

**CITY OF FREMANTLE**  
**LOCAL PLANNING SCHEME NO. 4**  
**AMENDMENT NO. 68**

**SCHEME AMENDMENT REPORT**

**CITY OF FREMANTLE  
PLANNING AND DEVELOPMENT SERVICES  
8 WILLIAM STREET  
FREMANTLE WA 6160**

**PLANNING AND DEVELOPMENT ACT 2005**

**RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME**

**CITY OF FREMANTLE**


**LOCAL PLANNING SCHEME NO. 4**

**AMENDMENT NO. 68**

Resolved that the local government pursuant to section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- a) Amend Clause 6.12 Schedule 8 Local Planning Areas (Development Requirements) Local Planning Area 4 – South Fremantle by inserting the following:

**LOCAL PLANNING AREA 4 – SOUTH FREMANTLE**

4.3	SPECIFIC DEVELOPMENT CONTROLS FOR SUB AREAS
Sub Area 4.3.7	

- (a) Within sub area 4.3.7, clause 4.2.5 does not apply; and
- (b) Investigation of potential site contamination to the satisfaction of the DEC.
- (c) Notwithstanding the provisions of Table 1 – Zoning, residential land use will not be permitted in new buildings at the ground floor level fronting Hampton Road.
- (d) In the part of all new buildings with frontage to Hampton Road, the ground floor level must be no more than 600mm above the level of the adjacent footpath and the first floor level must be at least 4 metres above the level of the footpath adjacent to the site.
- (e) Buildings shall incorporate active ground level frontages to Hampton Road, South Fremantle.

**Setbacks**

- (f) Building setbacks shall be in accordance with the requirements set out in the table below:

Site	Frontage to:	Minimum Street Setback (metres)	Minimum side and rear setbacks
No. 223 Hampton Road	Hampton Road	15	Nil
No. 227 Hampton Road	Hampton Road	15	Nil
No. 229 Hampton Road	Hampton Road	15	Nil
No. 229A Hampton Road	Hampton Road	15	Nil
No. 229A Hampton Road	Brockman Place	Nil	Nil
No. 229B Hampton Road	Hampton Road	15	Nil
No. 229B Hampton Road	Brockman Place	Nil	Nil
No. 231 Hampton Road	Hampton Road	15	Nil
No. 233-235 Hampton Road	Hampton Road	15	Nil

- (g) A minimum street setback of nil metres to developments fronting Brockman Place, South Fremantle.
- (h) To prevent excessive breaks in building frontages to Hampton Road, the maximum aggregate width of spaces between or to the side of the building(s) on the lot at ground floor level on the frontage to Hampton Road is no more than 8 metres.
- (i) Vehicle parking shall not be provided for in the street setback area of any Lot.

**Additional development standards**

- (j) In applying (k) Additional Development Standards within Sub Area

4.3.7;

- (i) Clause 4.2 'Matters to be considered in applying general and specific height requirements' does not apply;
- (ii) A portion of lot area of 229B Hampton Road, not less than 6m in width, to be provided for the length of the lot only where the common boundary of 1/6 Brockman Place is shared. This portion of the land shall be transferred at no cost to the City of Fremantle to provide an east west linkage between Brockman Place and the Former South Fremantle Landfill site for the purpose of a landscaped dual use path; and

(k) Additional development standards shall be in accordance with the criteria and standards set out in the table below:

Locations where additional development standards apply	Criteria to be met in order for additional development standards to apply	Additional Development standards
Lot 4 and Lot 5 (231A Hampton Road and 233-235)	<ul style="list-style-type: none"> <li>a) Where vehicle access of the development site can only be obtained directly from Hampton Road.</li> <li>b) Road, vehicle parking shall be provided below ground level or at the rear of the development for development fronting Hampton</li> </ul>	Residential density of R100  Permitted building height of 15 metres  On development sites fronting Hampton Road and notwithstanding the provisions of clause 5.7.3, parking requirements for non-residential development may be reduced by 50%.
Locations where additional development standards apply	Criteria to be met in order for additional development standards to apply	Additional development standards
All locations within Sub Area 4.3.7 (excluding Lot 4 and Lot 5)	<ul style="list-style-type: none"> <li>a) Where vehicle access of the development site can be obtained directly from a public road other than Hampton Road.</li> <li>b) For development fronting Hampton Road, vehicle parking shall be provided below ground level or at the rear of the development.</li> </ul>	Residential density of R160  Permitted building height of 17.5 metres  On development sites fronting Hampton Road and notwithstanding the

			provisions of clause 5.7.3, parking requirements for non-residential development may be reduced by 50%.
	Locations where additional development standards apply	Criteria to be met in order for additional development standards to apply	Additional development standards
	All locations within Sub Area 4.3.7	<p>a) The development site comprises of a minimum land area of 4,000 square metres.</p> <p>b) Where vehicle access of the development site can be obtained directly from a public road other than Hampton Road</p> <p>c) For development fronting Hampton Road, vehicle parking shall be provided below ground level or at the rear of the development.</p>	<p>Residential density of R-AC3.</p> <p>Permitted building height of 24.5 metres.</p> <p>On development sites fronting Hampton Road and notwithstanding the provisions of clause 5.7.3, parking requirements for non-residential development may be reduced by 50%.</p>
Note: Where the above criteria are not met, the height requirements in 4.1 above apply.			

**(b) The amendment is considered to be a standard amendment for the following reasons:**

- (i) this scheme amendment is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;**
- (ii) this scheme amendment is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;**
- (iii) this scheme amendment is an amendment that is not a complex or basic amendment.**

Dated this 28 day of September 2016

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**PHILIP ST JOHN**  
**CHIEF EXECUTIVE OFFICER**

## Proposal to Amend a Town Planning Scheme

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|---|--|
| <b>1. Local Authority:</b>                      | City of Fremantle  |
| <b>2. Description of Local Planning Scheme:</b> | Local Planning Scheme No. 4  |
| <b>3. Type of Scheme:</b>                       | District Zoning Scheme   |
| <b>4. Serial No. of Amendment:</b>              | 68   |
| <b>5. Proposal:</b>                             | <ol style="list-style-type: none"><li><b>1. Modifications to the Scheme text to include Sub Area 4.3.7 and associated development controls into Schedule 8: Local Planning Area 4 – South Fremantle.</b></li><li><b>2. Development Controls for Sub Area 4.3.6 are proposed to relate to vehicle access, setbacks and ground floor land requirements.</b></li><li><b>3. By achieving the development controls increased density and building height will be permitted.</b></li></ol> |

## 1. Introduction

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The Brockman Place area is capable of more comprehensive redevelopment to assist with revitalisation of Fremantle's southern gateway. This amendment is considered to be a logical progression to a similar amendment on adjacent land at Strang Street (amendment 43). These two amendments are intended to facilitate redevelopment in South Fremantle that will in turn encourage and support upgraded public transport infrastructure along Hampton Road.

The proposed amendment will modify and introduce new provisions within Schedule 8 of the City of Fremantle Local Planning Scheme no. 4 specifically relating to density, heights, setbacks, vehicle access and land use activation. The area is currently zoned mixed use and the scheme amendment does not involve re-zoning or underlying density code changes. The additional development standards proposed for the area will enable landowners to be awarded increased densities and heights.

The Brockman Place area consists of a variety of lot sizes and land ownerships with land holdings ranging from 972m<sup>2</sup> to 18266m<sup>2</sup>. Lot sizes have influenced the proposed development controls as the larger lot sizes have a greater capacity to incorporate additional heights and density without resulting in overdevelopment of these lots. Proposed densities and heights therefore have been designed to vary depending on the minimum lot size.

This report discusses the scheme amendment and the key consideration for the sites and the role of this area within the broader South Fremantle context.

## 2. Background

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In early 2014 landowners within the Brockman Place area expressed interest with the City in the redevelopment and revitalisation of this area. Investigation into the site was undertaken and options have been presented to Council who have discussed the amendment on two separate occasions. The scheme amendment is considered an appropriate planning mechanism to achieve a coordinated and comprehensive planning outcome.

## 3. Site Location, Description & Planning Context

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### Location and site description

The amendment sites are located within the South Fremantle area (refer figure 1). The area is approximately 2.5km from the Fremantle City Centre and is located close to the City of Cockburn boundary. This area is an important north south link to and from Fremantle and southern suburbs.



*Figure 1 – Scheme amendment area proximity to Fremantle City Centre*

The locality of the amendment sites falls within the broader South Fremantle Heritage Area. While the area falls within a heritage area, only one of the sites has been identified to have individual heritage significance (refer to figure 2). The existing stable building located at no. 229B Hampton Road has been identified to have cultural heritage significance and is listed on the City's heritage list and on the Municipal Heritage Inventory (Management category - level 2).

The building is more commonly referred to as the former Atkinson's Jockey Quarters and Stables and has been identified as being of heritage significance for the following reasons:

- The Quarters contributes to the South Fremantle Heritage Precinct as an early twentieth century structure with Federation period detailing;
- the limestone north wall of the former stables contributes to the South Fremantle Heritage Precinct as an early limestone wall;
- the former Quarters and stables contribute to the story of development of the horse racing industry in South Fremantle; and,



- the former Quarters and stables are valued by the horse racing community as demonstrated through inclusion in the City of Fremantle Municipal Inventory, and their inclusion in the South Fremantle Heritage Study (1993).

The buildings associated with the Jockey Quarters will need to be retained and considered by the landowners in future redevelopment of the area.

Similarly figure 3 below shows additional sites listed on the City's Municipal Heritage Inventory (MHI), which is a record of sites with heritage significance. The City's MHI is separate to the City's Heritage List and can include reference to buildings that may have previously been found on sites.

No. 231A Hampton Road is an example which had previous buildings located on the site that were characteristic of the South Fremantle area. The previous dual use residential and industrial buildings were granted demolition approval in the late 1980's and are no longer found on the site. The site remains on the City's MHI as it ensures that a record of the buildings located here are reordered.



Figure 2 – Heritage Places within Brockman Place

## Surrounding land and land uses

The Brockman Place area has an assortment of natural and manmade features within close proximity (see figure 4). The surrounding context plays a significant part in the opportunities and contextual influences impacting on the amendment site.



Figure 4 – Site context

The Brockman Place area is bound to the east by Hampton Road which provides an important north south linkage to and from Fremantle and suburbs to the south. Hampton Road also links the site to key developments such as the South Fremantle Marketplace and the Strang Street area. These areas have similarly been identified to play an important role in the broader revitalisation for the southern part of South Fremantle.

The South Fremantle Market Place abuts the northern most lot within the Brockman Place area. The Market Place area is currently zoned as Local Centre and has a variety of land uses operating including a supermarket, cafe and retail outlets. The area has the opportunity to assist with servicing new residents to the South Fremantle area.

The Strang Street area is located on the eastern side of Hampton Road and has been identified to have similar characteristics to the Brockman Place in so far as redevelopment potential and site constraints limiting development. The Strang Street area has recently gone through a scheme amendment process to enable comprehensive redevelopment of the area and now has development controls in place that enable redevelopment up to this to occur. Sites within the Strang Street area have the potential to be built to an R-AC3 density with a 24.5m height where specific development standards are achieved.

The locality further south of the amendment area, located within the City of Cockburn, is guided by the City of Cockburn's Newmarket Precinct Design Guidelines. The Newmarket Precinct will *encourage a residential and mixed use focus, with ground floor office and commercial opportunities along Cockburn Road and Rockingham Road.*

The Cockburn policy prescribes retail and commercial uses with active frontages to be located on the ground floor of new developments and the ability to have multiple dwellings located on upper levels. The building heights prescribed for the Newmarket Precinct locality will not exceed 21m in height.

The area is also located near several natural landmarks including South Beach, Hollis Park and Clontarf Hill. Brockman Place is located approximately 500m east of South Beach and can be accessed by foot or bicycle via the dual use path running east west. This provides a direct link from the scheme area. The dual use path also provides access to Hollis Park and the former South Fremantle tip site which is currently undeveloped and informally used in part as a linear green space to the west of Brockman Place. Current access to the dual use path can only be obtained from the southern most point of the amendment area, limiting the accessibility of sites towards the north.

The Clontarf Hill site is also an important natural and cultural attraction within the area that provides a public natural park space. Access to Clontarf Hill can be obtained via Hampton Road then Clontarf Road however due to the high frequency of traffic along this intersection, accessing via foot or bicycle is considered to be restricted. Linkage between these natural sites within the South Fremantle area has also been identified as an important opportunity within the City's Green Plan (refer to figure 6).



Figure 5 – Existing Open Space and Green Plan Linkages

The location, surrounding amenities and large lot sizes make this area ideal for increased residential development.

### Planning Context

The Brockman Place area is comprised of 14 lots that are all currently zoned urban under the Metropolitan Region Scheme and mixed use under the City's Local Planning Scheme 4 (LPS4) (see figure 6a and 6b). A variety of land uses occupy these sites and include; manufacturing, distribution and commercial uses. Substantial redevelopment of the area has not been seen due to the current planning provisions restricting the overall height and density of development.

The proposed scheme amendment is aligned with current State strategic documents, specifically the *Draft Central Sub-Regional Framework* which identifies Hampton Road as a sub-regional corridor. The classification of Hampton Road as a sub-regional corridor supports the higher residential density and mixed land uses. Additionally the proposed amendment aims to increase the current density and provide new housing stock, contributing more broadly to the States infill target for the City of Fremantle.

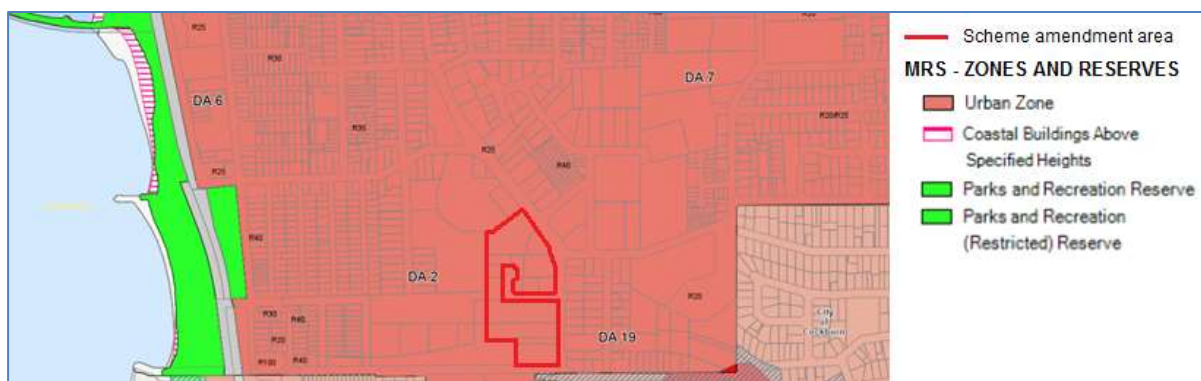


Figure 6a - Amendment area and surrounding land zonings (Metropolitan Region Scheme)



Figure 6b – Amendment area and surrounding land zonings (Local Planning Scheme 4)

The mixed use zoning of the site provides for a variety of land use opportunities, including the addition of residential, however the low residential density and height provisions do not make substantial redevelopment realistic. The following table outlines the existing development requirements of the site.

Provisions	Current LPS4 requirements
<b>Zoning</b>	Mixed use
<b>Density</b>	R25
<b>Sub area</b>	Within South Fremantle LPA in Schedule 12 – no specific sub area applicable
<b>Height</b>	7.0m external wall height
<b>Setback</b>	Not prescribed

In addition to the above provisions LPS4 also allows for mixed use developments to be developed at a residential code of R60 however the height requirements limit the development to 7m and again, this has not encouraged substantial redevelopment of the area.

In addition to the existing development controls, the sites also vary significantly in size with lots starting at 972m<sup>2</sup> to 18266. Significant lot sizes exist as many of the land holdings are in singular ownership. This provides the opportunity for comprehensive and easily coordinated redevelopment of land.

Contextually the positioning of these sites relative to existing amenities within the South Fremantle area, as discussed earlier within the report, provides great opportunity for the area to have a higher residential density while still ensuring any future upgrade of Hampton Road is carefully considered.

## 4. Amendment Proposal

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The scheme amendment focuses on encouraging redevelopment in this area while ensuring minimum standards are still achieved for the area. The approach taken maintains the existing zoning, density and height and required additional development standards are achieved in order to grant a higher density or height. This approach will essentially be a bonus to the existing provisions when certain development criteria are achieved. This was the same approach taken for Strang Street and is seen in other areas within Fremantle such as Hilton and Queen Victoria Street.

The area will be included into a new sub area (sub area 4.3.7) within the South Fremantle LPA in Schedule 8, where the general and specific development standards will be outlined. The following table outlines the existing provisions and the proposed changes to the provisions with the inclusion of the development standards.

Provisions	Current LPS4 requirements	Proposed planning requirements
<b>Zoning</b>	Mixed use	Mixed use - No change
<b>Density</b>	R25	R25 to remain as the 'base' coding. Up to R100, R160 and R-AC3 depending on development site area and where certain development standards are met.
<b>Sub area</b>	Within South Fremantle LPA in Schedule 8 – no specific sub area applicable	Specific sub area (4.3.7) within the South Fremantle LPA in Schedule 8 with specific development standards applicable.
<b>Height</b>	7.0m external wall height	A range of building heights (up to 15m, 17.5m and 24.5m) depending on development site size and where certain development standards are met.
<b>Setback</b>	Not prescribed	Properties fronting Hampton Road to be setback a minimum of 15m Nil setback to all other boundaries.

*Table 1 – Existing and proposed planning requirements*

General development standards have been provided for the entire amendment area and these will need to be met for any new development. In addition to the general provisions the following specific development criteria will need to be achieved in order to build at the higher residential density and height. The following table outlines the relevant criteria for the bonus density and heights.

Density	height	Proposed criteria to be met
R100	15m	<ul style="list-style-type: none"> <li>Applicable to development sites fronting Hampton Road with access from Hampton Road and below ground or rear parking provided</li> </ul>
R160	17.5m	<ul style="list-style-type: none"> <li>Applicable where development is accessed from an alternative public road to Hampton Road and below ground or rear parking provided</li> </ul>
RAC-3	24.5m	<ul style="list-style-type: none"> <li>4000 sqm development site</li> <li>Development accessed from alternative public road other than Hampton Road and below ground or rear parking provided</li> </ul>

*Table 1 – Proposed amendment provisions*

The amendment has been approached with consideration to the various lots sizes as larger lots have a greater capacity to accommodate higher densities and heights without overdevelopment of the sites. The table below highlights the singular land ownership across the sites. Single ownership allows for a greater chance of coordination and larger lots can more appropriately accommodate higher densities and heights without overdevelopment of the site occurring.

Road	Street Number (Lot)	Site Area (m <sup>2</sup> )	Singular land ownerships (m <sup>2</sup> )
Hampton Road	229A (43)	1500	16865
	229B (100)	9160	
	231 (101)	6205	
	231A (4)	1482	1482
	233-235 (5)	4856	4856
	223 (304)	8165	18266
	227 (550)	2248	
	229 (40)	3864	
	223 (49)	1345	
	223 (48)	1428	
	223 (47)	1216	
Brockman Place	3 (Lot 44)	1473	1473
	5 (50)	972	972
	6 (1, 2 & 3)	2166	2166
<b>Total Land Area</b>			<b>46080</b>

Table 2 – Lot sizes within Brockman Place

The approach reflects a similar approach taken on the opposite side of Hampton Road in Scheme amendment No. 43 for the Strang Street area. Scheme amendment 43 introduced into LPS4 provisions to revitalise and redevelop the Strang Street locality by rezoning the properties and providing additional development requirements up to a density of R-AC3. The amendment is envisioned to provide opportunity for redevelopment while still ensuring consistency in built form and the approach.

## 5. Key Considerations

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### Strategic significance

Brockman Place plays an important role in the redevelopment and revitalisation of the South Fremantle area. Within the local context other sites are going through similar amendment processes with current and future planning opportunities in redevelopment and revitalisation.

Similarly, but outside of the City of Fremantle, the City of Cockburn has also started to facilitate higher density and development of the North Coogee area. The area is also unique for Fremantle as the site has several significantly sized landholdings, which are able to facilitate larger redevelopment. The site has the ability to assist with increasing housing opportunities and contribute to attracting visitors to the area.

### Linkages

Brockman Place is a key southern site for the city as it links the broader Fremantle area with southern suburbs such as Cockburn and these suburbs with Fremantle (see figure 7). The

City's Integrated Transport Strategy (ITS) makes specific reference to Hampton Road and the intended reduction in Hampton Road's freight function and role as a secondary transit corridor. The reduction in freight along this route will allow for greater realisation of a higher frequency north south public transport route.



Figure 7 – Fremantle Transit Corridors identified in the Integrated Transport Strategy

Preliminary discussions with Department of Transport officers has assisted in understanding the potential design likely to guide any long term upgrades. Hampton Road will act as an important transport corridor and future upgrades are currently being planned to assist in enhancing the capacity for Bus Rapid Transit services along this route, particularly in association with the LandCorp-led Cockburn Coast project. Exact timeframes for this work have not been made.

In addition to the City's strategic position on improvement to the public transit along Hampton Road, Main Roads WA also provided preliminary feedback on the strategic role this area plays.

*This precinct will be impacted by future widening of Hampton Road and Cockburn Road and to accommodate the proposed Bus Rapid Transport (BRT) alignment which is still in the early planning stages.*

Specific development standards have been proposed to ensure that this amendment will not jeopardise future transportation opportunities. These development standards include setback requirements for sites fronting Hampton Road and limiting access from Hampton Road. The setback provision is considered to reflect the future interaction with the high frequency bus route.

## Activation

The integration with Hampton Road is essential in ensuring that any new development as a result of a scheme amendment does not undermine the future needs of the area. Increasing the level of activity at the human scale along Hampton Road can be achieved through the design of buildings and the land uses that occupy the ground levels of buildings.

Provisions requiring ground floor areas to buildings fronting Hampton Road are proposed to all sites, dealing with the following matters;

- Ground floor non-residential uses to accommodate retail and employment opportunities;
- Ground floor activation to Hampton Road frontages to encourage interest and activity to the street;
- A 4.0m first floor plate level and limited ground floor elevation (not more than 600mm above natural ground level) to provide a high quality pedestrian environment at footpath level; and,
- To ensure limited breaks in building frontage, a limit of 8m between buildings fronting Hampton Road.

## Upgrading of Services

Brockman Place, similar to the Strang Street area, is currently lacking the servicing required for high density residential land uses. Historically land within the area has been used for manufacturing, light industry, storage and showrooms, which have not required the same level as servicing.

Strang Street has provided an important learning lesson in relation to the approach taken to upgrading of servicing. The initial approach to having a Developer Contribution Plan (DCP) implemented across the area was considered to be highly complex due to the fragmentation of landowners. Learning from the Strang Street experience with the challenge of requiring a DCP, a DCP has not been proposed as part of the Brockman Place scheme amendment.

Preliminary discussions with Water Corporation indicated the need for duplications to the existing water mains located along Hampton Road would be necessary with any substantial redevelopment due to the width of Hampton Road limiting the ability to link existing mains. The mains will need to be extended from at least the intersection of Clontarf Road to Lloyd Street in order for individual development sites to be directly serviced.

In relation to the existing sewer mains, the area is presently not sewered and therefore would require extensions from the existing sewer on the eastern side of Hampton Road. Additionally power has also been noted in research done for the area as part of the Strang Street investigations that potential upgrades would be required.

The servicing of lots within Brockman Place will essentially be the responsibility of each individual landowner at the time of development. This option takes into consideration the likelihood of amalgamation of lots to occur and for lots to be serviced as part of larger scale comprehensive redevelopment within the area. Specific servicing investigations will be the responsibility of the respective landowners.

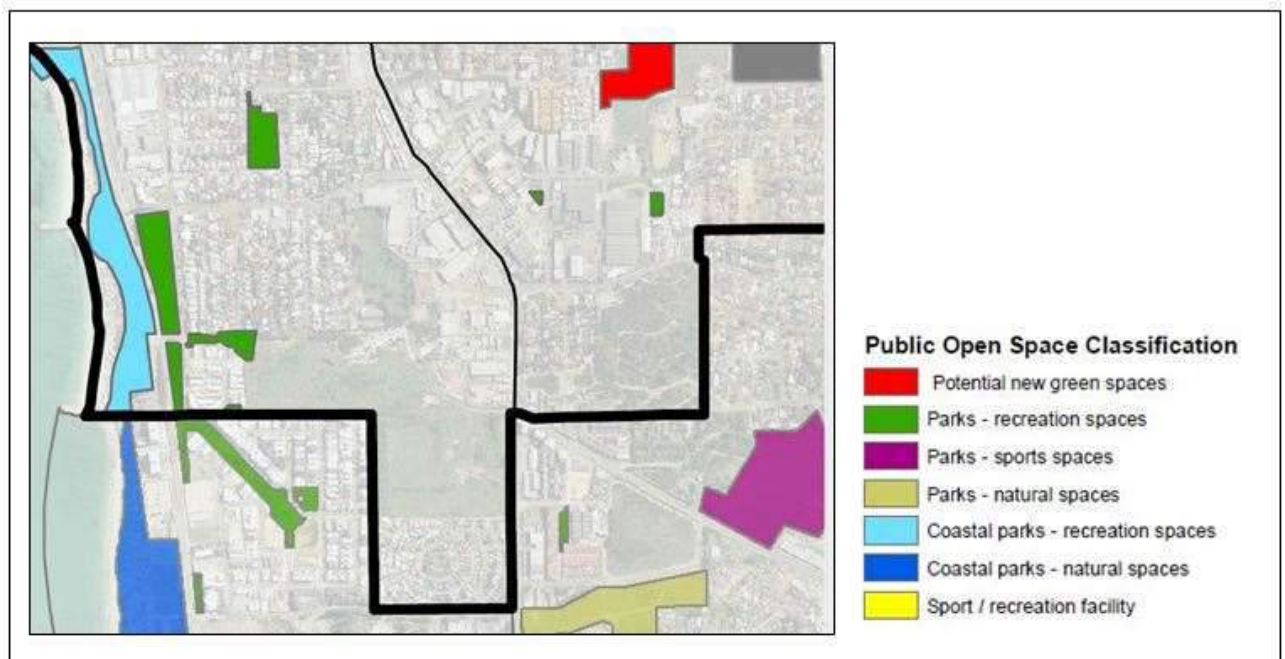


## Contamination Risk

The close proximity to the South Fremantle Land Fill site and the history of manufacturing type land uses within the Brockman Place pose a potential land contamination concern. Some landowners within the area have carried out investigations into the land contamination with no contamination being identified. The majority of the sites however, have not been investigated and will be incorporated into the development provisions to ensure that these investigations are carried out prior to development.

## Public open space

Brockman Place is located close to various open space and recreational sites, however access to some of these sites is considered to be restricted for the majority of Brockman Place. The existing public open space surrounding the site has been identified in the City's Green Plan below (see figure 8).



*Figure 8 – Existing forms of open space surrounding Brockman Place*

The former South Fremantle landfill site currently acts as an informal green link for pedestrians and cyclists using a high-frequented dual use access path to South Beach. There is potential to provide easy access for future Brockman Place residents to the landfill link as an alternative to using Hampton Road.

Current access to South Beach for pedestrians and cyclists can only be achieved via a dual use path at Hampton Road and the southern boundary of no. 233-235 Hampton Road. This path is considered to provide the best opportunity for linkages with the sites due to the close proximity to the western and eastern lot boundaries.

An option to improve access for sites further removed from this path would be to link a public access way (PAW) to the existing dual use path to increase the access from Brockman Place, rather than Hampton Road. This connection would also assist with achieving the objectives of the City's Green Plan in reduces the distance and time taken to access South Beach for those residing, working and visiting Brockman Place.

## Minimum lot size

The lot sizes within the scheme amendment area vary significantly and pose the challenge of ensuring appropriate development of lots respective of their size. A key aim of the amendment is comprehensive planning approaches to redevelopment and the use of minimum lot size encourages coordination and possible amalgamation of smaller landholdings. This approach has been adopted to ensure smaller lots are not overdeveloped.

Larger sized lots have a greater capacity to incorporate additional heights and density without resulting in overdevelopment of the lot. For this reason the larger lots within the area have been provided with additional development height and density. Minimum lot sizes have been included in the specific development requirements for larger redevelopment above 4000m<sup>2</sup>.

## **6. Prior Landowner Consultation**

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The City was approached in 2014 by Brockman Place landowners that were interested in optimising development potential for their sites through a scheme amendment. After investigation into the site officers presented a report to Council on 23 March 2016. Council resolved to initiate the amendment with an alternative boundary to officers, which significantly reduced the amendment area.

The City subsequently received correspondence on behalf of one of the affected landowners which raised concerns about the validity of the resolution passed by Council on 23 March 2016. As a result Council revoked the 23 March 2016 Council decision at the 25 May 2016 Ordinary meeting of Council. At the same time Council resolved to reconsider the amendment following consultation with landowners regarding options for the boundary of the area to be covered by the scheme amendment. Comments were sought from landowners to determine their view on the two boundary options for the scheme amendment area that had been before Planning Committee and Council in March 2016.

During the consultation period a total of 5 submissions were received from private landowners and 1 submission from Main Roads WA. The private landowner submissions were generally supportive of the original boundary as recommend by officers to Planning Committee, which includes all lots zoned Mixed Use in the Brockman Place/Hampton Road area. Landowners have shown a clear interest in improving the area through a scheme amendment. The landowner consultation to date has supported the officer's recommendation to include all of the mixed use sites within the area.

## **7. Conclusion**

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The Brockman Place area provides opportunity for comprehensive redevelopment of the area while still ensuring that future upgrades of Hampton Road are not compromised. The amendment provides development at different scales as a response to the various lot sizes and configurations. The site has the ability to enhance the activation on the street and link the area to important surrounding attractions through the use of development standards, which will be incorporated into LPS4.

**PLANNING AND DEVELOPMENT ACT 2005**

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- (a) Within sub area 4.3.7, clause 4.2.5 does not apply; and
- (b) Investigation of potential site contamination to the satisfaction of the DEC.
- (c) Notwithstanding the provisions of Table 1 – Zoning, residential land use will not be permitted in new buildings at the ground floor level fronting Hampton Road.
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- (e) Buildings shall incorporate active ground level frontages to Hampton Road, South Fremantle.

**Setbacks**

- (f) Building setbacks shall be in accordance with the requirements set out in the table below:

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**Additional development standards**

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(iii) Clause 4.2 'Matters to be considered in applying general and specific height requirements' does not apply;

(iv) A portion of lot area of 229B Hampton Road, not less than 6m in width, to be provided for the length of the lot only where the common boundary of 1/6 Brockman Place is shared. This portion of the land shall be transferred at no cost to the City of Fremantle to provide an east west linkage between Brockman Place and the Former South Fremantle Landfill site for the purpose of a landscaped dual use path; and

(l) Additional development standards shall be in accordance with the criteria and standards set out in the table below:

Locations where additional development standards apply	Criteria to be met in order for additional development standards to apply	Additional Development standards
Lot 4 and Lot 5 (231A Hampton Road and 233-235)	<p>a) Where vehicle access of the development site can only be obtained directly from Hampton Road.</p> <p>b) Road, vehicle parking shall be provided below ground level or at the rear of the development for development fronting Hampton</p>	<p>Residential density of R100</p> <p>Permitted building height of 15 metres</p> <p>On development sites fronting Hampton Road and notwithstanding the provisions of clause 5.7.3, parking requirements for non-residential development may be reduced by 50%.</p>
Locations where additional development standards apply	Criteria to be met in order for additional development standards to apply	Additional development standards
All locations within Sub Area 4.3.7 (excluding Lot 4 and Lot 5)	<p>a) Where vehicle access of the development site can be obtained directly from a public road other than Hampton Road.</p> <p>b) For development fronting Hampton Road, vehicle parking shall be provided below ground level or at the rear of the development.</p>	<p>Residential density of R160</p> <p>Permitted building height of 17.5 metres</p> <p>On development sites fronting Hampton Road and notwithstanding the</p>

			provisions of clause 5.7.3, parking requirements for non-residential development may be reduced by 50%.
	Locations where additional development standards apply	Criteria to be met in order for additional development standards to apply	Additional development standards
	All locations within Sub Area 4.3.7	<p>a) The development site comprises of a minimum land area of 4,000 square metres.</p> <p>b) Where vehicle access of the development site can be obtained directly from a public road other than Hampton Road</p> <p>c) For development fronting Hampton Road, vehicle parking shall be provided below ground level or at the rear of the development.</p>	<p>Residential density of R-AC3.</p> <p>Permitted building height of 24.5 metres.</p> <p>On development sites fronting Hampton Road and notwithstanding the provisions of clause 5.7.3, parking requirements for non-residential development may be reduced by 50%.</p>
Note: Where the above criteria are not met, the height requirements in 4.1 above apply.			

**(c) The amendment is considered to be a standard amendment for the following reasons:**

- (i) this scheme amendment is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;**
- (ii) this scheme amendment is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;**
- (iii) this scheme amendment is an amendment that is not a complex or basic amendment.**

**ADOPTION**

Adopted by resolution of the Council of the City of Fremantle at the Ordinary Meeting of the Council held on the Insert Date

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

**FINAL APPROVAL**

Adopted for final approval by resolution of the City of Fremantle at the Ordinary Meeting of the Council held on the Insert Day day of Insert Month and Year and the Common Seal of the City of Fremantle was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....  
MAYOR

.....  
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

.....  
DELEGATED UNDER S.16 OF  
PD ACT 2005

DATE.....

Final Approval Granted

.....  
MINISTER FOR PLANNING

DATE.....