



# Additional documents

## Ordinary Meeting of Council

Wednesday 12 June 2024 6pm



## Table of Contents

**C2406-1 BEAZLEY WAY, NO. 1 (LOT 2), WHITE GUM VALLEY – 24 MULTIPLE DWELLINGS – (JD DA0066/24) .....2**  
Proposed amendment by Cr Andrew Sullivan ..... 2

**C2406-3 NOTRE DAME UNIVERSITY CAR PARKS (NO. 28 MARINE TERRACE, NO. 22 MARINE TERRACE & NO. 3 HIGH STREET, FREMANTLE) – PARTIAL CHANGE OF USE TO (PUBLIC) CAR PARK (ED DA0067/24, DA0068/24 & DA0069/24) .....3**  
Proposed alternative motion by Cr Andrew Sullivan..... 3

**C2406-4 DEFERRED ITEM - WATKINS STREET, NO. 82 (LOT 100), WHITE GUM VALLEY - ANCILLARY DWELLING AND ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE – (JD DA0368/23) .....5**  
Proposed amendment by Cr Andrew Sullivan ..... 5  
Proposed alternative motion by Cr Fedele Camarda ..... 6

**C2406-5 SOUTH TERRACE, NO. 384 (LOT 21), SOUTH FREMANTLE – PARTIAL CHANGE OF USE TO CAFÉ/RESTAURANT AND INTERNAL ALTERATIONS – (GB DA0049/24) .....7**  
Proposed alternative motion by Cr Adin Lang ..... 7

**C2406-6 WATKINS STREET, NO. 104A (LOT 2), WHITE GUM VALLEY – SINGLE STOREY WITH LOFT SINGLE HOUSE – (JD DA0085/24).....8**  
Proposed alternative motion by Cr Andrew Sullivan..... 8



**C2406-1 BEAZLEY WAY, NO. 1 (LOT 2), WHITE GUM VALLEY – 24  
MULTIPLE DWELLINGS – (JD DA0066/24)**

**Proposed amendment by Cr Andrew Sullivan**

To include an additional advice note to the Officer's Recommendation as follows:

***viii. The applicant is encouraged to consider improvements to universal accessibility throughout the site. It is recommended that the stairs on the southern section of the site be relocated to allow for the installation of a ramp.***

**Reasons for amendment:**

There is no universal access from the south, however the design creates a strong desire path in that direction.



**C2406-3 NOTRE DAME UNIVERSITY CAR PARKS (NO. 28 MARINE TERRACE, NO. 22 MARINE TERRACE & NO. 3 HIGH STREET, FREMANTLE) – PARTIAL CHANGE OF USE TO (PUBLIC) CAR PARK (ED DA0067/24, DA0068/24 & DA0069/24)**

**Proposed alternative motion by Cr Andrew Sullivan**

**Council:**

**APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the partial change of use to (public) carpark at Nos. 28 (Lot 1378) and 22 (Lot 1865) Marine Terrace, Fremantle, and No. 3 (Lot 100) High Street, Fremantle (Application refs. DA0067/24, DA0068/24 & DA0069/24), subject to the following conditions:**

- 1. This approval relates only to the development as indicated on the approved plans dated 29 February 2024. It does not relate to any other development on this lot and must substantially commence within 4 years from the date of the decision letter.**
- 2. The public car park use hereby approved, shall be limited to the following hours of operation:**
  - 5:00PM – 12:00AM Monday to Friday; and**
  - 6:00AM – 12:00AM on Saturday, Sunday and Public Holidays**
- 3. Notwithstanding condition 3, all university staff and otherwise authorised persons that have been issued a valid parking permit to utilise the respective car parks, shall be able to access the car park(s) and park authorised vehicles at all times, with no fee payable.**
- 4. The Car Parking Management Plan (prepared by Secure Park, dated 5 April 2024 (CoF date) shall be implemented at all times, for the life of the development.**
- 5. Prior to commencement of the use 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/NZSC 1428, including parking bays, aisle widths, circulation areas, driveway/s and points of ingress and egress.**
- 6. All car parking, and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.**



- 7. All storm water discharge from the development hereby approved shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.**
- 8. Notwithstanding condition 1, the partial change of use to car park hereby approved is to cease operating within two years from the date of this approval.**

**Reasons for alternative motion:**

To allow activation of the site in the short term, while confirming the expectation set out in the City's strategic documents, that these sites could be redeveloped and vehicle traffic into the City centre should be reduced.



**C2406-4 DEFERRED ITEM - WATKINS STREET, NO. 82 (LOT 100),  
WHITE GUM VALLEY - ANCILLARY DWELLING AND  
ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE  
- (JD DA0368/23)**

**Proposed amendment by Cr Andrew Sullivan**

To add an additional condition to the Officer's Recommendation as follows:

- 6. Prior to the lodgement of a Building Permit application, amended development plans shall be provided that demonstrate the louvred screening on the boundary fence is inclined upwards from the adjoining property at an angle of no greater than 20 degrees, to the satisfaction of the City of Fremantle.***

**Reasons for amendment:**

To reduce the impact of the proposed fence on the neighbour's existing access to sunlight from upper floor windows.



**C2406-4 DEFERRED ITEM - WATKINS STREET, NO. 82 (LOT 100),  
WHITE GUM VALLEY - ANCILLARY DWELLING AND  
ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE  
– (JD DA0368/23)**

**Proposed alternative motion by Cr Fedele Camarda**

**Council:**

**REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Ancillary Dwelling and Additions and Alterations to Existing Single House at No. 82 Watkins Street (Lot 100), White Gum Valley, for the following reasons:**

- a. The proposed boundary fence is inconsistent with clause 5.1 of the City of Fremantle's Local Planning Policy 2.8 Fences as the bulk and scale of the proposed boundary fence will result in a detrimental impact to the amenity of the adjoining property to the west.**

**Reasons for alternative motion:**

While the height has been reduced in the amended plans, the total height for the boundary fence is still excessive and is inconsistent with LPP 2.8 Fences policy.



**C2406-5 SOUTH TERRACE, NO. 384 (LOT 21), SOUTH FREMANTLE – PARTIAL CHANGE OF USE TO CAFÉ/RESTAURANT AND INTERNAL ALTERATIONS – (GB DA0049/24)**

**Proposed alternative motion by Cr Adin Lang**

**Council:**

**APPROVE under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Change of Use to 'Café/Restaurant' at No. 384 (Lot 21) South Terrace, SOUTH FREMANTLE, subject to the following conditions:**

- 1. This approval relates only to the development as indicated on the approved plans, dated 21 May 2024. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.**
- 2. Prior to the occupation of the development hereby approved, all car parking, and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.**
- 3. The 'Café/Restaurant' shall be limited to the operating hours of 7am – 10pm Monday to Friday, 7am – 11pm Saturday and 7am – 10pm Sunday.**

**Advice notes(s):**

- i. A Building permit is required for the proposed Building Works. A certified BA1 application form must be submitted and a Certificate of Design Compliance (issued by a Registered Building Surveyor Contractor in the private sector) must be submitted with the BA1.**
- ii. The premises must comply with the *Food Act 2008*, regulations and the Food Safety Standards incorporating AS 4674-2004 *Design, construction and fit-out of food premises*. Detailed architectural plans and elevations must be submitted to Environmental Health Services for approval prior to construction. The food business is required to be registered under the *Food Act 2008*. For further information contact Environmental Health Services on 9432 9999 or via [health@fremantle.wa.gov.au](mailto:health@fremantle.wa.gov.au).**

**Reasons for alternative motion:**

The proposed business is likely to attract customers who have already parked in vicinity to attend nearby businesses or those who live locally and will ride/walk to the destination. Therefore, a net increase in parking is not required.





**C2406-6 WATKINS STREET, NO. 104A (LOT 2), WHITE GUM VALLEY –  
SINGLE STOREY WITH LOFT SINGLE HOUSE – (JD  
DA0085/24)**

**Proposed alternative motion by Cr Andrew Sullivan**

**Council:**

**APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, single storey with loft Single house at No. 104A Watkins Street, White Gum Valley, subject to the following condition(s):**

- 1. This approval relates only to the development as indicated on the approved plans, dated 27 March 2024. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.**
- 2. All storm water discharge from the development hereby approved shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.**
- 3. Prior to occupation of the development, the 1.6m high, 50% permeable screen shown on the approved plans for the deck on the northern elevation shall be installed and maintained to the satisfaction of the City of Fremantle.**
- 4. Prior to lodgement of a Building Permit for the development hereby approved, evidence is to be submitted demonstrating that the dwelling will achieve a NatHERS accredited energy efficiency star rating of 7 stars that is certified by a NatHERS energy assessor to the satisfaction of the City of Fremantle. The development is to be maintained at the approved standard to the satisfaction of the City of Fremantle.**
- 5. Prior to occupation, a minimum 3kW photovoltaic solar panel system shall be installed and maintained thereafter to the satisfaction of the Chief Executive Officer, City of Fremantle.**
- 6. Prior to occupation, either a 3000L rainwater tank plumbed to a toilet and/or laundry shall be installed and maintained thereafter OR an approved greywater reuse system that collects greywater from the laundry and bathroom and re-directs it for garden irrigation/ground water recharge shall be installed and maintained thereafter to the satisfaction of the Chief Executive Officer, City of Fremantle; OR**
- 7. Prior to occupation, solely solar, electric heat pump, or PV-connected electric storage water heaters and electric (non-gas) cooking**



**appliances to be installed and maintained thereafter to the satisfaction of the Chief Executive Officer, City of Fremantle.**

- 8. Prior to occupation, solely solar, electric heat pump, or PV-connected electric storage water heaters and electric (non-gas) cooking appliances to be installed.**
- 9. All works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.**
- 10. The pedestrian access and / or vehicle gate, as indicated on the approved plans, shall swing into the subject site only when open or closed and shall not impede the adjoining road reservation of the subject site.**
- 11. Prior to lodgement of a Building Permit for the development hereby approved, a detailed landscaping plan in accordance with clause 5.3.2 of the R-Codes, including information relating to species selection of the required tree, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (i.e. mulch, lawn, etc), shall be submitted to and approved by the City of Fremantle.**

**Prior to occupation of the development hereby approved, the approved landscaping shall be completed in accordance with the approved plans and maintained for the life of the development to the satisfaction of the City of Fremantle.**

- 12. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.**

**Advice note(s):**

- i. A building permit is required to be obtained for the proposed building work. The building permit must be issued prior to commencing any works on site.**
- ii. Fire separation for the proposed building works must comply with Part 3.7 of the Building Code of Australia.**



**Reasons for alternative motion:**

The challenge of developing a house on a poorly configured corner lot resulting from the WAPC approved subdivision of the land is noted. The proposed two storey dwelling incorporates the second storey into the roof space and compliments the scale of the older predominantly single storey dwellings. The primary street setback is considered acceptable because the second storey is mostly concealed with the roof form and the portion that projects forward of the predominant street setback formed by the properties to the east is the low point of the roof form. The projecting element sits relatively lower than the adjoining properties which are more elevated because of the steeply sloping land. It is also noted that the eastern portion of the proposed dwelling, where the front door and carport are located, is relatively consistent with the setbacks of properties to the east. The northern setbacks are considered acceptable as they will not have a detrimental impact on the development potential of the vacant site to the north. Indeed, the reduced setbacks may assist in enabling a complementary form of development to the north given the small lot nature of the subdivision. The visual privacy is considered to be adequately addressed as the deck area mostly relates to the front setback zone relative to the adjoining Yalgoo Street facing lot to the north. As such, the deck will not be overlooking private open space, but rather the semi-public front setback zone of any new dwelling built to the north. In conclusion, the proposed dwelling is considered to be worthy of approval and is a desirable well thought through proposal on an extremely challenging site.