



Additional documents

Ordinary Meeting of Council

Wednesday 22 May 2024 6pm



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**C2405-10 DEFERRED ITEM- CANTONMENT STREET NO.28 (LOT 10),
FREMANTLE - AMENDMENTS TO DAP005/23 (THREE (3)
STOREY MIXED USE (SHOP, OFFICE, LIQUOR STORE- SMALL
AND CHILDCARE PREMISES) DEVELOPMENT) INVOLVING THE
PROPOSED DELETION OF CONDITION NO. 26 (ED
DAPV002/24)**

Proposed alternative motion by Cr Andrew Sullivan

NOT SUPPORT the Officer's Recommendation to REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the amendments to development approval ref. DAP005/23 (Three (3) Storey Mixed Use [Shop, Office, Liquor Store - Small and Child Care Premises] Development), involving the proposed deletion of condition No.26, at No. 28 (Lot 10) Cantonment Street, Fremantle for the following reason/s:

- **Council maintains its support for imposing the percent for art/heritage works contribution requirement. While the inclusion of the red brick facade can be considered respectful to the heritage precinct, its inclusion is warranted, if not required, to satisfy the scheme requirement for quality design that compliments the character of the precinct. The inclusion of a red brick facade is not considered to be 'public heritage work' that satisfies the requirements of LPP2.19, and as such, does not constitute works that can be funded through the Public Art/Heritage Works contribution. Furthermore, the deletion or amendment of the red brick facade would constitute a redesign requiring further planning assessment on advice from the City's Design Advisory Committee. However, on review, the Council is satisfied that the works funded by the Owner as part of the Fairburn Street Ramp heritage interpretation project do constitute a 'public heritage work' in accordance with LPP 2.19, albeit not located in the immediate proximity of the subject site but still within the relevant 'City Centre and Surrounds' contribution area. The amended condition makes it possible for the Owner to propose these works as their 'Public Art/Heritage Work' contribution and to demonstrate that the contribution amount has been expended to the satisfaction of the City of Fremantle.**

The following alternative motion is provided for the Responsible Authority Report:

APPROVE DAP Application reference DAP/22/02352 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of City of Fremantle Local Planning Scheme No. 4, for the proposed amendment to the approved three (3) storey mixed use development (shop, office, liquor store- small and child care



premises) at Lot 10 (No. 28) Cantonment Street, Fremantle, with the following amended condition(s):

Amended Condition:

26. Prior to occupation of the development, the owner shall contribute a monetary amount equal in value to one percent of the estimated development cost, as indicated on the Form of Application for Planning Approval, to the City of Fremantle for development of public art works and/or heritage works to enhance the public realm consistent with the City's LPP 2.19 and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$14 million the contribution to be made is \$140,000. The City shall accept a public artwork/heritage work proposal where demonstrated that the Owner has funded and delivered a conservation outcome of at least \$140,000 consistent with clause 5 of LPP2.19 in an area within the 'City Centre and Surrounds' contribution area of LPP2.19 to the satisfaction of the City.

Reasons for alternative motion:

Council maintains its support for imposing the percent for art/heritage works contribution requirement. While the inclusion of the red brick facade can be considered respectful to the heritage precinct, its inclusion is warranted, if not required, to satisfy the scheme requirement for quality design that compliments the character of the precinct. The inclusion of a red brick facade is not considered to be 'public heritage work' that satisfies the requirements of LPP2.19, and as such, does not constitute works that can be funded through the Public Art/Heritage Works contribution. Furthermore, the deletion or amendment of the red brick facade would constitute a redesign requiring further planning assessment on advice from the City's Design Advisory Committee. However, on review, the Council is satisfied that the works funded by the Owner as part of the Fairburn Street Ramp heritage interpretation project do constitute a 'public heritage work' in accordance with LPP 2.19, albeit not located in the immediate proximity of the subject site but still within the relevant 'City Centre and Surrounds' contribution area. The amended condition makes it possible for the Owner to propose these works as their 'Public Art/Heritage Work' contribution and to demonstrate that the contribution amount has been expended to the satisfaction of the City of Fremantle.



**C2405-10 DEFERRED ITEM- CANTONMENT STREET NO.28 (LOT 10),
FREMANTLE - AMENDMENTS TO DAP005/23 (THREE (3)
STOREY MIXED USE (SHOP, OFFICE, LIQUOR STORE- SMALL
AND CHILDCARE PREMISES) DEVELOPMENT) INVOLVING THE
PROPOSED DELETION OF CONDITION NO. 26 (ED
DAPV002/24)**

Proposed alternative motion by Mayor, Hannah Fitzhardinge

NOT SUPPORT the Officer's Recommendation to REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the amendments to development approval ref. DAP005/23 (Three (3) Storey Mixed Use [Shop, Office, Liquor Store - Small and Child Care Premises] Development), involving the proposed deletion of condition No.26, at No. 28 (Lot 10) Cantonment Street, Fremantle for the following reasons:

- **Council acknowledges the escalating construction costs and the efforts by the applicant to contribute to the City Centre of Fremantle. However, the position that the design of the building contributes to heritage is not clearly linked with the objectives of the policy which talk to public (i.e. civic) buildings. Therefore, a compromise, involving a discounted contribution of 15% for the cash in lieu of providing art on site, in line with comparable policies in other Local Government areas is recommended.**

The following alternative motion is provided for the Responsible Authority Report:

APPROVE DAP Application reference DAP/22/02352 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of City of Fremantle Local Planning Scheme No. 4, for the proposed amendment to the approved three (3) storey mixed use development (shop, office, liquor store- small and child care premises) at Lot 10 (No. 28) Cantonment Street, Fremantle, with the following amended condition(s):

Amended Condition:

26. *'Prior to occupation of the development, the owner shall contribute a monetary amount to the City of Fremantle for development of public art works and/or heritage works to enhance the public realm consistent with the City's LPP 2.19 and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$14 million, considering a 15% discount due to cash in lieu of art on site, the contribution to be made is \$119,000. Alternatively, the City may waive the requirement in relation to the public art contribution, the applicant is advised that Council may waive the requirement for the public art/heritage work contribution in accordance with clause 6 of LPP 2.19 where the development incorporates public art in the*



development to the same value as that specified in the condition that is located in a position clearly visible to the general public on the site of the development. In determining the appropriateness and artistic merit of the public art, council shall seek relevant professional advice.'

Reasons for alternative motion:

Council acknowledges the escalating construction costs and the efforts by the applicant to contribute to the City Centre of Fremantle. However, the position that the design of the building contributes to heritage is not clearly linked with the objectives of the policy which talk to public (i.e. civic) buildings. Therefore, a compromise, involving a discounted contribution of 15% for the cash in lieu of providing art on site, in line with comparable policies in other Local Government areas is recommended.



C2405-11 ADOPTION OF DRAFT STRATEGIC COMMUNITY PLAN 2024 – 2034

Proposed amendment Cr Jemima Williamson-Wong

To amend the Officer's Recommendation as follows:

2. Adopt the Strategic Community Plan 2024 – 2034, as provided in Attachment 1, *with the following amendments:*

- a. Under 'Resilient City', 'An educated and empowered community that seeks to mitigate the causes and effects of climate change' and then, 'A community that is informed and takes action on the causes and impacts of climate change'.*
- b. Under 'Liveable City', and 'Connected City': 'Streets are well connected, and it is easy and safe for pedestrians and cyclists to move within neighbourhoods and between key destinations and precincts.'*

Reasons for amendment:

The City of Fremantle has declared a climate emergency, and our community is clear that the climate crisis is a top priority and concern for them. Our strategic community plan should reflect this, by addressing both adaptation and mitigation.



**C2405-14 TRAFFIC CALMING POLICY AND NARROW STREET SAFE
ACCESS POLICY**

Proposed amendment by Cr Frank Mofflin

To amend the Officer's Recommendation to include a part 4 as follows:

- 4. Requests the Chief Executive Officer to bring back a report to Council by December 2024, which explores opportunities and the process to be followed for the application of a 'City-wide' 40km/h speed limit for the City of Fremantle.***

Reasons for amendment:

Informed by the outcome at the City of Vincent recently where a 40kmh limit was applied across the City. Rather than an ad hoc approach across the City, a more efficient approach could be a consistent 40kmh limit. Main Roads supported this approach, and we should explore this opportunity.