



CITY OF FREMANTLE

LOCAL PLANNING POLICY 2.13

SUSTAINABLE BUILDINGS DESIGN REQUIREMENTS

ADOPTION DATE: 27/07/2011
AUTHORITY: LOCAL PLANNING SCHEME NO.4

STATUTORY BACKGROUND

[*PROPOSED Scheme Amendment No. 45*] Clause 5.16 of LPS4 states as follows;

- 5.16 Sustainable building design requirements
- 5.16.1 Council may prepare a sustainable building design requirements policy for any class of development. Development prescribed in this policy shall have regard to the minimum energy efficiency requirements specified in the policy.
- 5.16.2 The sustainable building design requirements policy shall be prepared and amended in accordance with the provisions contained in clause 2.5 – local planning framework

PURPOSE

To create sustainable building design requirements for new commercial, mixed use and multi-residential developments.

APPLICATION

The requirements of this policy apply to all development with the exception of:

- a) Single houses and grouped dwellings;
- b) Buildings used for any industrial use class under the heading Industrial Use Classes in zoning table 2 of the Local planning Scheme No. 4 (LPS4);
- c) Any development with a Gross Lettable Area (GLA) of less than 1000 m² GLA;
- d) Refurbishments of existing buildings over 1000m² GLA not involving substantial structural or internal alteration and all refurbishments to buildings under 1000m².

POLICY

- 1. Sustainable Building Design Requirements.
- 1.1 Subject to clause 1.2, all developments to which this policy applies shall be designed and constructed in such a manner so as to achieve a rating of not less than 4 Star Green Star using the relevant Green Building Council of Australia Green Star rating tool*.

**Note: Should any other accreditation tool similar to the Green Star tool be developed and used nationally Council can review the policy and amend accordingly.*

- 1.2 Council may exercise discretion to waive the requirements of the policy in the case of development where either or both of the following circumstances apply:
- a) refurbishment of a building included on the Heritage List under clause 7.1 or in a Heritage Area under clause 7.2 of the Scheme where, in the opinion of the Council, adherence to the requirements of clause 1.1 would detrimentally impact on the heritage values of the building or area.
 - b) Where no suitable sustainability rating tool has yet been developed for assessment of the type of development proposed.
- 2 Additional Information for Sustainable Building Design applications.
- 2.1 Where an application for planning approval is made to commence or carry out development as referred to in clause 1.1, unless the Council waives any particular requirement the application shall be accompanied by a statutory declaration signed by the applicant and/or owner stating:
- a) an assessor accredited by the Green Building Council of Australia formed part of the design team and contributed to the overall design of the proposal; and
 - b) acknowledging that the applicant and/or owner is aware of and on completion will be able to meet the requirements of clauses 1 and 3 of this policy.
- 3 Conditions of approval.
- 3.1 Where a development meets the requirements of clause 1.1 and is not exempt under 1.2 a condition shall be placed on the approval that states:
- Within 12 months of an issue of a certificate of classification for the development, the owner is to submit to the Council a copy of documentation from the Green Building Council of Australia certifying that the development achieves a Green Star Rating of at least 4 Stars.*
- 3.2 Planning approvals issued under this policy shall have a planning approval period specified of no less than 4 years unless otherwise determined by Council, with the following condition applied to the planning approval:
- The development hereby permitted must substantially commence within [insert timeframe] from the date of this decision letter.*