the adjoining/adjacent properties from the proposed child care premises on the Subject Land in terms of waste management.

Odour

Strategies to minimize odour are:

- Locating the bin storage area to the rear of the site, abutting the car parking area of the development and away from any openings to the child care premises;
- Construction of a masonry wall around the perimeter of the bin storage area.
- Screening the bin storage area.
- Allowing for natural ventilation of the bin storage area.
- Regular washing of the bins and storage area.
- Ensure general waste is bagged prior to placement in bins. Recyclables must be rinsed and loose.
- Ensure that bin lids are kept firmly closed.
- Arrange for the general waste bin to be collected on a Friday to limit the amount of waste within the bin over the weekend period.

Minimising landfill

Given that the proposed child care premises on the Subject Land will be provided with two (2) separate bin types (i.e. general waste & recycling), it allows operators of the child care premises to sort rubbish accordingly. The provision of recycling bins will enable occupants of the development to place the following items for recycle collection:

- Glass bottles and jars (excluding broken glass, plates, pottery etc).
- Plastic bottles and containers.
- Newspapers and glossy magazines, paper, envelopes.
- Cardboard boxes etc.
- Cans - steel and aluminum, excluding aerosols cans.
- Milk and juice cartons.



This Waste Management Plan has been developed with the aim of reducing waste through best practices and education of staff. It is contended that adequate measures are available for the operators of the child care premises to minimize disposal of rubbish within the general waste bin resulting in long term reduction of landfill.

Vermin

The bin lids will remain closed at all times to reduce access by vermin. The use of bait stations could be implemented/considered by the operator in instances of vermin appearing.

8.0 SCREENING & BLENDING OF BIN STORAGE AREA

The bin storage area will be a purpose built compound specifically designed and providing screening of the bins from the public realm (i.e. screened from any adjoining roads). The bin storage area will be located behind the street setback area abutting the car parking area and will not be visible from any residential properties.

9.0 IMPACT ON ADJOINING/ADJACENT PROPERTIES

The development on the Subject Land has been designed to locate the bin storage area in a location away from any internal activity areas of the child care premises and provides adequate separation from any key sensitive areas associated with the existing developments on the adjoining properties (i.e. the bin storage area will abut the landscaping area of the adjoining community centre on the adjoining southern property). In addition, the bin store will be located abutting the car parking area of the development.

It is contended that the bin storage area is consistent with a bin storage area akin to a conventional residential development (i.e. a multiple dwelling development). Notwithstanding this fact, it is significant to note that the bin store for the new child care premises on the Subject Land is located and will be constructed to minimize any adverse impacts on the adjoining or adjacent properties.

In light of the above, it is contended that any potential impacts on the adjoining and adjacent properties from the proposed bin storage area on the Subject Land is expected to be minimal and would be consistent with the waste disposal activities of a typical a residential type development within the immediate locality.

10.0 GENERAL WASTE & RECYCLING TRANSFER

The new child care premises will include adequate general waste and recycle bins within each key functional area of the building to enable staff and patrons of the use to appropriately dispose of waste. This includes the activity areas/outdoor play areas for the child care premises, all amenities and staff rooms throughout the development. The bins will be no larger than 60 litres and will be appropriately labelled or coloured to distinguish between the different waste types.

All bins will be regularly cleaned to reduce the extent of odours and attraction of pests. All waste within the bins located throughout the development will be transferred to the large storage bins once full and

at the end of every day. This will include cleaning and sanitizing the bins on a daily basis to reduce any potential odours or pests.

11.0 MANAGEMENT REQUIREMENTS (WASTE MANAGEMENT)

The appointed centre manager for the child care premises will be responsible to:

- i) Appoint a staff member to be responsible for:
 - arranging pick-up times for the bins by the private contractor;
 - arrange for all internal bins to be emptied daily or when full and arrange for the bins to be cleared and sanitized daily;
 - coordinating the cleaning of the bins and bin storage areas every two (2) to three (3) weeks;
 - Ensure the bins are in working order and arrange maintenance if required; and
 - Ensure all staff/cleaners of the child care premises are aware of the requirements/responsibility of the waste management plan.
- ii) Ensure litter is cleaned up through regular landscape maintenance;
- iii) Co-ordinate the ordering of any skip bins if required for bulk pick-ups;
- iv) Deal promptly with any issues or complaints relating to hygiene, noise, odour or other inconvenience; and
- v) Arrange for a private contractor to collect and disposal of green waste (i.e. small garden prunings etc) as part of maintaining the landscaping areas for the development.

A copy of the Waste Management Plan will be maintained within the office/administration area of the child care premises for reference and records.

12.0 CONSTRUCTION WASTE

During construction, a waste compound will be provided on-site to store any waste produced during the construction process and will be serviced regularly (when required) by a private contractor. The contractor will provide off-site sorting of the waste to ensure that waste is recycled where possible to minimize landfill waste.

Sub-contractors will be responsible for pre-sorting of waste products into appropriate areas within the waste compound as much as possible to reduce overall construction costs. The site manager will monitor the disposal of waste and sorting of recycle material.

No waste compounds or rubbish will be placed or stored on the street verge area or footpaths surrounding the project boundaries. All pedestrian and vehicle access areas will remain clear from construction debris at all times.

More details regarding on-site management during the construction phase of the development will be provided as part of a Construction Management Plan (CMP) to be prepared by the builder prior to the commencement of construction. The requirement for a CMP is typically imposed as a condition on any development approval granted by the determining authority.

13.0 CONCLUSION

As demonstrated within this Waste Management Plan, the proposed development (i.e. child care premises) on Subject Land provides sufficient bin storage and adequate bins to service the business operations for both general waste and recyclables. Given the waste levels generated, the use of 660 litre bins for each waste stream and collected once per week (if required) is adequate to service the needs of the proposed development on the Subject Land.

Furthermore the servicing of the bins by the private contractor (on-site) can adequately be achieved without having an adverse impact on the local residents and the local street network. An appointed staff member of the child care premises will be responsible to oversee the operation/implementation of the waste management plan.

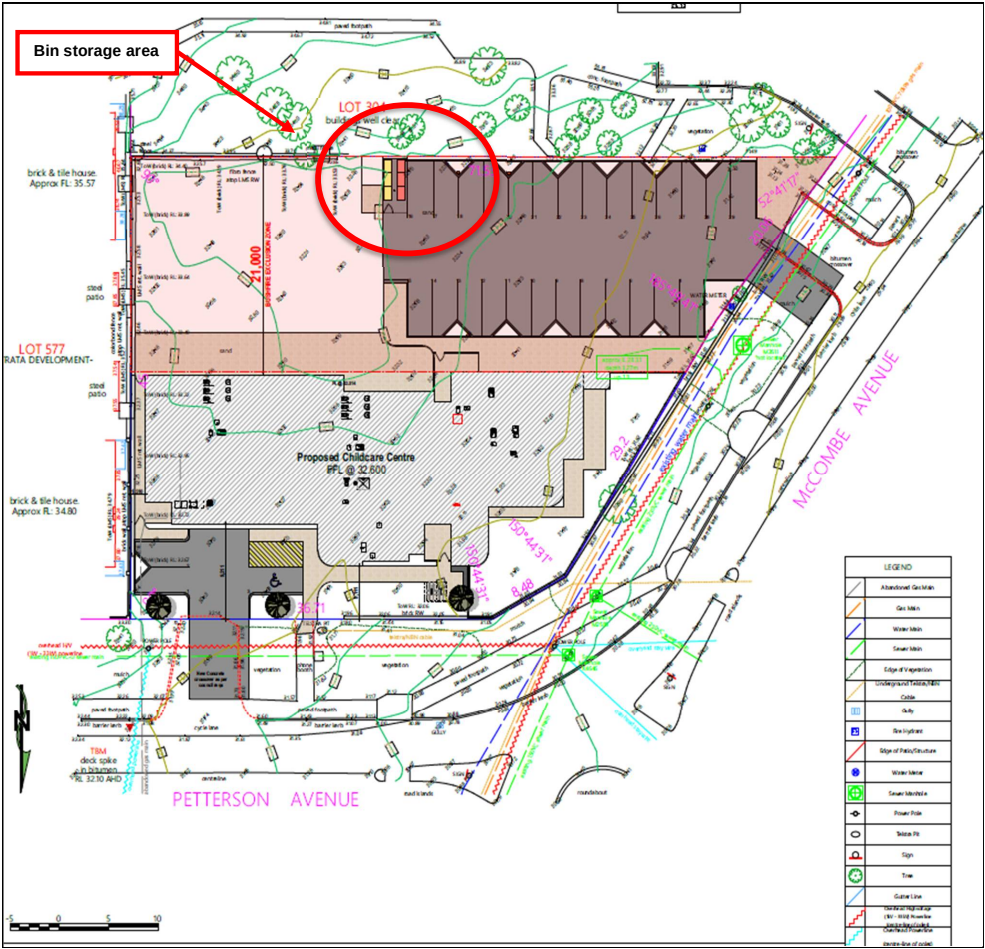
13 December 2024

**CF Town Planning & Development
Planning & Development Consultants**

Planning & Development Consultants
Address: 3/1 Mulgill Road, Malaga WA 6090
Tel: 9249 2158 **Mb:** 0407384140 **Email:** carlo@cftp.com.au
CVF Nominees Pty Ltd ABN: 86 110 067 395

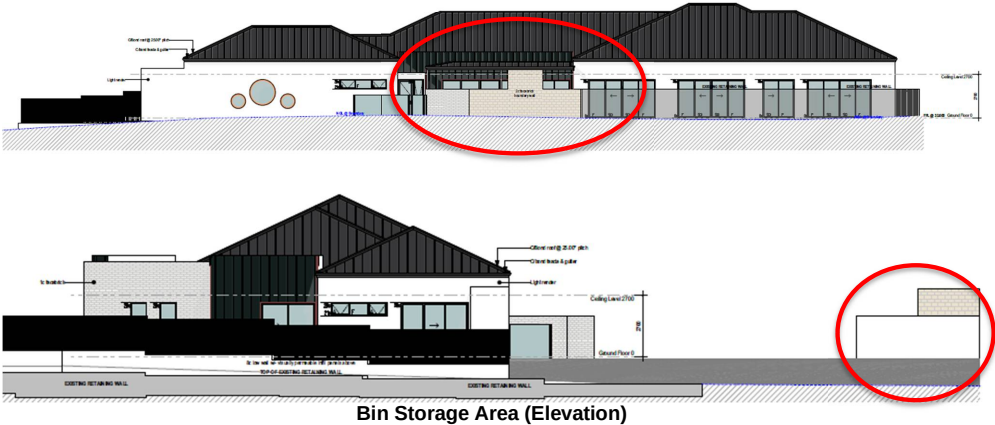
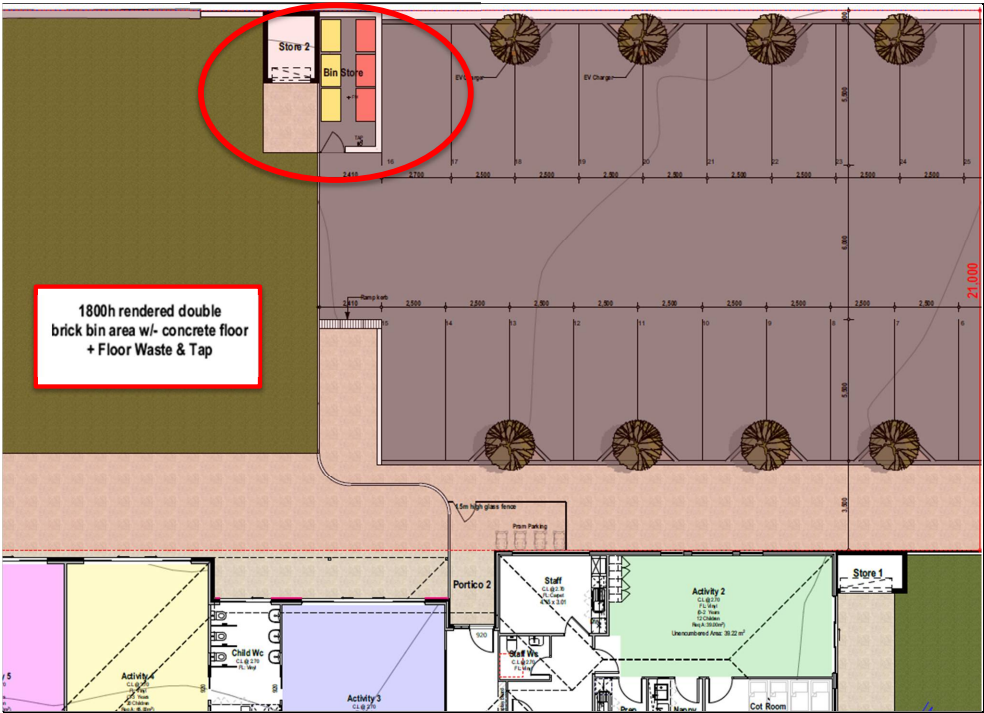
CF Town Planning & Development

APPENDIX 1 – BIN STORE LOCATION



Location of Bin Storage Area

Planning & Development Consultants
Address: 3/1 Mulgool Road, Malaga WA 6090
Tel: 9249 2158 Mb: 0407384140 Email: carlo@cftp.com.au
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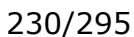
CF Town Planning & Development

APPENDIX 2 – SITE DEVELOPMENT PLANS

Vend Property
Address:40 McCombe Avenue SAMSON
Childcare Centre
Job Number: 23047

Drawing No	Description
01	Cover Page
02	Existing Site Survey
03	Site Plan
04	Context Plan
05	Ground Floor
06	Roof Plan
07	Elevations

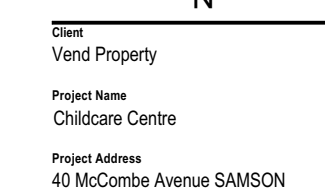




231/295



6.00	Development Approval	1
1.00RD	Re-Design	2
5.00	Survey	2
4.00	CRP	2
1.00 - 3.00	Concept	0
Revision	Description	Count



Drawing Title:

Context Plan

Scale:	Sheet Size:	A
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Project No:	Revision Number:
22047	6.0

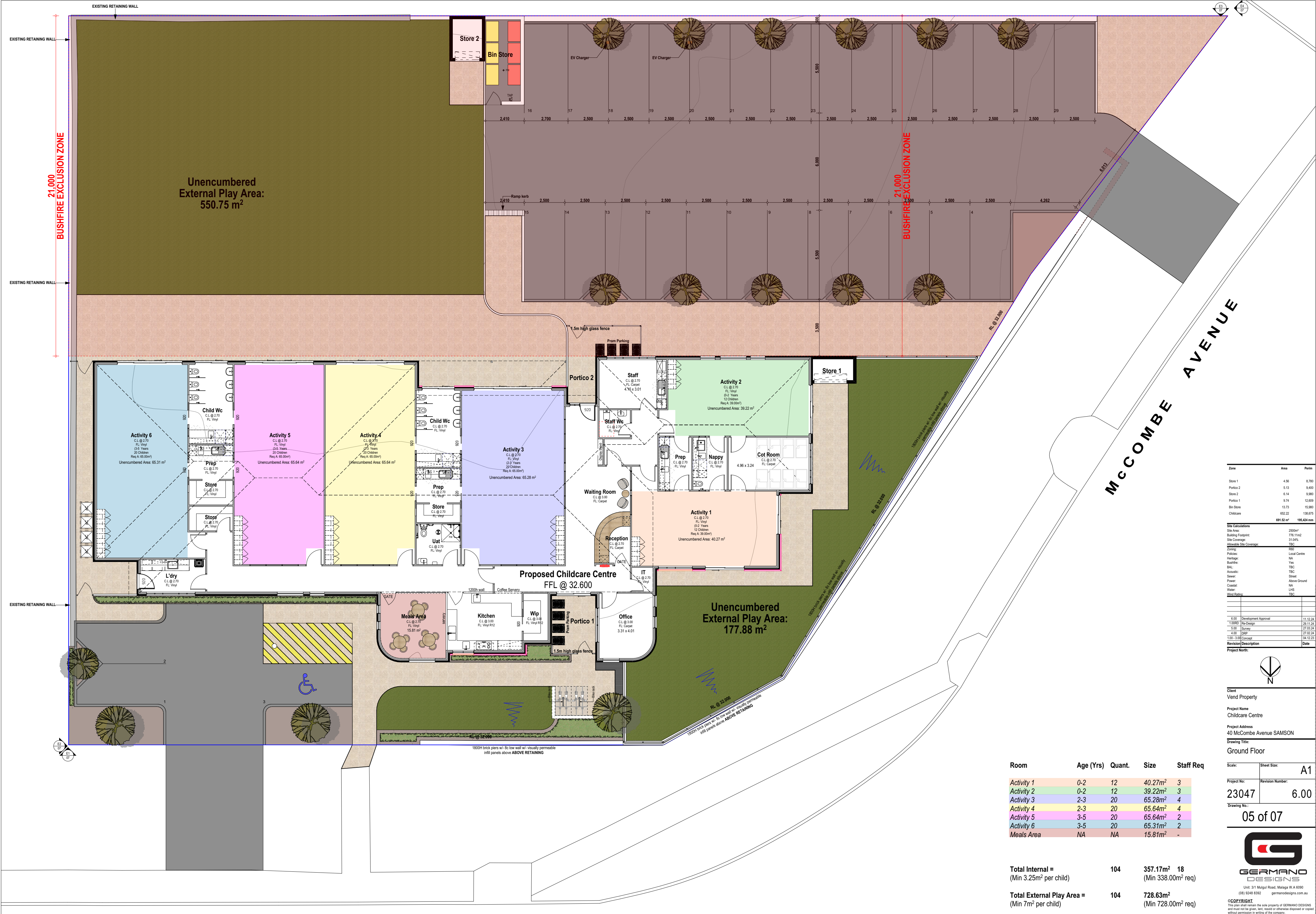
Drawing No.: 24-105

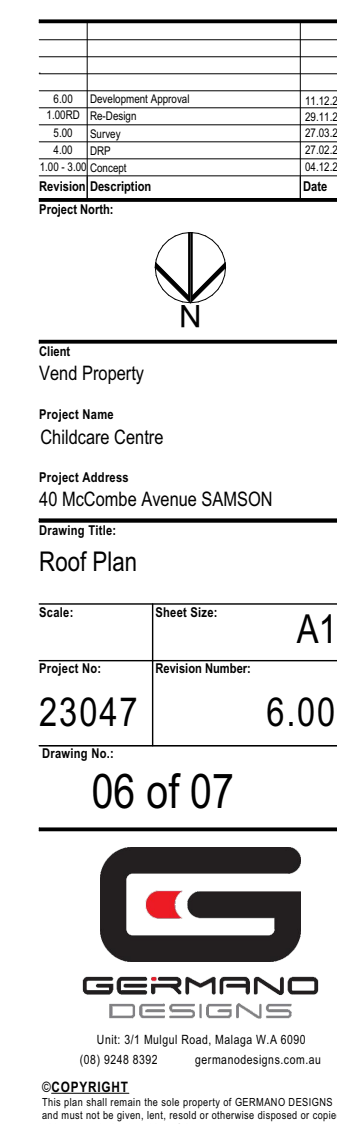
04 of 07



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Attachment 1 – Schedule of applications determined under delegated authority

1. FOREST STREET, NO. 23 (LOT 29), FREMANTLE - ANCILLARY DWELLING ADDITION TO EXISTING SINGLE HOUSE AND RESTAURANT – (JL DA0291/24)
2. KING WILLIAM STREET, NO. 25 (LOT 56), SOUTH FREMANTLE – ANCILLARY DWELLING ADDITION - (LG DA0360/24)
3. FORREST STREET, NO.87, FREMANTLE – SUBDIVISION CLEARANCE REPORT (JL WAPC772-22)
4. GRIGG PLACE, NO.25 (STRATA LOT 1), HILTON – ADDITIONS AND ALTERATIONS TO EXISTING GROUPED DWELLING – (JL DA0329/24)
5. JAMES STREET, NO. 3/13 (LOT 6), FREMANTLE - WINDOW ADDITIONS TO EXISTING MULTIPLE DWELLING – (JD DA0284/24)
6. SCOTT STREET, NO. 37 (LOT 39), SOUTH FREMANTLE – PRIMARY STREET AND BOUNDARY FENCE ADDITION TO EXISTING SINGLE HOUSE – (JD DA0323/24)
7. HINES ROAD, NO. 63 (LOT 888), HILTON – ADDITION OF SHADE SAIL STRUCTURE - (LG DA0353/24)
8. WRAY AVENUE, NO. 97 (LOT 303), FREMANTLE - RE-ROOFING AND RE-CLADDING AND ALTERATIONS TO EXISTING SINGLE HOUSE – (JD DA0340/24)
9. HULBERT STREET, NO. 4 (LOT 98), SOUTH FREMANTLE - CONVERSION OF EXISTING STUDIO BUILDING TO ANCILLARY DWELLING – (JD DA0361/24)
10. ONSLOW STREET, NO.4 (LOT 22), FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE - (LG DA0336/24)
11. YALGOO STREET, NO. 8C (SLOT 1), WHITE GUM VALLEY – TWO STOREY GROUPED DWELLING - (ED DA0313/24)
12. CHESTER STREET, NO. 48 (LOT 182), SOUTH FREMANTLE – TWO STOREY (WITH ROOF TERRACE) SINGLE HOUSE (ED DA0304/24)
13. MONTGOMERY STREET, NO. 7 (LOT 9), BEACONSFIELD – ANCILLARY DWELLING ADDITION TO EXISTING GROUPED DWELLING - (ED DA0322/24)
14. CENTRAL AVENUE, NO. 8 (LOT 69), BEACONSFIELD – CARPORT ADDITION TO EXISTING SINGLE HOUSE - (LG DA0368/24)
15. TUCKFIELD STREET, NO. 61 (LOT 171), FREMANTLE - ALTERATIONS AND ADDITIONS TO EXISTING SINGLE HOUSE – (JD DA0288/24)
16. LIVINGSTONE STREET, NO. 34 (LOT 73), BEACONSFIELD – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE - (ED DA0332/24)
17. WESTMEATH STREET, NO.9 (LOT 22), NORTH FREMANTLE – TWO STOREY SINGLE HOUSE – (JD DA0293/24)
18. LONG STREET, NO.11 (LOT 11), BEACONSFIELD – CARPORT ADDITION TO EXISTING SINGLE HOUSE - (LG DA0369/24)
19. SWANBOURNE STREET, NO. 79 (LOT 521), FREMANTLE – OUTBUILDING ADDITION TO EXISTING SINGLE HOUSE - (LG DA0367/24)
20. DIRECTION WAY, NO. 4 (LOT 20), NORTH FREMANTLE – PRIMARY STREET FENCE ADDITION - (LG DA0372/24)
21. GOLD STREET, NO. 9 (LOT 18), SOUTH FREMANTLE – DEMOLITION OF OUTBUILDINGS OF EXISTING SINGLE HOUSE - (LG DA0366/24)
22. BELLEVUE TERRACE, NO. 63 (LOT 2), FREMANTLE - OUTBUILDING ADDITION TO EXISTING GROUPED DWELLING – (JD DA0373/24)
23. HEBBARD STREET, NO. 20 (LOT 4), SAMSON - ANCILLARY DWELLING AND ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE – (JD DA0315/24)
24. BATEMAN STREET, NO. 9 (LOT 13), FREMANTLE – SWIMMING POOL ADDITION TO SINGLE HOUSE - (ED DA0342/24)
25. FORREST STREET, NO.14 (LOT 520), FREMANTLE – TWO STOREY GROUPED DWELLING (JL DA0296/24)
26. LILLY STREET, NO. 8 (LOT 82), SOUTH FREMANTLE – VARIATION TO PREVIOUS PLANNING APPROVAL DA0337/23 - (ED VA0029/24)
27. HAMPTON ROAD, NO. 72 (LOT 1 & 66), FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE - (ED DA0341/24)

28. JEAN STREET, NO. 90 (LOT 5), BEACONSFIELD – TWO (2) LOT SURVEY STRATA SUBDIVISION – (JD WAPC1200-24)
29. BROMLEY ROAD, NO. 51 (LOT 119), HILTON - SINGLE STOREY GROUPED DWELLING – (JD DA0337/24)
30. FREEMAN LOOP, NO. 11 (LOT 102), NORTH FREMANTLE – SIGNAGE – (JD DA0379/24)
31. HINES ROAD, NO. 28 (LOT 19), O’CONNOR – SITE WORKS AND RETAINING WALL - (JD/LG DA0334/24)
32. SNOOK CRESCENT, NO. 99 (STRATA LOT 3), HILTON – CARPORT ADDITION TO EXISTING SINGLE HOUSE - (LG DA0365/24)
33. TRAFFORD STREET, NO. 3 (LOT 18), BEACONSFIELD - ALTERATIONS AND ADDITIONS TO EXISTING SINGLE HOUSE – (JD DA0260/24)
34. COLLINSON STREET, NO.7 (LOT 135), BEACONSFIELD – SUBDIVISION CLEARANCE – (JL WAPC391-24)
35. ALFRED ROAD, NO. 14 (LOTS 7 AND 8), NORTH FREMANTLE - VARIATION TO DA0327/22 (SINGLE STOREY ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE) (JL VA0034/24)
36. HOWSON STREET, NO.1 (LOT 2), HILTON – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE - (LG DA0380/24)
37. LIVINGSTONE STREET, NO. 28 (LOT 1), BEACONSFIELD – SINGLE STOREY SINGLE HOUSE - (JD DA0277/24)
38. MARSHALL WAY, NO. 59 (LOT 239), SAMSON – CARPORT ADDITION TO EXISTING SINGLE HOUSE - (LG DA0376/24)
39. KING WILLIAM, NO. 18 (LOT 42), SOUTH FREMANTLE – TWO STOREY ADDITIONS AND ALTERATIONS (LG DA0359/24)
- 40.
41. AMHERST STREET NO. 30 – 40 (LOTS 1196, 1201, 1823, 1209, 1212, 1217) AND STACK STREET NO. 2 – 4 (LOTS 1223, 1222), FREMANTLE – VARIATION TO PLANNING APPROVAL DAP008/23 (57 GROUPED DWELLINGS, 24 MULTIPLE DWELLINGS, 7 COMMERCIAL TENANCIES, AND ASSOCIATED COMMON PROPERTY) (JL VA0031/24)
42. HOPE STREET, NO. 147 (LOT 5), WHITE GUM VALLEY – SURVEY STRATA SUBDIVISION – (JD WAPC1274-24)
43. SAMSON STREET, NO. 147 (LOT 1860), WHITE GUM VALLEY – CHANGE OF USE TO HOME BUSINESS - (LG DA0350/24)
44. WILUNA AVENUE, 5 (LOT 15), WHITE GUM VALLEY – ALTERATIONS & ADDITIONS TO EXISTING SINGLE HOUSE - (LG DA0354/24)
45. COVENTRY PARADE, NO. 4 (LOT 16), NORTH FREMANTLE - TWO STOREY SINGLE HOUSE - (ED DA0326/24)
46. LIVINGSTONE ST, 28A (LOT 2), BEACONSFIELD – TWO STOREY SINGLE HOUSE - (ED DA0357/24)
47. MCCABE STREET, NO. 19-21 (LOT 19), NORTH FREMANTLE – UNAUTHORISED TEMPORARY SIGNAGE ADDITIONS - (ED DA0347/24)
48. JEWELL PARADE, NO. (LOT 27), NORTH FREMANTLE – UNAUTHORISED ADDITIONS AND ALTERATIONS TO EXISTING DWELLING - (ED DA0358/24)
49. SAMSON STREET, NO. 31 (LOT 25), FREMANTLE – ADDITIONS AND ALTERATIONS (LG DA0374/24)
50. BELLEVUE TERRACE, 33 (LOT 343), FREMANTLE – ANCILLARY DWELLING, CHANGE OF USE - (NK DA0377/24)
51. BROMLEY ROAD, 36, HILTON – PRIMARY STREET FENCE ADDITION TO AN EXISTING SINGLE HOUSE - (NK DA0399/24)
52. PEARSE STREET, NO.17 (LOT 11), NORTH FREMANTLE - PARTIAL DEMOLITION AND ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE - (JL DA0397/24)
53. WRAY AVENUE, NO. 45 (LOT 4), FREMANTLE – ADDITION TO EXISTING SINGLE HOUSE- (ED DA0375/24)

54. CHESTER STREET, NO. 21 (LOT 10), SOUTH FREMANTLE - VARIATION TO PREVIOUS PLANNING APPROVAL DA0130/23 - (ED VA0033/24)
55. LEFROY ROAD, NO. 16 (LOT 4), SOUTH FREMANTLE - DEMOLITION OF EXISTING OUTBUILDINGS - (CR DA0001/25)
56. ELLEN STREET, NO.75 (LOT 4), FREMANTLE- EXTERNAL FIXTURE (SOLAR PANELS) ADDITIONS TO EXISTING SINGLE HOUSE - (CR DA0383/24)
57. CHRISTIAN BROTHERS COLLEGE NO. 41-51 (LOTS 468, 469, 4, 123), FREMANTLE – VARIATION TO PREVIOUS PLANNING APPROVAL FOR DA0135/24 (REFURBISHMENT WORKS TO EXISTING EDUCATION ESTABLISHMENT)- (JL VA0032/24)
58. PARRY STREET, NO.9 (LOT 380), FREMANTLE – ADDITIONS AND ALTERATIONS TO EXSISTING RESIDENTIAL BUILDING - (LG DA0390/24)
59. SMITH STREET, NO. 32 (LOT 182), BEACONSFIELD – SINGLE STOREY SINGLE HOUSE (JL DA0391/24)
60. NAVAN COURT, 4 (LOT 223), BEACONSFIELD – SHADE SAIL ADDITION TO EXISTING DWELLING - (NK DA0398/24)
61. DELEGATED REPORT - PATIO ADDITION - 140 SAMSON STREET WGV - (CR DA0014/25)
62. SOUTH TERRACE, 176 (LOT 2), FREMANTLE – RE-ROOF OF EXISTING GROUPED DWELLING AND FRONT FENCE ADDITION - (JD DA0387/24)
63. SOUTH TERRACE, 174 (LOT 1), FREMANTLE – RE-ROOF OF EXISTING GROUPED DWELLING - (JD DA0008/25)



Local Planning Scheme No. 4

Amendment No. 88
Scheme Amendment
Report

fremantle.wa.gov.au



PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION TO ADOPT AMENDMENT TO LOCAL
PLANNING SCHEME

CITY OF FREMANTLE LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 88

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. In schedule 1, 'Land Use Definitions':
 - A. Delete the definitions for:
 - o *Short stay dwelling*;
 - o *bed and breakfast*;
 - o *motel*;
 - o *serviced apartment*; and
 - o *tourist development*.
 - B. Insert the definition for *tourist and visitor accommodation* as per Schedule 1 – Model Provisions, being:
 - (a) means a building, or a group of buildings forming a complex, that —
 - (i) is wholly managed by a single person or body; and
 - (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
 - (iii) may include on-site services and facilities for use by guests; and
 - (iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and
 - (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but
 - (c) does not include any of the following —
 - (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);
 - (ii) a caravan park;
 - (iii) hosted short-term rental accommodation;
 - (iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
 - (v) a park home park;



- (vi) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
- (vii) a road house;
- (viii) workforce accommodation;

2. In table 1 'Zoning Table':

A. Delete all references to:

- o *short stay dwelling*;
- o *bed and breakfast*;
- o *motel*;
- o *tourist development*; and
- o *serviced apartment*.

B. Insert in alphabetical order the following land uses and permissibility:

Land Use	Residential	City Centre	Neighbourhood Centre	Local Centre	Mixed Use	Commercial	Industrial	Special Use	Development Zone
<i>Hosted short-term rental accommodation</i>	P	P	P	P	P	P	X	Note 1	Note 2
<i>Tourist and visitor accommodation</i>	A	D	A	A	A	X	X		
<i>Unhosted short-term rental accommodation</i>	D	A	D	D	D	D	X		

3. In table 2 'Vehicle Parking':

A. Delete all references and corresponding parking criteria to:

- o *bed and breakfast*;
- o *tourist development*;
- o *motel*; and
- o *serviced apartment*.

B. Insert new vehicle parking requirements for 'tourist and visitor accommodation' as follows:



Use Class	Car Parking	Delivery Bays	Bicycle Racks
Tourist and visitor accommodation	1:5 units within the City Centre 1:2 bedrooms outside the City Centre	1:reception	Class 2: 1 per 2 units within the City Centre Class 2: 1 per 4 units outside the City Centre

4. In Schedule 9, Development Plan 17 – Leighton, North Fremantle, clause 2.2 change reference from “short-stay accommodation” to “short-term rental accommodation”.

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, being:

- a) an amendment that does not result in any significant environmental, social, economic or governance impact on land in the scheme area; and
- b) any other amendment that is not a complex or basic amendment because, in accordance with Planning Bulletin 115/2024, any amendment that introduces new land use permissibility is treated as a standard amendment.

Dated this _____ day of _____ 2025

.....
GLEN DOUGALL
CHIEF EXECUTIVE OFFICER



Proposal to Amend a Town Planning Scheme

1. Local Authority:	City of Fremantle
2. Description of Local Planning Scheme:	Local Planning Scheme No. 4
3. Type of Scheme:	District Zoning Scheme
4. Serial No. of Amendment:	88
5. Proposal:	To amend land use definitions and use class permissibility for short term accommodation to be consistent with the Deemed provisions as amended by the Planning and Development (Local Planning Schemes) Amendment (Short-Term Rental Accommodation) Regulations 2024.



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1.0 Introduction

The purpose of this amendment is to amend the City's local planning scheme to implement the State Government's planning reforms for short-term rental accommodation.

This amendment is required to ensure alignment with new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. Most significantly, it includes amendments to reflect the 'deemed' land use classes for 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation', along with removal of superseded land uses. The following report provides further detail and background information on these changes.

2.0 Background

Short-Term Rental Accommodation (STRA) refers to the practice of renting out a property (or part of a property) for a relatively short period of time, usually on a nightly or weekly basis. This type of accommodation is usually booked through online platforms and is popular among travellers and visitors seeking temporary lodging for holidays, business trips or other short stays. The State Government has committed to various initiatives to deliver better regulation of the short-term rental accommodation sector.

In November 2023, the Western Australian Planning Commission released its *Position Statement: Planning for Tourism and Short-Term Rental Accommodation* (Position Statement) and associated Guidelines. The release of the Position Statement complemented other whole-of-government reforms relating to STRA, responding to recommendations made in the 2019 parliamentary enquiry *Levelling the Playing Field: Managing the impact of the rapid increase of short-term rentals in Western Australia*. This included development of a state-wide registration scheme for STRA, as well as an incentive scheme to encourage transition of properties from the short to long term rental market.

Alongside the registration scheme, which sits separately to the planning system and is mandatory for all STRA, amendments to planning regulations were flagged as a key part of the State Government's goal to ensure a fairer and more consistent treatment of STRA from both a legal and practical standpoint. The planning changes, which have triggered the need for the City to amend its scheme, aim to provide greater consistency across the state in relation to what approvals are needed for STRA proposals as well as how these uses are defined in local planning schemes.

3.0 Local planning context

3.1 State and regional planning context

The State Government's planning reforms for short-term rental accommodation are being implemented predominantly through the *Planning & Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), which in turn have been informed by policy direction provided through the Position Statement.



Position Statement

The Position Statement foreshadowed a series of amendments to the LPS Regulations with the overall aim of providing more certainty and consistency across jurisdictions in respect to the treatment of STRA. Key changes flagged in this document included dedicated land use classes for STRA to ensure a clear delineation between this use and traditional accommodation types, as well as a state-wide exemption for hosted STRA and a 90-night exemption for unhosted STRA within the Perth Metropolitan Area. The Position Statement also includes guidance on strategic and statutory planning matters for both tourism and STRA, as well as local planning policy development.

LPS Regulations

The LPS Regulations are a key component of Western Australia's planning system comprising of three major parts:

- Regulations proper, which set out the process for preparing or amending a local planning scheme;
- 'Model' provisions, set out in Schedule 1, which are to be used by local governments in preparing or amending a local planning scheme; and
- 'Deemed' provisions, set out in Schedule 2, read automatically into all local planning schemes, and override any existing scheme provision to the extent of any inconsistencies. Where there is a conflict between these provisions and the scheme, the deemed provisions prevail.

Amendments to both Schedules 1 and 2 of these regulations have been made to facilitate the necessary planning changes of the State Government's short-term rental accommodation (STRA) reform initiatives, as envisaged by the Position Statement. These changes, most notably, include:

- i. new 'deemed' land use classes of 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' to ensure these accommodation types are classified as dedicated land use classes in planning schemes;
- ii. new 'deemed' general terms to define 'short-term rental accommodation' and link to the overarching *Short-Term Rental Accommodation Act 2024*, which provides the legal framework for the STRA Register;
- iii. a new 'model' land use class of 'tourist and visitor accommodation' to differentiate these use types from STRA, and consolidate a number of existing land use terms for tourist and visitor accommodation (aside from 'hotel'), as well as other changes to general definitions;
- iv. a state-wide development approval exemption for 'hosted short-term rental accommodation' (this includes ancillary dwellings); and
- v. a 90-night (cumulative) exemption within a 12-month period for 'unhosted' short-term rental accommodation in the Perth metropolitan area.

The implications for these changes to the City are detailed further in the following sections of this report.



3.2 Local Planning Strategy

A key objective of the Fremantle Planning Strategy 2001 is to "Accommodate visitors (workers and tourists)." The accompanying strategies include "Permit[ing] a range of different types of visitor accommodation, particularly in close proximity to major transport routes/nodes and services and facilities."

The City's Draft Local Planning Strategy includes a direction to "maintain flexible but managed provision for short stay accommodation throughout Fremantle" and notes that a critical action is to "support increased attraction and legibility of Fremantle as a tourist destination of state significance & associated economic contribution."

3.3 Local Planning Policies

There is one local planning policy affected by the changes:

Local Planning Policy 1.7: Exempt Development

This policy exempts planning approval for any single house, grouped dwelling or multiple dwelling as a short stay dwelling, where occupied by 6 or fewer persons. This policy will be amended concurrently with the scheme amendment to delete this provision.

The *Planning and Development (Local Planning Schemes) Regulations 2015* empowers the local government to consider a broad range of considerations and impose conditions relating to these in dealing with an application for planning approval.

3.4 Local Planning Context

Currently, the City exempts short stay dwellings from requiring planning approval where they are occupied by 6 or fewer people, consistent with the definitions of 'dwelling' and 'residential building' in the Residential Design Codes. Notwithstanding, until 1 January 2025, the City's had a Short Stay Accommodation Local Law that required that they register as a short stay dwelling with the City. These properties are also subject to rates changes consistent with a commercial land use.

The City has not been made aware of any compliance issues to date in relation to short stay dwellings.

4.0 Proposal

4.1 Proposed Amendment

With the introduction of the new deemed land use classes into planning schemes associated with short-term rental accommodation, this scheme amendment relates to the introduction, modification and deletion of various land use and general definitions to the City's planning scheme. The new exemptions are also 'deemed' and as such are already operative, however this amendment does include changes to the zoning table to reflect the hosted STRA exemption as a permitted use, and to the zoning and parking table to reflect the new *tourist and visitor accommodation* use.

Deemed Short-Term Rental Accommodation Land Use Classes



Whilst the new 'deemed' land use classes are automatically read into the City's scheme through the LPS Regulations, along with the previously mentioned exemptions, these uses are being incorporated into scheme zoning tables to ensure absolute clarity from an interpretation perspective, particularly given these uses replace long-standing 'model' land use classes within the City's current planning framework.

To implement the required changes, this amendment requires deletion of all references to the land use classes of *short stay dwelling* and *bed and breakfast*, replaced with the new 'deemed' definitions of *hosted short-term rental accommodation* and *unhosted short-term rental accommodation*. This includes amending the Zoning Table and Definitions schedules of the scheme text accordingly.

In addition to the LPS Regulations, the Position Statement and Planning Bulletin 115 provide further direction for how STRA should be dealt with in local planning schemes from a permissibility standpoint. To reflect these requirements, this amendment proposes the following designations for these new land use classes:

Land Use	Residential	City Centre	Neighbourhood Centre	Local Centre	Mixed Use	Commercial	Industrial	Special Use	Development Zone
<i>Hosted short-term rental accommodation</i>	P	P	P	P	P	P	X	Note 1	Note 2
<i>Tourist and visitor accommodation</i>	A	D	A	A	A	X	X		
<i>Unhosted short-term rental accommodation</i>	D	A	D	D	D	D	X		

Hosted and Unhosted short-term rental accommodation are defined first and foremost as dwellings, and therefore must adhere to the Residential Design Codes for parking criteria. No changes to Table 2 – Parking of the scheme are required for these uses.

Model 'Tourist and Visitor Accommodation' Land Use

A new model land use class of 'Tourist and Visitor Accommodation' has been introduced to supersede various traditional accommodation land use types (excluding 'hotel') and provide a clearer delineation between these uses and 'short-term rental accommodation'. In the context of the City's scheme, uses and any references to the following are to be deleted:

- o *Motel – specifically referenced in the new land use class definition;*
- o *Serviced apartment – specifically referenced in the new land use class definition; and*
- o *Tourist development – directly replaced by the new use class.*



The permissibility designations for *tourist and visitor accommodation* are to be the same as the current *serviced apartment* use class. These are identical to the existing *tourist development* permissibility with the exception that it will be an 'A' use in a Residential zone rather than an 'X' use to account for serviced apartments as shown below:

Land Use	Residential	City Centre	Neighbourhood Centre	Local Centre	Mixed Use	Commercial	Industrial	Special Use	Development Zone
<i>Tourist and visitor accommodation</i>	A	D	A	A	A	X	X	Note 1	Note 2

This new definition requires a corresponding parking and bicycle criteria inclusion within Table 2 – Parking. There are no approvals for a *Motel* in the City's records, however, other forms of short-term accommodation have been approved resembling serviced apartments and other types of tourist accommodation. Additionally, the City does not want to encourage high and unreasonable levels of parking. Noting that the parking criteria within the scheme may be varied upon an assessment, the amendment introduces the following parking criteria into Table 2:

Use Class	Car Bays	Parking	Delivery Bays	Bicycle Racks
Tourist and visitor accommodation	1:5 units within the City Centre 1:2 bedrooms outside the City Centre		1:reception	Class 2: 1 per 2 units within the City Centre Class 2: 1 per 4 units outside the City Centre

The parking criteria allows for families renting two-bedroom facilities outside the City Centre to have a single car. The City Centre is well-served by various forms of public transportation and therefore should have reduced parking requirements and more bike racks to discourage car use.

New and Revised Land Use & General Definitions

As part of the LPS Regulations changes, amendments to some other model definitions were also introduced so as to not cause confusion or conflict with the new short-term rental accommodation land use terms. These include deletion of the definition for *short-term accommodation*, which has been removed to avoid confusion with new terms relating to *short-term rental accommodation*.



5.0 Conclusion

The amendment amends or deletes land use definitions, use class permissibility, and parking requirements within the City's planning scheme to be consistent with the definitions introduced into the LPS Regulations and the State Government's STRA reforms. The new reforms require that all unhosted short-term rental accommodation will require a development application and that owners are to register with the state STRA scheme. The amendment brings the City's scheme into alignment with the recent changes to the LPS Regulations in regard to short term rental accommodation.



PLANNING AND DEVELOPMENT ACT 2005

CITY OF FREMANTLE

LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 88

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. In schedule 1, 'Land Use Definitions':

A. Delete the definitions for:

- o *Short stay dwelling*;
- o *bed and breakfast*;
- o *motel*;
- o *serviced apartment*; and
- o *tourist development*.

B. Insert the definition for *tourist and visitor accommodation* as per Schedule 1 – Model Provisions, being:

- i. means a building, or a group of buildings forming a complex, that —
 - (i) is wholly managed by a single person or body; and
 - (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
 - (iii) may include on-site services and facilities for use by guests; and
 - (iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and
- ii. includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but
- iii. does not include any of the following —
 - (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);
 - (ii) a caravan park;
 - (iii) hosted short-term rental accommodation;
 - (iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
 - (v) a park home park;
 - (vi) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
 - (vii) a road house;



(viii) workforce accommodation;

2. In table 1 'Zoning Table':

A. Delete all references to:

- o *short stay dwelling;*
- o *bed and breakfast;*
- o *motel;*
- o *tourist development; and*
- o *serviced apartment.*

B. Insert in alphabetical order the following land uses and permissibility:

Land Use	Residential	City Centre	Neighbourhood Centre	Local Centre	Mixed Use	Commercial	Industrial	Special Use	Development Zone
<i>Hosted short-term rental accommodation</i>	P	P	P	P	P	P	X	Note 1	Note 2
<i>Tourist and visitor accommodation</i>	A	D	A	A	A	X	X		
<i>Unhosted short-term rental accommodation</i>	D	A	D	D	D	D	X		

3. In table 2 'Vehicle Parking':

A. Delete all references and corresponding parking criteria to:

- o *bed and breakfast;*
- o *tourist development;*
- o *motel; and*
- o *serviced apartment.*

B. Insert new vehicle parking requirements for 'tourist and visitor accommodation' as follows:



Use Class	Car Parking Bays	Delivery Bays	Bicycle Racks
Tourist and visitor accommodation	1:5 units within the City Centre 1:2 bedrooms outside the City Centre	1:reception	Class 2: 1 per 2 units within the City Centre Class 2: 1 per 4 units outside the City Centre

4. In Schedule 9, Development Plan 17 – Leighton, North Fremantle, clause 2.2 change reference from “short-stay accommodation” to “short-term rental accommodation”.

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, being:

- a) an amendment that does not result in any significant environmental, social, economic or governance impact on land in the scheme area; and
- b) any other amendment that is not a complex or basic amendment because, in accordance with Planning Bulletin 115/2024, any amendment that introduces new land use permissibility is treated as a standard amendment.

Dated this ____ day of _____ 2025

.....
GLEN DOUGALL
CHIEF EXECUTIVE OFFICER



FORM 6A

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Fremantle at the Ordinary Meeting of the Council held on the _____ day of _____ 20_____.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Fremantle at the Ordinary Meeting of the Council held on the _____ day of _____ 20_____.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER



COUNCIL RECOMMENDATION

This Amendment is recommended for support, **subject to modifications**, by resolution of the City of Fremantle at the Ordinary Meeting of the Council held on the _____ day of _____ 20____:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....

Indicative Local Planning Policy Review Intent and Timeframe

Category	Policy	Intent	To Council	Consultation	Adoption
Administration	1.1: Amendment and Extension to the Term of Planning Approval	Consolidate into administrative procedures policy	February	February/March	April
	1.2: Refunding and Waving/Reducing of Planning Fees and Building Fees				
	1.3: Public Notification of Planning Proposals				
	1.4: Applications for Review of Town Planning Decisions and Written Directions	Review and keep standalone		N/A	N/A
	1.5: Planning Compliance	Revoke: Not used. Procedures covered by existing legislation. Revoke: City no longer offers this service. Revoke: Deals with matters outside of lot boundaries covered by other legislation		N/A	April
	1.8: Neighbour Mediation				
	1.10: Construction Sites				
	1.11: Planning and Development Act 2005, Part 17 Development Application Submissions				
	DBU8: Outdoor Eating Policy (Tables and Chairs) (Interim Policy)				
	DBM7: Cash-in-lieu of Carparking for the City of Fremantle				
	DBH9: Procedures for the Recording & Assessment of Places of Heritage Value	Revoke: Covered by other policies and state legislation/advice			

Indicative Local Planning Policy Review Intent and Timeframe

Heritage	1.6: Heritage Assessment and Protection	Consolidate into Heritage Procedures policy	March	May/June	June/July
	2.7: Archaeological Investigation as a Condition of Planning Approval				
	2.20: Discretion to vary local planning scheme site or development requirements for heritage purposes				
	2.5: External Treatment of Buildings				
Heritage	3.6: Heritage Area – Building and Land Use Criteria ¹	Consolidate into 1 policy on development for areas and individually listed properties. Add commercial/industrial criterion. Review and keep standalone for now as format is unique. New policy splitting statutory requirements for areas off from built form requirements of LPP 3.6. Incorporates updates to the South Fremantle Heritage Area.	March	May/June/July	July/August
	3.21 West End Heritage Area				
	3.6.1: Heritage Areas - Properties List				
Environment, Sustainability and Waste	2.2: Split Density Codes and Energy Efficiency and Sustainability Schedule	Amend and keep standalone: Linked to ESD work	April	May/June	July
	2.3: Fremantle Port Buffer Area Development Guidelines	Keep standalone: Review/update			
	2.13: Sustainable Buildings Design Requirements	Keep standalone: Linked to ESD work and council direction			
	2.24: Waste Management Plans for New Development	Keep standalone: Review			
	2.10: Landscaping Of Development And Existing Vegetation On Development Sites	Revoke if Tree Retention adopted: Covers documentation, not criteria			

¹ May include combining with LPP 3.7: Hilton into a single Heritage Areas policy.

Indicative Local Planning Policy Review Intent and Timeframe

Revocations	2.23: Register of Significant Trees and Vegetation Areas	Consider revoking if Tree Retention policy adopted, otherwise review	May	N/A	May
	3.19: Clontarf Road Area	Revoke: LDP approved and supersedes LPP			
North Fremantle	DBU6: Late Night Entertainment Venues Serving Alcohol	Revoke: Covered by other legislation	June	June/July	August
	DGF3: Marmion, Forrest, Wood and Montreal Streets Local Area	Revoke: Heritage and density covered by other legislation			
	DGF4: Tuckfield, Finnerty and Skinner Streets Local Area	Revoke: Heritage protections covered by other legislation			
	DGF27: John Curtin College of the Arts	Revoke: Site is now state heritage listed			
	3.11: McCabe Street Area - Height of New Buildings				
North Fremantle	3.13: Minim Cove, North Fremantle		June	June/July	August
	DGN1: Harvest Road, Corkhill and John Streets & The Swan River Local Area				
	DGN5: Eucla Court including lots facing Rule Street and Thompson Road, North Fremantle				
	DGN6: Northbank Development Guidelines	Consolidate into North Fremantle policy. Mostly retain only front setbacks for certain sub-areas and McCabe Street height. Cull most other criteria and revert to R-Codes.			
	DGN11: Cypress Hill - Harvest Road, Corkhill Street and Alfred Road, Swan River				
North Fremantle	3.10: Thompson Road		June	June/July	August
	DGN2: Stirling Highway, John and Johannah Streets Local Area				

Indicative Local Planning Policy Review Intent and Timeframe

	DGN3: Stirling Highway, Thompson Road, Coventry Parade and Craig Street Local Area DGN4: Stirling Highway, Tydeman Road, Jackson & Pearse Streets Local Area DGN7: North Fremantle Foreshore Plan DGN8: Passmore Avenue (previously Lots 47 & 48 John Street) DGN9: Rocky Bay Estate (formerly State Engineering Works Site) DGN10: Rous Head Industrial Park/Harbour DGN12: Leighton Marshalling Yards Land Use and Development Policy DGN13: Thompson, Alfred, Rule and Harvest Road Local Area DGN14: Leighton Design Guidelines	Revoke: Contradicts current scheme for height, and contains heritage provisions no longer necessary Revoke: Contradicts current scheme Revoke: Superseded by contemporary foreshore plans created by Parks Team Revoke: Contains requirements relating to original site development Revoke: Superseded by LPP 3.13, R-Codes and Scheme Revoke: Covers an area not controlled by the City Revoke: Covered by scheme Development Plan Revoke: Covered by scheme and R-Codes Revoke: Covered by scheme Development Plan	June	N/A	August
South Fremantle	D.G.S5: Wills Transport Site - 122 Marine Terrace & 3 South Street, South Fremantle D.G.S6: South Beach Village 3.5: Local Planning Area 5 - Beaconsfield	Consolidate into South Fremantle policy	July	July/August	November
Samson/WGV/ Beaconsfield/ O'Connor	3.8: Local Planning Area 8 - O'Connor 3.9: Local Planning Area 9 - Samson 3.15: Former Kim Beazley school site - White Gum Valley 3.18: Beaconsfield and White Gum Valley Local Centre Areas	Consolidate into Beaconsfield/Samson/O'Connor LPP Review Revoke: Provisions are in the scheme	July	July/August N/A	November November

Indicative Local Planning Policy Review Intent and Timeframe

Fremantle	2.18: New Residential Developments in the City Centre Zone - Noise from an Existing Source			
	3.1.3: Precinct 3			
	3.1.3.1: 7-15 Quarry Street			
	3.1.5: Precinct 5			
	3.14: Wray Avenue Precinct	Consolidate into Fremantle policy	February/March	April
	DE3: Security Doors to Shopfronts in the Retail Core			
	DGF26: Planning Policy for the West End of Victoria Quay			
	DGF29: Suffolk to South Street Local Area			
	DE4: Paving Policy for Central Fremantle	Turn into Council policy or guidelines	February/March	April
	3.16: Burt Street	Revoke: Provisions are in the scheme	December	
	3.17 Hilton Local Centre (South Street, Hilton)	Revoke: Provisions are in the scheme		
	DGF2: Marmion, Forrest, Wood and Amherst Streets Local Area	Revoke: Policy is about establishing and paying for a ROW that cannot be widened further as the opportunity to do so at subdivision stage was lost		
	DGF5: Arthur Head Reserve Strategy Plan	Revoke: This policy was largely about protecting heritage prior to State Listing		
	DGF6: Arthur Head (west end of High Street)	Revoke: This policy was largely about protecting heritage prior to State Listing	N/A	April
	DGF8: Douglas Street Local Area	Revoke: Covered by other legislation (Consider retaining fencing criteria)		
	DGF9: Foreshores within the City of Fremantle	Revoke: Superseded by more contemporary plans		

Indicative Local Planning Policy Review Intent and Timeframe

	DGF10: Fremantle Boat Harbours - Development Policy DGF12: Fremantle Hospital - Corner of Alma Street & South Terrace, Fremantle: High Priority DGF16: Marine Terrace Policy (including South Fremantle) DGF18: Paddy Troy Mall - Block Bounded by Henderson, William, High and Market Streets DGF24: Solomon Street DGF30: Fremantle Artillery Barracks and Cantonment Hill Reserve	Revoke: Land is not controlled by the City. Covered by Harbour Master Plan Revoke: Site is not zoned and heritage fabric is protected. Revoke: Height controls covered by scheme. Other controls superseded by R-Codes Revoke: May retain some provisions. Revoke: Covered by R-Codes and heritage Revoke: Now protected by state and local heritage listings			
Hilton	3.7: Hilton Garden Suburb Precinct	Review if not added into LPP3.6	December	February/March	April
Miscellaneous	1.7: Development Exempt from Approval Under LPS4	Review and minor changes			
	2.8: Fences Policy	Most provisions covered by R-Codes or better moved to heritage policies. Potentially revoke.			
	2.9: Residential Streetscape Policy	Revoke and revert to R-Codes. Potentially retain some setbacks. Review and format changes	February	March/April	May
	2.14: Advertisement policy	TBD			
	2.19: Contributions for Public Art and/or Heritage Works	TBD			
	2.25: Telecommunications	If adopted: 12-month review			
	2.26: Tree Retention	Minor changes			
	3.20: Special Control Area Provisions for Small Infill Development	Requires a scheme amendment to make it consistent with SPP 7.0	N/A	N/A	N/A
	1.9: Design Advisory Committee and Principles of Design				



Local Planning Policy 1.1

Planning Refunds,
Amendments, and
Community Engagement

fremantle.wa.gov.au

Planning Refunds, Amendments, and Community Engagement

Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This policy may be cited as Local Planning Policy 1.1 – Planning Refunds, Amendments, and Community Engagement (LPP 1.1).

Introduction

The purpose of this policy is to set out various administrative and assessment procedures relating to planning and development, specifically in regard to:

- Refunding and waiving/reducing planning fees;
- Amendments and extensions to the term of planning approval; and
- Public notification of planning proposals.

Objectives

- Part 1 outlines the circumstances where the City will waive or reduce development application fees.
- Part 2 provides guidance on assessment of development applications for amendments and extensions of time.
- Part 3 provides a consistent and transparent approach to determining when and how community consultation is undertaken on planning proposals, balancing the need for the community to be informed of, and have reasonable input into planning proposals against the need to process these in an efficient manner within prescribed legal timeframes and parameters.

Application of this policy

Part 1 applies to all local government development (planning) application fees charged in accordance with the *Planning and Development Regulations 2009*.

Parts 2 and 3 apply to all development proposals administered or partially administered by the City. Where the City is not the responsible authority for assessing the proposal, the policy may be used to inform the City's advice to the responsible authority.

Policy provisions

PART 1 – REFUNDING AND WAIVING OR REDUCING FEES

- 1.1. Council does not consider financial hardship, personal or family circumstances to be grounds for the waiving or reduction of planning fees.

Waiving of Planning Fees

- 1.2. Planning fees will not be waived under any circumstances except by a resolution of the Council.

Reduction of Planning Fees

1.3. An application for a reduction in planning fees by 50% may be approved under the following circumstances:

- a) Where the development is of less than \$50,000 in value and the application is, in the opinion of the Manager Development Approvals, similar to a previous application determined during the preceding year to the point where previous assessment work can significantly contribute to the assessment of the new application;
- b) Where the proponent is a 'not for profit' organisation and has obtained an income tax exemption status from the Australian Taxation Office; or
- c) Where the application is for a home occupation only under the Federal Government's New Enterprise Incentive Scheme (NEIS).

Where an application for a fee reduction is made under (b) or (c) above, the proponent will be required to provide sufficient proof at the time of submitting the request.

Refund of Planning Fees

1.4. The City will consider a written request for the refund of planning fees where the application is withdrawn prior to a determination being issued only in the following circumstances:

- a) Where, in the opinion of the Manager Development Approvals, no assessment work has been undertaken by the City and the application is subsequently withdrawn in writing within seven (7) business days of the date of application, 90% of application fee may be refunded.
- b) Where assessment work has commenced by the City a refund of 50% of the application fee may be approved where:
 - (i) The application has not been advertised; and
 - (ii) The application is withdrawn in writing by the proponent within 21 days of lodgement of the application.

Costs and Expenses

1.5. The City will not waive or reduce any costs or expenses that may be charged to a proponent where these are incurred through the provision of a service under Regulation 49 of the *Planning and Development Regulations 2009* regardless of whether a reduced application fee under 3(a), (b) or (c) has been approved.

Variations to Planning Approvals

1.6. A reduction in fees shall not apply to applications to vary a planning approval which has already been granted unless the need for such an application is solely attributable to a previous administrative error in which case no fee will be charged.

Unauthorised Existing Development

1.7. The reduction or refund of planning fees will not under any circumstances apply to applications made under Schedule 2, Part 9, clause 65 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, where a use or development has already been commenced or carried out unlawfully and the purpose of the application is to render that use or development lawful under the Scheme.

PART 2 – AMENDMENTS AND EXTENSIONS OF TIME

Term of Approval

- 2.1 The local government will specify a period of 4 years in which a development must be substantially commenced, but may specify a lesser period of up to 2 years having regard to the following factors:
- a) Whether the approval required significant exercise of discretion under the Scheme;
 - b) Whether there is a reasonable prospect of a material change occurring in the physical considerations relevant to determination of the application that provide grounds to consider the application may be determined differently in the future; and
 - c) Whether a material change to the statutory or policy provisions relevant to determination of an application is under active consideration and that may mean the application may be determined differently in the future.

Amendment of an Approval

- 2.2 In determining an amendment to a planning approval, the local government will consider whether the nature and extent of the proposed amendment is such that the use or development the subject of the planning approval:
- a) remains, in substance, the same; or
 - b) is changed so a new and different use or development is proposed.
- 2.3 If the nature and extent of the proposed amendments is such that there is a new and different use or development to that which was the subject of the planning approval, the local government may refuse to allow amendment of the planning approval.
- 2.4 If an application to amend planning approval is refused, nothing in this policy shall preclude the Proponent from making, and the local government from determining, a new application for planning approval for the use or development the subject of the amendment application.

Extension of the Term of Approval

- 2.5 In considering a request for an extension to the term of a planning approval, a period of up to a further two years may be granted subject to the City having regard to the balance of the following factors:
- a) whether the planning framework has changed substantially since the development approval was granted;
 - b) whether the development would likely receive approval now; and
 - c) whether the proponent has actively and relatively conscientiously pursued the implementation of the development approval.

PART 3 – PUBLIC NOTIFICATION OF PLANNING PROPOSALS

The City acknowledges that consultation provides an important input into planning decision making, however, this is in addition to a technical assessment against the planning framework and objectives, not in place of it.

Consultation Matrix

- 3.1 The following matrix provides an overview of the City's consultation requirements for statutory planning proposals, combining the requirements of the Regulations with additional measures employed by the City. Consultation beyond the minimum below may be undertaken at the discretion of the relevant manager and in accordance with the Regulations.

Consultation Requirement	Development Application		Scheme Amendment				Structure Plan	LDP	Local Planning Policy
	Standard	Complex	Preliminary	Basic	Standard	Complex			
Calendar Days	14	28	28	Only when required by Minister	42	60	42	Min. 28	Min. 21
Letters to adjoining owners/occupiers	Yes	Yes	Yes		Yes ²	Yes ²	Yes	Yes	No
Letters to 200m radius	No	Yes	Yes		Yes ²	Yes ²	Yes	No	No
Local Newspaper Notice	No	Optional	No		Optional	Optional	Optional	Optional	Optional
Sign on Site	No	Yes	No		Yes ²	Yes ²	Yes	Optional	No
MySay Website	No	Yes	Yes		Yes	Yes	Yes	Yes	Yes
Precinct Group Notification	No	Yes	Yes		Yes	Yes	Yes	Yes	Yes
'Talk to a Planner' session	No	Yes ¹	No		No	Yes	Yes	Optional	No
1 Except where one of the two criteria which make the application 'complex' under cl. 3.11 of this policy is (A)(iv)									
2 Only for site-specific proposals									

- 3.2 For amendments to previously advertised planning proposals, the relevant manager may reduce or waive elements of the consultation process taking into account how recent the previous consultation was, the level of public interest when the proposal was originally advertised, and the extent and significance of the amendments being made. For amendments of a minor nature, consultation may be waived except in relation to developments applications where the amendments introduce new discretions.

Excluded holiday period days

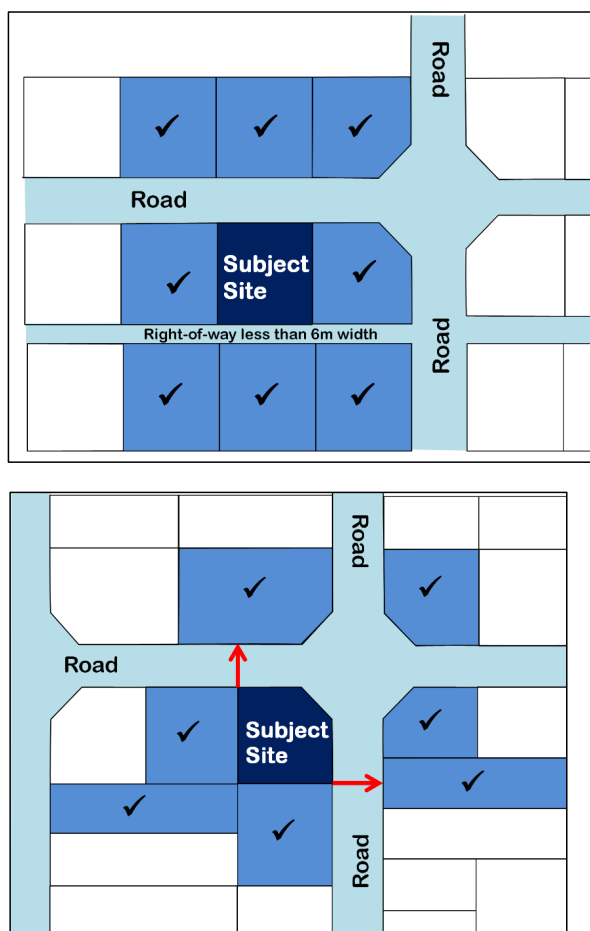
- 3.3 To provide additional time during Christmas and Easter holiday periods, the Regulations exclude the following from the total number of days a proposal is advertised for:

- a) A period commencing on 25 December in a year and ending on the next 1 January; or
- b) A period of 7 days commencing on Good Friday in a year.

Requests for extension to submissions periods in other circumstances will not be supported, however, staff will make every reasonable effort to make the decision-maker aware of any submissions received after the closure of the consultation period.

Definition of 'Adjoining Property'

- 3.4 Where a proposal requires consultation with 'adjoining property owner or occupiers', this will be deemed to apply to those properties which share any common boundary and including diagonally opposite, across the street or those separated by a right-of-way or access way less than 6.0m in width – refer illustrative examples below.



Public viewing after close of advertising

- 3.5 Copies of plans and documents will not be provided to the public after the consultation period unless they appear on a public agenda or minutes, or the written consent of the property owner to which the development relates is provided. However, plans may be viewed in the City's offices upon appointment with a planning officer.

Opportunity for proponent to respond to submissions

- 3.6 Proponents will be advised of a summary of concerns raised in submissions and provided with the opportunity to respond. This will exclude provision of personal details such as names and contact details.

Notification to submitters – Committee and Council meeting agendas & decisions

- 3.7 Where a proposal requires referral to Council, the proponent and all submitters will be notified in writing (via post or e-mail, utilising the correspondence address from which the submission was made) of the date at which the proposal will be listed on a Committee/Council agenda, and will be subsequently notified of Council's decision.

Reporting submissions to Council

- 3.8 Officer reports to Council will include a summary of the issues/themes raised in the submissions received as part of the consultation process. Full copies of submissions will be made available to Elected Members and decision-makers at their request but will not be available to members of the public unless required by law.
- 3.9 For scheme amendments and structure plans, a schedule of submissions (excluding the submitters' personal details) will also to be included as an attachment to the Council report. A schedule of submissions may be prepared for other complex proposals involving a large number of submissions where this assists in summarising public feedback, at the discretion of the relevant manager.

Development applications and subdivisions

- 3.10 In addition to where prescribed under the Regulations and/or the Scheme, consultation will be carried out by the City prior to a decision being made where the application satisfies any of the following criteria:

(A)	Involves the complete demolition of a building where the building is located on a place that is: (i) entered in the State Register of Heritage Places; (ii) the subject of a Heritage Order; (iii) included on the City of Fremantle Heritage List; or (iv) included in a Heritage Area designated under LPS4.
(B)	Involves a subdivision creating more than twenty (20) lots and the proposal has not previously been advertised as part of a scheme amendment, structure plan or local development plan.

(C)	Involves a significant exercise of discretion in terms of the Scheme, Residential Design Codes or local planning policy provisions.
(D)	Has significant strategic planning impacts in terms of the implementation of a strategic planning objective, the scale of the development, or is significantly different from the predominant and expected pattern of development within the locality.

Classification of development applications

- 3.11 Regulation 1 of the Regulations allows a local government to identify when a development application is a 'complex application'. For purposes of this regulation, a complex application is one which involves:
- a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; and/or
 - development which meets at least two of the criteria listed in Clause 2.1 – i.e. (A), (B), (C); and/or
 - development which meets criteria (D) listed in Clause 2.1.

Consultation under the R-Codes Volume 1

- 3.12 Where a development application is subject to assessment against Volume 1 of the R-Codes and involves assessment of an element/s against the Design Principles (i.e. a discretionary decision or a 'variation' to the 'deemed to comply' provisions), the R-Codes state that consultation should occur only where the variation is considered by the City to have potential to impact the amenity on adjoining properties or the street, and should be directed at those adjoining owners and occupiers likely to be affected.

The following provides direction on when and with whom consultation under the R-Codes will occur for some common situations:

R-Code or Local Planning Policy Variation	Consultation Requirement
Street setback, street fences, vehicle sightlines	All adjoining properties aside from those to the rear of the subject site.
Lot boundary setback and boundary walls	Properties located directly adjacent to the proposed setback variation.
Visual privacy	Properties located within the 'cone of vision' of the major opening or active habitable space.
Site works/retaining walls	Properties located directly adjacent to the proposed changes to ground levels will be consulted, unless the extent of the variation requires wider consultation as determined by the relevant manager
Solar access (Overshadowing)	Properties directly impacted by the proposed shadow.

Internal amenity or layout (e.g. open space, outdoor living area, street surveillance, storm water management)	Consultation for the variation will only be undertaken at the discretion of the relevant manager
Dividing fences outside the street setback area	Properties located directly adjacent to the proposed fence.

3.13 Where in doubt of which adjoining properties are likely to be affected, the City will consult with adjoining property owners and occupiers as defined in Clause 1.3.

Exemptions to consultation – Neighbour sign-off

3.14 The City may waive the consultation requirements for development applications involving the exercise of discretion under Volume 1 of the R-Codes (or a local planning policy which replaces its provisions) in cases where the affected neighbour/s explicit sign-off is obtained for the proposed development. This must include:

- A copy of the development plans including certification by the owners and occupiers of the affected adjoining properties clearly stating that they have no objections to the proposal and the specific R-Code or local planning policy discrepancies.
- Signatures of all persons shown as owners on the Certificate of Title.
- The certification must include:
 - The full name of the owner(s) or occupier(s) certifying non-objection clearly printed, with a signature;
 - A printed statement indicating no objection to the variations/discrepancies being sought, individually listing these; and
 - A printed contact address (postal or e-mail) and a contact telephone number.

3.15 Neighbour sign off is no guarantee a proposal will be supported by the City. Officers must still undertake a technical assessment of the merits of the proposal.

Consultation on applications assessed under the R-Codes Volume 2 - Apartments

3.16 In addition to consultation otherwise required under the Scheme or Regulations, the City will consult adjoining property owners and occupiers to proposals involving assessment against Volume 2 of the R-Codes where these propose:

- a) A variation to a local planning area standard listed in Schedule 7 of the Scheme; and/or
- b) A variation to the 'acceptable outcomes' of the R-Codes Volume 2 (or any replacement policy) which in the opinion of the City is considered to have potential to have a significant impact upon their amenity.

Responsibility and review information	
Responsible officer:	Manager Strategic Planning and City Design
Document adoption/approval details	TBD
Document amendment details	TBD
Next review date	Plus 5 years

Draft Amendments November 2024

LPP 1.1: Amendment and Extension to the Term of Planning Approval

~~ADOPTION DATE: 27/6/2007~~

~~AMENDED: 14/08/2012~~

~~AUTHORITY: LOCAL PLANNING SCHEME NO.4~~

STATUTORY BACKGROUND

~~Clause 77 of the Deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 Clause 8.3 of the Scheme empowers the Council, on receipt of a written application from the owner of land in respect of which planning approval has been granted, allows an owner of land to revoke or amend the a planning approval. The Scheme requires that an approval may only be amended or revoked prior to the commencement of the use or development which is the subject of the planning approval.~~

~~Clause 10.5.1 of the Scheme provides that a planning approval lapses in the event that the development is not substantially commenced within the term of that approval. The Scheme specifies a period of 2 years of the date of determination as the term, unless another time period is specified in the approval.~~

~~Clause 10.5.2 of the Scheme provides that a written request may be made for an extension of the term of a planning approval at any time prior to the expiry of the approval period.~~

~~There is no provision under the Scheme to enable the Council to reconsider a Planning Application once determined.~~

~~In this policy, the term 'Council' includes any Committee or person exercising delegated authority on behalf of the Council under Clause 11.3 of the Scheme.~~

POLICY

1. Term of Approval

The local government will specify a period of 4 years in which a development must be substantially commenced, but may specify a lesser period of up to 2 years having regard to the following factors:

- ~~a) Where the approval of the development involves a~~Whether the approval required significant exercise of discretion under the Scheme;
- ~~a)b) Whether and/or Council considers~~ there is a reasonable prospect of a material change occurring in the physical ~~or statutory planning~~ considerations relevant to determination of the application, that provide grounds to consider the application may be determined differently in the future; ~~and, Council may specify a period of two years as the period within which the approved development must be substantially commenced.~~
- ~~b)c) 2.3 Where a material change to any of the~~Whether a material change to the statutory or policy provisions relevant to determination of an application is under active consideration ~~and under active consideration~~ that may mean the application may be determined differently in the future, ~~Council may specify a period of one year as the period within which the approved development must be substantially commenced.~~

Draft Amendments November 2024

2. Amendment of an Approval

2.1 In determining ~~whether to allow the an~~ amendment ~~of to~~ a planning approval, ~~Council the~~ local government will consider whether the nature and extent of the proposed ~~edat~~ amendment is such that the use or development the subject of the planning approval:

(a) remains, in substance, the same; or

(b) is changed so a new and different use or development is proposed.

2.2 If the nature and extent of the proposed amendments is such that there is a new and different use or development to that which was the subject of the planning approval, ~~Council the~~ local government may refuse to allow amendment of the planning approval.

2.3 If an application to amend planning approval is refused, nothing in this Policy shall preclude the applicant from making, and ~~Council the~~ local government from determining, a new application from planning approval for the use or development the subject of the amendment application.

~~1.4 Where a request to amend a planning approval is approved, a letter will be issued advising the applicant of this. A new approval will not be issued. The original planning approval (including conditions) will remain operative, subject to any amendments approved by Council.~~

3. Extension of the Term of Approval

~~3.1 Where an extension is granted, a period of up to a further two years will be granted.~~

~~3.2 In considering a request for an extension to the term of a planning approval, a period of up to a further two years may be granted subject to the local government having regard to the balance of the following factors:~~

~~a) whether the planning framework has changed substantially since the development approval was granted;~~

~~b) whether the development would likely receive approval now; and~~

~~a) whether the proponent has actively and relatively conscientiously pursued the implementation of the development approval under clause 10.5.2 of the Scheme, Council may have regard to the following factors;~~

~~b) (a) whether the scheme or a relevant planning policy has changed in a material way since the planning approval was granted;~~

~~c) (b) whether in granting the planning approval, a discretion was exercised in relation to the Scheme or policy requirements; and~~

~~d) (c) whether a material change has occurred to either the site to which the planning approval relates or the surrounding locality since the planning approval was granted.~~

~~e) 3.3 Where a request to extend the term of a planning approval is approved, a letter will be issued advising the applicant of this. No new approval will be issued and all other conditions of the approval will remain unchanged.~~

~~f) 4. Fees~~

~~g) c) An application fee will be charged for requests for an amendment to, and extension of the term of, a Planning Approval. This fee will be in accordance with the City of Fremantle Schedule of Fees and Charges.~~



CITY OF FREMANTLE

LOCAL PLANNING POLICY 1.2

REFUNDING AND WAIVING / REDUCING OF PLANNING AND BUILDING FEES

ADOPTION DATE: 23 July 2008

AUTHORITY: LOCAL PLANNING SCHEME NO.4; PLANNING AND
DEVELOPMENT (LOCAL GOVERNMENT PLANNING FEES)
REGULATIONS 2000; BUILDING REGULATIONS 1989

~~This policy outlines the circumstances where the City may consider an application for the refund, reduction or waiving of planning fees charged in accordance with the *Planning and Development (Local Government Planning Fees) Regulations 2000* and building application fees charged in accordance with the *Building Regulations 1989*.~~

STATUTORY BACKGROUND

~~Planning fees are imposed in accordance with Regulation 4 and Schedule 1 of the *Planning and Development (Local Government Planning Fees) Regulations 2000*. The prescribed fees are a maximum amount which may be reduced in accordance with regulation 7 or waived or refunded (in whole or part) under regulation 14. Regulation 8 also permits a local government to recover costs and expenses incurred in the provision of a specified service. Building Licence fees are imposed in accordance with Part 6 of the *Building Regulations 1989*.~~

~~The Schedule of Fees and Charges adopted with the Council's annual budget contains the fees set for the current financial year.~~

POLICY

1. Council does not consider financial hardship, personal or family circumstances to be grounds for the waiving or reduction of planning fees.
2. **Waiving of Planning and Building Fees**
Planning fees will not be waived under any circumstances except by a resolution of the Council. Building fees will not be waived under any circumstances.
3. **Reduction of Planning Fees**
An application for a reduction in planning fees by 50% may be approved under the following circumstances:
 - (a) Where the development is of less than \$50,000 in value and the application is, in the opinion of the Manager Development Services, similar to a previous application determined during the preceding year to the point where previous assessment work can significantly contribute to the assessment of the new application.
OR

- (b) Where the ~~applicant~~proponent is a “not for profit” organisation and has obtained an income tax exemption status from the Australian Taxation Office.
OR
- (c) Where the application is for a home occupation only under the Federal Government’s New Enterprise Incentive Scheme (NEIS).

Where an application for a fee reduction is made under (b) or (c) above, the ~~applicant~~proponent will be required to provide sufficient proof at the time of submitting the request.

4. Refund of Planning Fees

The City will consider a written request for the refund of planning fees where the application is withdrawn prior to a determination being issued only in the following circumstances:

- (a) Where, in the opinion of the Manager Development ~~Services~~Approvals, no assessment work has been undertaken by the City and the application is subsequently withdrawn in writing within seven (7) days of the date of application, 90% of application fee may be refunded.
- (b) Where assessment work has commenced by the City, a refund of 50% of the application fee may be approved where:
 - (i) The application has not been advertised; and
 - (ii) The application is withdrawn in writing by the ~~applicant~~proponent within twenty one (21) days of lodgement of the application.

4a. ~~Refund of Planning Fees during COVID-19 recovery period.~~

~~For a temporary period of two years from the date of adoption of this part of the policy [26 August 2020], the City will on written request from the applicant refund the fee for an application which has been granted planning approval and all of the following circumstances apply:~~

- ~~(i) The approved development includes 10 or more new build dwellings (single, grouped, and/or multiple dwellings) and/or 1,000 square metres or more of new build Gross Lettable Area floorspace for one or more commercial uses.~~
- ~~(ii) The request for refund of the fee must be supported by evidence that a building permit(s) has been issued for all elements/stages of the approved development, and construction has commenced in accordance with the planning approval and building permit(s).~~
- ~~(iii) The date for substantial commencement of the development specified in the planning approval (as amended by the additional 2 years automatically deemed to apply under clause 4.2 of the State of Emergency Clause 78H Notice of Exemption dated 30 April 2020) has not passed, and no other extension to the term of the planning approval has been sought.~~

~~(iv) The development must not have commenced prior to the date of adoption of these policy provisions by the Council.~~

~~(v) Refunds will only apply to applications determined by the City of Fremantle or a Development Assessment Panel. In the case of applications approved by a Development Assessment Panel, the refund will only be for the portion of the original application fee retained by the local government, not the portion payable to the Development Assessment Panel.~~

5. Costs and Expenses

The City will not waive or reduce any costs or expenses that may be charged to an ~~applicant~~proponent where these are incurred through the provision of a service under Regulation ~~8-49~~ of the *Planning and Development (Local Government Planning Fees) Regulations 2009* regardless of whether a reduced application fee under 3(a), (b) or (c) has been approved.

6. Variations to Planning Approvals

A reduction in fees shall not apply to applications to vary a planning approval which has already been granted unless the need for such an application is solely attributable to a previous administrative error in which case no fee will be charged.

7. Unauthorised Existing Development

The reduction or refund of planning fees will not under any circumstances apply to applications made under Schedule 2, Part 9, clause 65 of the Planning and Development (Local Planning Schemes) Regulations 2015~~clause 8.4 of Local Planning Scheme No. 4~~ where a use or development has already been commenced or carried out unlawfully and the purpose of the application is to render that use or development lawful under the Scheme.

8. Building Licence Fees

~~The Building Regulations 1989 do not make provisions for a Building Licence to be transferred to another builder and therefore a change in the building contractor requires the issue of a new licence. The City will impose the minimum building licence application fee(s) only for the issue of a new licence in this circumstance where:~~

- ~~(a) a landowner nominates a new builder to undertake works that had previously been licensed by the City to another builder; and~~
- ~~(b) in the opinion of the Principal Building Surveyor, the building plans are identical and the act of producing the licence in the new builder's name is an administration issue only, with no reconsideration of the documents being required.~~

~~In all other circumstances, the full fee is required to be paid. The City will not refund the Building Licence fees payable for the issue of the original Licence.~~

Review information and related documentation

Reviewing officer:	Manager Strategic Planning
Policy adopted:	23 July 2008
Policy amended:	26 August 2020 - SPT2008-4
Legislation:	Planning and Development (Local Planning Schemes) Regulations 2015; Planning and Development Act 2005
Delegations:	NA
Related documents:	NA
Next review date:	25 May 2022



CITY OF FREMANTLE

LOCAL PLANNING POLICY 1.3

Community ~~Consultation~~ Engagement on Planning Proposals

The City acknowledges that INTRODUCTION

~~The City of Fremantle takes a committed and proactive approach to community consultation and engagement. Its *Community Engagement Policy* outlines the broad principles and approaches that will be undertaken by the City when engaging with communities and stakeholders on general projects and proposals. The *Community Engagement Policy* notes that in cases where the City is legally required to consult with the community on planning proposals, the City shall rely on policies and processes adopted under the *Planning & Development Act 2005* and any associated regulations.~~

~~This policy outlines the community consultation to be undertaken for different types of statutory planning proposals, and the methods and duration of consultation periods for each. In doing so, it is acknowledged that consultation requirements for these planning proposals is controlled by legislation; this policy seeks to clarify application of these requirements and enhance them for the local Fremantle context, where discretion exists. It also recognises that whilst coconsultation provides an important input into planning decision making, however, this is in addition to technical assessment against the planning framework and objectives, not in place of it.~~

OBJECTIVES

To provide a consistent and transparent approach to determining when and how community consultation is undertaken on planning proposals, balancing the need for the community to be informed of, and have reasonable input into planning proposals against the need to process these in an efficient manner within prescribed legal timeframes and parameters.

SCOPE OF THE POLICY

This policy is applicable to planning proposals where they are administered (or partially administered) by the City of Fremantle.:

- ~~Planning scheme amendments;~~
- ~~Structure plans;~~
- ~~Local development plans (LDPs);~~
- ~~Local planning policies (LPPs);~~
- ~~Subdivisions; and~~
- ~~Development applications, including those determined by a Development Assessment Panel (DAP).~~

Where the City is not the responsible authority for assessing the proposal, the policy may be used to inform the City's advice on consultation to the responsible authority.

STATUTORY BACKGROUND

~~The Planning and Development (Local Planning Schemes) Regulations 2015 ('the Regulations') allow local governments to adopt local planning policies for any matter that relates to the planning and development of the scheme area: this policy has been prepared under the Regulations.~~

~~The Regulations also define consultation requirements for scheme amendments, structure plans, local planning policies, local development plans and development applications. Some requirements are defined as minimums and others as maximums, variable only with the consent of the Western Australian Planning Commission (WAPC) and/or the Minister for Planning. The local planning scheme ('the Scheme') and the Residential Design Codes (or 'R-Codes' - a State Planning Policy adopted under the planning scheme) further define which development applications require consultation, with some automatically requiring this, some requiring only at the discretion of the City, and others not requiring consultation.~~

~~This policy cannot conflict with the provisions of the Regulations or the Scheme but can provide guidance where discretion exists: in the event of any inconsistency between the provisions of the policy and the Regulations or Scheme, the Regulations and Scheme prevail.~~

POLICY

1. General Consultation Requirements & Process

1.1. Consultation Matrix

The following matrix provides an overview of the City's consultation requirements for statutory planning proposals, combining the requirements of the Regulations with additional measures employed by the City. Consultation beyond the minimum below may be undertaken at the discretion of the relevant manager and in accordance with the Regulations.

Consultation Requirement	Development Application		Scheme Amendment				Structure Plan	LDP	Local Planning Policy
	Standard	Complex	Preliminary	Basic	Standard	Complex	Plan		
Calendar Days	14	28	28	Only when required by Minister	42	60	42	Min. 28	Min. 21
Letters to adjoining owners/occupiers	Yes	Yes	Yes		Yes ² No	Yes ² No	YesNo	Yes	No
Letters to 200m radius	No	Yes	Yes		Yes ² Yes ²	Yes ²	Yes	No	No
Local Newspaper Notice	No	No	No		YesOptional	YesOptional	YesOptional	NoOptional	YesOptional
Sign on Site	No	Yes	No		Yes ²	Yes ²	Yes	Optional	No
MySay Website	No	Yes	Yes		Yes	Yes	Yes	Yes	Yes
Precinct Group Notification	No	Yes	Yes		Yes	Yes	Yes	Yes	Yes
'Talk to a Planner' session	No	Yes ¹	No		No	Yes	Yes	Optional	No
¹ Except where one of the two criteria which make the application 'complex' under cl. 2.1 of this policy is (A)(iv)									
² Only for site-specific rezoning proposals									

Consultation Requirement	Development Application		Scheme Amendment				Structure Plan	LDP	Local Planning Policy
	Standard	Complex	Preliminary (3)	Basic	Standard	Complex			
Time period (calendar days) Not including 'Excluded Holiday Period' days	14 days	28 days	28 days	Only when required by Minister for Planning	42 days	60 days	42 days	Min. 28 days	Min. 21 days
Letter to owners and occupiers	Yes, adjoining properties only	Yes, 200m radius	Yes, 200m radius		Yes, 200m radius (4)	Yes, 200m radius (4)	Yes, 200m radius	Yes, adjoining properties only	No
Local newspaper notice	No	Yes	No		Yes	Yes	Yes	No	Yes
Sign on site	No	Yes (2)	No		Yes (2) (4)	Yes (2) (4)	Yes (2)	Optional (2)	No
My Say Freo website	No	Yes	Yes		Yes	Yes	Yes	Yes	Yes
Precinct group notification	No	Yes	Yes		Yes	Yes	Yes	Yes	Yes
'Talk to a planner' session	No	Yes (1)	No		No	Yes	Yes	Optional	No
(1) Except where one of the two criteria which make the application 'complex' under Cl. 2.1 of this policy is (A)(iv)									
(2) To include an image of the proposal where applicable									
(3) Refer Cl. 3.1 of this policy as to when preliminary consultation is undertaken									
(4) Only for site-specific re-zonings									

For amendments to previously advertised planning proposals, the relevant manager may reduce or waive elements of the consultation process taking into account how recent the previous consultation was, the level of public interest when the proposal was originally advertised, and the extent and significance of the amendments being made. For amendments of a minor nature, consultation may be waived except, in relation to developments applications where the amendments introduce new discretions.

~~Where a proposal has been approved subject to later approval of details, the later details will not be notified for public comment unless required by the Scheme and/or a local planning policy.~~

1.2. Excluded holiday period days

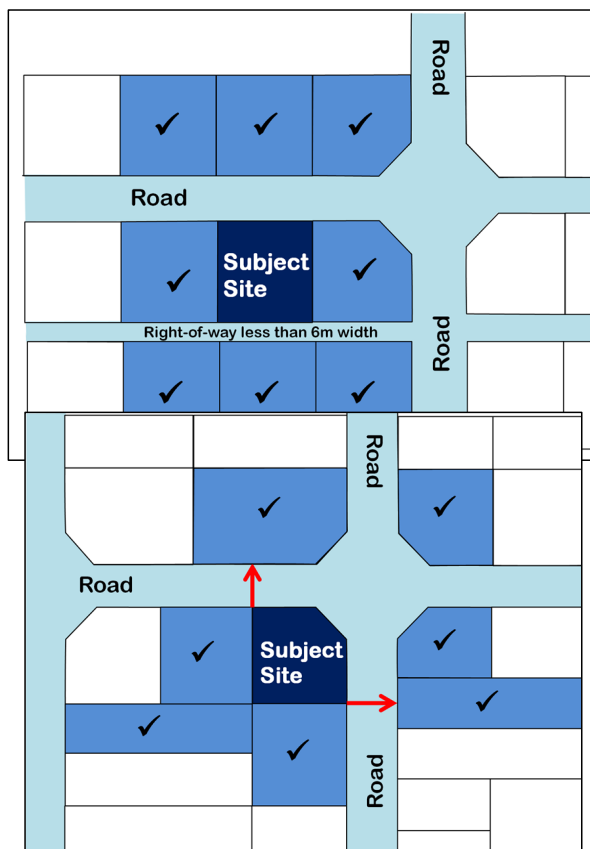
To provide additional time during Christmas and Easter holiday periods, the Regulations exclude the following from the total number of days a proposal is advertised for:

- (a) A period commencing on 25 December in a year and ending on the next 1 January; or
- (b) A period of 7 days commencing on Good Friday in a year.

Requests for extension to submissions periods in other circumstances will not be supported, however, staff will make every reasonable effort to make the decision-maker aware of any submissions received after the closure of the consultation period.

1.3. Definition of 'Adjoining Property'

Where a proposal requires consultation with 'adjoining property owner or occupiers', this will be deemed to apply to those properties which share any common boundary and including diagonally opposite, across the street or those separated by a right-of-way or access way less than 6.0m in width – refer illustrative examples below.



1.4. Public viewing after close of advertising Documentation for public viewing

All plans and written information forming part of the planning proposal subject to consultation shall be made available for public viewing and access during the consultation period of that proposal; lodgement is taken as the applicant having given consent and having obtained any necessary third party consents to this.

Where proposals are displayed on the My Say Free website, it will include electronic copies of the proposal, with hard copies available upon request for the duration of the consultation.

For proposals not displayed on the My Say Free website, copies of plans and relevant documentation can be obtained via a written request to the City for the

~~duration of the consultation. Copies of plans and documents will not be provided to the public after the consultation period unless they appear on a public agenda or minutes, or the written consent of the property owner to which the development relates is provided. However, plans may be viewed in the City's offices upon appointment with a planning officer.~~

1.5. Opportunity for ~~applicant~~proponent to respond to submissions

~~Applicants~~Proponents will be advised of a summary of concerns raised in submissions and provided with the opportunity to respond. This will exclude provision of personal details such as names and contact details.

1.6. Notification to submitters – Committee and Council meeting agendas & decisions

Where a proposal requires referral to Council, the ~~applicant~~proponent and all submitters will be notified in writing ~~(via post or e-mail, utilising the correspondence address from which the submission was made)~~ of the date at which the proposal will be listed on a Committee/~~Council~~ agenda, ~~and will be subsequently. This letter will also provide information on relevant Ordinary Council meeting dates, in the event that the proposal is referred by Committee to full Council for determination.~~

~~Written notification of meeting dates will be mailed (via post or e-mail, utilising the correspondence address from which the submission was made) on the Friday prior to the scheduled meeting date, and also published on My Say Freeo (where applicable).~~

~~The applicant and all submitters will be~~ notified of Council's decision.

1.7. Reporting submissions to Council

Officer reports to Council will include a summary of the issues/themes raised in the submissions received as part of the consultation process.

Full copies of submissions will be made available to Elected Members and decision-makers at their request but will not be available to members of the public unless required by law.

For scheme amendments and structure plans, a schedule of submissions (excluding the submitters' personal details) will also to be included as an attachment to the Council report. A schedule of submissions may be prepared for other complex proposals involving a large number of submissions where this assists in summarising public feedback, at the discretion of the relevant manager.

2. Development applications and subdivisions

2.1. When the City consults on development applications and subdivisions

In addition to where prescribed under the Regulations and/or the Scheme, consultation will be carried out by the City prior to a decision being made where the application satisfies any of the following criteria:

(A)	Involves the complete demolition of a building where the building is located on a place that is: (i) entered in the State Register of Heritage Places; (ii) the subject of a Heritage Order; (iii) included on the City of Fremantle Heritage List; or (iv) included in a Heritage Area designated under LPS4.
(B)	Involves a subdivision creating more than twenty (20) lots and the proposal has not previously been advertised as part of a scheme amendment, structure plan or local development plan.
(C)	Involves a significant exercise of discretion in terms of the Scheme, Residential Design Codes or local planning policy provisions.
(D)	Has significant strategic planning impacts in terms of the implementation of a strategic planning objective, the scale of the development, or is significantly different from the predominant and expected pattern of development within the locality.

2.2. Classification of development applications

~~Where consultation is required on a development application, the duration and methods of consultation will be determined by its classification as either 'Complex' or 'Standard'. Regulation 1 of the Regulations allows a local government to identify when a development application is a 'complex application'. For purposes of this regulation, a complex application~~

'Complex' Development Application

~~A Complex Development Application~~ is one which involves:

- a use of land ~~where-if~~ the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; and/or
- development which meets at least two of the criteria listed in Clause 2.1 – i.e. (A), (B), (C); and/or
- development which meets criteria (D) listed in Clause 2.1.

'Standard' Development Application

~~A Standard Development Application is one which requires consultation under the Scheme or Regulations but which does not fall under the definition of 'Complex' Development Application.~~

2.3. Consultation under the R-Codes Volume 1

Where a development application is subject to assessment against Volume 1 of the ~~Residential Design Codes (R-Codes)~~ and involves assessment of an element/s against the Design Principles (i.e. a discretionary decision or a 'variation' to the 'deemed to comply' provisions), the R-Codes state that consultation should occur only where the variation is considered by the City to have potential to impact the amenity on adjoining properties or the street, and should be directed at those adjoining owners and occupiers likely to be affected.

The following provides direction on when and with whom consultation under the R-Codes will occur for some common situations:

R-Code or Local Planning Policy Variation	Consultation Requirement
Street setback, street fences, vehicle sightlines	All adjoining properties aside from those to the rear of the subject site.
Lot boundary setback and boundary walls	Properties located directly adjacent to the proposed setback variation.
Visual privacy	Properties located within the 'cone of vision' of the major opening or active habitable space.
Site works/retaining walls	Properties located directly adjacent to the proposed changes to ground levels will be consulted, unless the extent of the variation requires wider consultation as determined by the relevant manager
Solar access (Overshadowing)	Properties directly impacted by the proposed shadow.
Internal amenity or layout (e.g. open space, outdoor living area, street surveillance, storm water management)	Consultation for the variation will only be undertaken at the discretion of the relevant manager
Dividing fences outside the street setback area	Properties located directly adjacent to the proposed fence.

~~Where in doubt of whether consultation is required, the City will err on the side of caution and undertake consultation.~~ Where in doubt of which adjoining properties are likely to be affected, the City will consult with adjoining property owners and occupiers as defined in Clause 1.3.

2.3.1. Exemptions to consultation ~~on specific R-Code (Volume 1) variations~~ – Neighbour sign-off

The City may waive the consultation requirements for development applications involving the exercise of discretion under Volume 1 of the ~~Residential Design~~ Codes (or a local planning policy which replaces its provisions) in cases where the affected neighbour/s explicit sign-off is obtained for the proposed development. This must include:

- A copy of the development plans including certification by the owners and occupiers of the affected adjoining properties clearly stating that they have no objections to the proposal and the specific R-Code or local planning policy discrepancies.
- Signatures of all persons shown as owners on the Certificate of Title.
- The certification must include:
 - The full name of the owner(s) or occupier(s) certifying non-objection clearly printed, with a signature;
 - A printed statement indicating no objection to the variations/discrepancies being sought, individually listing these; and

- A printed contact address (postal or e-mail) and a contact telephone number.

~~Neighbour sign off is no guarantee a proposal will be supported by the City.~~
~~Notwithstanding neighbour sign off, the City Officers~~ must still undertake a technical assessment of the merits of the proposal.

2.4. Consultation on applications assessed under the R-Codes Volume 2 - Apartments

In addition to consultation otherwise required under the Scheme or Regulations, the City will consult adjoining property owners and occupiers to proposals involving assessment against Volume 2 of the R-Codes where these propose:

- A variation to a local planning area standard listed in Schedule 7 of the Scheme; and/or
- A variation to the 'acceptable outcomes' of the R-Codes Volume 2 (or any replacement policy) which in the opinion of the City is considered to have potential to have a significant impact upon their amenity.
-

3. Scheme Amendments

3.1. Preliminary community consultation on scheme amendments

~~Prior to formally initiating a 'Complex' scheme amendment, Council may opt to undertake preliminary community engagement where the amendment is location-specific (i.e. relating to a particular site(s)) and:~~

- ~~It has the potential to result in significant physical or land use changes to a locality; or~~
- ~~Council has reservations regarding the merit of the proposal.~~

~~Council will consider comments received in response to preliminary community engagement before deciding whether or not to initiate the scheme amendment.~~

Review information and related documentation	
Reviewing officer:	Manager Strategic Planning
Policy adopted:	28 May 2008
Policy amended:	25 May 2011, 26 June 2013, 14 May 2016, 2 September 2017, 24 March 2021
Legislation:	Planning and Development (Local Planning Schemes) Regulations 2015; Planning and Development Act 2005
Delegations:	NA
Related documents:	NA

Next review date:	Plus 5 years
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LOCAL PLANNING POLICY LPP1.4

Applications for Review of ~~Town~~ Planning Decisions and Written Directions

ADOPTION DATE: 25 June 2008

**AUTHORITY: LOCAL PLANNING SCHEME NO. 4; PLANNING AND DEVELOPMENT ACT, 2005;
STATE ADMINISTRATIVE TRIBUNAL ACT, 2004.**

Objective

This policy provides guidance to officers in responding to applications for the review of a planning decision made by the Council and direction notices issued by the City under Part 13 of the *Planning and Development Act, 2005* that are lodged with the State Administrative Tribunal.

This policy does not deal with the procedures involved in making an application for review or the process of the review as these matters are the subject of separate legislation and regulations. Upon the Tribunal accepting an application for the review of a decision, the Council is not able to vary or set aside the original decision as the powers of the Council are restricted under section 26 of the *State Administrative Tribunal Act, 2004*.

The Council recognises that where a decision made by the Council that is substantially inconsistent with an officer recommendation becomes the subject of an application for review, it is not appropriate that officers are required to respond on behalf of the Council.

Policy

1. Council Decision Inconsistent with Officer Recommendation

Where an application is made for the review of a decision that is substantially inconsistent with a recommendation made by City officers, then in the interests of the Council and City officers, an independent town planning consultant will be engaged to represent the City. However, where the applicant has retained legal representation, the City will be legally represented.

In such cases, officers may represent the City at the mediation sessions, as far as practicable, with Elected Members being able to attend on a voluntary basis as observers.

City officers may receive a subpoena requiring them to appear as a witness at the Tribunal and this is most likely to occur where a Council decision is inconsistent with an officer's recommendation. Any officer receiving a subpoena is legally compelled to attend the hearing to give evidence and Council acknowledges that in these circumstances, an officer's evidence to the Tribunal may be contrary to Council's decision with respect to the development that is the subject of review.

2. Council Decision Consistent with Officer Recommendation

Where a Council decision is the same or essentially the same as an officer's recommendation, or corrects or improves the content of an officer's recommendation, then officers shall provide a written response on behalf of the Council and/or attend a mediation or Tribunal hearing as an expert witness to represent the Council's position. Where the applicant has retained legal representation, the City will also be legally represented.

3. Parties not legally represented

Where the applicant elects that neither party will be legally represented, a consultant may be retained to represent the City at the hearing and appear as an expert planning witness giving evidence to the Tribunal.

4. Legal Representation

The City will engage professional legal representation in defending decisions as follows:

(a) In Class 1 applications where the applicant elects that no party be legally represented, the City is prevented from engaging a solicitor to represent it. In this case, a solicitor may be engaged to check witness statements and provide advice as to the conduct of the matter and any issues that may arise as deemed necessary by the Manager Development

~~Services~~Approvals;

(b) Where an applicant is legally represented in either a class of application, the City shall engage legal representation to conduct all aspects of its defence.

(c) Where the applicant elects not to have legal representation in a Class 2 application, the City will engage legal representation where it is considered appropriate in the opinion of the Manager Development ~~Services~~Approvals, because the proceedings raises a matter of law.

5. Expert Witnesses

Expert witnesses shall generally be engaged in cases where it is necessary to refute the evidence of expert witnesses to be used by the applicant. Expert witnesses shall be selected on the merits of the individual matter based on their knowledge or experience for use as evidence in proceedings or giving an opinion in a proceeding.

6. Notification of Interested Parties of an Application for Review of a Decision

Upon receipt of written advice that an application for a review of a decision has been lodged, the City will advise all parties who made a submission with regard to the original decision that such an application has been received. The notification shall be made in writing once only within ten (10) days of the City receiving such advice and shall only contain information regarding the reviewable decision, the Tribunal's reference number and contact details.

The City shall not provide updates as to the progress of any application for review.

7. Involvement of Third Parties

(a) Submissions

Where submissions from interested parties relating to the development or proposal that is the subject of an application for review are received during the course of the assessment process, those submissions shall form part of the City's evidence to the Tribunal.

(b) Witnesses

Third parties who made submissions to Council during the assessment of a proposed development will not be invited to appear as a witness on the City's behalf unless any person can provide evidence of factual matters relevant to an issue arising in the proceeding that cannot be provided by the City's officers.

Third parties who are called to appear as a witness on the City's behalf before the Tribunal will be provided with assistance in preparing witness statements. The City will not pay a witness fee and witnesses appear before the Tribunal at their own cost.

(c) Other

Neighbours, nearby Landowners or other third parties may also make an application to the Tribunal to:

(i) Seek leave to intervene in the matter under s37(3) of the *State Administrative Tribunal Act, 2004*; or

(ii) Seek leave to make a submission independent of the Council on the matter under s242 of the *Planning and Development Act, 2005*.

It is a matter for the Tribunal to determine whether an application referred to above is accepted and the third party will be notified by the Tribunal of its decision. The City will not ordinarily object to an application by a neighbour to make a submission to the Tribunal.

8. Mediation

The City acknowledges the Tribunal's desire to resolve matters by mediation where possible and will agree to participate in mediation as proposed by the Tribunal. Discussions occurring for the purposes of mediation are conducted by the Tribunal on a "without prejudice" basis and the Council acknowledges that the content of this discussion cannot be referred to beyond the mediation session. A third party may only be present during a mediation session by invitation from the Tribunal.

Where a matter is referred to mediation, the consultant or officer with conduct of the matter:

(a) Shall participate constructively in the mediation in order to attempt to reach a compromise solution;

(b) Shall not agree to any compromise solution at the mediation beyond the scope of the officer's delegated power; and

(c) Shall refer any potential solutions arising out of the mediation back to the decision maker in the original application.

9. Referrals under s31 of the State Administrative Tribunal Act

The Tribunal may refer a matter to Council under s31 of the Act inviting Council to reconsider the decision. Upon receipt of this information, the officer shall assess the proposal and refer it to Council to affirm the decision, vary the decision or set aside the decision and substitute a new decision.

Where submissions relating to the original proposal were received, the City shall notify those submitters of the meeting at which the item will be considered however, it will not seek further submissions on the proposal.

10. Adjournment of Proceedings

Where an officer is responsible for conducting a proceeding on behalf of the City, that officer may request, or agree to, an adjournment of the matter in cases where ~~they~~^{he/she} considers that operational needs of the City are assisted by this. It is acknowledged that the granting of an

adjournment is a discretionary matter for the Tribunal to determine and that such an adjournment may not be granted.

Generally, an adjournment should not be sought or agreed to in relation to reviews of a direction notice issued under Part 13 of the *Planning and Development Act, 2005*.

11. Application for Review lodged while a Direction under s214 of the Planning and Development Act is in Force

Where an application for review of a decision is lodged and the matter is also the subject of a direction notice under s214 of the *Planning and Development Act, 2005*, the City will defer enforcement of the direction notice until such time as the application before the Tribunal is determined. In the event that the application is dismissed, the City will enforce the direction notice immediately without further consideration by Council.

12. Appeals against Decisions of the Tribunal

The City will not generally appeal a decision of the Tribunal unless, in the opinion of the Council following legal advice, it is considered that the Tribunal has made an error of law and the issue at stake has significant implications for the City or local government in general.

13. Costs

The City will not generally seek an order relating to costs against an applicant, unless the applicant behaves in a dishonest, frivolous or vexatious manner in conducting the proceeding. In this case, the City will seek legal advice as to the reasonable chance of success if this avenue were pursued prior to making a decision to seek such an order.



Local Planning Policy 1.4

Applications for Review of
Planning Decisions and
Written Directions

fremantle.wa.gov.au



Applications for Review of Planning Decisions and Written Directions

Citation

This is a local planning policy created under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). It may be cited as Local Planning Policy 1.4 – Applications for Review of Planning Decisions and Written Directions (LPP 1.4)

Purpose

This policy provides guidance to officers in responding to applications for the review of a planning decision made by the Council and direction notices issued by the City under Part 13 of the Planning and Development Act 2005 that are lodged with the State Administrative Tribunal.

This policy does not deal with the procedures involved in making an application for review or the process of the review as these matters are the subject of separate legislation and regulations. Upon the Tribunal accepting an application for the review of a decision, the Council is not able to vary or set aside the original decision as the powers of the Council are restricted under section 26 of the State Administrative Tribunal Act, 2004.

The Council recognises that where a decision made by the Council that is substantially inconsistent with an officer recommendation becomes the subject of an application for review, it is not appropriate that officers are required to respond on behalf of the Council.

Objectives

The objective of this policy is to provide guidance to officers in responding to applications for the review of planning decisions and direction notices.

Application

This policy applies to all enforcement and legal proceeding actions under Part 13 of the Planning and Development Act 2005 including State Administrative Tribunal (the Tribunal) reviews and direction notices.

Policy statement

1. Council Decision Inconsistent with Officer Recommendation



Where an application is made for the review of a decision that is substantially inconsistent with a recommendation made by City officers, then in the interests of the Council and City officers, an independent town planning consultant will be engaged to represent the City. However, where the applicant has retained legal representation, the City will be legally represented.

In such cases, officers may represent the City at the mediation sessions, as far as practicable, with Elected Members being able to attend on a voluntary basis as observers.

City officers may receive a subpoena requiring them to appear as a witness at the Tribunal and this is most likely to occur where a Council decision is inconsistent with an officer's recommendation. Any officer receiving a subpoena is legally compelled to attend the hearing to give evidence and Council acknowledges that in these circumstances, an officer's evidence to the Tribunal may be contrary to Council's decision with respect to the development that is the subject of review.

2. Council Decision Consistent with Officer Recommendation

Where a Council decision is the same or essentially the same as an officer's recommendation, or corrects or improves the content of an officer's recommendation, then officers shall provide a written response on behalf of the Council and/or attend a mediation or Tribunal hearing as an expert witness to represent the Council's position. Where the applicant has retained legal representation, the City will also be legally represented.

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Where the applicant elects that neither party will be legally represented, a consultant may be retained to represent the City at the hearing and appear as an expert planning witness giving evidence to the Tribunal.

4. Legal Representation

The City will engage professional legal representation in defending decisions as follows:

- (a) In Class 1 applications where the applicant elects that no party be legally represented, the City is prevented from engaging a solicitor to represent it. In this case, a solicitor may be engaged to check witness statements and provide advice as to the conduct of the matter and any issues that may arise as deemed necessary by the Manager Development Approvals;
- (b) Where an applicant is legally represented in either a class of application, the City shall engage legal representation to conduct all aspects of its defence.
- (c) Where the applicant elects not to have legal representation in a Class 2 application, the City will engage legal representation where it is considered appropriate in the opinion of the Manager Development Approvals, because the proceedings raises a matter of law.

5. Expert Witnesses



Expert witnesses shall generally be engaged in cases where it is necessary to refute the evidence of expert witnesses to be used by the applicant. Expert witnesses shall be selected on the merits of the individual matter based on their knowledge or experience for use as evidence in proceedings or giving an opinion in a proceeding.

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The City shall not provide updates as to the progress of any application for review.

7. Involvement of Third Parties

(a) Submissions

Where submissions from interested parties relating to the development or proposal that is the subject of an application for review are received during the course of the assessment process, those submissions shall form part of the City's evidence to the Tribunal.

(b) Witnesses

Third parties who made submissions to Council during the assessment of a proposed development will not be invited to appear as a witness on the City's behalf unless any person can provide evidence of factual matters relevant to an issue arising in the proceeding that cannot be provided by the City's officers.

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Generally, an adjournment should not be sought or agreed to in relation to reviews of a direction notice issued under Part 13 of the Planning and Development Act, 2005.

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The City will not generally appeal a decision of the Tribunal unless, in the opinion of the Council following legal advice, it is considered that the Tribunal has made an error of law and the issue at stake has significant implications for the City or local government in general.

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Responsibility and review information	
Responsible officer:	Manager Strategic Planning and City Design
Document adoption/approval details	25 June 2008
Document amendment details	TBD
Next review date	Plus 5 years