



ADDITIONAL DOCUMENTS

Planning Committee Meeting

Wednesday 5 September 2018, 6pm

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PROPOSED AMENDMENTS – PC1809-3-PAKENHAM STREET, NO. 47 (LOT 116), FREMANTLE – APPROVAL FOR UNAUTHORISED SIGNAGE AND CHANGE OF USE TO PUBLIC CAR PARK – (NB DA0214/18) SUBMITTED BY CR J STRACHAN

Cr Strachan proposes the following Amendment to the Recommendation to item PC1809-3:

AMENDED RECOMMENDATION

Add a new condition 8 which reads as follows:

- 8. Within 30 days of the date of approval an internal lighting plan is to be submitted and approved. Within 30 days of the date of approval of the plan the internal lighting is to be installed and thereafter maintained to the satisfaction of the City of Fremantle.**

Add a new condition 9 which reads as follows:

- 9. The public car park hereby permitted shall be limited to opening hours of 6.00am to midnight Monday to Sunday, unless otherwise approved by the City of Fremantle.**

REASON FOR CHANGE TO OFFICERS RECOMMENDATION

The proposal results in the use of the building by the public, therefore improvements to internal lighting in line with the Crime Prevention Through Environmental Design guidelines should be implemented.

The opening hours confirm that the car park will not operate outside the hours of 6.00am to midnight.

**PROPOSED ALTERNATIVE– PC1809-3-PAKENHAM STREET, NO. 47 (LOT 116),
FREMANTLE – APPROVAL FOR UNAUTHORISED SIGNAGE
AND CHANGE OF USE TO PUBLIC CAR PARK – (NB
DA0214/18) SUBMITTED BY MAYOR BRAD PETTITT**

Mayor Brad Pettitt proposes the following Alternative Recommendation to item PC1809-3:

ALTERNATIVE RECOMMENDATION

A. REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Signage and Change of Use to Public Car Park at No. 47 (Lot 116) Pakenham Street, Fremantle, for the following reasons:

- 1. The proposal is inconsistent with the objectives of the City Centre zone and the matters set out in clause 67 of Planning and Development (Local Planning Scheme) Regulations 2015 as the use is inappropriate at street level in the city centre and is inconsistent with the policy position identified in the City of Fremantle Integrated Transport Strategy 2015.**

B. Advise the applicant that, in the event that they fail to voluntarily cease the use of the building as a public car park and fail to remove all signage associated with the use within 6 (six) months from the date of this decision, the City will commence legal action to rectify the unauthorised use of the building.

REASON FOR CHANGE TO OFFICERS RECOMMENDATION

The location of the site makes the public car park use an undesirable use of at grade city centre land. In addition, as the site is not located on the periphery of the city centre the public car park use is inconsistent with the City of Fremantle Integrated Transport Strategy 2015.

**PROPOSED AMENDMENT – PC1809-11 - RESERVE NO. 23558 (LOT 1819)
MONTREAL STREET, FREMANTLE – THREE (3) LOT
SUBDIVISION AND THIRTY-SIX (36) LOT SURVEY STRATA (JL
WAPC156785 AND WAPC649-18)**

For Elected Members information the applicant has indicated that Condition 11 of Part B, as currently recommended, is difficult to achieve given their development model. The applicant has proposed an alternative condition that is considered, by officers, to achieve the same outcome, being a coordinated approach to the development of the survey strata lots to ensure an appropriate built form outcome is achieved.

Delete Condition 11 of Part B and replace it with a new Condition 11 which reads as follows:

- 11. A restrictive covenant, to the benefit of City of Fremantle pursuant to Section 129BA of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a restriction on the use of the land. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:**

‘Development of the land is to accord with development approval DAP/004/18 or other such development approval as may be granted by the responsible authority’

Add a new Advice Note iii) which reads as follows:

- iii) With regard to Condition 11, the Restrictive Covenant is required to ensure the survey strata lots are developed using a coordinated approach to ensure the most appropriate built form outcome that has regard to the potential impacts on the amenity of each individual lot and the immediate locality.**

REASON FOR CHANGE

The alternative condition is considered to achieve the same outcome, being a coordinated approach to the development of the survey strata lots to ensure an appropriate built form outcome is achieved.