



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 4 March 2026; 1:00pm
Meeting Number: MIDAP/122
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MIDAP/122 - 4 March 2026 - City of Fremantle](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Noting of Minutes

PART B – CITY OF FREMANTLE

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 21 (242) Marine Terrace, South Fremantle - 5 (5) Storey Multiple Dwelling – DAP/25/02994
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. Meeting Closure

Clayton Higham
Presiding Member, Metro Inner DAP



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| DAP Members |
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| Clayton Higham (Presiding Member) |
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| Francesca Lefante (Deputy Presiding Member) |
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| Peter Lees |
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| Cr Andrew Sullivan (Part B – City of Fremantle) |
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| Cr Pip Slaughter (Part B – City of Fremantle) |
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| DAP Secretariat |
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| Kristen Gray |
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| Shanara Wijethunga |
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| Ashlee Kelly |
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| Part B – City of Fremantle |
| Applicant |
| Dan O’Donovan (Dan O’Donovan Architects) Prue Griffin (Hocking Heritage and Architects) Eric Denholm (TBB Planning) |
| Officers/Technical Advisors in Attendance |
| Lachie Gleeson Nathan Blumenthal |

Members of the Public / Media

Nil.

Observers via livestream

There were 7 persons observing the meeting via the livestream.

Clayton Higham
Presiding Member, Metro Inner DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 1:03pm on 4 March 2026 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Cr Ingrid Van Dorssen (Local Government DAP Member, City of Fremantle)

3. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

A handwritten signature in black ink, appearing to read 'Clayton Higham'.

Clayton Higham
Presiding Member, Metro Inner DAP



PART B – CITY OF FREMANTLE

1. Declaration of Due Consideration

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Related Information.

2. Disclosure of Interests

In accordance with section 2.4.5 of the DAP Code of Conduct 2025, DAP Members, Cr Andrew Sullivan and Cr Phillipa Slaughter, declared that they had participated in a prior Council briefing in relation to the application at item 3.1. However, under section 2.1.2 of the DAP Code of Conduct 2025, Cr Sullivan and Cr Slaughter acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 3.3 of the DAP Code of Conduct 2025, the Presiding Member determined that the members listed above, who have disclosed an impartiality interest, are permitted to participate in the discussion and voting on the item.

3. Form 1 DAP Applications

3.1 Lot 21 (242) Marine Terrace, South Fremantle - 5 (5) Storey Multiple Dwelling – DAP/25/02994

Deputations

Dan O'Donovan (Dan O'Donovan Architects) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Prue Griffin (Hocking Heritage and Architecture) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Erik Denholm (TBB Planning) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

The City of Fremantle addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

Clayton Higham
Presiding Member, Metro Inner DAP



SUBSTANTIVE MOTION

Moved by: Cr Andrew Sullivan

Seconded by: Cr Pip Slaughter

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/25/02994 is appropriate for consideration as a “Multiple Dwelling” land use and compatible with the objectives of the zoning table in accordance with City of Fremantle Local Planning Scheme No. 4;
2. **Refuse** DAP Application reference DAP/25/02994 and accompanying plans (attachment TP.17 (Rev. 3), TP.18 (Rev. 3) TP.19 (Rev. 3), TP.20 (Rev. 3) TP.21 (Rev. 3), TP.22 (Rev. 3) TP.23 (Rev. 3), TP.24 (Rev. 3) TP.25 (Rev. 3), TP.26 (Rev. 3) TP.27 (Rev. 3), TP.28 (Rev. 3) TP.29 (Rev. 3), TP.30 (Rev. 3)) TP.31 (Rev. 3), TP.32 (Rev. 3) TP.33 (Rev. 3), TP.34 (Rev. 3)) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of 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(2)(a) of the Deemed Provisions as the building height does not meet the requirements of Schedule 7 clause 4.8.1 of Local Planning Scheme No.4 due to the proposal not meeting the requirements to consider variations to building height, as such there is no discretion available to the DAP. Notwithstanding, the proposed building height does not meet the requirements of Schedule 7 clause 4.8.1.1(a) and 4.8.1.1(b) of Local Planning Scheme No.4 due to the bulk and scale of the building being inconsistent with the predominant height patterns of the locality which will result in a detrimental impact to the amenity of neighbouring properties and the surrounding area.
2. The proposal is inconsistent with clauses 67(2)(l), 67(2)(m) and 67(2)(n) of the Deemed Provisions as the proposal will result in a detrimental impact to the amenity of neighbouring properties by virtue of height, bulk and scale and will have a negative impact on the cultural significance of the area.
3. The proposal is inconsistent with the requirements of the Residential Design Codes, section 2.7 – Building Separation, as it is inconsistent with the desired future streetscape of the area and will result in loss of amenity by nature of acoustic and visual privacy.
4. The proposal is inconsistent with the requirements of the Residential Design Codes, section 3.2 – Orientation, as the proposed overshadowing will restrict solar access to neighbouring outdoor living areas, resulting in an adverse amenity impact.

Clayton Higham
Presiding Member, Metro Inner DAP



5. The proposal is inconsistent with the requirements of the Residential Design Codes, section 3.4 – Communal Open Space, as there is no communal open space area proposed to enhance resident amenity.
6. The proposal is inconsistent with the requirements of the Residential Design Codes, section 4.8 – Dwelling Mix, as the proposed dwelling mix does not provide a range of dwelling types or cater for diverse household types and changing community demographics.
7. The proposed built form is detrimental to the heritage significance of the South Fremantle Heritage Area in accordance with the objectives of Local Planning Policy 3.6 – Heritage-protected Places Built Form and Land Use.

AMENDING MOTION 1

Moved by: Francesca Lefante

Seconded by: Cr Andrew Sullivan

That Reason No. 6 be deleted and the remaining Reasons be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Members were satisfied the proposal site density of four large format multiple dwellings complemented local household mix in the area, and there did not require changes.

AMENDING MOTION 2

Moved by: Francesca Lefante

Seconded by: Cr Andrew Sullivan

That Reason No.5 be deleted and the remaining Reasons be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Members were satisfied the inclusion of communal open space on site was not requires given the development was limited to four multiple dwelling, with sufficient private open space provision and within proximity to public park and the oceanfront.

AMENDING MOTION 3

Moved by: Francesca Lefante

Seconded by: NIL

That Reason No.4 be deleted and the remaining Reasons be renumbered accordingly.

The Amending Motion was put and LAPSED for want of a SECONDER.

Clayton Higham
Presiding Member, Metro Inner DAP



AMENDING MOTION 4

Moved by: Francesca Lefante

Seconded by: Peter Lee

That Reason No.3 be deleted and the remaining Reasons be renumbered accordingly.

The Amending Motion was put and LOST (2/3).

For: Francesca Lefante
Peter Lee

Against: Clayton Higham
Cr Andrew Sullivan
Cr Pip Slaughter

AMENDING MOTION 5

Moved by: Clayton Higham

Seconded by: Cr Andrew Sullivan

That Reason No.1 be amended to read as follows:

The proposal is inconsistent with clauses 67(2)(a) of the Deemed Provisions as the building height does not meet the requirements of Schedule 7 clause 4.8.1 of Local Planning Scheme No.4 due to the proposal not meeting the requirements to consider variations to building height, as such there is no discretion available to the DAP. Notwithstanding, the proposed building height does not meet the requirements of Schedule 7 clause 4.8.1.1(a) and 4.8.1.1(b) of Local Planning Scheme No.4 due to the bulk and scale of the building being inconsistent with the predominant height patterns of the locality which will result in a detrimental impact to the amenity of neighbouring properties and the surrounding area.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The panel members acknowledged that while there are a number of matters under Cl 4.8.1 that will need to be addressed there was no certainty that the requirements for exercising discretion may or may not be able to be triggered and therefore considered it best not to lock the decision into that position.

Clayton Higham
Presiding Member, Metro Inner DAP



SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/25/02994 is appropriate for consideration as a “Multiple Dwelling” land use and compatible with the objectives of the zoning table in accordance with City of Fremantle Local Planning Scheme No. 4;
2. **Refuse** DAP Application reference DAP/25/02994 and accompanying plans (attachment TP.17 (Rev. 3), TP.18 (Rev. 3) TP.19 (Rev. 3), TP.20 (Rev. 3) TP.21 (Rev. 3), TP.22 (Rev. 3) TP.23 (Rev. 3), TP.24 (Rev. 3) TP.25 (Rev. 3), TP.26 (Rev. 3) TP.27 (Rev. 3), TP.28 (Rev. 3) TP.29 (Rev. 3), TP.30 (Rev. 3)) TP.31 (Rev. 3), TP.32 (Rev. 3) TP.33 (Rev. 3), TP.34 (Rev. 3)) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of 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(2)(a) of the Deemed Provisions as the proposed building height does not meet the requirements of Schedule 7 clause 4.8.1.1(a) and 4.8.1.1(b) of Local Planning Scheme No.4 due to the bulk and scale of the building being inconsistent with the predominant height patterns of the locality which will result in a detrimental impact to the amenity of neighbouring properties and the surrounding area.
2. The proposal is inconsistent with clauses 67(2)(l), 67(2)(m) and 67(2)(n) of the Deemed Provisions as the proposal will result in a detrimental impact to the amenity of neighbouring properties by virtue of height, bulk and scale and will have a negative impact on the cultural significance of the area.
3. The proposal is inconsistent with the requirements of the Residential Design Codes, section 2.7 – Building Separation, as it is inconsistent with the desired future streetscape of the area and will result in loss of amenity by nature of acoustic and visual privacy.
4. The proposal is inconsistent with the requirements of the Residential Design Codes, section 3.2 – Orientation, as the proposed overshadowing will restrict solar access to neighbouring outdoor living areas, resulting in an adverse amenity impact.
5. The proposed built form is detrimental to the heritage significance of the South Fremantle Heritage Area in accordance with the objectives of Local Planning Policy 3.6 – Heritage-protected Places Built Form and Land Use.

The Substantive Motion (as amended) was put and CARRIED UNANIMOUSLY.

Clayton Higham
Presiding Member, Metro Inner DAP



REASON: The panel members were supportive of the proposed residential use and that it aligned with the intent of the Scheme and associated Development Area 6 and Development Plan 20, however had a number of concerns about the impact of the built form. While acknowledging that the site is constrained the panel were particularly concerned about the overshadowing of the units on the southern boundary by virtue of the proposed building projecting forward to the street. The projection of the proposed building forward was also considered to impact the streetscape. The panel members encouraged the proponents to reconsider the design to address the external amenity issues.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

A handwritten signature in black ink, appearing to read 'Clayton Higham'.

Clayton Higham
Presiding Member, Metro Inner DAP



PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

| Current SAT Applications | | | | |
|-----------------------------|---------------------|--|--|-------------|
| File No. & SAT DR No. | LG Name | Property Location | Application Description | Date Lodged |
| DAP/22/02317 DR81/2023 | City of Vincent | 41-43 and 45 Angove Street, North Perth | Proposed Service Station | 31/05/2023 |
| DAP/20/01911 DR192/2024 | Town of Cambridge | Lot 800 (29-33) Northwood Street, West Leederville | Three storey care premises and associated office | 16/12/2024 |
| DAP/24/02820 DR69/2025 | City of Nedlands | Lot 381 (No.6) Alexander Road, Dalkeith | 5 Multiple Dwellings | 03/06/2025 |
| DAP/25/02866 DR 105/2025 | City of South Perth | Lot 46 (No.142) Coode Street, South Perth | proposed three-storey medical centre (dental practice) | 15/07/2025 |

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 3:02pm.

Clayton Higham
Presiding Member, Metro Inner DAP