



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 25 June 2025; 9:30am
Meeting Number: MIDAP/83
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MIDAP/83 - 25 June 2025 - City of Melville - City of Fremantle](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF MELVILLE

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Lot 551 (27) Willcock Street, Ardross - Extension of Time to Substantially Commence Development and Various Amendments to Four Storey Mixed Use Development – DAP/174/01246
5. Section 31 SAT Reconsiderations

PART C – CITY OF FREMANTLE

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 116 (No.47) Pakenham Street, Fremantle - Mixed Use Development – DAP/25/02841
 - 3.2 No. 33 (Lot 50) South Terrace, Fremantle - Four Storey Hotel – DAP/25/02864
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

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

Clayton Higham
Presiding Member, Metro Inner DAP



ATTENDANCE	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Clayton Higham (Presiding Member)	Kristen Parker
Francesca Lefante (Deputy Presiding Member)	Ashlee Kelly
John Syme	
<i>Part B – City of Melville</i>	
<i>Local Government DAP Members</i>	<i>Officers/Technical Advisors in Attendance</i>
Cr Daniel Lim	Dion Hinge
Cr Matthew Woodall	Troy Cappellucci
<i>Part C – City of Fremantle</i>	
<i>Local Government DAP Members</i>	<i>Officers/Technical Advisors in Attendance</i>
Cr Andrew Sullivan	Chloe Johnston
Cr Ingrid Van Dorssen	Jonathan Dornan

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Presiding Member, Metro Inner DAP



Applicant and Submitters
<i>Part B – City of Melville</i>
Daniel Hollingworth (Lateral Planning)
<i>Part C – City of Fremantle</i>
<i>Item 3.1</i>
Ben Doyle (Planning Solutions)
Josh Carmody (Planning Solutions)
Felipe Soto (Space Collective Architects)
Kate Pearson
Simon Bain (SJB Town Planning)
Stacey Towne
Pamela Cattalini
<i>Item 3.2</i>
Declan Creighan (Urbis)
Michael Benson (Benson Studio)
Joe Alteri (Adelcap)

Members of the Public / Media

Nil.

Observers via livestream

There were 23 persons observing the meeting via the livestream.

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Presiding Member, Metro Inner DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:31am on 25 June 2025 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 2024 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

Nil.

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

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

Clayton Higham
Presiding Member, Metro Inner DAP



PART B – CITY OF MELVILLE

1. Declaration of Due Consideration

The Presiding Member noted that details of a DAP direction for further information and responsible authority response in relation to Item 4.1, received on 24 June 2025 was published in Part B of the Related Information.

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

Nil.

3. Form 1 DAP Applications

Nil.

4. Form 2 DAP Applications

4.1 Lot 551 (27) Willcock Street, Ardross - Extension of Time to Substantially Commence Development and Various Amendments to Four Storey Mixed Use Development – DAP/17/01246

Deputations

Daniel Hollingsworth (Lateral Planning) addressed the DAP in support of the application at Item 4.1 and responded to questions from the panel.

The City of Melville addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Cr Daniel Lim

Seconded by: Cr Matthew Woodall

It is recommended that the Metro Inner DAP resolves to:

1. **Refuse** that the DAP Application reference DAP/17/01246 as detailed on the DAP Form 2 dated 28 October 2024 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;

Clayton Higham
Presiding Member, Metro Inner DAP



Reasons for Responsible Authority Recommendation

The applicable framework which the initial development application was approved under, has substantially altered and the proposed amended aspects of the development are considered to substantially change the development approved.

The Report Recommendation was put and LOST (2/3).

For: Cr Daniel Lim
Cr Matthew Woodall

Against: Clayton Higham
Francesca Lefante
John Syme

ALTERNATE MOTION

Moved by: Francesca Lefante

Seconded by: Cr Matthew Woodall

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/17/01246 is appropriate for consideration as a Mixed-Use development and is compatible with the objectives of the zoning table in accordance with clause no. 16 of the City of Melville Local Planning Scheme No. 6; and
2. **Defer** DAP Application reference DAP/17/01246 and accompanying plans (Drawings 1 to 21 – 03/02/2025) for a Mixed-Use Development at Lot 551 (No. 27) Wilcock Street, Ardross WA 6153 for a period of up to 120 days to enable advertising to be completed by the City, for a comprehensive assessment of the provisions contained in Volume 1, Part C of the Residential Design Codes to be completed by the City and for the amended design to be reviewed by relevant departments within the City.

The Alternate Motion was put and CARRIED UNANIMOUSLY.

REASON: On the issue of jurisdiction, Panel Members were satisfied that the proposed modifications are of a nature that do not constitute substantial changes when reviewed against the approved plans and accordingly the proposal is suitable for consideration as a Form 2 application under DAP Regulation 17. The deferral enables a comprehensive assessment against the planning framework, including advertising.

5. Section 31 SAT Reconsiderations

Nil.

Cr Daniel Lim & Cr Matthew Woodall (Local Government DAP Members, City of Melville) left the panel at 10:04am.

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Presiding Member, Metro Inner DAP



PROCEDURAL MOTION

Moved by: Clayton Higham

Seconded by: Francesca Lefante

That the meeting be adjourned for a period of 10 minutes.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: To allow the changeover of panel members and allow time for applicant and submitters to be seated.

The meeting was adjourned at 10:04am.

The meeting was reconvened at 10:14am.

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

Clayton Higham
Presiding Member, Metro Inner DAP



PART C – CITY OF FREMANTLE

Cr Andrew Sullivan and Cr Ingrid Van Dorssen (Local Government DAP Members, City of Fremantle) joined the panel at 10:24am.

1. Declaration of Due Consideration

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

2. Disclosure of Interests

In accordance with section 2.4.9 of the DAP Code of Conduct 2024, DAP Members, Cr Andrew Sullivan and Cr Ingrid Van Dorssen, declared that they had participated in a prior Council meeting in relation to the application at Items 3.1 and 3.2. However, under section 2.1.2 of the DAP Code of Conduct 2024, Cr Sullivan and Cr Van Dorssen 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 2024, the DAP Executive Director and Presiding Member determined that the members listed above, who had disclosed an impartiality interest, were permitted to participate in the discussion and voting on the items.

DAP Member, Cr Ingrid Van Dorssen, declared an impartiality interest in item 3.1. Cr Van Dorssen was employed by the applicant, Planning Solutions, from 2018 – 2022.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the DAP Executive Director determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in the discussion and voting on the item.

3. Form 1 DAP Applications

3.1 Lot 116 (No.47) Pakenham Street, Fremantle - Mixed Use Development – DAP/25/02841

Deputations

Simon Bain (SJB Town Planning) addressed the DAP against the application at Item 3.1 and responded to questions from the panel.

Kate Pearson addressed the DAP against the application at Item 3.1 and responded to questions from the panel.

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Presiding Member, Metro Inner DAP



Pamela Cattalini addressed the DAP against the application at Item 3.1.

Stacey Towne addressed the DAP against the application at Item 3.1 and responded to questions from the panel.

Ben Doyle (Planning Solutions) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Joshua Carmody (Planning Solutions) responded to questions from the panel.

Felipe Soto (Space Collective) 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.

REPORT RECOMMENDATION

Moved by: Cr Andrew Sullivan

Seconded by: Nil

That the Metro Inner DAP Name resolves to:

1. **Accept** that the DAP Application reference DAP/25/02841 is appropriate for consideration as a “Multiple Dwelling and Restaurant/Café” land use and compatible with the objectives of the zoning table in accordance with the City of Fremantle Local Planning Scheme No. 4.
2. **Refuse** DAP Application DAP/25/02841 and accompanying plans (attachment SD1-00 (Rev. D), SD1-01 (Rev. D), SD1-02 (Rev. N), SD2-01 (Rev. Q), SD2-02 (Rev. N), SD2-03 (Rev. N), SD2-04 (Rev P), SD2-05 (P), SD2-06 (Rev. M), SD3-01 (F), SD3-02 (E), SD3-03 (E), SD4- 01 (Rev. H), SD4-02 (Rev. A), SD5-01 (Rev. Q)) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Fremantle Local Planning Scheme No. 4 for the following reasons:
 - a. The application is not consistent with the requirements of Schedule 7, Local Planning Area 1 (Sub Area 1.3.1) in relation to the proposed additional building heights that do not satisfy the requirement of cl. 1.2(b) of Schedule 7 as the side parapet walls will be detrimental to the character and amenity of the adjoining properties and the locality.
 - b. The application is not consistent with all of the LPS4 requirements of cl. 4.8.1.1 in relation to the additional building heights as the side parapet walls do not satisfy the requirement of sub clauses (a) and (b) as the cause a detrimental impact on the adjoining properties and fail to graduate the additional heights relative to the surrounding lower height buildings.

The Report Recommendation LAPSED for want of a seconder.

Clayton Higham
Presiding Member, Metro Inner DAP



ALTERNATE MOTION

Moved by: Francesca Lefante

Seconded by: Cr Ingrid Van Dorssen

It is recommended that the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/25/02841 is appropriate for consideration as a "Multiple Dwelling and Restaurant/Cafe" land use and compatible with the objectives of the zoning table in accordance with City of Fremantle Local Planning Scheme No.4;
2. **Approve** DAP Application reference DAP/25/02841 and accompanying plans (attachment SD1-00 (Rev. D), SD1-01 (Rev. D), SD1-02 (Rev. N), SD2-01 (Rev. Q), SD2-02 (Rev. N), SD2-03 (Rev. N), SD2-04 (Rev P), SD2-05 (P), SD2-06 (Rev. M), SD3-01 (F), SD3-02 (E), SD3-03 (E), SD4-01 (Rev. H), SD4-02 (Rev. A), SD5-01 (Rev. Q)) 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, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. Prior to lodgement of a Building Permit and/or Demolition Permit application for the development hereby approved, a Construction/Demolition Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
 - a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;
 - c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;
 - g) Site offices;
 - h) Noise - Construction work and deliveries;
 - i) Sand drift and dust management;
 - j) Waste management;
 - k) Dewatering management plan;
 - l) Traffic management; and
 - m) Works affecting pedestrian areas.

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3. Prior to lodgement of a Building Permit application for the development hereby approved, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.
4. Prior to the lodgement of a Building Permit application for the development hereby approved, design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle. All piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters, other plant and bin storage areas must be integrated into the design of the building and located to minimise any visual and/or noise impact on the occupants of nearby properties and screened from view from the street.
5. Prior to lodgement of a Building Permit application for the development hereby approved, amended development plans shall be submitted to the satisfaction of the City of Fremantle, which include a minimum of 20 per cent of all dwellings designed to a minimum silver level universal design (Residential Design Codes Volume 2 Appendix A4 Universal Design Requirements), or certified Livable Housing Australia to a minimum silver level of performance.

The dwellings shall be constructed and maintained as such for the life of the development

6. Prior to the lodgement of a Building Permit application for the development hereby approved, a Green Star 'Designed' assessment from the Green Building Council of Australia (GBCA) demonstrating that the building's design has been assessed and is on track to achieve a minimum 4 Star Green Star Certified rating; OR, a Sustainable Design Assessment Report prepared by a practicing Green Star Accredited Professional (GSAP) as equivalence, is to be submitted to, and approved by the City of Fremantle.
7. Prior to lodgement of a Building Permit application for the development hereby approved, the design and materials of the development shall adhere to the requirements set out within City of Fremantle policy L.P.P2.3 - Fremantle Port Buffer Area Development Guidelines for properties contained within Area 2. Specifically, the development shall provide the following:
 - a) Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b) Air conditioners shall provide internal centrally located 'shut down' points and associated procedures for emergency use.
 - c) Roof insulation in accordance with the requirements of the Building Codes of Australia.

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8. Prior to lodgement of a Building Permit application for the development 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/NZS 1428 including parking bay/s (comprising visitor bays, loading bays, disabled bays, motorcycle / scooter bays), aisle widths, circulation areas, driveway/s and points of ingress and egress, and demonstrates the safety of building users accessing the basement bike store and carparking.
9. Prior to lodgement of a Building Permit application for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.
10. Prior to lodgement of a Building Permit application for the development hereby approved, details are to be submitted that demonstrate that each dwelling will be individually metered for water use to the satisfaction of the City of Fremantle.
11. Prior to lodgement of a Building Permit application for the development hereby approved, details of how the recommendations contained in the environmental acoustic report prepared by Herring Storer Associates, dated 20 December 2024 (Ref: 33943-2-24478), are to be implemented into the design/operation of the development are to be submitted and approved to the satisfaction of the City of Fremantle and thereafter maintained for the life of the development.
12. Prior to lodgement of a Building Permit application for the development hereby approved, one (1) Class 1 or Class 2 and two (2) Class 3, as defined in LPS4, bicycle racks shall be provided, to the satisfaction of the City of Fremantle.
13. Prior to occupation of the development the approved bicycle racks must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
14. Prior to lodgement of a Building Permit application for the development hereby approved, a detailed landscaping plan, including information relating to species selection, 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.
15. Prior to lodgement of a Building Permit application for the development hereby approved, a waste management plan is to be submitted for approval by the City, detailing at a minimum the following:
 - Estimated waste generation
 - Proposed storage of receptacles
 - Collection methodology for residential waste
 - Collection methodology for commercial waste

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- Additional management requirements to be implemented and maintained for the life of the development.

The waste management plan should give consideration to the fact the City is required to manage residential waste but is not responsible for the collection of commercial waste. As a result, the waste management plan will need to align with the waste services available to residents with separate arrangements made for commercial tenancies. The Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle.

16. 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.
17. Prior to occupation/ use of the development hereby approved, the boundary wall located on the north, south and west boundaries shall be of a clean finish in any of the following materials:
 - coloured sand render,
 - face brick,
 - painted surface,
 - other approved finish

and be thereafter maintained to the satisfaction of the City of Fremantle.

18. Prior to occupation/ use of the development hereby approved, a Notification pursuant to Section 70A of the *Transfer of Land Act 1893* shall be prepared to the satisfaction of the City of Fremantle and registered against the Certificate of Title of every residential dwelling, to notify owners and prospective purchasers of any dwelling that the land is located in the City Centre and in close proximity or adjacent to, an area where non-residential uses may exist or be approved and, as a result, the land may be affected by activities and noise not normally associated with residential development. All costs and incidentals relating to the preparation of and registration of the Section 70A notification, including related City of Fremantle Solicitors' costs, shall be met by the owner of the land.
19. Prior to occupation/ use of the development hereby approved, a Notification pursuant to Section 70A of the *Transfer of Land Act 1893* shall be registered against the Certificate of Title to the land the subject of the proposed development advising the owners and subsequent owners of the land that the subject site is located in close proximity to the Fremantle Port and may be subject to noise, odour and activity not normally associated with residential use. The notification is to be prepared by the City's solicitors at the expense of the owner and be executed by all parties prior to occupation.

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20. Prior to the occupation/ use of the development hereby approved, the owner shall contribute a monetary amount equal in value to one percent of the estimated development cost or otherwise approved by the City in accordance with the policy, 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 in accordance with LPP 2.19: Contributions for Public Art and/or Heritage Works and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$7 million dollars the contribution to be made is \$70,000.
21. Prior to occupation/ use of the development hereby approved, all bicycle parking/racks shown on the approved plans shall be provided to the satisfaction of the City of Fremantle and must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
22. Prior to the occupation/ use of the development hereby approved, all car parking, bicycle parking, motorcycle/scooter 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.
23. Prior to commencement of works, a program of monitoring any structural movement and potential vibration impacts on (P0892) Warehouse at 52 Henry Street shall be approved and implemented to the satisfaction of the City of Fremantle, on advice from Heritage Council of Western Australia. The Heritage Council is to be notified immediately if any impact occurs and advised on a recommended course of action by a suitably qualified structural engineer.
24. All works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.
25. The garage door, 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.
26. 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):

1. 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.

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Presiding Member, Metro Inner DAP



2. If construction works involve the emission of noise above the assigned levels in the *Environmental Protection (Noise) Regulations 1997*, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.

Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.

3. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 - a) mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - b) vehicles;
 - c) amplified acoustic systems; and
 - d) patron noise.

It is advised to seek the services of an acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.

4. Any works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, including the installation of a parklet, requires a separate approval from the City of Fremantle's Infrastructure Business Services department who can be contacted via info@fremantle.wa.gov.au or 9432 9999. Additional information on parklets can be found via <https://www.fremantle.wa.gov.au/sites/default/files/City%20of%20Fremantle%20-%20Parklet%20Policy.pdf>
5. In regard to the condition requiring a Construction/ Demolition Management Plan, Local Planning Policy 1.10 Construction Sites can be found on the City's web site via <http://www.fremantle.wa.gov.au/development/policies>.

A copy of the City's Construction and Demolition Management Plan Proforma which needs to be submitted with building and demolition permits can be accessed via: <https://www.fremantle.wa.gov.au/sites/default/files/Construction%20and%20Demolition%20Management%20Plan%20Proforma.pdf>

The Infrastructure Business Services department can be contacted via info@fremantle.wa.gov.au or 9432 9999.

6. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.

Clayton Higham
Presiding Member, Metro Inner DAP



7. Effective measures shall be taken to stabilize sand and ensure no sand escapes from the property by wind or water in accordance with the City's Prevention and Abatement of Sand Drift Local Law.

8. Any removal of asbestos is to comply with the following –

Under ten (10) square metres of bonded (non-friable) asbestos can be removed without a license and in accordance with the *Health (Asbestos) Regulations 1992* and the *Environmental Protection (Controlled Waste) Regulations 2001*. Over 10 square metres must be removed by a Class B asbestos removal licence holder for. All asbestos removal is to be carried out in accordance with the *Work Health and Safety Act 2020* and accompanying regulations and the requirements of the Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)];

Note: Removal of any amount of friable asbestos must be done by a Class A asbestos removal licence holder and an application submitted to WorkSafe, Department of Commerce. <https://www.commerce.wa.gov.au/worksafe/>.

9. 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 via an application to notify/register a food business. 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.
10. It is recommended that the applicant engages the City's Environmental Health department to determine their obligations in obtaining an alfresco dining permit. The City's Environmental Health department can be contacted on 9432 9999 or alternatively via email at health@fremantle.wa.gov.au.
11. This approval does not authorise the removal or modification of verge infrastructure and/or verge trees within the verge area. Written approval is to be obtained for removal or modification of verge infrastructure and/or verge trees within the verge area from the relevant City of Fremantle department or relevant service authority, before construction commences. Please refer to the City's Tree Planting and Vehicle Crossings Policies (SG28 and MD0015) for further information.

Clayton Higham
Presiding Member, Metro Inner DAP



AMENDING MOTION 1

Moved by: Cr Andrew Sullivan

Seconded by: Cr Ingrid Van Dorssen

That Condition No.17 be amended to read as follows:

Prior to occupation/ use of the development hereby approved, the boundary wall located on the north, south and west boundaries shall be of a clean finish in any of the following materials:

- *coloured sand render,*
- *face brick,*
- *painted surface,*
- *other approved finish*

and be thereafter maintained to the satisfaction of the City of Fremantle. The southern boundary wall shall be appropriately finished and detailed to ensure its compatibility with the West End heritage area, recognising its visibility to the public realm.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To enable various external treatments to the boundary wall to be considered.

AMENDING MOTION 2

Moved by: Cr Andrew Sullivan

Seconded by: Cr Ingrid Van Dorssen

That a new Condition No.27 be added to read as follows:

Prior to lodgement of a Building Permit application for the development hereby approved, a detailed drawing showing how the bedrooms for apartments, 201, 202, 203 and 204, the outdoor terrace and bedrooms for apartment 301 and 401 and the balcony for apartment 302 is to be screened in accordance with Clause 5.4.1/6.4.1 of the Residential Design Codes by either:

- a) *fixed obscured or fixed translucent glass to a minimum height of 1.60 metres above internal floor level, or*
- b) *fixed screening, with openings not wider than 5cm and with a maximum of 25% perforated surface area, to a minimum height of 1.60 metres above the internal floor level, or*
- c) *a minimum sill height of 1.60 metres above the internal floor level*

Prior to occupation of the development hereby approved, the approved screening method shall be installed and maintained to the satisfaction of the City of Fremantle

The Amending Motion was put and CARRIED UNANIMOUSLY.

Clayton Higham
Presiding Member, Metro Inner DAP



REASON: To ensure that the screening is installed to address potential overlooking.

AMENDING MOTION 3

Moved by: Cr Andrew Sullivan

Seconded by: Cr Ingrid Van Dorssen

That a new Advice Note No.12 be added to read as follows:

The applicant is advised to ensure appropriate measures and construction methodology are used during construction to avoid damage to adjoining properties, including any boundary walls and footings of heritage fabric.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To notify the applicant of the obligations to protect the adjoining buildings during construction.

ALTERNATE MOTION (AS AMENDED)

It is recommended that the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/25/02841 is appropriate for consideration as a "Multiple Dwelling and Restaurant/Cafe" land use and compatible with the objectives of the zoning table in accordance with City of Fremantle Local Planning Scheme No.4;
2. **Approve** DAP Application reference DAP/25/02841 and accompanying plans (attachment SD1-00 (Rev. D), SD1-01 (Rev. D), SD1-02 (Rev. N), SD2-01 (Rev. Q), SD2-02 (Rev. N), SD2-03 (Rev. N), SD2-04 (Rev P), SD2-05 (P), SD2-06 (Rev. M), SD3-01 (F), SD3-02 (E), SD3-03 (E), SD4-01 (Rev. H), SD4-02 (Rev. A), SD5-01 (Rev. Q)) 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, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. Prior to lodgement of a Building Permit and/or Demolition Permit application for the development hereby approved, a Construction/Demolition Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
 - a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;

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- c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;
 - g) Site offices;
 - h) Noise - Construction work and deliveries;
 - i) Sand drift and dust management;
 - j) Waste management;
 - k) Dewatering management plan;
 - l) Traffic management; and
 - m) Works affecting pedestrian areas.
3. Prior to lodgement of a Building Permit application for the development hereby approved, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.
4. Prior to the lodgement of a Building Permit application for the development hereby approved, design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle. All piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters, other plant and bin storage areas must be integrated into the design of the building and located to minimise any visual and/or noise impact on the occupants of nearby properties and screened from view from the street.
5. Prior to lodgement of a Building Permit application for the development hereby approved, amended development plans shall be submitted to the satisfaction of the City of Fremantle, which include a minimum of 20 per cent of all dwellings designed to a minimum silver level universal design (Residential Design Codes Volume 2 Appendix A4 Universal Design Requirements), or certified Livable Housing Australia to a minimum silver level of performance.
- The dwellings shall be constructed and maintained as such for the life of the development
6. Prior to the lodgement of a Building Permit application for the development hereby approved, a Green Star 'Designed' assessment from the Green Building Council of Australia (GBCA) demonstrating that the building's design has been assessed and is on track to achieve a minimum 4 Star Green Star Certified rating; OR, a Sustainable Design Assessment Report prepared by a practicing Green Star Accredited Professional (GSAP) as equivalence, is to be submitted to, and approved by the City of Fremantle.
7. Prior to lodgement of a Building Permit application for the development hereby approved, the design and materials of the development shall adhere to the requirements set out within City of Fremantle policy L.P.P2.3 - Fremantle Port Buffer Area Development Guidelines for properties contained within Area 2. Specifically, the development shall provide the following:

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- a) Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or “double glazed” utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b) Air conditioners shall provide internal centrally located ‘shut down’ points and associated procedures for emergency use.
 - c) Roof insulation in accordance with the requirements of the Building Codes of Australia.
8. Prior to lodgement of a Building Permit application for the development 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/NZS 1428 including parking bay/s (comprising visitor bays, loading bays, disabled bays, motorcycle / scooter bays), aisle widths, circulation areas, driveway/s and points of ingress and egress, and demonstrates the safety of building users accessing the basement bike store and carparking.
 9. Prior to lodgement of a Building Permit application for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City’s Design Advisory Committee.
 10. Prior to lodgement of a Building Permit application for the development hereby approved, details are to be submitted that demonstrate that each dwelling will be individually metered for water use to the satisfaction of the City of Fremantle.
 11. Prior to lodgement of a Building Permit application for the development hereby approved, details of how the recommendations contained in the environmental acoustic report prepared by Herring Storer Associates, dated 20 December 2024 (Ref: 33943-2-24478), are to be implemented into the design/operation of the development are to be submitted and approved to the satisfaction of the City of Fremantle and thereafter maintained for the life of the development.
 12. Prior to lodgement of a Building Permit application for the development hereby approved, one (1) Class 1 or Class 2 and two (2) Class 3, as defined in LPS4, bicycle racks shall be provided, to the satisfaction of the City of Fremantle.
 13. Prior to occupation of the development the approved bicycle racks must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
 14. Prior to lodgement of a Building Permit application for the development hereby approved, a detailed landscaping plan, including information relating to species selection, 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.

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15. Prior to lodgement of a Building Permit application for the development hereby approved, a waste management plan is to be submitted for approval by the City, detailing at a minimum the following:

- Estimated waste generation
- Proposed storage of receptacles
- Collection methodology for residential waste
- Collection methodology for commercial waste
- Additional management requirements to be implemented and maintained for the life of the development.

The waste management plan should give consideration to the fact the City is required to manage residential waste but is not responsible for the collection of commercial waste. As a result, the waste management plan will need to align with the waste services available to residents with separate arrangements made for commercial tenancies. The Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle.

16. 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.

17. Prior to occupation/ use of the development hereby approved, the boundary wall located on the north, south and west boundaries shall be of a clean finish in any of the following materials:

- coloured sand render,
- face brick,
- painted surface,
- other approved finish

and be thereafter maintained to the satisfaction of the City of Fremantle. The southern boundary wall shall be appropriately finished and detailed to ensure its compatibility with the West End heritage area, recognising its visibility to the public realm.

18. Prior to occupation/ use of the development hereby approved, a Notification pursuant to Section 70A of the *Transfer of Land Act 1893* shall be prepared to the satisfaction of the City of Fremantle and registered against the Certificate of Title of every residential dwelling, to notify owners and prospective purchasers of any dwelling that the land is located in the City Centre and in close proximity or adjacent to, an area where non-residential uses may exist or be approved and, as a result, the land may be affected by activities and noise not normally associated with residential development. All costs and incidentals relating to the preparation of and registration of the Section 70A notification, including related City of Fremantle Solicitors' costs, shall be met by the owner of the land.

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19. Prior to occupation/ use of the development hereby approved, a Notification pursuant to Section 70A of the *Transfer of Land Act 1893* shall be registered against the Certificate of Title to the land the subject of the proposed development advising the owners and subsequent owners of the land that the subject site is located in close proximity to the Fremantle Port and may be subject to noise, odour and activity not normally associated with residential use. The notification is to be prepared by the City's solicitors at the expense of the owner and be executed by all parties prior to occupation.
20. Prior to the occupation/ use of the development hereby approved, the owner shall contribute a monetary amount equal in value to one percent of the estimated development cost or otherwise approved by the City in accordance with the policy, 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 in accordance with LPP 2.19: Contributions for Public Art and/or Heritage Works and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$7 million dollars the contribution to be made is \$70,000.
21. Prior to occupation/ use of the development hereby approved, all bicycle parking/racks shown on the approved plans shall be provided to the satisfaction of the City of Fremantle and must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
22. Prior to the occupation/ use of the development hereby approved, all car parking, bicycle parking, motorcycle/scooter 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.
23. Prior to commencement of works, a program of monitoring any structural movement and potential vibration impacts on (P0892) Warehouse at 52 Henry Street shall be approved and implemented to the satisfaction of the City of Fremantle, on advice from Heritage Council of Western Australia. The Heritage Council is to be notified immediately if any impact occurs and advised on a recommended course of action by a suitably qualified structural engineer.
24. All works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.
25. The garage door, 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.
26. 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.

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27. Prior to lodgement of a Building Permit application for the development hereby approved, a detailed drawing showing how the bedrooms for apartments, 201, 202, 203 and 204, the outdoor terrace and bedrooms for apartment 301 and 401 and the balcony for apartment 302 is to be screened in accordance with Clause 5.4.1/6.4.1 of the Residential Design Codes by either:
- a) fixed obscured or fixed translucent glass to a minimum height of 1.60 metres above internal floor level, or
 - b) fixed screening, with openings not wider than 5cm and with a maximum of 25% perforated surface area, to a minimum height of 1.60 metres above the internal floor level, or
 - c) a minimum sill height of 1.60 metres above the internal floor level

Prior to occupation of the development hereby approved, the approved screening method shall be installed and maintained to the satisfaction of the City of Fremantle

Advice note(s):

1. 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.
2. If construction works involve the emission of noise above the assigned levels in the *Environmental Protection (Noise) Regulations 1997*, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.

Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.

3. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 - a) mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - b) vehicles;
 - c) amplified acoustic systems; and
 - d) patron noise.

It is advised to seek the services of an acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.

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4. Any works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, including the installation of a parklet, requires a separate approval from the City of Fremantle's Infrastructure Business Services department who can be contacted via info@fremantle.wa.gov.au or 9432 9999. Additional information on parklets can be found via <https://www.fremantle.wa.gov.au/sites/default/files/City%20of%20Fremantle%20-%20Parklet%20Policy.pdf>
5. In regard to the condition requiring a Construction/ Demolition Management Plan, Local Planning Policy 1.10 Construction Sites can be found on the City's web site via <http://www.fremantle.wa.gov.au/development/policies>.

A copy of the City's Construction and Demolition Management Plan Proforma which needs to be submitted with building and demolition permits can be accessed via: <https://www.fremantle.wa.gov.au/sites/default/files/Construction%20and%20Demolition%20Management%20Plan%20Proforma.pdf>

The Infrastructure Business Services department can be contacted via info@fremantle.wa.gov.au or 9432 9999.

6. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.
7. Effective measures shall be taken to stabilize sand and ensure no sand escapes from the property by wind or water in accordance with the City's Prevention and Abatement of Sand Drift Local Law.
8. Any removal of asbestos is to comply with the following –

Under ten (10) square metres of bonded (non-friable) asbestos can be removed without a license and in accordance with the *Health (Asbestos) Regulations 1992* and the *Environmental Protection (Controlled Waste) Regulations 2001*. Over 10 square metres must be removed by a Class B asbestos removal licence holder for. All asbestos removal is to be carried out in accordance with the *Work Health and Safety Act 2020* and accompanying regulations and the requirements of the Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)];

Note: Removal of any amount of friable asbestos must be done by a Class A asbestos removal licence holder and an application submitted to WorkSafe, Department of Commerce. <https://www.commerce.wa.gov.au/worksafe/>.

9. 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 via an application to notify/register a food business. 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.

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10. It is recommended that the applicant engages the City's Environmental Health department to determine their obligations in obtaining an alfresco dining permit. The City's Environmental Health department can be contacted on 9432 9999 or alternatively via email at health@fremantle.wa.gov.au.
11. This approval does not authorise the removal or modification of verge infrastructure and/or verge trees within the verge area. Written approval is to be obtained for removal or modification of verge infrastructure and/or verge trees within the verge area from the relevant City of Fremantle department or relevant service authority, before construction commences. Please refer to the City's Tree Planting and Vehicle Crossings Policies (SG28 and MD0015) for further information.
12. The applicant is advised to ensure appropriate measures and construction methodology are used during construction to avoid damage to adjoining properties, including any boundary walls and footings of heritage fabric.

The Alternate Motion was put and CARRIED (4/1).

For: Francesca Lefante
Clayton Higham
John Syme
Cr Ingrid Van Dorssen

Against: Cr Andrew Sullivan

REASON: The majority of members were satisfied that the proposal is consistent with the planning framework, including LPS4 and policy provisions. The development form and scale as it presents to the street is consistent with planning provisions, heritage values in its locational context and provides sufficient onsite parking for the use. Due consideration was given to submissions, presentations, and officer comments on the amenity impacts to adjoining properties. This aspect was intensively discussed during the meeting with Members considering the context of the adjoining sites, the overall design approach with the majority of members forming the opinion that whilst the outlook will be different, some light and outlook will be retained which would be acceptable. On balance, the design satisfies the amenity provisions as contained in LPS4, CI 4.8.1 and Sch 7 and accordingly the exercise of discretion for the height variation is acceptable. The development residential intensification is appropriate in in this location, with the design receiving support from City heritage advisor and design advisory committee. The inclusion of a café at the ground level adds to the community interaction at street level, which is considered a benefit that aligns with the strategic direction of the Precinct and the site urban context and setting. On balance the majority of panel members supported the conditional approval.

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PROCEDURAL MOTION

Moved by: Francesca Lefante

Seconded by: John Syme

That the meeting be adjourned for a period of 5 minutes

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: To allow members a comfort break

The meeting was adjourned at 11:56am.

The meeting was reconvened at 12:01pm.

3.2 No. 33 (Lot 50) South Terrace, Fremantle - Four Storey Hotel – DAP/25/02864

Deputations

Declan Creighan (Urbis) addressed the DAP in support of the application at Item 3.2.

Michael Benson (Benson Studio) addressed the DAP in support of the application at Item 3.2 and responded to questions from the panel.

Patrick Prendiville responded to questions from the panel.

The City of Fremantle addressed the DAP in relation to the application at Item 3.2 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Cr Andrew Sullivan

Seconded by: Cr Ingrid Van Dorssen

It is recommended that the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/25/02864 is appropriate for consideration as a "Hotel" land use and compatible with the objectives of the zoning table in accordance with Clause 3.2.1 of the City of Fremantle Local Planning Scheme No.4;

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2. **Approve** DAP Application reference DAP/25/02864 and accompanying plans (attachment DA0.1 (Rev D), DA0.2 (Rev. D), DA0.3 (Rev. D), DA0.4 (Rev. D), DA1.0 (Rev. G), DA1.1 (Rev. G), DA1.2 (Rev. E), DA1.3 (Rev. E), DA1.4 (Rev. E), DA1.5 (Rev. D), DA1.6 (Rev D), DA1.7 (Rev D), DA2.0 (Rev D), DA2.1 (Rev D), DA2.2 (Rev D), DA3.0 (Rev E), DA3.1 (Rev E), DA4.0 (Rev C), DA5.0 (Rev C), DA6.0 (Rev C), DA7.0 (Rev C), DA8.0 (Rev C), DA9.0 (Rev C), DA10.0 (Rev C), DA11.0 (Rev C) and DA12.0 (Rev C) 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, subject to the following conditions:

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. All works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.
4. Prior to lodgement of a Building Permit and/or Demolition Permit application for the development hereby approved, a Construction/Demolition Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
 - a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;
 - c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;
 - g) Site offices;
 - h) Noise - Construction work and deliveries;
 - i) Sand drift and dust management;
 - j) Waste management;
 - k) Dewatering management plan;
 - l) Traffic management; and
 - m) Works affecting pedestrian areas.

Dewatering application must include:-

- Written approval from department of Water and Department of Park and Wildlife
- Dewatering impact report
- Demonstrated compliance with Swan Trust Policy SRT/DE6
- Before discharge in to the City's storm water system, they need to have a sediment control and weekly monitoring plan.

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The approved Demolition and Construction Management Plan shall be adhered to throughout the demolition of the existing building on site and construction of the new development.

5. Prior to lodgement of a Building Permit application for the development hereby approved, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.
6. Prior to the lodgement of a Building Permit application for the development hereby approved, design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle. All piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters, other plant and bin storage areas must be integrated into the design of the building and located to minimise any visual and/or noise impact on the occupants of nearby properties and screened from view from the street.
7. Prior to lodgement of a Building Permit application for the development hereby approved, the design and materials of the development shall adhere to the requirements set out within City of Fremantle policy L.P.P2.3 - Fremantle Port Buffer Area Development Guidelines for properties contained within Area 2. Specifically, the development shall provide the following:
 - a) Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b) Air conditioners shall provide internal centrally located 'shut down' points and associated procedures for emergency use.
 - c) Roof insulation in accordance with the requirements of the Building Codes of Australia.
8. Prior to lodgement of a Building Permit application for the development 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/NZS 1428 including parking bay/s (comprising visitor bays, loading bays, disabled bays, motorcycle / scooter bays), aisle widths, circulation areas, driveway/s and points of ingress and egress, and demonstrates the safety of building users accessing the basement bike store and carparking.
9. Prior to lodgement of a Building Permit application for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.

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10. Prior to lodging an application for a Building Permit for the development hereby approved, the applicant/owner is to submit a copy of documentation from the Green Building Council of Australia or have a suitably qualified professional stating how the development will achieve a Green Star rating of at least 4 Stars of equivalent, to the satisfaction of the City of Fremantle.
11. Prior to lodging an application for a Building Permit for the development hereby approved, all piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle.
12. Prior to lodgement of a Building Permit application for the development hereby approved, one (1) Class 1 or Class 2 and two (2) Class 3, as defined in LPS4, bicycle racks shall be provided, to the satisfaction of the City of Fremantle.
13. Prior to lodgement of a Demolition or Building Permit application for the development hereby approved, an archival record is to be made of the former Papa Luigis Cafe (New Papas) building to be demolished and submitted to the City of Fremantle for approval, and shall include:
 - a) A site plan prepared at 1:200 scale, floor plan(s) of the building and four elevations prepared at 1:100 scale.
 - b) Digital photographs taken of the building (once vacated) to include:
 - i) a general/overall photo of the building to be demolished;
 - ii) photos of each of the four elevations;
 - iii) internal photos of all rooms; and photos of any special architectural features.
14. Prior to occupation of the development hereby approved, the boundary walls located on the western and eastern lot boundaries shall be of a clean finish in any of the following materials:
 - coloured sand render,
 - face brick,
 - painted surface,and be thereafter maintained to the satisfaction of the City of Fremantle.
15. Prior to occupation of the development hereby approved, a Delivery Management Plan shall be provided for approval by the City of Fremantle. The Plan must be implemented at all times, unless otherwise approved, to the satisfaction of the City of Fremantle.

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16. Prior to the occupation for the development hereby approved, 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 in accordance with *LPP 2.19: Contributions for Public Art and/or Heritage Works* and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$16.5 million the contribution to be made is \$165,000.
17. Prior to occupation of the development the approved bicycle racks must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
18. Prior to occupation/ use of the development hereby approved, all bicycle parking/racks shown on the approved plans shall be provided to the satisfaction of the City of Fremantle and must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
19. Prior to the occupation/ use of the development hereby approved, all car parking, bicycle parking, motorcycle/scooter 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.
20. The waste management plan, prepared by Talis Consultants, dated 19 December 2024 (WMP24130) must be implemented at all times to the satisfaction of the City of Fremantle.
21. The garage door, 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.
22. 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):

1. 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.
2. With regards to condition 9, the applicant is advised that the Roof top and roof terrace plant on the South Terrace side of the building shall be concealed behind the parapet, and a face brickwork is to be used on South Terrace and Essex Lane facades and a tiled dado is to be used to South Terrace façade in lieu of rendering.

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3. Fire separation for the proposed building works must comply with Part 3.7 of the Building Code of Australia.
4. If construction works involve the emission of noise above the assigned levels in the *Environmental Protection (Noise) Regulations 1997*, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.

Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.

5. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 - a) mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - b) vehicles;
 - c) amplified acoustic systems; and
 - d) patron noise.

It is advised to seek the services of an acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.

6. Any works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, including the installation of a parklet, requires a separate approval from the City of Fremantle's Infrastructure Business Services department who can be contacted via info@fremantle.wa.gov.au or 9432 9999. Additional information on parklets can be found via <https://www.fremantle.wa.gov.au/sites/default/files/City%20of%20Fremantle%20-%20Parklet%20Policy.pdf>
7. In regard to the condition requiring a Construction/ Demolition Management Plan, Local Planning Policy 1.10 Construction Sites can be found on the City's web site via <http://www.fremantle.wa.gov.au/development/policies>.

A copy of the City's Construction and Demolition Management Plan Proforma which needs to be submitted with building and demolition permits can be accessed via: <https://www.fremantle.wa.gov.au/sites/default/files/Construction%20and%20Demolition%20Management%20Plan%20Proforma.pdf>

The Infrastructure Business Services department can be contacted via info@fremantle.wa.gov.au or 9432 9999.

8. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.

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9. Effective measures shall be taken to stabilize sand and ensure no sand escapes from the property by wind or water in accordance with the City's Prevention and Abatement of Sand Drift Local Law.

10. Any removal of asbestos is to comply with the following –

Under ten (10) square metres of bonded (non-friable) asbestos can be removed without a license and in accordance with the *Health (Asbestos) Regulations 1992* and the *Environmental Protection (Controlled Waste) Regulations 2001*. Over 10 square metres must be removed by a Class B asbestos removal licence holder for. All asbestos removal is to be carried out in accordance with the *Work Health and Safety Act 2020* and accompanying regulations and the requirements of the Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)];

Note: Removal of any amount of friable asbestos must be done by a Class A asbestos removal licence holder and an application submitted to WorkSafe, Department of Commerce. <https://www.commerce.wa.gov.au/worksafe/>.

11. 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 via an application to notify/register a food business. 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.
12. It is recommended that the applicant engages the City's Environmental Health department to determine their obligations in obtaining an alfresco dining permit. The City's Environmental Health department can be contacted on 9432 9999 or alternatively via email at health@fremantle.wa.gov.au.
13. This approval does not authorise the removal or modification of verge infrastructure and/or verge trees within the verge area. Written approval is to be obtained for removal or modification of verge infrastructure and/or verge trees within the verge area from the relevant City of Fremantle department or relevant service authority, before construction commences. Please refer to the City's Tree Planting and Vehicle Crossings Policies (SG28 and MD0015) for further information.
14. The applicant is strongly advised that given the subject sites proximity to existing live music and entertainment venues, all future operators and clients of the Hotel should be informed that they will be subject to noise and activity. Appropriate measures should be undertaken via construction methodology, internal fit out and education/advertising to ensure a robust response to the existing and ongoing noise from the City Centre.

Clayton Higham
Presiding Member, Metro Inner DAP



AMENDING MOTION 1

Moved by: Francesca Lefante

Seconded by: John Syme

That Condition No.9 be amended to read as follows:

Prior to lodgement of a Building Permit application for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials is to be submitted and approved to the satisfaction of the City of Fremantle. ~~on the advice of the City's Design Advisory Committee.~~

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

For: Francesca Lefante
John Syme
Clayton Higham

Against: Cr Andrew Sullivan
Cr Ingrid Van Dorssen

REASON: The panel was satisfied that there are appropriate internal mechanism to address design and material changes and that the Design Advisory Committee may not be the only source of advice in this process.

Clayton Higham
Presiding Member, Metro Inner DAP



AMENDING MOTION 2

Moved by: Francesca Lefante

Seconded by: John Syme

That Condition No.16 be amended to read as follows:

Prior to the occupation for the development hereby approved, 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 in accordance with LPP 2.19: Contributions for Public Art and/or Heritage Works and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$16.5 million the contribution to be made is \$165,000.

OR

Alternatively, the Council may waive the requirement for the public art/heritage work(s) monetary contribution in cases where the approved development incorporates public art work(s) to the same value specified above and the public art work(s) is located in a position clearly visible to the general public, either on the site of the development or within a crown reserve adjoining or near to the development site. Any such public artwork proposal is to be developed in accordance with the City's Public Art Policy and the City's Percent for Art Guidelines and approved by the City of Fremantle. 20250623 - DAP Memo - 33 South Terrace Development Application 3 Prior to occupation of the development, the public art proposal shall be implemented, and thereafter maintained for the life of the development, to the satisfaction of the City of Fremantle.

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

For: Francesca Lefante
John Syme
Clayton Higham
Cr Ingrid Van Dorssen

Against: Cr Andrew Sullivan

REASON: To provide the City flexibility for the delivery of Public Art in accordance with the City policy.

Clayton Higham
Presiding Member, Metro Inner DAP



AMENDING MOTION 3

Moved by: Clayton Higham

Seconded by: John Syme

That Condition No.1 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Not required, due to legislation change.

REPORT RECOMMENDATION (AS AMENDED)

It is recommended that the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/25/02864 is appropriate for consideration as a "Hotel" land use and compatible with the objectives of the zoning table in accordance with Clause 3.2.1 of the City of Fremantle Local Planning Scheme No.4;
2. **Approve** DAP Application reference DAP/25/02864 and accompanying plans (attachment DA0.1 (Rev D), DA0.2 (Rev. D), DA0.3 (Rev. D), DA0.4 (Rev. D), DA1.0 (Rev. G), DA1.1 (Rev. G), DA1.2 (Rev. E), DA1.3 (Rev. E), DA1.4 (Rev. E), DA1.5 (Rev. D), DA1.6 (Rev D), DA1.7 (Rev D), DA2.0 (Rev D), DA2.1 (Rev D), DA2.2 (Rev D), DA3.0 (Rev E), DA3.1 (Rev E), DA4.0 (Rev C), DA5.0 (Rev C), DA6.0 (Rev C), DA7.0 (Rev C), DA8.0 (Rev C), DA9.0 (Rev C), DA10.0 (Rev C), DA11.0 (Rev C) and DA12.0 (Rev C) 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, subject to the following conditions:
 1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
 2. All works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.
 3. Prior to lodgement of a Building Permit and/or Demolition Permit application for the development hereby approved, a Construction/Demolition Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
 - a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;
 - c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;

Clayton Higham
Presiding Member, Metro Inner DAP



- g) Site offices;
- h) Noise - Construction work and deliveries;
- i) Sand drift and dust management;
- j) Waste management;
- k) Dewatering management plan;
- l) Traffic management; and
- m) Works affecting pedestrian areas.

Dewatering application must include:-

- Written approval from department of Water and Department of Park and Wildlife
- Dewatering impact report
- Demonstrated compliance with Swan Trust Policy SRT/DE6
- Before discharge in to the City's storm water system, they need to have a sediment control and weekly monitoring plan.

The approved Demolition and Construction Management Plan shall be adhered to throughout the demolition of the existing building on site and construction of the new development.

4. Prior to lodgement of a Building Permit application for the development hereby approved, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.
5. Prior to the lodgement of a Building Permit application for the development hereby approved, design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle. All piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters, other plant and bin storage areas must be integrated into the design of the building and located to minimise any visual and/or noise impact on the occupants of nearby properties and screened from view from the street.
6. Prior to lodgement of a Building Permit application for the development hereby approved, the design and materials of the development shall adhere to the requirements set out within City of Fremantle policy L.P.P2.3 - Fremantle Port Buffer Area Development Guidelines for properties contained within Area 2. Specifically, the development shall provide the following:
 - a) Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b) Air conditioners shall provide internal centrally located 'shut down' points and associated procedures for emergency use.
 - c) Roof insulation in accordance with the requirements of the Building Codes of Australia.

Clayton Higham
Presiding Member, Metro Inner DAP



7. Prior to lodgement of a Building Permit application for the development 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/NZS 1428 including parking bay/s (comprising visitor bays, loading bays, disabled bays, motorcycle / scooter bays), aisle widths, circulation areas, driveway/s and points of ingress and egress, and demonstrates the safety of building users accessing the basement bike store and carparking.
8. Prior to lodgement of a Building Permit application for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials is to be submitted and approved to the satisfaction of the City of Fremantle.
9. Prior to lodging an application for a Building Permit for the development hereby approved, the applicant/owner is to submit a copy of documentation from the Green Building Council of Australia or have a suitably qualified professional stating how the development will achieve a Green Star rating of at least 4 Stars of equivalent, to the satisfaction of the City of Fremantle.
10. Prior to lodging an application for a Building Permit for the development hereby approved, all piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle.
11. Prior to lodgement of a Building Permit application for the development hereby approved, one (1) Class 1 or Class 2 and two (2) Class 3, as defined in LPS4, bicycle racks shall be provided, to the satisfaction of the City of Fremantle.
12. Prior to lodgement of a Demolition or Building Permit application for the development hereby approved, an archival record is to be made of the former Papa Luigis Cafe (New Papas) building to be demolished and submitted to the City of Fremantle for approval, and shall include:
 - a) A site plan prepared at 1:200 scale, floor plan(s) of the building and four elevations prepared at 1:100 scale.
 - b) Digital photographs taken of the building (once vacated) to include:
 - i) a general/overall photo of the building to be demolished;
 - ii) photos of each of the four elevations;
 - iii) internal photos of all rooms; and photos of any special architectural features.

Clayton Higham
Presiding Member, Metro Inner DAP



13. Prior to occupation of the development hereby approved, the boundary walls located on the western and eastern lot boundaries shall be of a clean finish in any of the following materials:

- coloured sand render,
- face brick,
- painted surface,

and be thereafter maintained to the satisfaction of the City of Fremantle.

14. Prior to occupation of the development hereby approved, a Delivery Management Plan shall be provided for approval by the City of Fremantle. The Plan must be implemented at all times, unless otherwise approved, to the satisfaction of the City of Fremantle.
15. Prior to the occupation for the development hereby approved, 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 in accordance with *LPP 2.19: Contributions for Public Art and/or Heritage Works* and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$16.5 million the contribution to be made is \$165,000.

OR

Alternatively, the Council may waive the requirement for the public art/heritage work(s) monetary contribution in cases where the approved development incorporates public art work(s) to the same value specified above and the public art work(s) is located in a position clearly visible to the general public, either on the site of the development or within a crown reserve adjoining or near to the development site. Any such public artwork proposal is to be developed in accordance with the City's Public Art Policy and the City's Percent for Art Guidelines and approved by the City of Fremantle. 20250623 - DAP Memo - 33 South Terrace Development Application 3 Prior to occupation of the development, the public art proposal shall be implemented, and thereafter maintained for the life of the development, to the satisfaction of the City of Fremantle.

16. Prior to occupation of the development the approved bicycle racks must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
17. Prior to occupation/ use of the development hereby approved, all bicycle parking/racks shown on the approved plans shall be provided to the satisfaction of the City of Fremantle and must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.

Clayton Higham
Presiding Member, Metro Inner DAP



18. Prior to the occupation/ use of the development hereby approved, all car parking, bicycle parking, motorcycle/scooter 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.
19. The waste management plan, prepared by Talis Consultants, dated 19 December 2024 (WMP24130) must be implemented at all times to the satisfaction of the City of Fremantle.
20. The garage door, 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.
21. 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):

1. 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.
2. With regards to condition 9, the applicant is advised that the Roof top and roof terrace plant on the South Terrace side of the building shall be concealed behind the parapet, and a face brickwork is to be used on South Terrace and Essex Lane facades and a tiled dado is to be used to South Terrace façade in lieu of rendering.
3. Fire separation for the proposed building works must comply with Part 3.7 of the Building Code of Australia.
4. If construction works involve the emission of noise above the assigned levels in the *Environmental Protection (Noise) Regulations 1997*, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.

Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.

Clayton Higham
Presiding Member, Metro Inner DAP



5. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
- a) mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - b) vehicles;
 - c) amplified acoustic systems; and
 - d) patron noise.

It is advised to seek the services of an acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.

6. Any works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, including the installation of a parklet, requires a separate approval from the City of Fremantle's Infrastructure Business Services department who can be contacted via info@fremantle.wa.gov.au or 9432 9999. Additional information on parklets can be found via <https://www.fremantle.wa.gov.au/sites/default/files/City%20of%20Fremantle%20-%20Parklet%20Policy.pdf>
7. In regard to the condition requiring a Construction/ Demolition Management Plan, Local Planning Policy 1.10 Construction Sites can be found on the City's web site via <http://www.fremantle.wa.gov.au/development/policies>.

A copy of the City's Construction and Demolition Management Plan Proforma which needs to be submitted with building and demolition permits can be accessed via: <https://www.fremantle.wa.gov.au/sites/default/files/Construction%20and%20Demolition%20Management%20Plan%20Proforma.pdf>

The Infrastructure Business Services department can be contacted via info@fremantle.wa.gov.au or 9432 9999.

8. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.
9. Effective measures shall be taken to stabilize sand and ensure no sand escapes from the property by wind or water in accordance with the City's Prevention and Abatement of Sand Drift Local Law.

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10. Any removal of asbestos is to comply with the following –

Under ten (10) square metres of bonded (non-friable) asbestos can be removed without a license and in accordance with the *Health (Asbestos) Regulations 1992* and the *Environmental Protection (Controlled Waste) Regulations 2001*. Over 10 square metres must be removed by a Class B asbestos removal licence holder for. All asbestos removal is to be carried out in accordance with the *Work Health and Safety Act 2020* and accompanying regulations and the requirements of the Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)];

Note: Removal of any amount of friable asbestos must be done by a Class A asbestos removal licence holder and an application submitted to WorkSafe, Department of Commerce. <https://www.commerce.wa.gov.au/worksafe/>.

11. 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 via an application to notify/register a food business. 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.
12. It is recommended that the applicant engages the City's Environmental Health department to determine their obligations in obtaining an alfresco dining permit. The City's Environmental Health department can be contacted on 9432 9999 or alternatively via email at health@fremantle.wa.gov.au.
13. This approval does not authorise the removal or modification of verge infrastructure and/or verge trees within the verge area. Written approval is to be obtained for removal or modification of verge infrastructure and/or verge trees within the verge area from the relevant City of Fremantle department or relevant service authority, before construction commences. Please refer to the City's Tree Planting and Vehicle Crossings Policies (SG28 and MD0015) for further information.
14. The applicant is strongly advised that given the subject sites proximity to existing live music and entertainment venues, all future operators and clients of the Hotel should be informed that they will be subject to noise and activity. Appropriate measures should be undertaken via construction methodology, internal fit out and education/advertising to ensure a robust response to the existing and ongoing noise from the City Centre.

The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.

Clayton Higham
Presiding Member, Metro Inner DAP



REASON: Panel members were satisfied that the proposal is consistent with the planning framework. The discretionary hotel land use is appropriate and provides unique accommodation offering incorporating pod style rooms in a mixed-use development. The inclusion of bar and restaurant land uses reconnects and activates the site with South Terrace and the broader public realm, with the architecture presented to both street, South Terrace and Essex Lane. Due regard was given to issues raised with members satisfied the land use mix, design and street interface is appropriate in this location, supporting street level activation within the precinct. The design includes various levels of acoustic treatments, including façade glazing to reflect the sites locational context within an entertainment and afterhours night precinct. The proposal form, scale and design details incorporating the parapet and arch to the front of the building compliments and balances the development with the historic buildings and local context. Members agreed with the RAR comments the height variations graduate the scale of external wall heights consistent with the height and scale of the surrounding historic building and context. The parking shortfall whilst significant was considered acceptable having regard to the site location, public transport frequency and public car parking bays availability and locations within 200 – 400m from the site. On balance the proposal was supported inclusive of minor condition changes

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Clayton Higham
Presiding Member, Metro Inner DAP



PART D – 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/24/02786 DR/41/2025	City of South Perth	Lots 1 and 2 (No.13 and 13a) Stone Street, South Perth	Eight Multiple Dwellings	08/04/2025
DAP/24/02794 DR 42/2025	City of South Perth	Lot 31 (No. 97) South Perth Esplanade, South Perth	Proposed 7 Multiple Dwellings	09/04/2025
DAP/2799 DR 44/2025	City of Nedlands	Lot No 348 (111) Waratah Avenue, Dalkeith	5 Grouped Dwelling Development	15/04/2025

Finalised SAT Applications*				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Finalised
DAP/24/02688 DR191/2024	City of South Perth	No 44 (Lot 15) Park Street, Como	Proposed Childcare Premises	16/12/2024

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 12:42pm.

Clayton Higham
Presiding Member, Metro Inner DAP