



Additional documents

Ordinary Meeting of Council

Wednesday 8 November 2023 6pm



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**C2311-3 SOUTH TERRACE, NO. 223 (LOT 1), SOUTH FREMANTLE –
PARTIAL CHANGE OF USE TO ART GALLERY – (JD
DA0147/23)**

Proposed alternative recommendation by Cr Lang

APPROVE under the Metropolitan Region Scheme and Local Planning Scheme No. 4 the Partial Change of Use to Art Gallery at No. 223 (Lot 1) South Terrace, South Fremantle subject to the following conditions:

- 1. This approval relates only to the development as indicated on the approved plans, dated 29 June 2023. It does not relate to any other development on this lot.**
- 2. Prior to lodgement of a Building Permit for the development hereby approved, a plan detailing the provision of 4x Class 3 (as defined in Local Planning Scheme No. 4) bicycle racks shall be provided, to the satisfaction of the City of Fremantle.**
Prior to occupation of the development hereby approved, the required bicycle racks must be installed in accordance with the approved plan and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
- 3. 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.**
- 4. Prior to the occupation of the development hereby approved, the redundant crossover on South Terrace shall be removed and the verge and kerbing reinstated to the City's specifications, at the expense of the applicant and to the satisfaction of the City of Fremantle.**
- 5. The Art Gallery shall be limited to the operating hours of 10am to 8.30pm or as otherwise approved by the City of Fremantle.**
- 6. 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:

- 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 applicant is advised that the proposed works indicated outside of the lot boundaries of the subject site do not form part of this approval. The applicant is advised to contact the City for specifications and approval for the removal of the crossover.**

Reasons for amendment:

The gallery is on the route of the new 532 Transperth bus route and there is ample parking on Marine Terrace. Most guests live locally and will walk or ride their bikes.



**C2311-3 SOUTH TERRACE, NO. 223 (LOT 1), SOUTH FREMANTLE –
PARTIAL CHANGE OF USE TO ART GALLERY – (JD
DA0147/23)**

Proposed alternative recommendation by Cr Sullivan

Refer the application to the administration with the advice that the Council is not prepared to grant planning approval to the application for the partial change of use to Art Gallery at No. 223 (Lot 1) South Terrace, South Fremantle based on the current submitted plans and invite the applicant, prior to the next appropriate Planning Committee meeting to consider submitting an amended proposal to address the parking shortfall. This could include, but is not limited to investigating:

- Increasing street parking by closing the largely redundant crossover of South Terrace.**
- Provide parking on the adjoining lot through legal agreement with access to be gained across the rear of the corner site (for the life of the gallery, i.e. it closes when parking can no longer be provided on the adjoining lot).**
- Establishing rear access to the adjoining lot through legal agreement to accommodate a more coordinated approach to parking across the two sites (in perpetuity?).**
- Tandem carparking on the western side of the art gallery.**



C2311-5 PROPOSED LEASE FOR LOT 39 DALY STREET, FREMANTLE

Proposed amendment by Cr Lawver

2. Amend the proposed lease terms to reflect the following:

- a) Lease term: 10 years, with a first further term of 5 years and a second further term of 5 years.**
- b) Redevelopment clause: Inclusion of a redevelopment clause to come in to effect at the commencement of the first further term, and for the remainder of the lease.**
- c) Special condition: Introduction of paid parking is subject to further council approval.**

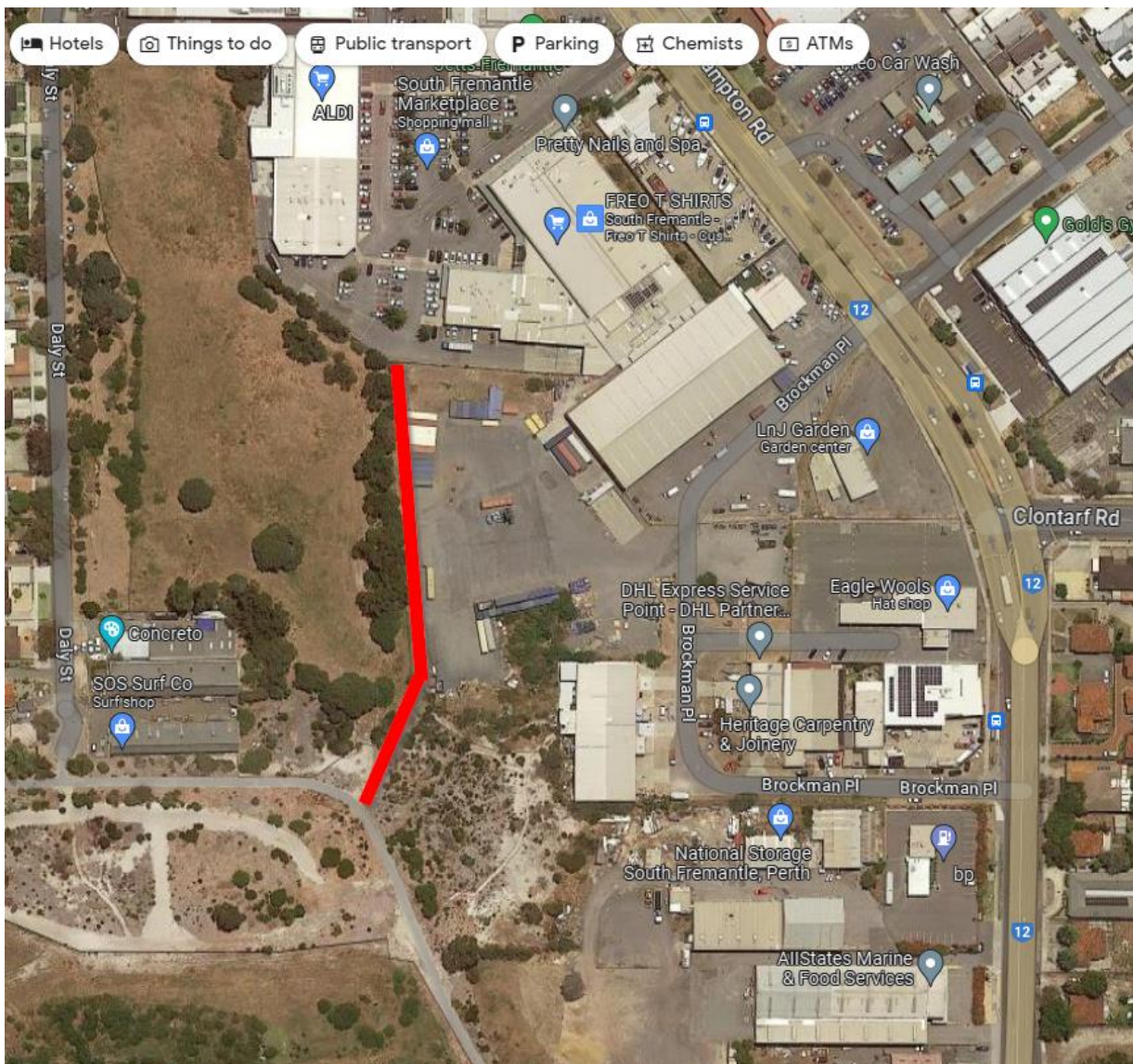
Reason for amendment:

This gives the city more flexibility in future years to potentially develop the site and ensure the intention is to provide free parking for the shopping centre (and surrounds) rather than paid parking unless approved at a later date and operated by Council.

C2311-5 PROPOSED LEASE FOR LOT 39 DALY STREET, FREMANTLE

Proposed amendment by Cr Lang

3. The lessee to build a PSP to the satisfaction of the City of Fremantle on the western edge of the new carpark lease area that connects South Fremantle Marketplace to Hollis Park. The City of Fremantle will be responsible for future management and upkeep of the PSP.



Reason for amendment

Provides an opportunity to create a new transport corridor by connecting the shopping centre and Hollis Park via a PSP.



C2311-10 ADOPTION OF COUNCIL COMMITTEES AND GROUPS REGISTER 2023-25 AND APPOINTMENT OF MEMBERS

Officers amendment

- To amend the name 'South West Reference Group' to be the 'South West Environmental Forum', as shown below:**

External Groups				
Name	Acronym	Term	Member	Deputy Member
South West Environmental Forum Reference Group	SWEFRG	2023-2025	Cr_____	Cr_____
South West Corridor Development Foundation	SWCDF			

- To add the following external group:**

External Groups			
Name	Acronym	Term	Member
South West Metropolitan Regional Road Group	SWMRRG	2023-2025	Cr_____

Additional information

The South West Metropolitan Regional Road Group (SWMRRG) is a sub group of the Metropolitan Regional Road Group (MRRG). The Metropolitan Regional Road Group manages and administers State allocated funding for Road Projects and Black Spot Programs on the local road network within the policies and guidelines established by the State Road Funds to Local Government Advisory Committee. The Metropolitan Regional Road Sub Groups such as the SWMRRG were established to assist the MRRG with the management and consideration of local roads issues and funding.

**Additional documents - Ordinary Meeting of Council
8 November 2023**



The Metropolitan Local Governments are divided into six Sub Groups with membership being an Elected Member and Technical Representative from each Local Government. Each Sub Group then appoints one representative Elected Member and Technical representative to the MRRG Technical and Elected Members Meetings. The City of Fremantle is part of the South West Group comprising the Cities of Cockburn, Fremantle, Kwinana, Rockingham, Melville and the Town of East Fremantle.

The City of Fremantle will be required to elect one member of council for this group. In addition, the CEO will nominate a technical officer from Infrastructure.

The next meeting for this group is on 15 November 2023.