



Additional documents

Ordinary Meeting of Council

Wednesday 13 November 2024 6:00 pm



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**C2411-1 ESSEX STREET, NO. 19 (LOT 8), FREMANTLE - FOUR STOREY
TOURIST DEVELOPMENT – (JD DAP002/24)**

Proposed Alternative Motion by Cr Andrew Sullivan

NOT SUPPORT the Officer's Recommendation to **APPROVE**, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the four storey Tourist development at No. 19 (Lot 8) Essex Street, Fremantle, for the following reasons:

- **Impact of the building height and setbacks of the new addition on the amenity of the properties to the south.**
- **Impact on the streetscape as viewed from Norfolk Lane and Norfolk Street.**

The following alternate recommendation is provided for DAP's consideration:

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/24/02724 is appropriate for consideration as a Tourist Development land use and compatible with the objectives of the zoning table in accordance with the City of Fremantle Local Planning Scheme No. 4.
2. **Refuse** DAP Application reference DAP/24/02724 and accompanying plans (DA00.00, DA00.01, DA01.01, DA01.02, DA01.03, DA01.04, DA01.05, DA01.06, DA01.07, DA02.01, DA02.02, DA02.03, DA02.04, DA02.05, DA02.06, DA03.01, DA03.02, DA03.03, DA03.04, DA04.01) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of the City of Fremantle Local Planning Scheme No. 4, for the following reasons:

Reasons

1. *The proposal is inconsistent with clauses 67(a) of the Deemed Provisions as the building height does not meet the requirements of Schedule 7 clause 1.2b and c of Local Planning Scheme No. 4 due to the bulk and scale of the rear addition resulting in a detrimental impact to the amenity and heritage significance of neighbouring properties and the surrounding area.*
2. *The proposal is inconsistent with clauses 67(m) and 67(n) of the Deemed Provisions as the proposal will result in a detrimental impact to the amenity of neighbouring properties by virtue of the height, scale and setbacks of the rear addition.*



Reasons for alternative motion:

The proposal is considered to have an unreasonable impact on heritage properties in the area due to the bulk and scale of the new addition at the rear. It is not considered that the applicant has sufficient dealt with the reasons for deferral by the DAP, with the reduction in height doing little to change the built form and reducing the amenity of the internal units.



C2411-4 MCCABE STREET, NOS. 19-21 (LOT 19), NORTH FREMANTLE – VARIATION TO DAP004/20 (EIGHT STOREY MIXED USE DEVELOPMENT COMPRISING 11 GROUPED DWELLINGS, 97 MULTIPLE DWELLINGS, RESTAURANT, SHOP) (ED DAPV004/24)

Proposed Alternative Motion by Cr Andrew Sullivan

Council:

NOT SUPPORT the Officer’s Recommendation to REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Amendment to DAP004/20 (Eight Storey Mixed Use Development Comprising 11 Grouped Dwellings, 97 Multiple Dwellings, Restaurant, Shop) at Nos. 19-21 (Lot 19) McCabe Street, North Fremantle, as the impact of the proposed change is not considered to significantly alter the design quality of the development.

Accordingly, an amended Responsible Authority Recommendation is provided for the Development Assessment Panel’s consideration:

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/20/01821 as detailed on the DAP Form 2 dated 30 September 2024 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** amendments to DAP Application reference DAP/20/01821 and accompanying amended development plans (refs. A03-001 Rev K; A03-002 Rev K; A03-010 Rev K; A03-011 Rev K; A03-012 Rev K; A03-013 Rev K; A03-014 Rev K; A03-020 Rev K; A03-021 Rev L; A03-022 Rev K; A03-023 Rev K in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 4 of the City of Fremantle’s Local Planning Scheme No. 4 Scheme No. for the proposed minor amendment to the approved mixed use development 8 Storey Mixed Use Development (Multiple Dwellings, Grouped Dwellings, Shop, Restaurant) at No. 19-21 McCabe Street, North Fremantle, subject to the following amended conditions:

Amended Conditions

2. This decision constitutes planning approval only for plans A01-004 Rev J; DA02 Rev B; DA03 Rev B; DA04 Rev B; DA05 Rev B; DA06 Rev B; DA07 Rev B; DA08 Rev B; DA09 Rev B; DA10 Rev B; DA11 Rev B; DA12 Rev B; DA13 Rev B; DA14 Rev B (where amended by plans A03-001 Rev K; A03-002 Rev K; A03-010 Rev K; A03-011 Rev K; A03-012 Rev K; A03-013



Rev K; A03-014 Rev K; A03-020 Rev K; A03-021 Rev L; A03-022 Rev K; A03-023 Rev K) and Landscaping Plans (ref. P20002-LA-101 Rev E) and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Reasons for alternative motion:

The changes are well above any direct ground level interaction with the building and are relatively subtle in the overall design quality of the complex. The design quality has much more to do with the overall arrangement and design of the units and the amenities available to the residents and community generally

The overall organic flowing lines of the buildings remains intact and only very close inspection with an architectural eye would notice the subtle difference between the revised proposal and the more elegant original. Given the questionable buildability of the original design components, the amended approach is reasonable.



C2411-6 METROPOLITAN REGION SCHEME AMENDMENT REQUEST – LOTS 1931 AND 2039, 65 MARINE TERRACE, AND TWO PORTIONS OF LOT 2038, CARPARKS 21 AND 21A, MARINE TERRACE, FREMANTLE

Proposed Amendment by Cr Fedele Camarda

To amend point 5 of the Officer's Recommendation as follows:

Council:

- 1. Receives the public and agency submissions regarding the potential of a Metropolitan Region Scheme (MRS) amendment over Lots 1931 and 2039, 65 Marine Terrace, two portions of Lot 2038, Carparks 21 and 21A, Marine Terrace, and 542m² of Mews Road, Fremantle to transfer the land from the Parks and Recreation reserve to the Central City Area zone , as detailed in the officers' report and the Community Engagement Report contained in Attachment 3.**
- 2. Endorse the publication of the Community Engagement Report contained in Attachment 3 on the MySay Fremantle website.**
- 3. Endorse the justification report contained in Attachment 4 and authorise staff to make minor and administrative amendments to the report if requested by WAPC.**
- 4. Request that the Chief Executive Officer lodge a formal request with the Western Australian Planning Commission to initiate an amendment to the Metropolitan Region Scheme to transfer Lot 1931 on Deposited Plan 212184 and Lot 2039 on Deposited Plan 216961, 65 Marine Terrace, two portions of Lot 2038 on Deposited Plan 216961, Carparks 21 and 21A, Marine Terrace, and 542m² of Mews Road, Fremantle from the Parks and Recreation Reserve to the Central City Area zone.**
- 5. Request the City *officers continue to* engage with the Italian Club Fremantle *to establish the process and needs for the proposed redevelopment planning* and *the* State Government to assist with advocacy regarding the Club's *proposed* redevelopment plans.**
- 6. Note the ongoing communication between City officers and State Government stakeholder agencies regarding the implementation of the Fremantle Harbours Masterplan.**

Reasons for amendment:

To clarify this is the first stage of the process, and the City will continue to work with the Italian Club and State Government, to ensure an outcome that will provide a sustainable future for the Club.