REPORT NO 11.1.1

PROPOSED AMENDMENT 12 TO TOWN PLANNING SCHEME NO. 3 – WOODSIDE HOSPITAL

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FILE NUMBER B/TPS3, A12

AUTHORITY / DISCRETION Council

PURPOSE
This report considers the application for the rezoning of the Woodside Hospital Site at 18 Dalgety Street site from ‘Public Purpose – Hospital’ to 'Residential', with a density coding of 'R15'.

EXECUTIVE SUMMARY
This Scheme Amendment proposes to rezone the subject site from Reservation – ‘Public Purposes – Hospital’ to 'Residential', with a density coding of 'R15'. Refer Attachment-Proposed Scheme Amendment.

The intent of the Scheme Amendment 12 is to facilitate redevelopment options for the residential use of the subject site.

The proposed rezoning represents the most appropriate use for the subject site with minimal impact on the heritage place. While, it is considered the proposed rezoning will not impact upon the heritage significance of the structures and the significant trees within the curtilage, careful consideration has been given to how these matters can be appropriately addressed in any subsequent subdivision and development applications.

The proposed residential density – R15 (min lot size 580m²) is reflective of that proposed within the immediate surrounding 'Residential' zoned area by Scheme Amendment No. 10. The proposed re-zoning for ‘residential use’ will facilitate the use of the site for its original residential use and is consistent with the surrounding residential area.

It is therefore recommended that the proposed re-zoning is supported by Council.

BACKGROUND
Suburb/Location Lot 250 (No. 18) Dalgety Street, (former Woodside Hospital), East Fremantle
Applicant Greg Rowe & Associates for ‘LandCorp’
Owner State of Western Australia
Zoning Local Reserve – Public Purposes Hospital Metropolitan Region Scheme - Urban
Site area The subject site has a total area of approximately 1.00Ha, with frontages of approximately 99.58m to Dalgety Street and Fortescue Street.
Structure plan N/A
DETAILS
The subject site is occupied by the Woodside Hospital [former]. Prior to its use as a hospital, the existing two storey building situated in the centre of the subject site was used as the primary residence of the Moore family.

The original residence was constructed in 1902 and was used as a residence until 1923. The property was then sold in 1924 and for the following 23 years the place served as a private hospital. The Department of Health purchased the property in 1951 and converted it into a public maternity hospital.

A number of other small extensions were added to the complex over the next decade and a new theatre and birthing suites were added in 1966. Following this, only minor alterations have been made.

In 1997 Woodside Hospital was assessed by the Heritage Council of Western Australia and permanently placed on the State Register of Heritage Places. The place was also entered on the Municipal Heritage Inventory for the Town of East Fremantle [adopted 1997] and Listed in the schedule of heritage places in the Town Planning Scheme in 2004. This listing was reconfirmed in the Town’s recent heritage review.

In 2003 the Department of Health reviewed all obstetrics facilities in the State and in 2005 it was decided that Woodside Hospital was no longer required because it was too small to achieve optimum safety and economies of scale for a modern hospital and because the existing facilities needed major refurbishment due to their age and changing requirements for medical facilities. In 2006 Woodside Hospital was closed and the remaining patients relocated to new purpose built facilities at Kaleeeya Hospital. Its last use as administration and hospital related uses, also ceased in 2015 leaving the place vacant.

The Government now wishes to dispose of the site.

Issues and options considered
Council may determine to support or not support the proposed Scheme Amendment or initiate an Amendment for an alternate zone and/or density.

Legislation / Strategic Community Plan / policy implications

Legislation
Planning & Development Act 2005
The process for Scheme Amendments under the Planning and Development Act 2005 is as follows:

- A Local Government may at its sole discretion decide whether or not to initiate an amendment (sec75). There are no appeal provisions associated with this decision.
- The Minister may direct a Local Government to make an amendment to adopt a new scheme (sec76).
- A Local Government must have due regard to any State Planning Policy in preparing an amendment (sec77).
- Proposed scheme amendment to be referred to the Heritage Council (sec79).
- Proposed scheme amendment to be referred to the EPA (sec81).
Proposed scheme amendment to be referred to relevant public authorities such as Water Corporation, Western Power, the Western Australian Planning Commission (sec83).

Subsequent to the above, the amendment is publicly advertised (sec84).

The amendment is submitted for the Final Approval of the Minister (sec87) and if approved published in the Gazette (sec87(3)).

Planning Regulations 2015
The application for re-zoning is deemed to be ‘standard amendment’ under the Regulations. The applicable process is as follows:

- If the Local Government resolves to adopt a standard amendment, it must publish a notice in the local newspaper, display a copy of the notice at its offices, give a copy of the notice to relevant public authorities and publish the notice on its website and otherwise advertise the amendment as directed by the WAPC.

- The submission period must not be less than 42 days and all submissions must be in writing and received within the submission period.

- The consideration period is 60 days after the end of the submission period or 21 days after advice from the Department of Environment Protection under the EPA Act (sec48F(2)(a)).

- Before the end of the consideration period the LG must pass a resolution to support the amendment with or without modifications or not to support the amendment and advise the Commission accordingly.

Heritage of Western Australian Act, 1990
- The subject site gained permanent entry in the Register of Heritage Places on 6th February 1998.

Strategic Community Plan

Key Focus Area
- Built and Natural Environment.

Aspiration
- Facilitating sustainable growth while maintaining urban and natural character

Outcome
- Strategic Land Use Planning

Policy
- There are no policy implications.

Risk management considerations
The Council may be directed to amend the scheme by the Commission should it not determine the application for re-zoning within the consideration period prescribed by the Regulations.
Financial / budget implications
The proposed rezoning does not have any financial/ budget implications. However subsequent development may positively impact upon rate income.

Regional significance
Rezoning the subject site from 'Public Purposes – Hospital' to 'Residential' with a density coding of 'R15' is consistent with the 'Urban' zoning under the Metropolitan Region Scheme.

The draft ‘Perth and Peel Towards 3.5 Million’ is a suite of strategic land use planning documents that aim to accommodate 3.5 million people in the Perth and Peel regions by 2050. The four draft planning frameworks for the Central, North-West, North-East and South Metropolitan Peel sub-regions were released for public comment in May 2015. The subject site is located within the Central Metropolitan Sub-region.

The Central Metropolitan Sub-region Planning Framework strongly encourages urban consolidation and infill development. The Central Metropolitan Sub-region Planning Framework identifies an infill housing target of 900 dwellings within the Town of East Fremantle.

Section 5.2 of the Central Metropolitan Sub-region Planning Framework states that there are a number of measures, statutory mechanisms or provisions available to Local Government to enable urban consolidation. These include up-coding (increasing residential density) and split coding (permitting development at a higher density if a number of requirements are met). Both of these options have been incorporated into Scheme Amendment No. 10.

Sustainability implications
Environmental
The retention of significant trees on the subject site will be a consideration in respect to any subsequent subdivision and development application.

Social
The subject site has heritage significance and has importance in the social history of the Town.

Economic
The redevelopment of the site has the potential to significantly contribute to the rate base of the Town.

Consultation
The application has been referred to the Heritage Council pursuant to s. 79 of the Planning & Development Act 2005 as the subject site contains a ‘Listed Property’ – Woodside Hospital.

The Heritage Council advised on 4 February 2016;

1. The subject area contains the State Registered Woodside Hospital. The rezoning of this site from 'Public Purposes – Hospital; to 'Residential' is supported, as this will provide opportunity for a range of appropriate uses, including aged care, child care or residential.
2. Please note that any development proposals which may affect the Hospital will need to ensure that its heritage significance is retained. Development applications will be
assessed on their merits and may not be supported if it is not demonstrated that heritage issues are adequately addressed.”

The application was also referred to the Environmental Protection Authority as it was anticipated that the matter would be determined by Council in March, accordingly advice was sought pursuant to Section 48A (1) (a) of the Environmental Protection Act 1986.

The Authority had not responded at time of writing however its advice is required prior to public notification.

As previously stated, should Council determine to support the application, it would be subject to a period of statutory advertising.

**COMMENT**

**Density and Land Use**

Currently, the subject site is reserved ‘Public Purposes – Hospital’. Clause 3.4.2 of TPS No. 3 states that in determining an application for planning approval the local government is to have due regard to the matters set out in Clause 10.2 of the Scheme and ultimate purpose intended for the Reserve (i.e. Hospital).

The proposed Scheme Amendment will rezone the subject site to ‘Residential’ with a density coding of ‘R15’. The R-Codes require a minimum lot size of 580m² with an average lot size of 666m² for R15.

Applicable land uses that could be approved within the Residential zone under TPS No. 3. are as follows (P - permitted, A & D - may be approved at discretion of Council);

- Advertising Sign (A);
- Aged or Dependent Persons Dwelling (D);
- Ancillary Accommodation (A);
- Bed and Breakfast (A);
- Civic Use (A);
- Community Purposes (A);
- Educational Establishment (A);
- Family Day Care (A);
- Grouped Dwelling (A);
- Home Occupation (P);
- Industry – Cottage (A);
- Pre-School / Kindergarten (A);
- Single House (P); and
- Telecommunications Infrastructure (A).

It is considered the allowable land uses and density proposed in the rezoning are consistent with that prevailing in the surrounding residential zone. While the proposed density of R15 is slightly higher than the current R12.5 in the surrounding zone, it is proposed in Amendment 10, that the general area be rezoned to R15 to more closely reflect the existing building density. The proposed amendment is therefore consistent with Amendment 10.

The proposed range of land uses will enhance the potential for adaption of the existing structures and conservation of the site’s significance in comparison to the existing ‘Hospital
Reservation’ zone. This view is shared by the Heritage Council in its referral response which supports the re-zoning.

**Heritage Impacts**

The subject site is occupied by the Woodside Hospital [former] which is a registered heritage place on the State Register of Heritage Places and the Municipal Heritage Inventory for the Town of East Fremantle.

The proposed Scheme Amendment will rezone the subject site so that the existing heritage place may be used for its original use (residential purposes). This proposal will have minimum impact to the existing heritage place.

The ‘Burra Charter’ conservation principles are based on the concept of cultural heritage significance and that retaining that significance is the primary objective of conservation of a place. One of the key aspects of conservation is to encourage the continued use of a heritage place through sympathetic adaptation and development where necessary. In the instance the original use was as a large family house. This was subsequently replaced by hospital functions.

Although the original use of the place is just as important as the subsequent uses, it is the hospital use that Woodside Hospital [former] has been known and valued for. However a determining factor in the hospital’s closure was the outdated facilities and the extent of the works that would be required for the place to meet current standards. These substantial works would necessarily impact upon the significant building fabric. Accordingly, rezoning from ‘Hospital’ to ‘Residential’ is supported, as it facilitates potentially less intrusive redevelopment options. It is noted however that under Clause 7.5 of TPS No. 3, Council may determine to vary any site or development requirement of the Scheme to facilitate the conservation of a heritage place. Therefore, any of the following options could be pursued by a ‘would-be’ occupant/development:

1. Retention of the buildings in their current form and introduction of a new use with no alterations;
2. Retention of the buildings in their current form, but with substantial alterations to accommodate a new use; or
3. Demolition of portion of the existing heritage place, which may be found to have little or no heritage value and development of a new building to accommodate a new use.

However, the heritage impact of the various options will be appropriately assessed when subsequent development applications are submitted to the Town of East Fremantle and the State Heritage Office.

**Significant Trees**

Consideration has been given to how best to identify and conserve, where practical, significant trees on the site. While the process of rezoning does not in itself present any immediate threat to the trees, this may not be the case when subdivision and development is proposed.

A range of options have been considered and discussions have been held with representatives of LandCorp and the Heritage Council. The parties are in agreement that the best process will be to establish an inventory of the trees on the subject site, establish a criteria for significance and to include reference to these trees within the Register for the
Place compiled by the Heritage Council. It is also proposed to amend the Place Record Form in the Town’s Municipal Inventory to specify the significant trees which contribute to the heritage significance of the place.

LandCorp has agreed to fund the Arborist survey which is to be conducted under the following instructions issued to ‘Arbor Logic’ by the Town;

“The purpose of the inspection is to;
- Undertake an on-site inspection of all trees present on the subject site.
- Provide information in regards to the species of each of the identified trees, its current physical attributes, health, age, etc., and any comments deemed pertinent to the identified tree.
- Based on the findings of the assessment provide an ‘opinion’ on the significance of each of the trees regarding physical attributes, age, condition, rarity, climatic impact, etc. and provide a recommended zone of protection for each tree deemed ‘significant’.
- Identify any trees which may be suitable for relocation (transplanting), and provide indicative time frame and budget requirements as well as any aftercare considerations that may be considered applicable.
- Provide any broad-brush purposeful and practical recommendations for any site management, design and construction implications that may apply for any trees identified as being suitable for retention so to ensure their preservation, if undertaken, remains successful.”

It is anticipated the survey and Arborists report will be completed by the end of February. This data will then inform decisions in respect to subdivision and redevelopment.

VOTING REQUIREMENTS
A simple majority of Council is required to support the recommendation.

RECOMMENDATION
It is recommended that Council:
1. Initiate the proposed Amendment Series 12 to the Town of East Fremantle Town Planning Scheme No. 3, 3 December 2004 pursuant to section 75 of the Planning and Development Act 2005; and
2. Refer the proposed Scheme Amendment to relevant agencies pursuant to Sections 79-83 of the Act; and
3. After compliance with the requirements of Sections 79-83, publicly advertise the proposed Scheme Amendment pursuant with Section 84 of the Act.

COMMITTEE RECOMMENDATION
Moved Mayor O’Neill, seconded Cr White
It is recommended that Council:
1. Initiate the proposed Amendment Series 12 to the Town of East Fremantle Town Planning Scheme No. 3, 3 December 2004 pursuant to section 75 of the Planning and Development Act 2005; and
2. Refer the proposed Scheme Amendment to relevant agencies pursuant to Sections 79-83 of the Act; and
3. After compliance with the requirements of Sections 79-83, publicly advertise the proposed Scheme Amendment pursuant with Section 84 of the Act.

CARRIED 5:0
11.1.1 COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION 020316
Cr Collinson moved, seconded Cr White
That Council:
1. Initiate the proposed Amendment Series 12 to the Town of East Fremantle Town Planning Scheme No. 3, 3 December 2004 pursuant to section 75 of the Planning and Development Act 2005; and
2. Refer the proposed Scheme Amendment to relevant agencies pursuant to Sections 79-83 of the Act; and
3. After compliance with the requirements of Sections 79-83, publicly advertise the proposed Scheme Amendment pursuant with Section 84 of the Act.

(CARRIED 8:0)