



Additional documents

Ordinary Meeting of Council

Wednesday 11 September 2024 6:00 pm



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**C2409-1 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, **subject to the conditions outlined in the responsible authority report** for the following reasons:

- Impact of building height of the new addition on the amenity of the properties to the south, with specific concern in relation to impacts on privacy, access to winter sun and daylight.
- Impact on the heritage significance of the surrounding buildings facing Norfolk Street.
- Car parking shortfall and the impact on traffic and parking in the City Centre.

The applicant is encouraged to consider an amended proposal that increases the setbacks of Level 3 from the south eastern boundary, to graduate the scale from the Norfolk Street properties.

An amended Responsible Authority Recommendation is provided for the Development Assessment Panel's consideration.

That the Metro Inner DAP resolves to:

1. **Refuse** 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.*
3. *The proposal is inconsistent with the requirements of Local Planning Scheme No. 4 and the Deemed Provisions, in relation to the lack of on site vehicle parking.*

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.



C2409-3 ATTFIELD, 102 (LOT 3) SOUTH FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE

Proposed Alternative Motion by Cr Andrew Sullivan

Refer the application to the administration with the advice that the Council is not prepared to grant development approval to the application for the Additions and Alterations to an Existing Single house at No. 102 (Lot 3) Attfield Street, South Fremantle based on the current submitted plans and invite the applicant, prior to the next appropriate Ordinary Council meeting to consider submitting an amended proposal to increase the southern upper floor setback to reduce the impact of overshadowing on the neighbours outdoor living and major openings and provide additional detail regarding neighbouring site levels and the overshadowing calculation.

Reason for alternative motion:

To reduce the impact of the two storey additions on the neighbouring property.



C2409-4 NORFOLK STREET, NO. 5 (LOT 6), FREMANTLE - FOUR STOREY MIXED USE DEVELOPMENT COMPRISING SIX (6) MULTIPLE DWELLINGS AND FOUR (4) SERVICED APARTMENTS (ED DA0184/24)

Proposed Amendment by Cr Andrew Sullivan

Amend Condition 12 of the officer's recommendation to as follows:

Condition 12:

Prior to the issue of a Building Permit for the development hereby approved, the applicant is to submit, and have approved to the satisfaction of the City of Fremantle, a detailed parking plan design which complies with the Australian Standard AS/NZS 2890 and AS/NZS 1428 for parking bays, visitor bays, disabled bays, motorcycle / scooter bays, aisle widths, circulation areas, driveway/s and points of ingress and egress.

The detailed parking plan design shall also demonstrate how potential issues of light spill from vehicle headlights and noise from vehicles will be mitigated and managed through materials or design so as to reduce the impact on adjoining residential dwellings, to the satisfaction of the City of Fremantle.

Reason for amendment:

To reduce the impact of the car park on the neighbouring properties.



C2409-6 TRANSFER OF TREES FROM THE HERITAGE LIST TO THE SIGNIFICANT TREE REGISTER

Proposed Amendment by Cr Andrew Sullivan

Council:

- 1. Notes the submissions received from relevant landowners and occupiers, as provided in Attachment 1.**
- 2. Approve the following trees to be included in the Register of Significant Trees and Vegetation Areas, as provided in Attachment 3, *noting due regard has been given to LPP2.23:***

Tree ID	Address	Common and botanical name	<i>Reason to retain on the Register</i>
19-01	11-13 Harvest Road, North Fremantle	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	<i>Cultural heritage significance and condition</i>
19-02	15 Harvest Road, North Fremantle	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	<i>Cultural heritage significance and condition</i>
19-04	195 High Street, Fremantle	Moreton Bay Fig (<i>Ficus macrophylla</i>)	<i>Cultural heritage significance and condition</i>
19-05	45 Henderson Street, Fremantle	Western Australian Weeping Peppermints (<i>Agonis flexuosa</i>) Guava (<i>Psidium guajava</i>)	<i>Cultural heritage significance and condition</i>

- 3. Support to not retain the following trees in the Register:**
 - **Canary Island Date Palms, formerly on 15 Harvest Road, North Fremantle**
 - **Grove of Black Paperbark and Tuart trees on 21 Harvest Road, North Fremantle.**
- 4. Notes that this resolution has no effect on other trees that may have been added to or removed from the Register since the original Council resolution to adopt the Register on 27 February 2019.**
- 5. Adopts an amendment to Local Planning Policy 2.23 – Register of Significant Trees and Vegetation Areas, to replace Appendix B with the amended Register of Significant Trees and Vegetation Areas, as shown in Attachment 3.**



Reasons for amendment:

Notwithstanding any objections raised, trees considered to be of cultural heritage significance have been identified and added to the list as the most appropriate way of identifying and protecting culturally significant trees.