



# Agenda

## Ordinary Meeting of Council

Wednesday 8 April 2026 6:00 pm



## Notice of an Ordinary Meeting of Council

### Elected Members

An Ordinary Meeting of Council of the City of Fremantle will be held on Wednesday 8 April 2026 in the Council Chamber (Bibbool Room) at the Walyalup Civic Centre, located at 151 High Street, Fremantle commencing at 6:00 pm.

A handwritten signature in black ink, appearing to read "Glen Dougall".

Glen Dougall  
Chief Executive Officer

1 April 2026



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## Official opening, welcome and acknowledgement

Ngala kaaditj Whadjuk moort keyen kaadak nidja Walyalup boodja wer djinang Whadjuk kaaditjin wer nyiting boola yeye.

We acknowledge the Whadjuk people as the traditional owners of the greater Fremantle/Walyalup area and we recognise that their cultural and heritage beliefs are still important today.

## Attendance, apologies and leave of absence

### Apologies

There are no previously received apologies.

### Leave of absence

Cr Geoff Graham	Central Ward
Cr Frank Mofflin	East Ward

## Applications for leave of absence

Elected members may request leave of absence.

## Disclosures of interest by members

Elected members must disclose any interests that may affect their decision-making. They may do this in a written notice given to the CEO or at the meeting.

## Responses to previous public questions taken on notice

The following questions were taken on notice at the Ordinary Meeting of Council held on 25 March 2026:

Adin Lang spoke in relation to item C2603-19 and asked the following questions:

1. We are told there is low usage on the path, how was that conclusion made?
2. Has anyone verified the City of Fremantle's own data? We've got a bike counter right next to that site and there's a photo of it in the attachments.
3. Where are the easier and more direct entrances mentioned throughout the report?
4. Will the addition of a bike path increase illegal camping and dumping issues?



5. Why was the first pillar of the cities strategic community plan not considered in he report particularly the connected city objectives?
6. How was it concluded that there was no demand for additional pedestrian route?
7. How was limited anticipated use determined?
8. How much vegetation will actually be cleared?
9. How does the path have the potential to facilitate antisocial behaviour?
10. Has the Council used its own data from its own bike counter on the footpath to verify the independent report?
11. Has the Fremantle BUG been consulted?
12. Why has future use of the area been overlooked?

Response by the Director City Business:

Site visits were conducted in order to undertake a visual assessment of usage. Although some tracks were present, they did not indicate frequent informal use of the route.

The bike counter collected data on usage for the existing path and does not measure informal usage on the subject site. The bike counter was vandalised and has been out of use since 2024.

Page 66 of the report shows the alternate routes to the shopping complex.

The area has limited visibility and has minimal lighting and surveillance.

Officers' assessment responded to a specific proposal and examined its viability in the context of the site.

It is unknown how much vegetation will be cleared until the design is completed.

The area has limited visibility and has minimal lighting and surveillance.

The City considered data collected from the bicycle counter near the site however given it has been out of service since 2024, it was a reference point only. It is also noted the bike counter collected data on usage for the existing path and does not measure informal usage on the subject site.

No the City has not consulted the BUG, however the City welcomes the BUG's feedback on the matter.

The Lease includes a redevelopment provisions, allowing the City to consider the site for an alternate use in the future.



## Public question time

Members of the public have the opportunity to ask a question or make a statement at council and committee meetings during public question time. Further guidance on public question time can be viewed [here](#), or upon entering the meeting.

## Petitions

Petitions may be tabled at the meeting with agreement of the presiding member.

## Deputations

A deputation may be made to the meeting in accordance with the City of Fremantle Meeting Procedures Policy.

## Presentations

Elected members and members of the public may make presentations to the meeting in accordance with the City of Fremantle Meeting Procedures Policy.

## Confirmation of minutes

### OFFICER'S RECOMMENDATION

Council confirm the minutes of the Ordinary Meeting of Council dated 25 March 2026.

## Elected member communication

Elected members may ask questions or make personal explanations on matters not included on the agenda.



## Reports and recommendations from officers

### Planning reports

C2604-1 AMHERST STREET, NO. 25 (LOT 1001), FREMANTLE -  
ADDITIONS, ALTERATIONS AND UNAUTHORISED CHANGE OF  
USE TO INDUSTRY AND OFFICE - (CR DA0211/25)

Meeting date: 8 April 2026  
Responsible officer: Manager City Planning  
Voting requirements: Simple Majority Required  
Attachments: 1. Amended Plans  
Additional Information: 2. [Applicant Cover Letter](#)  
(*viewed electronically*) 3. [Operational Report](#)  
4. [Transport Impact Statement](#)  
5. [Waste Management Plan](#)  
6. [DWER response](#)

#### SUMMARY

Approval is sought for proposed additions and alterations to, and unauthorised temporary change of use to Industry and Office at No. 25 Amherst, Fremantle.

The proposal is referred to Council due to the nature of some discretions being sought and comments received during the notification period that cannot be addressed through conditions of approval. The application seeks discretionary assessments against the Local Planning Scheme No. 4 (LPS4), Residential Design Codes (R-Codes) and Local Planning Policies. These discretionary assessments include the following:

- Land Use

The application is recommended for conditional approval.

#### PROPOSAL

##### Detail

Temporary approval is sought for proposed additions and alterations to, and Unauthorised Change of Use of, Existing Buildings to 'Industry' and 'Office' at No.25 Amherst Street, Fremantle (subject site).





This site was granted temporary planning approval for 'industry' use in 2014 for two years and was subsequently extended for five years until 16 January 2020. These temporary approvals have since lapsed yet the use has continued unauthorised for a period of six (6) years and is currently operating from this site. The same operator is wanting to seek an extension of this land use with increased intensity on site with increased onsite staff and additions to the existing buildings.

A compliance issue was raised when the applicant applied for additions and alterations to the existing buildings and it was noticed the temporary approval for the land uses had since lapsed and were still operating on an unauthorised basis. As such this necessitated a development application for the unauthorised temporary land use and the proposed additions and alterations to the existing building on the subject site.

The existing unauthorised temporary industry and office uses (current operator Wabi construction, a construction/development related company) is open between 7am-6pm Monday-Saturday with flexibility for early morning and late-night work as required. 22 staff members are present on site at any one time.

The original proposed works included:

- Extension of existing office building.
- Addition of office, storage and industry facilities.
- Removal of 11 car bays to rear (south west) of site.
- Removal of 10 car bays to side (south east) of site.
- Addition of 15 bays to side (north) of site for a total of 21 car bays
- Clearing of rear vegetation including 5 regulated trees.
- Addition of laydown area to rear of property over removed vegetation.
- Increase staff from 22 to 30 at any one time.

The applicant submitted amended plans on 8 March 2026 to address some concerns raised during consultation and officer assessment which included officer advice that the land uses could only be considered on a temporary basis. The amendments include:

- Rearranged layout of proposed office building and storage area additions.
- Retention of 10 car bays to side (southeast) of site for a total of 31 car bays
- Addition of 8 class 2 bicycle spaces and 2 class 3 bicycle spaces.
- Removed clearing of vegetation and regulated tree that was previously proposed.
- Removed proposed laydown area to rear of property.
- Proposed additions and alterations now all occur on existing hardstand.

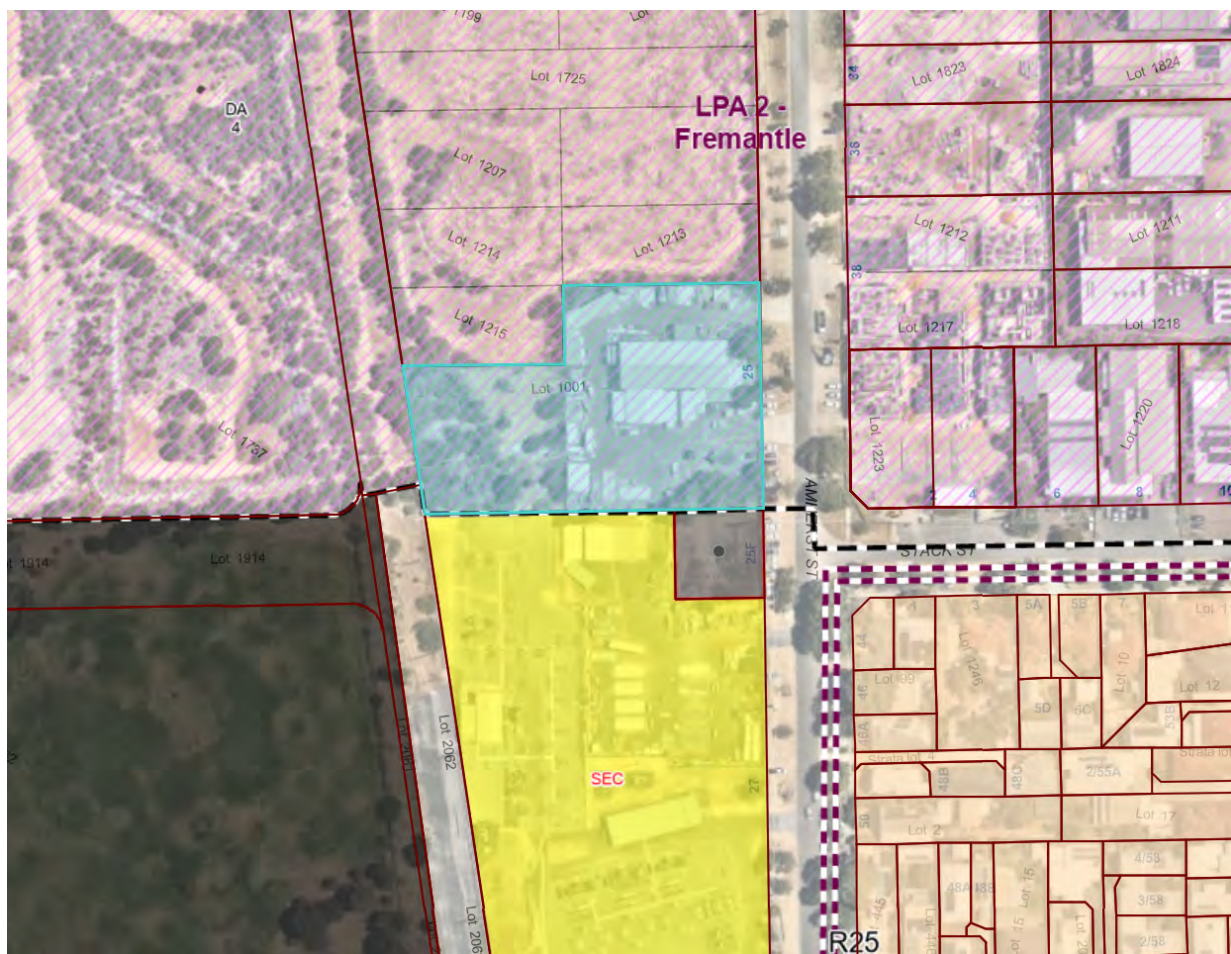


- Adjusted operational hours to 9am to 5pm Monday to Friday
- Land use approval changed from a permanent change of use to temporary change of use for a period of up to five (5) years only.

Amended development plans are included as attachment one.

### Site/application information

Date received: 14 July 2025  
Owner name: Electricity Networks Corporation  
Submitted by: Wabi Construction  
Scheme: Development Zone  
Heritage listing: Not Listed  
Existing land use: Public Utilities  
Use class: Industry and Office  
Use permissibility: Use Not listed





## CONSULTATION

### External referrals

#### Department of Water and Environmental Regulation

Advice from DWER was received and is summarised below and the recommended advice not added to officer recommendations (see attachment six for full details).

*As the proposed construction of transportable buildings and associated parking bays does not constitute a change to a more sensitive land use, the department has no objection to the proposal and considers that a contamination condition is not required.*

*Given the potential risks associated with the site's historical use, the department recommends that the following advice note be included in any approval issued by the City:*

#### *Advice:*

*An appropriate health and safety plan should be prepared to address any risks associated with potential exposure of soil contamination, should intrusive works be undertaken as part of the development.*

*The site is not located within an area that is mapped as having a risk of encountering acid sulfate soils. The department therefore advises that no specific comment is required in relation to acid sulfate soil management during development.*

### Community

The application was advertised in accordance with Schedule 2, clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015, as proposal required merit-based assessment against the scheme. The advertising period concluded on 17 February 2026, and 1 submission was received. The following issues were raised (summarised):

- Early and late operational hours prior to 7am and post 6pm.
- Use and damage of crossover and verge infrastructure.
- Negative traffic impact from staff parking on verge and blocking of roads by parked trucks.
- Noise impact on surrounding residential property.
- Negative environmental impact from dust, light and noise on surrounding residential property.



- Appropriateness of industrial use in context of surrounding residential and future residential development.

In response to the above, the applicant submitted revised plans to address the following / the following response:

- Applicant revised original proposed from permanent change of use to temporary approval (five years).
- Operational hours reduced to 9am to 5pm Monday to Friday, no weekend opening.
- Provided waste management plan to address and control environmental impacts (see attachment five).
- Traffic impact statement provided to address concerns with impact on traffic (see attachment four).

In response to the above, the following comments are provided by officers:

- The temporary land use approval and proposed relocatable additions will have limited permanent impact on the surrounding residential and local structure plans of Swanbourne Local Street Structure Plan and Knutsford East Local Structure Plan (land use discussion below) due to the approval being temporary in nature.
- In addition to the above, given the amended opening hours and no weekend trade, the developments' ability to create negative environmental and traffic impacts on the surrounding locality is also significantly limited.

The remaining comments are addressed in the officer comment below.

## OFFICER COMMENT

### Background

The subject site is located on the west side of Amherst Street and has a 7786m<sup>2</sup> site area. Original temporary development approval for the land use was approved under DA0630/14 - *Temporary approval for partial change of use from public utility to General Industry*. This approval was subsequently extended via application ref. VA0027/16 *Variation to planning approval DA0630/14 (temporary partial change of use from public utility to General Industry)* to 16 January 2020 and has since expired, yet the operator has continued to use the site on an unauthorised basis and is now seeking further temporary development approval for continued use on the subject site.



Prior to the original temporary development approval, the lot was formerly a part of a larger public reserve (Public Utility) to the south which is owned and still operated by Western Power. The larger reserve was subdivided and the subject site was created in 2016 under subdivision application ref. WAPC 152804.

The applicant initially applied for additions and alterations to the existing buildings on the subject site and it was subsequently noted by officers that the previous temporary approvals had lapsed and has continued to operate on site on an unauthorised basis.

The subject site currently has various existing warehouse, industry and office facilities and is surrounded by:

- A public reserve owned by Western Power to the south – MRS Public Purposes Reserve (State Energy Commission).
- Residential zoned single storey and two storey houses to the southeast
- Existing industrial property to the east within Development Area 1 (DA1) subject to the Knutsford Street East Local Structure Plan (Amended September 2017).
- Cleared former industrial sites to the immediate north and west zoned Development Area 4 (DA4) subject the Swanbourne Steet Local Structure Plan (Rev.7 6 March 2025).
- To the south west is the open space reserve, Stevens Reserve.

#### Land Use

The subject site sits within a Development Zone as defined in clause 3.2(h) of LPS4 –

*The purpose of the Development Zone is to provide for future residential, industrial, commercial or other uses in accordance with a comprehensive structure plan or Local Development Plan prepared in accordance with the provisions of the Scheme.*

This site does not have an adopted local structure plan. Clause 27(2), Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations), allows for a decision maker to consider development approval in areas that are subject to a structure plan being prepared, but for which no structure plan has been approved, if the decision-maker is satisfied that —

- (a) *the proposed development or subdivision does not conflict with the principles of orderly and proper planning; and*



- (b) *the proposed development or subdivision would not prejudice the overall development potential of the area.*

The application is considered to be consistent with the objectives of the Development Zone and the above provisions of Clause 27(2) of the Regulations, for the following reasons:

- A temporary approval for five (5) more years is considered a suitable timeframe that allows for a transition of the site, after expiry, to align with the surrounding structure plans and residential zones.
- As the pre-existing use was public utilities, the existing development on the lot allows for similarly impactful industrial and office land uses.
- The intensification of development occurs on existing hardstand area of the subject site. Given the majority of proposed additions are of a modular construction, these will also be easily removable at the end of term of approval,
- The proposed Monday to Friday trade along with limited opening hours also will significantly prevent any unnecessary amenity impacts to residential neighbours of the subject site,
- The traffic impact statement (see attachment four) supports the application concluding that Amherst Street and the local road network can support the expected traffic generated by the proposed land uses and intensity of development.
- A car parking management plan and a delivery management plan (which are included as conditions of approval) seek to mitigate any amenity impacts generated by car parking and traffic on Amherst Street and the local road network.
- Additional onsite car parking bays has been proposed along with bicycle racks in compliance with LPS4 to further reduce the impact of car parking on the Amherst street and the local road network (see parking and bicycle rack assessment below)

Based on the context of the site, it is considered the continuation of this unauthorised temporary land use (Industry and Office) is an appropriate interim temporary use and generally aligns with relevant applicable provisions of LPS4 and immediate locality.

#### Carparking

The car parking requirements for the existing and proposed land uses are evaluated against the requirements of Table 2 of LPS4 for the respective land uses in the table below.



Element	Requirement	Proposed	Variation
Industry	1: 50m <sup>2</sup> Gross lettable area – required: 20	20	Compliant
	1: service / storage area	1	Compliant
Office	1: 30m <sup>2</sup> Gross lettable area – required: 10	11	Compliant
	1: 500m <sup>2</sup> Delivery bays – required: 1	1	Compliant
Total	Parking bays: 30 Service storage area: 1 Delivery Bays: 1	Parking bays: 31 Service storage area: 1 Delivery Bays: 1	Compliant

#### Bicycle racks

Element	Required	Proposed	Variation
Class 1 or 2	Industry 1: 150m <sup>2</sup> gross lettable area	8	Compliant
	Office 1: 200m <sup>2</sup> gross lettable area required: 8 racks		
Class 3	Office 1: 750m <sup>2</sup> Required: 1 rack	2	Compliant
Total	Class 1 or 2: 8 racks Class 3: 1 rack	Class 1 or 2: 8 racks Class 3: 2 racks	Compliant

#### CONCLUSION

Approval is sought for proposed temporary additions and alterations and temporary unauthorised change of use to Industry and Office use at No. 25 Amherst Street, Fremantle.

The proposed unauthorised land uses are for a five (5) year term of approval and are considered consistent with relevant provisions of Local Planning Scheme 4. The temporary approval aligns with the intended staged phasing out of industrial uses in the context of applicable provisions of surrounding structure plans as well



as not permanently impacting the development potential of a site located in a development zone.

In accordance with the assessment above, the application is recommended for conditional approval.

#### STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

Thriving City - Attraction and retention of diversified investment and talent

- A diverse range of employment options across multiple sectors enable more people to work in Fremantle.

#### FINANCIAL IMPLICATIONS

Nil

#### LEGAL IMPLICATIONS

Nil

#### VOTING AND OTHER REQUIREMENTS

Simple Majority Required

#### OFFICER'S RECOMMENDATION

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Additions, Alterations and Unauthorised Temporary Change of Use to Industry and Office at No.25 (Lot 1001) Amherst Street, Fremantle, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 8 March 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.





2. Notwithstanding condition 1, this approval is valid for a period of not more than five (5) years from the date of this decision. Following this time, the Industry and Office uses shall cease to operate and all additional structures approved as part of this development approval shall be removed from the site, to the satisfaction of the City of Fremantle.
3. All storm water discharge shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.
4. The approved Industry and Office land uses shall be limited to the opening hours of 9am to 5pm, Monday to Friday, unless otherwise approved by the City of Fremantle.
5. Within 90 days of determination of the hereby approved Industry and Office land use, a Delivery Management Plan is to be submitted to, and approved by the City of Fremantle.

The approved Delivery Management Plan is to be implemented thereafter, for the life of the development, unless otherwise approved by the City of Fremantle.

6. Within 90 days of determination of the hereby approved Industry and Office land use, a parking management plan is to be provided, to the satisfaction of the City of Fremantle.
7. Within 120 days of the hereby approved Industry and Office land use, eight (8) Class 1 or Class 2 and one (1) Class 3 As defined in LPS4 bicycle racks shall be provided, to the satisfaction of the City of Fremantle.

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.

8. Within 120 days of the hereby approved Industry and Office land use, upgraded vehicle crossovers shall be constructed to the City's specification and thereafter maintained to the satisfaction of the City of Fremantle.
9. Within 120 days of the hereby approved Industry and Office land use, any redundant crossovers shall be removed and the verge and kerbing reinstated to the City's specifications, at the expense of the applicant and to the satisfaction of the City of Fremantle.
10. 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 notes

- i. A BA9 – Occupancy Permit application form is required to be submitted for the unauthorised building works. A Certificate of Building Compliance (BA18) must be submitted with the application and signed and completed by a Registered Building Surveyor Contractor (private sector). A list of Registered Building Surveyors can be obtained from the Western Australian Building Commission website - <https://www.commerce.wa.gov.au/building-commission>.
- ii. An appropriate health and safety plan should be prepared to address any risks associated with potential exposure of soil contamination, should intrusive works be undertaken as part of the development.
- iii. Any works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, requires a separate approval from the City of Fremantle's Infrastructure Business Services department who can be contacted via [engineering-da@fremantle.wa.gov.au](mailto:engineering-da@fremantle.wa.gov.au) or 9432 9999.
- iv. 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.
- v. The applicant is advised that the existing verge tree is to be protected during the construction process with a minimum 2.8 x 2.8m fencing enclosure.
- vi. The applicant is advised that the existing onsite regulated trees should all be protected during the construction process with a minimum 2.8 x 2.8m fencing enclosure.

With regards to any excavation associated with the approved development please refer to the City's Tree Retention Policy via: <https://www.fremantle.wa.gov.au/wp-content/uploads/2025/05/Local-Planning-Policy-2.26-Tree-Retention-ID-6031941.pdf>, to understand what is considered to be a 'Regulated tree' and 'Tree damaging activity' as impact to the existing tree trunk, foliage and root system of these trees may cause significant damage.



- vii. The applicant/owner is advised that the premises must comply with the Environmental Protection (Noise) Regulations 1997.
- viii. The City's crossover specifications can be found via the following link: <https://www.fremantle.wa.gov.au/crossovers>.
- ix. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. modified crossovers shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.

The applicant is advised that the modified crossover shall be separated from any verge infrastructure by:

- a minimum of 2.0 metres in the case of verge trees
- a minimum of 1.2 metres (in the case of bus shelters, traffic management devices, parking embayment's or street furniture), and
- a minimum of 1.0 metre in the case of power poles, road name and directional signs.



C2604-2 WATKINS STREET, 95 (LOT 14), WHITE GUM VALLEY -  
UNAUTHORISED REGULATED TREE REMOVAL - (JD DA0037/26)

Meeting date:	8 April 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Attachments:	1. Regulated Tree Removal and Replacement Plan
Additional Information: ( <i>viewed electronically</i> )	2. <a href="#">Survey Plan Dated 29 May 2024</a> 3. <a href="#">Site Photos</a>

### SUMMARY

Retrospective approval is sought for Unauthorised Regulated Tree Removal at No. 95 (Lot 14) Watkins Street, White Gum Valley.

The proposal is referred to Council due to the nature of some discretions being sought. The application seeks discretionary assessments against Local Planning Policies. These discretionary assessments include the following:

- Unauthorised removal of four (4) regulated trees

The application is recommended for refusal.

### PROPOSAL

#### Detail

Retrospective approval is sought for Unauthorised Regulated Tree Removal at No. 95 (Lot 14) Watkins Street, White Gum Valley (subject site). The proposed works include:

- Removal of four (4) regulated trees

Development plans are included as attachment 1.

#### Site/application information

Date received:	3 February 2026
Owner name:	Joanna Ingram Morris, Benjamin Russell Lewis
Submitted by:	Benjamin Russell Lewis
Scheme:	Residential R20/R25
Heritage listing:	Not Listed



Existing land use: Single House  
Use class: Single House  
Use permissibility: P

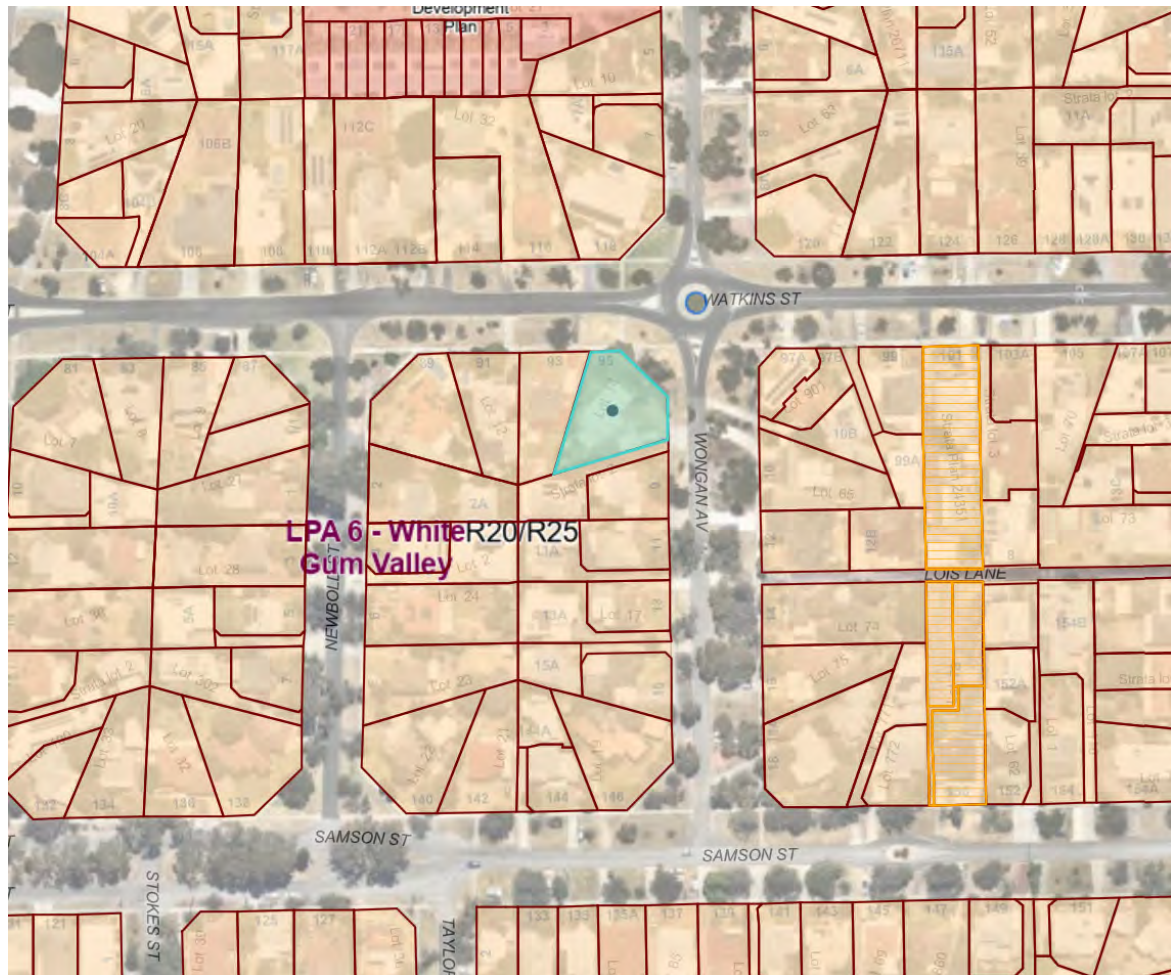


Figure 1 – Planning context map



Figure 2 – Aerial view of the subject site on 21 January 2026



Figure 3 – Aerial view of the subject site on 9 July 2025 illustrating the previously existing tree canopy



Figure 4 – Streetview from November 2021 illustrating the previously existing regulated trees (removed regulated trees marked with red x)

## CONSULTATION

### External referrals

Nil required.

### Community

The application for the unauthorised regulated tree removal was advertised as part of another active planning application (DA0012/26 - Alterations and Additions to Existing Single House) for the subject site in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The advertising period concluded on 3 March 2026 and no submissions were received.

## OFFICER COMMENT

### Statutory and policy assessment

The proposal has been assessed against the relevant provisions of relevant Council local planning policies. In this particular application the areas outlined



below do not meet the policy provisions and need to be assessed against the performance criteria:

- Unauthorised removal of regulated trees

The above matters are discussed below.

### Background

The subject site is located on the south west corner of Watkins Street and Wongan Avenue, White Gum Valley. The site has a land area of approximately 940m<sup>2</sup> and is currently a Single house. The site is zoned Residential and has a density coding of R20/R25. The site is not individually heritage listed or located within a heritage area.

A search of the property file has revealed the following history for the site:

- Alterations and additions to existing Single house – DA0012/26 (active application)
- Dwelling and existing outbuilding constructed circa 1955 (based on historical imagery). No other relevant planning history on file.

### Land Use

A Single House is a 'P' land use within the Residential zone which means that the use is permitted by the Scheme.

### Local Planning Policy 2.26 Tree Retention (LPP2.26)

LPP2.26 applies to lots within a Development Area, on land zoned 'Industrial' and on all land which has a density coding of R30 and below, within the City's Local Planning Scheme No. 4 area. The purpose of LPP2.26 is to specify the circumstances in which an application for development approval is required for tree-damaging activity to a regulated tree. LPP2.26 was formerly adopted at an Ordinary Council meeting on 12 March 2025. From this date on, any removal of a 'regulated tree' in the abovementioned areas, now requires planning approval.

Under LPP2.26 tree-damaging activity to a regulated tree means –

- a) the killing or destruction of a tree; and / or*
- b) the removal of a tree; and / or*
- c) the severing of branches, limbs, stems or trunk of a tree; and / or*
- d) the ringbarking, topping or lopping of a tree; and / or*





Under LPP2.26 a regulated tree means –

*A living tree that:*

- a) is 8m or more in height; and / or*
- b) has an average canopy diameter of at least 6m; and / or*
- c) has a trunk circumference of at least 1.5m, measured 1.4m above the ground; and*
- d) is of a species that is not included on State or local area weed register.*

LPP2.26 guides the assessment of regulated tree removal applications and other planning proposals and specifies that the retention and protection of regulated trees is to be prioritised. In accordance with clause 5 of LPP2.26, a regulated tree in the areas specified above must be retained and protected unless approval is granted for them to be removed.

Clause 5.4 of LPP2.26 sets out circumstances in which tree-damaging activity to regulated trees may be considered –

*5.4 Tree-damaging activity to a regulated tree may be considered where, in the City's opinion, the following relevant information and / or technical reports have been provided that demonstrate:*

- a) the regulated tree is unhealthy, based on an arborist's report;*
- b) the regulated tree causes safety risks to people, or damage to infrastructure or buildings based on recommendations of an arborist's report and / or structural engineering report; or*
- c) the redesign of the development to accommodate the regulated tree is unfeasible.*

It was not possible for an arborist report to accompany the application as the trees had been removed from the site prior to the application being lodged. Noting the above, the removal and/or relocation of the regulated trees is not supported as there was no evidence provided (through an arborist report or any other professional advice) that the trees were not in good health and/or condition or that they posed a safety risk. In addition, there was no engagement with the City requesting advice on potential options on redesigning the development to retain the trees while achieving the applicant/landowners desired development outcomes. For these reasons, the retrospective application for the removal of the four (4) regulated trees is not supported.



## CONCLUSION

Retrospective approval is sought for the Unauthorised Removal of Regulated Trees at No. 95 (Lot 14) Watkins Street, White Gum Valley. For the reasons outlined above, the removal of the four (4) regulated trees which existed on the site up to at least 9 July 2025 (post the adoption of LPP2.26), is not supported.

## STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

Liveable City - Sustainably designed and optimised urban and natural environments

- An increasing tree canopy that enhances biodiversity and helps cool our urban environments.

## FINANCIAL IMPLICATIONS

Nil

## LEGAL IMPLICATIONS

Nil

## VOTING AND OTHER REQUIREMENTS

Simple Majority Required

## OFFICER'S RECOMMENDATION

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Unauthorised Regulated Tree Removal at No. 95 (Lot 14) Watkins Street, White Gum Valley, as detailed on plans dated 3 February 2026, for the following reasons:

1. The proposal is inconsistent with the policy objectives of Local Planning Policy 2.26 (Tree Retention) as it will not prioritise the retention and protection of trees on private land, will not contribute to biodiversity, groundwater quality and other environmental benefits and will not assist in mitigating the urban heat island effect by virtue of the removal of the four (4) previously existing regulated trees.



C2604-3 ELLEN STREET, CHRISTIAN BROTHERS COLLEGE NO. 41-51  
(LOTS 468, 469, 4, 123), FREMANTLE – ANIMATED SIGNAGE  
ADDITION TO EXISTING EDUCATIONAL ESTABLISHMENT -  
(LG DA0411/25)

Meeting date: 8 April 2026  
Responsible officer: Manager City Planning  
Voting requirements: Simple Majority Required  
Attachments: 1. Development Plans  
Additional Information: 2. [Heritage Impact Assessment](#)  
(*viewed electronically*) 3. [Site Photos](#)

## SUMMARY

Approval is sought for an animated sign addition to an existing Educational establishment located at No. 41 – 51 (Lots 468, 469, 4 & 123) Ellen Street, Fremantle.

The proposal is referred to Council due to the nature of some discretions being sought. The application seeks discretionary assessments against Local Planning Policies. These discretionary assessments include the following:

- Type of advertising sign (animated signage)

The application is recommended for refusal.

## PROPOSAL

### Detail

Approval is sought for an animated sign addition to an existing Educational Establishment at No. 41-51 (Lots 468, 469, 4 & 123) Ellen Street, Fremantle (subject site). The proposed works include:

- Installation of a wall mounted single-sided digital advertising sign, comprising of a LED digital screen with dimensions of 4m high x 3m wide, with an advertising display area of 12m<sup>2</sup>.
- The sign is proposed to display images that advertise college events and activities to motorists and pedestrians traveling along Ellen Street.

Development plans are included as attachment 1.



### Site/application information

Date received: 25 November 2025  
Owner name: Trustees of Edmund Rice Education Australia  
Submitted by: Vidtiser Australia Pty Ltd  
Scheme: Community Facility – High School Reserve R35  
Heritage listing: Level 1A  
Existing land use: Educational Establishment  
Use class: Educational Establishment  
Use permissibility: No change



Figure 1 – Planning context map



Figure 2 – Aerial image of subject site, location of proposed signage marked with a red 'X' (January 2026)



Figure 3 – Subject site when viewed from Ellen Street with proposed location of signage (view southwest)



## CONSULTATION

### External referrals

#### *Heritage Council Western Australia (HCWA)*

As the property is within a Level 1A State Heritage Listed place it was referred to HCWA for comments. The following findings and advice were provided:

#### Findings

- *Christian Brothers College, Fremantle is significant as a complex of buildings forming an aesthetically rich site that is a distinctive landmark.*
- *This referral is for the proposed Installation of an outdoor LED wall mounted video display and associated mounting structure.*
- *The proposal will not have any impact on the cultural significance of Christian Brothers College, Fremantle.*

#### Advice

*No objection to the proposal.*

### Internal referrals

#### *City of Fremantle Heritage*

The following comments were provided in relation to the heritage impact of the proposal:

*The proposed new sign is acceptable as it will not directly affect significant heritage building fabric and it will have only a minor impact on the setting of the significant heritage buildings Administration Block (1900) and Classroom Block (1901).*

- *The new LED sign will not damage significant heritage building fabric as it will be attached to the Marshall Building, a two-storey c. 1960s classroom block. This building has been graded as having little cultural heritage significance and is not included within the curtilage for the State Heritage place.*
- *The Marshall Building is adjacent to the historic Administration Block (1900) and Classroom Block (1901). The new sign will not obscure views of the historic buildings, but it will have a minor impact on the setting of the buildings when viewed from the north-east.*

*The proposed works are acceptable as they will only have a minor impact on the heritage values of Christian Brothers College, 41-51 Ellen Street.*



## Community

This application involves a signage addition associated with an approved, existing land use. As such, advertising in accordance with clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* was not required.

## OFFICER COMMENT

### Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4 and relevant Council local planning policies. In this particular application the areas outlined below do not meet Local Planning Policy provisions:

- Type of advertising sign (animated signage)

The above matters are discussed below.

### Background

The subject site is located on the south side of Ellen Street. The subject site is bound by Ellen Street to the north, Stirling Street to the east and High Street to the south. The site has a land area of approximately 12,587m<sup>2</sup> and currently contains multiple buildings that operate as an Educational establishment. The site is registered on the state heritage list (Level 1A), but not located within a heritage area.

The subject site is characterised by a combination of large historical and contemporary buildings that form part of Christian Brothers College.

A search of the property file has revealed the following relevant planning history for the site:

- DA0042/26 - Patio Addition to Existing Education Establishment
- DA0397/25 - Alterations and Additions to existing Educational Establishment
- DA0340/25 - Alterations to Gate to Existing Education Establishment
- DA0135/24 - Refurbishment of Building to Existing Education Establishment

### Local Planning Policy

#### *Local Planning Policy 2.14 – Advertisements and Signs (LPP2.14)*

The purpose of the City's LPP2.14 is to provide requirements for advertisements where they require planning approval under the *Planning & Development (Local*



*Planning Scheme) Regulations 2015 and the Local Planning Scheme No.4 as is the case for this proposal.*

The policy provides general advertising requirements as well as additional requirements for specific types of signage. With respect to signage proposed, it is considered animated signage that fits within the definition of 'building identification sign and wall or fascia sign', defined in the policy as:

*Animated Signage –*

*'includes but not limited to any sign or its contents that moves, and includes flashing or "chasing" lights, as well as video signs, plasma and LCD screen signs and signs which are "trivision", "variable message", "changing message" and "fibre optic" signs.'*

*Building identification sign and wall or fascia sign –*

*'means an advertisement attached to or painted on a wall or fascia of a building (including structures attached to the building) or on a structure that protrudes no more than 50mm from the wall, fascia or structure.'*

The following table evaluates the proposed sign under the general advertising requirements, applicable to all signs/advertising within the City (clause 1.1 of LPP 2.14):

*Table 1 – Assessment against the clause 1.1 of LPP2.14.*

Requirement	Proposal	Compliance
<i>a) Advertisements are not to be placed on properties primarily used for residential purposes where the advertisement does not pertain to a relevant home business, occupation or store on the site unless otherwise provided for in another local planning policy.</i>	Site is zoned Community Facility – High School Reserve and is non-residential in nature.	Complies.
<i>b) Advertisements should be located and designed so as not to cause a hazardous distraction to motorists, pedestrians or other road users.</i>	Advertisement is located to front east towards Ellen Street, as such it will be visible by motorists travelling west along Ellen Street.	Complies, subject to conditions of approval.





	Should the development be approved by council, conditions to limit the luminance, advertising dwell time and operating hours will be applied to minimise the potential impact on pedestrians and motorists.	
<i>c) Advertisements should be compatible with the style, scale and character of the surrounding streetscape, and the predominant uses within the locality. Consideration will be given to the number and type of existing signs in the locality so as to avoid visual clutter.</i>	<p>The proposed wall mounted LED sign is to be 4m (high) x 3m (wide) with a content display area of 12m<sup>2</sup>.</p> <p>There are no relevant examples of similar illuminated/animated signage in the streetscape or locality.</p> <p>It is not considered that this size signage is appropriate or compatible with the existing locality, and will contribute to creating adverse visual clutter on the building.</p>	Does not comply.
<i>d) Advertisements should not impede pedestrian or vehicle movements.</i>	The sign will not impede pedestrian or vehicle movements on the subject site or adjacent road reserve given the location proposed within the site and adjacent existing buildings.	Complies.
<i>e) Illuminated signs should be maintained to operate as an illuminated sign.</i>	The sign is considered able to be maintained and would be limited to static advertising only subject to relevant conditions of approval to limit frequency of image rotation, illumination and operating hours.	Complies, subject to conditions of approval.
<i>f) Advertisements should not emit a flashing or moving light or radio; animation or movement in its design or structure; or reflective, retro-reflective</i>	As above.	As above.



<p><i>or fluorescent materials in its design structure.</i></p>		
<p>g) Animated signs are discouraged in all zones due to amenity impacts, driver distraction and visual clutter. Large animated signs are generally not compatible with heritage-protected places.</p>	<p>The proposed sign falls under the definition of an Animated Sign under LPP2.14 given the sign will include “variable messages” and “changing messages”. Whilst the signage is not considered to directly impact the heritage place, the overall size is considered excessive and its location within a heritage protected place is not encouraged. On this basis it is not supported.</p>	<p>Does not comply.</p>
<p>h) Advertisements are not to include:</p> <ul style="list-style-type: none"> <li>i. the name, logo, or symbol of a company or other organisation that does not own or substantially occupy the site or building on which the advertisement is located;</li> <li>ii. a product or service not provided on the site on which the advertisement is located;</li> <li>iii. a product or service that does not form part of the signage displaying the name, logo or symbol of a company or other organisation that owns or substantially occupies the site or building on which the advertisement is located;</li> </ul>	<p>The proposed signage is intended for the promotion of college events and services relating to the educational facility. No third party signage has been indicated by the applicant.</p>	<p>Complies.</p>



iv. or signs for an activity or event not occurring on the site on which the advertisement is located.		
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The following table evaluates the proposed sign under the requirements applicable to building identification signs and wall or fascia signs (clause 2.4 of LPP 2.14):

*Table 2 - Assessment against clause 2.4 of LPP2.14.*

Requirement	Proposal	Compliance
<i>(a) Where the sign is a projecting sign, allow for a headway of at least 2.75m above the footpath as measured from immediately below the sign;</i>	The sign is wall mounted and is not located over public pedestrian footpath.	Complies.
<i>(b) Not project above the fascia of the building;</i>  <i>(c) Not exceed the frontage of the tenancy; and</i>	The proposed signage is wholly located within the parameters of existing building façade.	Complies.
<i>(d) Be restricted to three signs per street frontage per tenancy.</i>	Whilst the signage is not located on a direct street frontage it does project towards Ellen Street. The Ellen Street frontage of the building currently has two (2) existing wall signs displaying the name of the School, bringing the total to three (3).	Complies.

The following table evaluates the proposed sign under the requirements applicable to buildings on that are on a heritage-protected place (clause 3.1 of LPP2.14):

*Table 3 - Assessment against clause 3.1 of LPP2.14.*

Requirement	Proposal	Compliance
<i>(a) Not have a detrimental impact on the heritage significance of the place;</i>	As per the above heritage officer comments the proposed signage will not have a discernible impact on the heritage significance of the place or	Complies.



	impact significant heritage fabric.	
<i>(b) Not cover any significant architectural features or detailing of a building;</i>	The proposed signage is located on the contemporary building with no heritage significance, as such here are no significant architectural features or details covered.	Complies.
<i>(c) Not significantly obstruct the view between the building and the street; and</i>	The signage is wall mounted and does not project over portions of the building/place with heritage significance, as such the views between the heritage buildings and the street will remain unobstructed.	Complies
<i>(d) Fit to the traditional location/positioning of the specific building or streetscape whenever possible.</i>	The proposed signage is mounted to the wall of the contemporary building with no heritage significance. There are no examples of signage with similar size, scale or positioning on the affected building. Notwithstanding, similar to comments above the location of the signage will not obstruct or impact areas of the heritage place with any significance.	Complies

## CONCLUSION

Approval is sought for an animated signage addition to an existing Educational establishment at No. 41-51 Ellen Street, Fremantle.

As per LPP 2.14 large, animated signs are discouraged in all zones. The proposed signage is considered excessive by virtue of size and will contribute to excess visual clutter that is inconsistent with the Ellen Street streetscape. As the proposal does not meet the objectives of the policy, it is recommended for refusal.

## STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle’s Strategic Community Plan 2024 – 2034:

Liveable City - A unique built heritage and history that is preserved, protected and shared



- Our built heritage is central to our character and sense of place, and is retained and protected for future generations to enjoy.

#### FINANCIAL IMPLICATIONS

Nil

#### LEGAL IMPLICATIONS

Nil

#### VOTING AND OTHER REQUIREMENTS

Simple Majority Required

#### OFFICER'S RECOMMENDATION

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Animated Signage Addition to Existing Educational Establishment at No. 41-51 (Lots 468, 469, 4 & 123) Ellen Street, Fremantle, as detailed on plans dated 24 November 2025, for the following reasons:

1. The proposal is inconsistent with clause 1.1 of Local Planning Policy 2.14 – Advertisements and Signs by virtue of the excessive size, height, scale, type and appearance of the proposed sign within Ellen Street streetscape.



C2604-4 ORD STREET, NO.7 (LOT 4), FREMANTLE - UNAUTHORISED EXTERNAL FIXTURE TO EXISTING GROUPED DWELLING - (CR DA390/25)

Meeting date: 8 April 2026  
Responsible officer: Manager City Planning  
Voting requirements: Simple Majority Required  
Attachments: 1. Amended Plans  
Additional Information: 2. [Justification letter](#)  
(*viewed electronically*) 3. [Site Photos](#)

## SUMMARY

Approval is sought for an unauthorised external fixture (antenna) addition to an existing Grouped dwelling at No. 7 (Strata Lot 4) Ord Street, Fremantle.

The proposal is referred to Council due to the nature of some discretions being sought and comments received during the notification period that cannot be addressed through conditions of approval. The application seeks discretionary assessments against the Residential Design Codes (R-Codes) and Local Planning Policies. These discretionary assessments include the following:

- External fixture addition

The application is recommended for refusal.

## PROPOSAL

### Detail

Approval is sought for an external fixture addition to an existing Grouped dwelling at No. 7 (Strata Lot 4) Ord Street, Fremantle (subject site). The proposed works include:

- External fixture addition
- External fixture is a radio antenna for amateur radio use.

The applicant submitted amended plans on 8 March 2026 to address concerns raised during consultation and officer assessment. The amendments include:

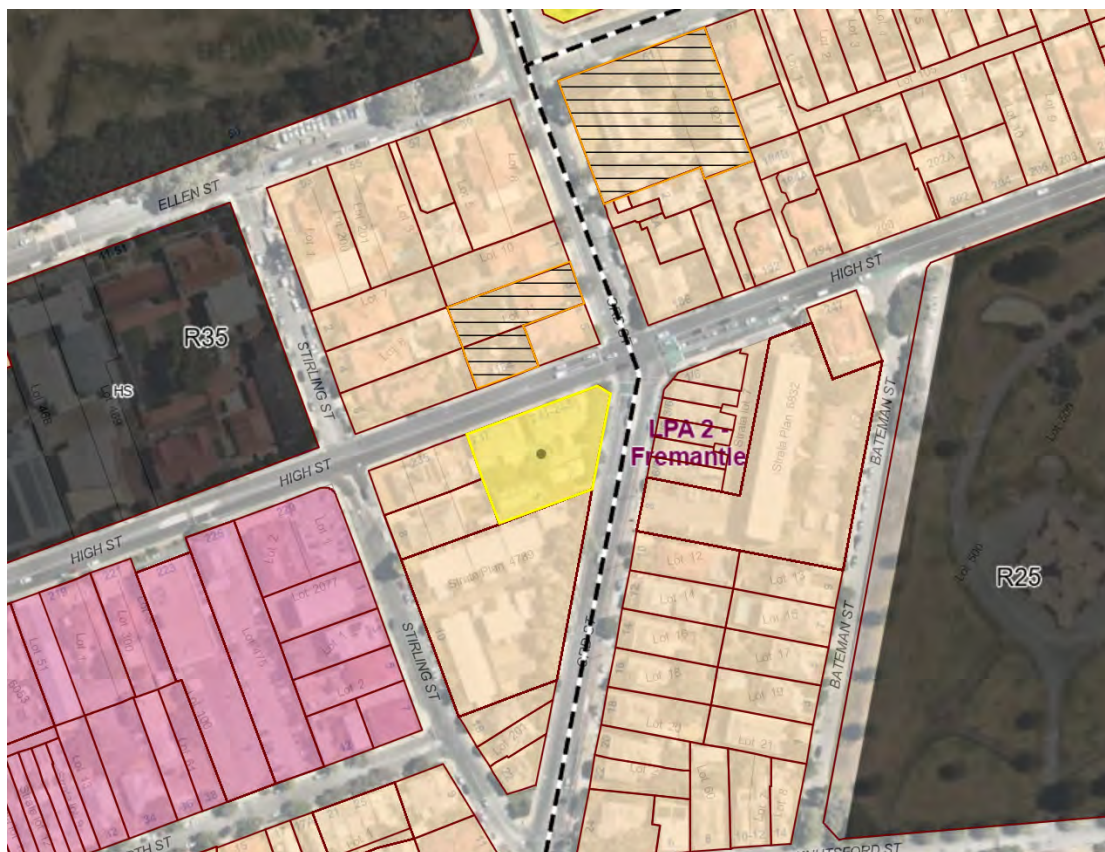


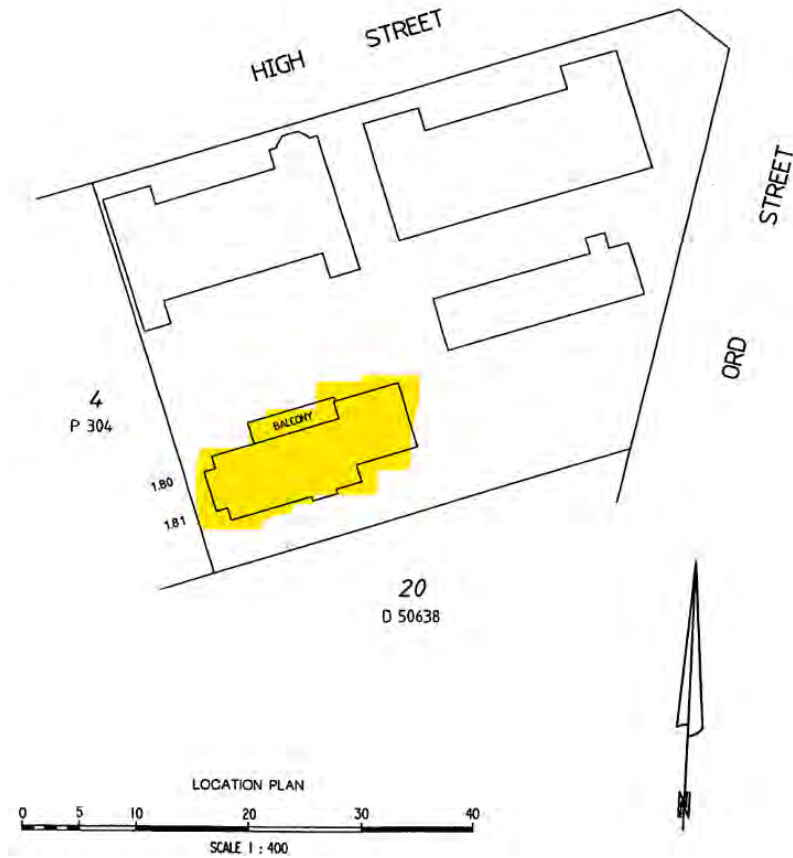
- Further minor alterations to reduce building bulk, no change in height, width and/ or location of the addition.

Amended development plans are included as attachment 1.

#### Site/application information

Date received: 10 November 2025  
Owner name: Steven Walter Hannah  
Submitted by: Steven Walter Hannah  
Scheme: Residential R35  
Heritage listing: Level 2, Ord Street Precinct Heritage Area  
Existing land use: Grouped Dwelling  
Use class: Grouped Dwelling  
Use permissibility: P





Location of house on strata plan

## CONSULTATION

External referrals

Nil required.

Internal referrals

*City of Fremantle Heritage*

The following comments (summarised) were provided in relation to the heritage impact of the external fixture addition:

*This structure utilises a pre-existing mast that was allegedly installed at the same time as the dwelling construction during the 1990s (the applicant statement is corroborated by historic mapping for the site).*





*The site is associated with the 1893 Level 2 duplex which is protected and No 241-243 High Street (Fremantle Migrant Centre) and 237-239, however this dwelling itself is not of recognised significance.*

*As such, there are no explicit heritage concerns with the structure although the height is noted.*

### Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the proposal sought merit-based assessment against the R-Codes and local planning policies. . The advertising period concluded on 29 January 2026, and three (3) submissions were received. The following issues were raised (summarised):

- Impact on visual amenity due to bulk and scale and movement of antenna as a dominant feature when viewed from window, outdoor living areas and balconies.
- Impact on streetscape due to bulk and scale of antenna.

In response to the above, the applicant submitted revised plans to address the following:

- Proposed to improve aesthetics of antenna by replacing old existing materials with new and move motor to base of antenna.

Comments are addressed in the officer comment below.

### OFFICER COMMENT

#### Statutory and policy assessment

The proposal has been assessed against the relevant provisions of the R-Codes and relevant Council local planning policies. Where a proposal does not meet the Deemed-to-comply requirements of the R-Codes, an assessment is made against the relevant Design principles of the R-Codes. Not meeting the Deemed-to-comply requirements cannot be used as a reason for refusal. In this particular application the areas outlined below do not meet the Deemed-to-comply or policy provisions and need to be assessed under the Design principles:

- External fixture (antenna) addition

The above matters are discussed below.



## Background

The subject site is located on the west side of Ord Street. The site has a land area of approximately 399m<sup>2</sup> and is currently a Grouped dwelling. The site is zoned Residential and has a density coding of R35. The site is individually heritage listed (level 2) and located within the Ord Street Precinct Heritage Area.

The dwelling is one of four strata lots within the parent lot and is located to the southwest rear of the parent lot.

A search of the property file has revealed the following history for the site:

- Approval was given by the City of Fremantle in DA322/087.04 in 1996 for a proposed new fourth dwelling at the parent lot of 237 High street which has resulted in 7 Ord street. Due to this this dwelling does not fall under as part of the heritage fabric that is identified in the level 2 listing of the parent lot.
- No prior approval was found for the antenna prior to unauthorised alterations.

## Land Use

A Grouped dwelling is a 'P' land use within the Residential zone which means that the use is permitted by the Scheme.

## External fixtures

Element	Requirement	Proposed	Extent of Variation
External fixture (antenna)	Antennas, satellite dishes and the like not visible from any primary and secondary street.	11m high x 7m wide antenna	Antenna visible from surrounding streets

The external fixture addition is not considered to meet the Design principles of the R-Codes in the following ways:

- The bulk, scale and height of the antenna is unusually large which does have a detrimental impact on the visual amenity of adjoining properties.
- The visual amenity impact on immediate adjoining properties is considered to be a tangible negative impact due to the ill-fitting size in the design of the building and surrounding properties.
- Within the context of the immediate locality, the unauthorised antenna is a dominate feature that faces several sensitive outdoor living areas (see images 3-5)

- With regard to Streetscape impacts, the location of the antenna is setback significantly from Ord Street (~20m) and it is considered to not present a significant or obtrusive impact when viewed from the street (see site photos and images 1-2 below).



Figure 1 – View (north) from Ord Street of antenna



Figure 2 – View (southwest) from High street



Figure 3 – Antenna as viewed from the common property driveway on the subject site



Figure 4 – Image of antenna illustrating the impact of the antenna and support wires at night



Figure 5 – Antenna circled in red and sensitive outdoor living areas immediately adjoining property circled in blue

## CONCLUSION

Approval is sought for an unauthorised external fixture addition to an existing Grouped dwelling at No. 7 (Strata Lot 4) Ord Street, Fremantle. While the antenna is not visually obtrusive to the street, it does have a tangible negative impact on the visual amenity of surrounding properties due to its scale. Therefore, the application is recommended for refusal.

## STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

Liveable City - Sustainably designed and optimised urban and natural environments



- Urban development and public realm enhancement is coordinated, design-led, and sympathetic to surrounding natural environments.

#### FINANCIAL IMPLICATIONS

Nil

#### LEGAL IMPLICATIONS

Nil

#### VOTING AND OTHER REQUIREMENTS

Simple Majority Required

#### OFFICER'S RECOMMENDATION

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Unauthorised External Fixture Addition (antenna) to Existing Grouped Dwelling at No. 7 (Strata Lot 4) Ord Street, Fremantle, as detailed on plans dated 10 March 2026, for the following reasons:

1. The proposal is inconsistent with the Residential Design Codes as the external fixture will be visually obtrusive and will detract from the visual amenity of surrounding properties.



## C2604-5 INITIATION OF SCHEME AMENDMENT 89 - CONVENIENCE STORES

Meeting date: 8 April 2026  
Responsible officer: Director Planning, Place and Urban Development  
Voting requirements: Simple Majority Required  
Attachments: 1. Scheme Amendment 89 Report - Convenience Stores

### SUMMARY

This report presents the initiation of Amendment 89 to Local Planning Scheme No. 4 (Attachment 1), which proposes to change the land use permissibility of Convenience Stores from 'P' to 'A' in the City Centre, Local Centre, Neighbourhood Centre, and Industrial zones.

### BACKGROUND

At the 11 February 2026 Ordinary Council Meeting, Council resolved to:

*Request that the Chief Executive Officer prepare a scheme amendment, prior to the preparation of a new scheme, that changes the land use permissibility of Convenience Stores to be an 'A' use in all zones except in Residential zones where it should remain an X use.*

The reason for the amendment was that:

*Members of our community first raised concerns about the number of "convenience type" shops in November 2024 and since then the number of these shops in the CBD has more than doubled. The change to the scheme will require future Convenience stores to lodge a development application that is publicly advertised and allow the City of Fremantle to consider any further increase in the number of convenience shops in Fremantle.*

On 16 February 2026, the State Government announced reforms to the *Tobacco Products Control Act 2006* that would see increased penalties and enforcement abilities as part of a first tranche of reforms.

### FINANCIAL IMPLICATIONS

Nil



## LEGAL IMPLICATIONS

The *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations) set out the process for a local government to amend the local planning scheme. A local government must refer scheme amendments to the Western Australian Planning Commission (WAPC), who make a recommendation to the Minister for Planning, who determines whether the amendment may be advertised with or without modifications.

## STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

Thriving City - Attraction and retention of diversified investment and talent

- The matters contained in this report align to the intent of this theme's outcome.

## CONSULTATION

Consultation will occur in accordance with the Regulations once approval has been granted by the Minister for Planning.

## OFFICER COMMENT

The recent proliferation of convenience stores, particularly within the City Centre, has caused community concerns. At last count there were approximately 15 convenience stores within a short distance of each other in the City Centre. Such a proliferation of a single use may pose a strategic risk to the diversification of businesses within the City Centre. This is particularly the case should convenience stores outcompete other outlets for retail space. Usually, natural market competition would limit the proliferation of any single type of retail outlet in close proximity to each other.

However, it is understood that most of the concern regarding convenience stores stems from the fact that many of them allegedly sell tobacco products illegally or "under the counter". It is not this report's intention to establish whether these stores do or do not sell illicit tobacco products, though it has been reported that a number of these types of stores throughout Australia have been accused of selling black market cigarettes. This is a particular concern due to rising gang activity around this market, as has been reported in Perth and elsewhere, and the





possibility for arson or other such attacks in the City of Fremantle occurring as part of one gang attacking another.

After discussion at the February Council Meeting, the state government announced and then passed legislation increasing penalties for sale of illicit tobacco, including larger fines for operators and owners, and ability to close shops as well as giving greater powers to the police for enforcement.

The proposed amendment (Attachment 1) seeks to change Convenience Stores from a 'P' to an 'A' use in the Local, Neighbourhood, City Centre and Industry zones. An 'A' use requires that a planning approval be submitted and that the City advertise the application prior to making a determination. While there is a less onerous 'D' (Discretionary) use available that does not require advertising, the Regulations have exempted Convenience Store uses from requiring planning approval where they are a 'D' use and they do not sell petroleum products. Hence, they must be an 'A' use for the City to assess them.

The use change would be accompanied by a local planning policy setting out assessment criteria. Officers will investigate ways to limit the proliferation of shops through the policy.

## VOTING AND OTHER REQUIREMENTS

Simple Majority Required

## OFFICER'S RECOMMENDATION

Council:

1. Determines that Scheme Amendment 89 is a 'Standard' Scheme Amendment as it is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment.
2. Proceed to seek approval to advertise Scheme Amendment 89 to Local Planning Scheme No. 4 in accordance with Regulation 46A of the *Planning and Development (Local Planning Schemes) Regulations 2015* and, subject to approval, proceed to advertise the amendment.
3. Refer Amendment 89 to the Environmental Protection Authority for review as per s81. of the *Planning and Development Act 2005*.



4. Authorise the Mayor and Chief Executive Officer to sign any necessary documentation required to enact the above resolutions.



## C2604-6 INITIATION OF SCHEME AMENDMENT 74 - NOS. 2-8 HARVEST ROAD, NORTH FREMANTLE

Meeting date:	8 April 2026
Responsible officer:	Director Planning, Place and Urban Development
Voting requirements:	Simple Majority Required
Attachments:	<ol style="list-style-type: none"><li>1. Amended Scheme Amendment 74 Report</li><li>2. Amendment 74 - Schedule of Modifications</li></ol>

### SUMMARY

This report discusses proposed Amendment 74 to Local Planning Scheme No. 4, which is an amendment submitted by the landowners to increase the density of Nos. 2-8 Harvest Road, North Fremantle, subject to specific criteria, and add additional land uses that may be considered.

Concurrent with this process, the City will initiate a transfer of land request to the WAPC to modify the boundaries of the rear accessway behind the site and within the reserve in preparation for dedicating it as a right of way (ROW) as part of any future development approval.

This report recommends that Council support the Amendment with modifications and initiate the land transfer process.

### BACKGROUND

Investigations for a potential re-zoning of subject lots have been ongoing since mid-2017, in response to a request from the owners of the lots expressing a desire to explore mixed-use development opportunities. At the time, officers highlighted the tension between allowing intensification of these lots and the ability to access them in a safe, functional and appropriate manner. The preferred solution identified was to utilise the adjoining vehicle access way to the rear of the lots which currently provides access to the adjoining larger reserve containing the North Fremantle Bowling Club, Community Centre and Gordon Dedman Park. In order for a scheme amendment to be considered appropriate for these lots, rationalisation/formalisation of the rear access via its dedication as a public road was recommended.

As part of the initial investigations into the suitability of the vehicle access way to service the sites, some complexities in regards to its use were identified, relating to:

- its physical alignment compared to the reserve boundary



- the most appropriate road classification, should it be dedicated
- the upgrading implications and how these can be resolved.

Council also resolved to carry out additional investigation into appropriate scheme conditions pertaining to redevelopment of the sites to ensure an appropriate land use and built form outcome.

#### *Rear access*

There were many discussions with the applicants over the years on the appropriate mechanism to ensure the rear access would be appropriately upgraded prior to dedication and at the proponent's cost. The key sticking point was that the City required that the rear access be sufficiently upgraded prior to dedication, however, the landowners understandably did not want to pay for those upgrades until they could be sure that a development would be approved. Recently, the negotiations resulted in an agreement to carry out two processes simultaneously, being the access dedication and the Amendment, and to link the scheme amendment bonus development criteria to the upgrading of the rear access. The City will initiate the access dedication, which will include some boundary changes to the reserve area to clarify the accessway, as a separate land administration process concurrent with this Amendment. Once the dedication is conditionally approved, it will remain valid with no expiry date and will only be acted upon once development is approved on the residential lots and the future proponent upgrades the access to the City's specifications.

#### FINANCIAL IMPLICATIONS

Nil – Costs for scheme amendments initiated by external parties are at the expense of those parties.

#### LEGAL IMPLICATIONS

The *Planning and Development (Local Planning Scheme) Regulations 2015 (the Regulations)* set out the process for a local government to amend the local planning scheme. A local government must refer scheme amendments to the Western Australian Planning Commission (WAPC), who make a recommendation to the Minister for Planning, who determines whether the amendment may be advertised with or without modifications.

The *Land Administration Act 1997* sets out the process for amending reserve boundaries and dedicating a parcel of land as a ROW.



## STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

Liveable City - Sustainable growth in city centre population

- Residential developments enable residents to minimise their environmental footprint.

## CONSULTATION

As a result of the discussions with the landowners above, at the March 2018 Council meeting, Council agreed to a set of principles which would form the basis of preliminary community consultation and development requirements for a new sub-area under Local Planning Scheme No. 4 (LPS4).

The City commenced preliminary community consultation on a potential amendment to LPS4, as well as dedication of a formal vehicle access way at the rear of the site. At the same time, officers drafted a set of development provisions which could apply to the subject lots based on the March 2018 Council resolution. At the time, the amendment proposed:

- Rezoning from Residential R25 to Mixed Use R60;
- Maximum height as per the R-Codes at the time (9m top of wall, 12m pitched roof);
- Height be focused away from the residential properties along Thompson Road; and
- mandatory inclusion of a residential component equal to a minimum of 25% of the floor area.

### *Preliminary Community Consultation*

In December 2018, the City undertook preliminary community consultation on the idea of rezoning the subject lots to Mixed Use R60, and dedicating the existing vehicle access way as a formal laneway. This consultation provided insight into some of the opportunities and issues relevant to the scheme amendment. Some of the prominent themes in submissions received for and against the proposal were as follows:

Comments in support:

- Proposal provides the opportunity for redevelopment and infill within an established area.



- Mixed use development is supported, given the potential for accessible facilities within easy walking distance to be of community benefit.
- Redevelopment of this area encouraged as it will enhance the entrance to the North Fremantle Centre.
- Support for improved access to the North Fremantle Community Centre and associated facilities via an upgraded laneway.

Comments against:

- Introduction of commercial uses will change the predominantly residential character of the area. Residential uses should be retained on the site.
- Opposition to the increased density proposed due to the existing impact of vehicle traffic along Harvest Road. Concern regarding traffic safety at the intersection of Harvest Road and Thompson Road. Concern also expressed regarding existing traffic congestion and safety issues at the Harvest Road and Stirling Highway intersection particularly during peak times.
- Upgrading the laneway at the rear of the site is not supported as it will be for the commercial benefit of developers and not the wider community. All capital costs associated with any private development must be met by the developer.
- At the 19 February 2019 ordinary Council meeting, Council resolved to proceed with the scheme amendment subject to the access way being fully funded. The potential amendment included the following criteria:
- Comprehensive and coordinated development of the site in accordance with an approved Local Development Plan;
- Non-residential tenancy size shall be restricted to ensure commercial scale appropriate to the site's context on the periphery of a centre, at the entry to a residential area;
- Minimum 2m street setback
- Building height in accordance with the R-Codes for R60;
- Any storey above the second storey is to be setback a minimum of 7m from any street boundary
- The ground floor to be no more than 600mm abutting street level;
- Minimum 12% of the development site area to be provided as a deep planting zone. This may be reduced to 8% if mature trees on site are retained within open space. The deep planting area may form part of the on-site open space requirements of the R-Codes.
- A minimum of 1 tree per 500m<sup>2</sup> of development site area is to be retained or provided on site as part of site landscaping.
- Primary vehicle access to the site shall be provided from the rear access way. Limited visitor parking access from Harvest Road may be permitted



subject to demonstration of its suitability from a safety and traffic management perspective.

- Contribution to the full cost of upgrade of the adjoining access way to be recouped as a condition of development approval, and ceding of land for a vehicle turning circle capable of accommodating a standard refuse vehicle, and construction of this.
- Vehicle parking shall not be provided in the street setback area.

This amendment never proceeded as proposed because a legal agreement could not be reached with the landowners to fully fund the rear access upgrades prior to initiation. Additionally, the R-Codes Volume 2 came into effect, which covers many of the individual criteria noted above, rendering them redundant.

Recently, the City, the landowners and the Department of Planning, Lands, and Heritage (DPLH) reached an informal agreement on how to proceed with an amendment in a way that would require the rear access be dedicated but without the access having to be upgraded until after a development was approved onsite. There have also been a number of other factors, including the current housing crisis and the need for the City to increase density in strategic sites as per the recently endorsed Local Planning Strategy, that would encourage higher density than originally envisaged.

The landowners subsequently lodged a formal scheme amendment (Amendment 74) proposing:

- retaining the zoning as Residential;
- increasing the density from R25 to R160 provided that a number of criteria around access, laneway preparation and building design considerations are met;
- allows consideration of Consulting rooms, Medical centre, Office, Restaurant/café and Shop as 'D' uses provided they are part of an R160 development.

If endorsed by Council, consultation on the latest iteration of the Amendment will occur in accordance with the Regulations should approval be granted by the Minister for Planning. The Amendment and report is included as Attachment 1. The City's Schedule of Modifications is included in Attachment 2.

As part of the Land Administration Act process for the ROW dedication, the City will consult affected state agencies, such as Main Roads and Western Power, as well as existing leaseholders and determine the most appropriate way to address any possible encroachments.



## OFFICER COMMENT

### *Rear laneway*

The existing accessway at the rear of the properties services the North Fremantle Community Centre and the Bowling Club. The existing residential properties also use it for some vehicle access, as evidenced by the carports at the rear. However, the management order over the accessway is unclear as to whether the residential properties have a right to use it. Additionally, the cadastral boundaries of the rear accessway do not match up with the actual bituminised section of the accessway (the bituminised section is wider), and the accessway runs all the way through to Stirling Highway.

In consultation with the proponent and DPLH, the City has agreed to modify the boundaries of the accessway to conform to the existing bitumen and formalise the rear accessway into a right of way (ROW) through the Land Administration Act process concurrent with the scheme amendment process. The ROW will end at the Bowling Club, with the rest of the current access returned to the reserve. Note that these boundaries may be modified slightly as part of the consultation process with the affected stakeholders using the reserve and to deal with any encroachments.

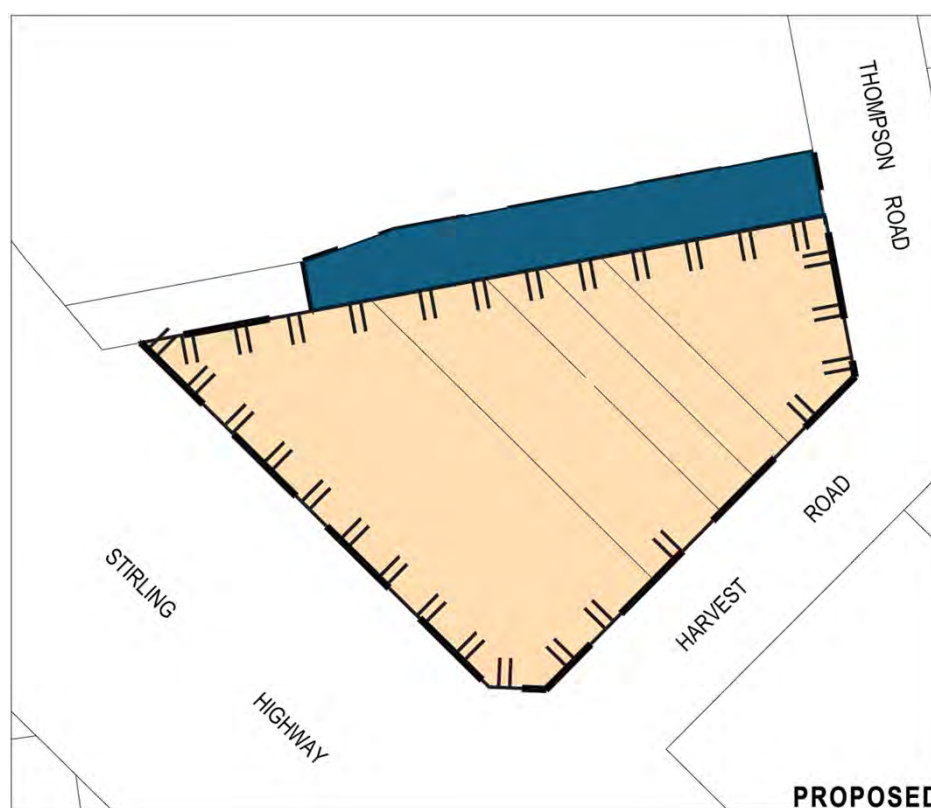


Figure 1: Indicative new ROW boundaries in blue





Once the ROW has been conditionally approved by the DPLH, the conditional approval does not expire and will not need to be acted upon until such time as a development is approved on the residential land and a proponent upgrades the accessway to the City's specifications.

This ensures that future redevelopment will be responsible for any costs associated with the upgrade but these costs will not have to be borne until a development is approved. These costs may have to include modifications to the pedestrian barriers of the North Fremantle Community Hall to clear sufficient space for vehicle access while providing for pedestrian safety. Exact details and specifications will be determined as part of any future redevelopment in negotiations between the City and the proponent. Once dedicated, the City will be responsible for maintaining the ROW.

The majority of vehicle access for any major new development would be required to be taken from this ROW, though there is ability in the amendment to consider limited access directly off Harvest Road for any non-residential uses (ex: a 15-minute stop for a café). Requiring the majority of vehicle access to use the ROW reduces the amount of hardstand on the street and reduces traffic conflicts on Harvest Road.

### *Zoning*

The sites are currently located within a Residential zone. City Officers no longer think it appropriate to amend the zoning of the sites to Mixed Use in isolation. Any amendments to zoning should be implemented as part of a wider review of the North Fremantle District Centre Area as set out in the Local Planning Strategy.

However, given the close proximity of the North Fremantle Centre across Stirling Highway and the fact that these sites do not have immediately abutting residential lots, it is appropriate to allow consideration of some limited non-residential land uses in the absence of a wider review. These additional uses should be tied to future major redevelopment and not occur on the existing individual single house lots. The conditions within the Additional Uses table of the Amendment provide this certainty.

### *Coding and height*

The Amendment proposes a density of up to R160. Under the R-Codes Volume 2, the Acceptable Outcomes for height for an R160 site is 5 storeys (18 metres). Though with the discretion available in the R-Codes, a development could potentially be approved at an even greater height. The proponent's planning report (Attachment 1) demonstrates a 6 storey building:



*Figure 2: Proponent's modelling showing up to 6 storeys*

The sites are surrounded by predominantly single or two-storey dwellings. The only taller buildings are further north up Harvest Road and consist of a four storey aged care centre and a seven storey apartment building. Harvest Road rises in elevation towards the west, which amplifies the heights of these larger buildings. The North Fremantle Neighbourhood Centre is across Stirling Highway and consists of predominantly two-storey buildings, most of which are heritage listed, which limits future height increases.

To assess other options, the City Design Team has provided modelling of four and five storey buildings on the sites, and including the retention of two mature trees on the boundary of the site:

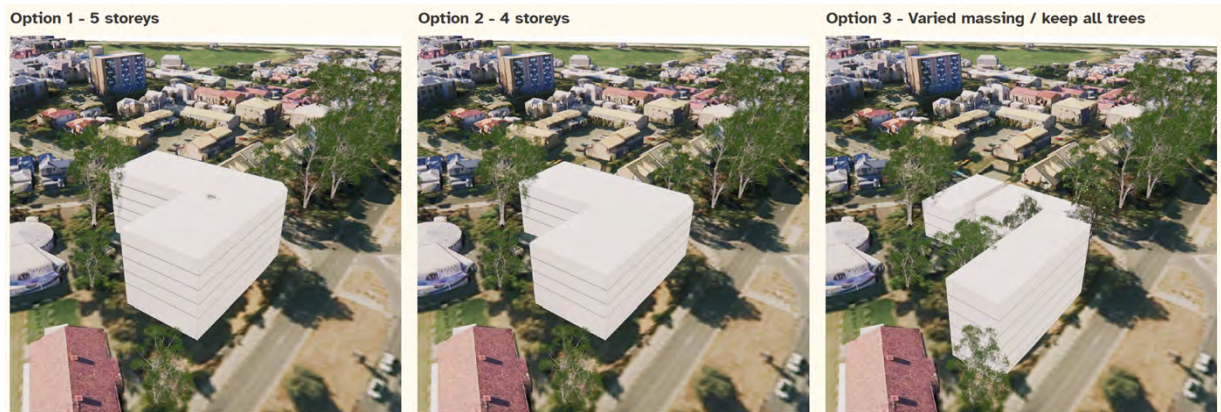


Figure 3: Aerial View

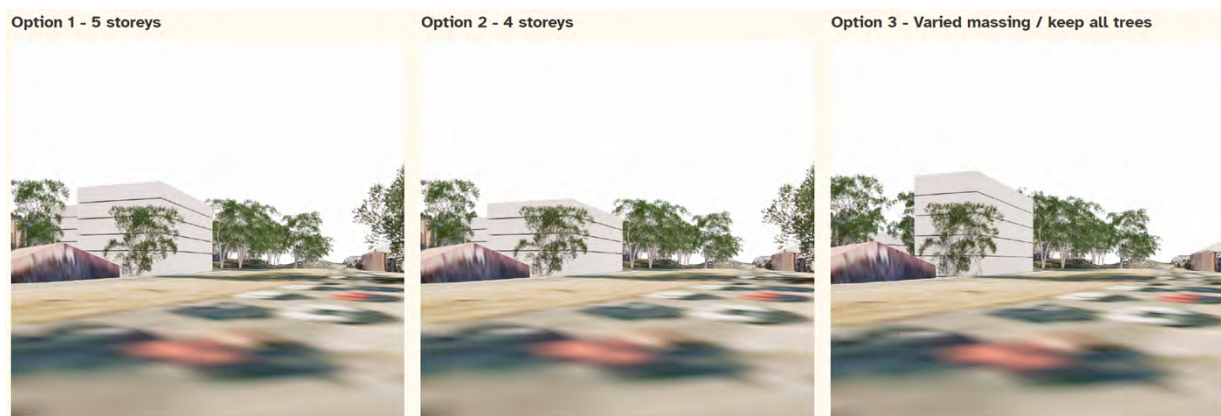


Figure 4: Stirling Highway looking south

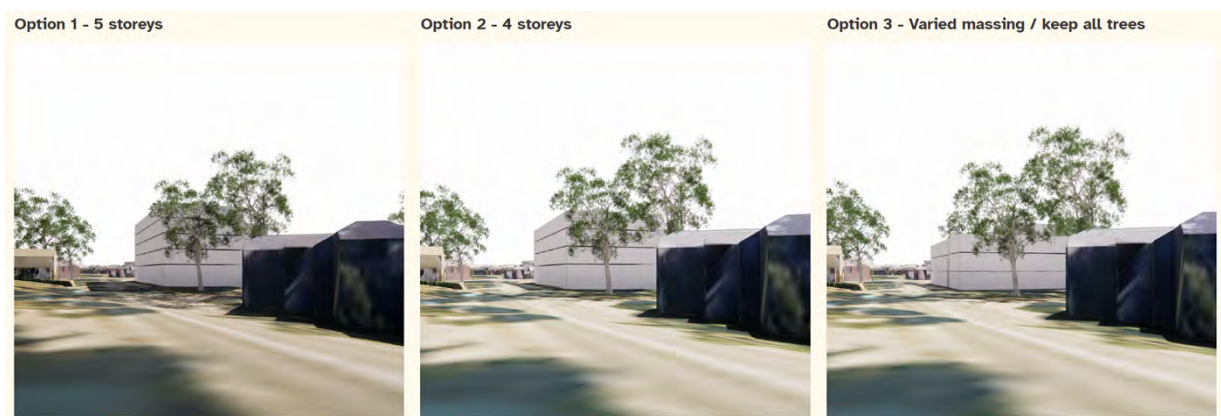


Figure 5: Harvest Road looking west

City Officers are concerned that a proposal above four storeys for the entirety of the subject site will dominate the landscape and overpower the Neighbourhood Centre, as well as the surrounding residential properties. The current tallest building, the old Weeties factory at 5 Burns Street, is only approximately 12m high at its highest point.

The lower heights are a more appropriate fit into the existing context and allow the development to transition towards the lower density without overpowering the

more significant District Centre. It is therefore recommended that the “bonus” density be set at R100, to align with the 4-storey Acceptable Outcomes in the Residential Design Codes and that a maximum height of 4 storeys (15m) be set. Changes are set out in the schedule of modifications in Attachment 2.

### Other matters

City Officers have identified a number of large trees that would be considered ‘regulated trees’ under Local Planning Policy 2.26: Tree Retention (LPP 2.26) Two of these are located on the east and north boundaries of the site, with the one on the corner significantly contributing to the neighbourhood canopy and amenity (Figure 6 below).



*Figure 6: Trees with potential to remain*

Given their location on or abutting the boundaries, there is a high likelihood that they could be retained with a considered design response. One of the criteria to achieve the higher density is to have consideration for LPP 2.26 in the hopes of retaining one or both of these trees, particularly the tree on the corner.

Another criteria to be met in order to achieve the higher density requires that the site be designed so that a waste vehicle can enter and exit Thompson Road in forward gear. This may necessitate some or all of the turning circle to be within the cadastral boundaries of the subject sites.



Additional modifications shown in the Schedule of Modifications (Attachment 2) are as follows:

- Delete the scheme map – The amendment is to create a sub-area, not a change to the base coding. Further, the change to the northern reserve should not be initiated until the final boundary area is determined through the separate land transfer process.
- Add consideration for any other local planning policies – To clarify that a local planning policy will be used where it replaces an aspect of the R-Codes. Otherwise, the R-Codes will be the assessment instrument.

## VOTING AND OTHER REQUIREMENTS

Simple Majority Required

## OFFICER'S RECOMMENDATION

Council:

1. Determines that Scheme Amendment 74 is a 'Complex' Scheme Amendment as it is an amendment that is not addressed by any local planning strategy; and relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.
2. Determines that the amendment does not require review by the Environmental Protection Authority under regulation 33C(2)(h) of the *Environmental Protection Regulations 1987*.
3. Proceed to seek approval to advertise Scheme Amendment 74 to Local Planning Scheme No. 4 (Attachment 1) as modified by the Schedule of Modifications (Attachment 2) under Regulation 46A of the *Planning and Development (Local Planning Schemes) Regulations 2015* and, subject to approval, proceed to advertise the amendment.
4. Authorise the Mayor and Chief Executive Officer to sign any necessary documentation required to enact the above resolutions.
5. Supports initiation of the Land Administration Act process to modify the boundaries of the rear accessway and, subject to being upgraded to the City's satisfaction, dedicate it as a ROW.



## C2604-7 SIGNIFICANT TREE NOMINATIONS, LOCAL PLANNING POLICY 2.23 AND LOCAL PLANNING POLICY 2.26 REVIEW

Meeting date:	8 April 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Attachments:	<ol style="list-style-type: none"><li>1. Draft amended LPP 2.26 - Tree Retention</li><li>2. Draft amended LPP 2.23 - Register of Significant Trees and Vegetation Areas</li><li>3. Schedule of Submissions - Register of Significant Trees</li><li>4. LPP 2.23 - Appendix B 2026 Nominations</li><li>5. LPP 2.23 - Procedure</li></ol>

### SUMMARY

Local Planning Policy 2.26: Tree Retention was adopted by Council on the 12 March 2025. This report provides a review of the policy and introduces proposed modifications.

In addition, this report discusses the seven nominations the City received in 2024-25 for the inclusion of trees to the Register of Significant Trees and Vegetation Areas. Consultation for four of these nominations has been conducted and will be discussed.

This report recommends:

- Council expands the application of Local Planning Policy 2.26 to include R40 properties within the City and endorse the amended policy for the purpose of advertising.
- Consider amendments to Local Planning Policy 2.23: Register of Significant Trees and Vegetation Areas for the purpose of advertising.
- Consider nominations received for addition to the Register of Significant Trees and Vegetation Areas.

### BACKGROUND

Council, at its 12 March 2025 Ordinary meeting, adopted Local Planning Policy 2.26: Tree Retention (LPP 2.26). It is widely recognised that the retention of trees and other vegetation enhances neighbourhood character and delivers environmental benefits such as cooling, cleaner air, improved groundwater, and greater biodiversity. The purpose of the policy is to provide protection for existing



trees, retain and increase canopy cover, and ensure tree considerations are prioritised early in the planning of development. LPP 2.26 applies to all lots within a Development Area, land zoned 'Industrial' and land coded R30 and below within the City's Local Planning Scheme area. The policy outlines the requirement for a development application for any tree damaging activity to a 'Regulated tree'.

During the period of preparation and initial implementation of LPP 2.26, consideration of nominations for the City's Register of Significant Trees and Vegetation Areas (the Register) was paused. In 2024-25, the City received seven nominations for the inclusion of trees to the Register. As noted in the table below six of these nominations were for trees located on properties within Residential zoned areas and coded R30 or below, meaning regulated trees on these properties are protected by LPP 2.26. The landowners of these properties were advised that the trees nominated for the Register have protection under the provisions of LPP 2.26 and given the opportunity to withdraw their nomination, of which three did. Internal assessments of the nominated trees were undertaken. The trees were found to be in good health.

Address	Nominated Tree	Zone/ R-Code	LPP 2.26 applicable?	Consultation conducted
3 Sweetman St, White Gum Valley	<i>Eucalyptus maculata</i> (Spotted gum)	Residential R20/25	Yes	No – nomination withdrawn
5 Bromley Rd, Hilton	<i>Eucalyptus camadulensis</i> (Red River Gum)	Residential R20/25	Yes	No – nomination withdrawn
38 Scott St, South Fremantle	<i>Corymbia citriodora</i> Lemon Scented Gum	Residential R30	Yes	No – nomination withdrawn
8 Sumpton St, Hilton	<i>Melia azedarach</i> (Cape Lilac)	Residential R20	Yes	Yes
54 Hope St, White Gum Valley	<i>Eucalyptus maculata</i> (Spotted gum)	Residential R20/25	Yes	Yes
2 Parmelia St, South Fremantle	<i>Eucalyptus grandis</i> (Flooded Gum)	Residential R30	Yes	Yes
18 Suffolk St, Fremantle	<i>Eucalyptus camadulensis</i> (Red River Gum)	Residential R35	No	Yes

Community consultation was undertaken for the other four nominations and is discussed in the Consultation section of this report.

Local Planning Policy 2.23: Register of Significant Trees and Vegetation Areas (LPP 2.23) was first adopted 2019 in lieu of any other protections for significant trees within the City. The policy was developed to set out the criteria for adding or removing trees and vegetation to the Register and guides how development applications for sites involving trees and vegetation listed on the register should be assessed. There are currently five trees listed on the Register.



Council at the 12 March 2025 OCM also resolved the following, which Officers have considered:

*Request officers investigate opportunities for a potential amendment to the Local Planning Policy 2.26 – Tree Retention, to include all Residential Design Codes above R30 and bring a report back to Council for further consideration.*

Discussion of proposed amendments to LPP 2.23 and LPP 2.26, as well as advertising of the four nominations can be found in the Consultation and Officer Comment sections of this report.

#### FINANCIAL IMPLICATIONS

Nil

#### LEGAL IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle’s Strategic Community Plan 2024 – 2034:

Liveable City - Sustainably designed and optimised urban and natural environments

- An increasing tree canopy that enhances biodiversity and helps cool our urban environments.

#### CONSULTATION

##### Nominations for Significant Tree Register

Consultation for the four nominations below was undertaken for a period of 21 days in February 2026.

Address	Nominated Tree
8 Sumpton St, Hilton	<i>Melia azedarach</i> (Cape Lilac)
54 Hope St, White Gum Valley	<i>Eucalyptus maculata</i> (Spotted gum)
2 Parmelia St, South Fremantle	<i>Eucalyptus grandis</i> (Flooded Gum)
18 Suffolk St, Fremantle	<i>Eucalyptus camadulensis</i> (Red River Gum)





Letters were sent to immediately adjoining neighbours who were invited to provide comment. All responses can be found at Attachment 4 of this report.

No comments were received for 8 Sumpton Street, Hilton or 18 Suffolk Street, Fremantle and one comment was received for 2 Parmelia Street, South Fremantle, in support of the nomination. Three comments were received for 54 Hope Street, White Gum Valley, one opposed to the nomination and two with concerns. Concerns related to the encroachment of the tree roots, overhanging branches and damage to neighbouring properties as well as the responsibility and cost of maintenance of the tree. Responses to these comments can be found in Attachment 4.

The provisions of LPP 2.23 and LPP 2.26 allow for maintenance pruning. Landowners are able to prune overhanging branches without planning approval as part of maintenance pruning that does not harm the health of the tree. More significant work which is likely to lead to the health of the tree or removal of significant branches does require a development approval. Officers advise landowners to work with their neighbours to organise maintenance works to these trees. The responsibility and cost of maintenance of the tree is a civil matter.

Local Planning Policy 2.23 and 2.26

Should Council endorse LPP 2.23 and LPP 2.26 for the purpose of advertising, they will be advertised in accordance with clause 4, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The policies will be advertised for a minimum of 21 days, after which they will be referred back to Council for final adoption, at which time the nominations for the Register will be determined.

OFFICER COMMENT

LPP 2.26 Review

Below is a summary of the recorded development applications received and compliance issues involving regulated trees and the use of LPP 2.26 since its adoption.

Zone / R-Code	Proposal	Outcome
Development Applications		
Residential R25	Tree removal as part of an application for additions and alterations an existing dwelling.	Removed due to infrastructure damage. 2 replacement trees provided.



		Arborist report provided.
Residential R30	Additions and alterations to single dwelling. Regulated tree proposed to be retained.	Retained - advice note included for retention.
Residential R20/25	Additions and alterations to single dwelling. 1 regulated tree to be removed and 1 regulated tree to be retained.	1 retained – applicant redesigned original proposal to retain tree. 1 removed (unfeasible to retain). 2 replacement trees as condition.
Residential R20/25	Removal of regulated tree only.	Approved for removal – satisfied criteria of LPP 2.26 for removal. Conditions to replace with 2 trees.
Residential R15	Tree removal as part of an application for an outbuilding addition.	2 approved for removal (due to infrastructure). 4 replacement trees conditioned.
Residential R20/25	Removal of 3 regulated trees as part of a development application for grouped dwellings.	Approval to remove 3 regulated trees (2 unfeasible, 1 due to safety concerns). Arborist report provided for safety concerns. 6 replacement trees provided. Replacement trees placed across front and rear dwelling.
Residential R30	Removal of regulated tree only.	Arborist report provided to support poor health of tree. 2 replacement trees conditioned.
Residential R25	Removal of 1 regulated tree as part of a development application for addition to existing dwelling.	Arborist report provided to support poor health of tree. 2 replacement trees provided.
Industrial	Removal of 2 of the 3 regulated trees on site as part of a development application for a warehouse development.	Approval for removal of 2 trees. 4 replacement trees conditioned. Protection of the retained regulated tree conditioned.
Residential R20/R25	Retrospective approval for the unauthorised removal of 4 regulated trees for safety reasons. To be replaced by 8 trees.	This application is to be determined by Council.
Residential R30	An unknown number of trees were removed prior to DA lodgement. Applicants are proposing relocation of 1 tree and retention of 1.	This application is to be determined by Council.
Compliance matters		
Residential R30	1 tree removed without approval.	Being investigated.
Residential R25/R30	Complaint received regarding tree removal.  Site visit and investigation undertaken.	No evidence of tree removal.
Residential R25	Query received regarding unauthorised tree removal / damage.	No evidence of tree removal or damage.
Residential R20	Complaint received regarding tree removal.  Site visit undertaken.	Maintenance pruning only – no approval required.
Mixed Use R35	Complaint received regarding unauthorised maintenance on a regulated tree.	Stop work order issued until clarification on scope of works received. Stop work order then lifted.



Residential R25	1 regulated tree removed without authorisation.  Owner has submitted letter from maintenance contractor saying tree roots were interfering with infrastructure. Owner has agreed to plant 2 new trees.	No compliance action. Advice from Parks is that tree is an invasive species inappropriate for an urban area. 2 replacement trees to be planted. Species and location decisions are understood to be currently between our Parks team and landowner.
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The application of the policy in the cases listed above demonstrates the policy is successfully protecting and enhancing tree canopy in the City. In addition to the examples above, City Officers are working with applicants to facilitate development outcomes that retain regulated trees. Where regulated trees are removed, replacement trees are being required, in accordance with the policy.

*Proposed changes*

Officers recommend expanding the policy to apply to residential lots coded R40 and below. Extending the policy to include R35 and R40 areas across the City would result in LPP 2.26 applying to almost all residentially zoned land, with the exception of small pockets of R60, R80, R160 and R-AC3, Commercial land and the City Centre. Remaining land zoned under the City's scheme but not covered by the more expansive policy is shown below:

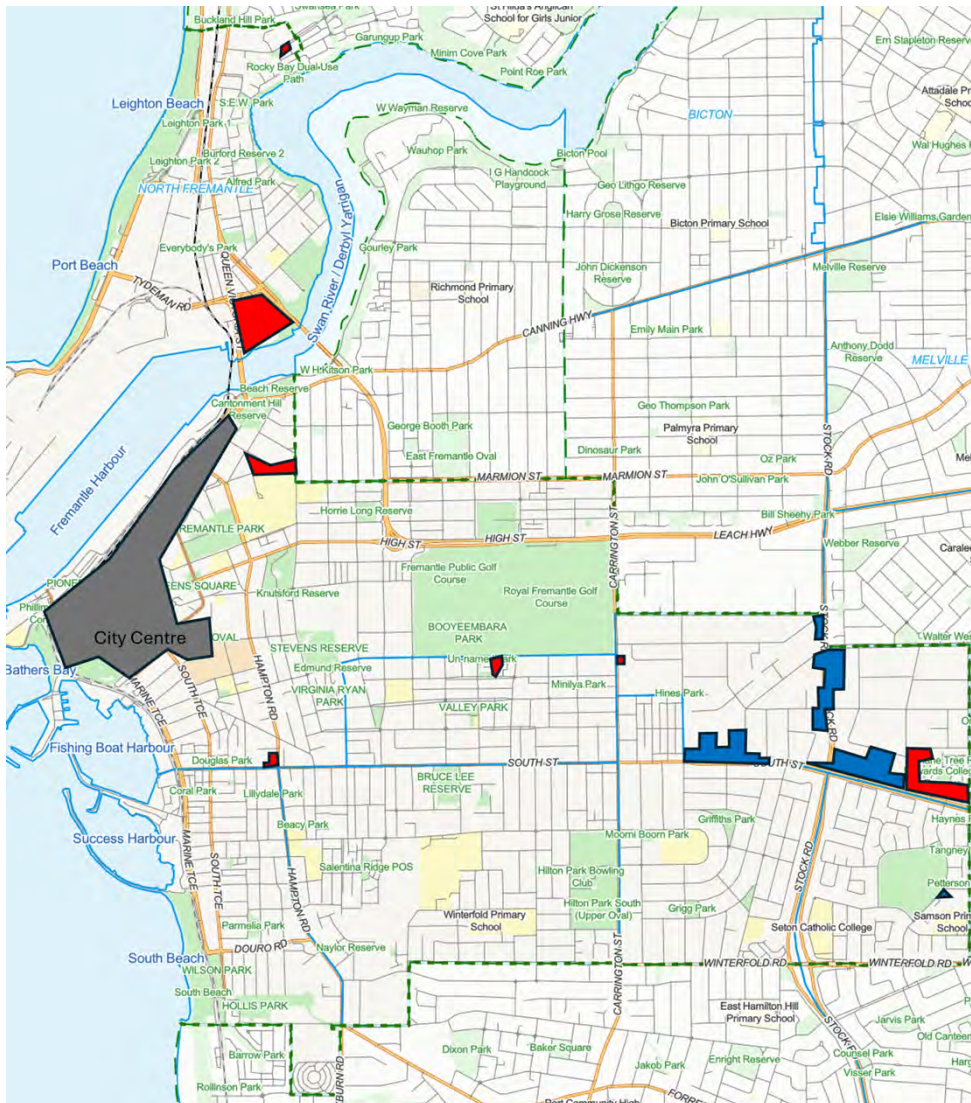


Figure 1: Coloured land falls outside the scope of the policy. Red is residential. Blue is Commercial. Grey is City Centre

Council’s recommendation to expand the application of the policy to all residential densities has been considered but Officers consider it impractical for the following reasons:

- Provisions for the protection of trees on lots coded above R40 are provided under Part C of the R-Codes Volume 1 and Volume 2.
- Minimum lot size decreases as density increases, making tree retention and 2-to-1 replacement trees more difficult.
- The expanded policy would cover the vast majority of land within the City (excluding higher density areas, the City Centre, and Commercial zones) as shown above.

A list of undesirable species has also been prepared to be added as an appendix to the policy. The tree species included on this list would be exempt from



requiring a development approval to be removed. Species included on this list are unwanted for several reasons including:

- Susceptibility to polyphagous shot-hole borer
- Invasive
- Toxic
- Prone to failure
- Non-native (in combination with the above)

A tracked changes version of proposed modifications to LPP 2.26 can be found at Attachment 1.

### Register of Significant Trees and Vegetation Areas and LPP 2.23

The five trees currently included on the Register are:

Tree ID	Common & botanical name	Address	Zone/ R-Code	Regulated tree
19-01	Norfolk Island Pine ( <i>Araucaria heterophylla</i> )	11-13 Harvest Rd, North Fremantle	Residential R25	Y
19-02	Norfolk Island Pine ( <i>Araucaria heterophylla</i> )	15 Harvest Rd, North Fremantle	Residential R25	Y
19-06	Rose Gum ( <i>Eucalyptus grandis</i> )	7/18 John St, North Fremantle	Residential R35	Y
19-07	River Red Gum ( <i>Eucalyptus camaldulensis</i> )	7/18 John St, North Fremantle	Residential R35	Y
24-01	Lemon-scented Gum ( <i>Corymbia citriodora</i> )	6 Douglas St, Fremantle	Residential R30	Y

Three of these trees listed on the Register are currently protected by the provisions of LPP 2.26 as they meet the definition of a regulated tree and are located on private property coded R30 or below. If LPP 2.26 is expanded to apply to lots coded up to and including R40 all of the trees on the current Register would be protected from tree damaging activity. Of the seven nominations received six are for trees on properties coded R30 or below, with one nomination for a tree on a property coded R35. Again, should the application of LPP 2.26 be expanded to include lots coded R40 and below, all of the nominated trees would be protected. The inclusion of a tree on the Register does not provide any further protections than the provisions of LPP 2.26.

Two of the trees on the Register (19-01 and 19-02) have historical value and were removed from the City's Heritage List and placed on the Register in 2019. It is recommended that these trees remain on the Register until Heritage reviews are undertaken for Fremantle City Centre and North Fremantle areas or as part of the annual update. Officers are recommending that should the LPP 2.26 be amended to include R35 and R40 lots the remaining trees be removed from the



Register and only those with heritage and cultural significance beyond being a regulated tree remain on the Register.

Modifications to LPP 2.23 are proposed to ensure alignment with LPP 2.26. These modifications include:

- 1.2 (iv) modified to reference LPP 2.26. A tree which has ecological value only will not be considered for inclusion on the Register if it is protected by LPP 2.26.
- Addition of section 3. Exemption from Development Approval – this expands on the advice note in the current policy and outlines when tree-damaging activity does not require development approval. These provisions are adapted from LPP 2.26.
- Modifying the '2. Development application for sites including a tree / vegetation area on the Register' section to align with LPP 2.26.
- Strengthening the requirement for replacement trees to align with LPP 2.26.
- Addition of the definitions for 'Arborist report', 'Maintenance pruning', 'Tree-damaging activity' and 'Regulated Tree'.
- Removing 'Procedure for Administering the Register of Significant Trees and Vegetation Areas' and Appendix A – Nomination Form from the policy. This information is contained in a separate document which will accompany LPP 2.23. This document can be found at Attachment 3 of this report.

A tracked changes version of LPP 2.23 can be found at Attachment 2.

It is recommended that Council place the tree nominations on hold while amendments to policies LPP 2.23 and LPP 2.26 are advertised. When those policies return to Council, a final decision on the register can be made concurrently with the policies.

Should Council not wish to endorse amendments to LPP 2.23 and LPP 2.26 to include R35 and R40 lots, the nominated trees should be added to the Register.  
Alternate recommendation:

*Council:*

1. *Endorse the following nominations for trees to the Register of Significant Trees and Vegetation Areas, as included at Attachment 5:*
  - a) *8 Sumpton Street, Hilton - Melia azedarach (Cape Lilac)*
  - b) *54 Hope St, White Gum Valley - Eucalyptus maculata (Spotted gum)*
  - c) *2 Parmelia St, South Fremantle - Eucalyptus grandis (Flooded Gum)*
  - d) *18 Suffolk St, Fremantle - Eucalyptus camadulensis (Red River Gum)*



## VOTING AND OTHER REQUIREMENTS

Simple Majority Required

## OFFICER'S RECOMMENDATION

Council:

1. Endorse amendments to Local Planning Policy 2.26: Tree Retention (Attachment 1) for the purpose of advertising in accordance with Schedule 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Endorse amendments to Local Planning Policy 2.23: Register of Significant Trees and Vegetation Areas (Attachment 2) for the purpose of advertising in accordance with Schedule 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. Acknowledge the nominations and comments received for the Register of Significant Trees and Vegetation Areas (Attachments 3 and 4) and notes a report will be bought back to Council to consider these nominations following the advertising of Local Planning Policy 2.26: Tree Retention and Local Planning Policy 2.23: Register of Significant Trees and Vegetation Areas.



## C2604-8 ADOPTION OF LOCAL PLANNING POLICY 3.1: FREMANTLE CITY CENTRE & NORTHERN GATEWAY

Meeting date:	8 April 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Attachments:	<ol style="list-style-type: none"><li>1. LPP 3.1 Schedule of Submissions</li><li>2. Draft LPP 3.1 - Fremantle City Centre &amp; Northern Gateway</li><li>3. LPP 3.1.3 - Tracked Changes (revoke)</li><li>4. LPP 3.1.3.1 - Tracked changes (revoke)</li><li>5. LPP 3.1.5 - Tracked Changes (revoke)</li></ol>

### SUMMARY

The purpose of this report is to provide Council with the outcomes of community consultation of draft Local Planning Policy 3.1: Fremantle City Centre and Northern Gateway.

This report recommends that Council adopt draft Local Planning Policy 3.1, without modification, and revoke the following policies which are consolidated into the draft policy:

- Local Planning Policy 3.1.3: Precinct 3
- Local Planning Policy 3.1.3.1: Precinct 3, Area 6: 7-15 Quarry Street, Fremantle
- Local Planning Policy 3.1.5: Precinct 5

### BACKGROUND

At its Ordinary Council Meeting on 12 February 2025, Council received the Local Planning Policy (LPP) Review Timeline 2025–26, noting that the City then had 83 LPPs, many of which were outdated, duplicative, inconsistent with contemporary legislation, and difficult to apply. Three policies, providing design guidance for the City Centre and Northern Gateway areas, were reviewed as part of this process, with the aim of simplifying and consolidating provisions and, where appropriate, reverting to the Residential Design Codes (R-Codes), which now provide more detailed and contemporary design guidance. The three policies reviewed were:

- Local Planning Policy 3.1.3: Precinct 3
- Local Planning Policy 3.1.3.1: Precinct 3, Area 6: 7-15 Quarry Street Fremantle
- Local Planning Policy 3.1.5: Precinct 5.





Draft Local Planning Policy 3.1: Fremantle City Centre and Northern Gateway (LPP 3.1), was prepared which sought to consolidate and simplify the local planning policies relating to this area. A more comprehensive area-based review is to be undertaken in the future, particularly through the preparation of a new local planning scheme.

Council at its 10 December 2025 meeting endorsed LPP 3.1 for the purpose of community consultation. Discussion of the outcomes of this process can be found in the Consultation and Officer Comments sections of this report.

#### FINANCIAL IMPLICATIONS

Nil

#### LEGAL IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

Liveable City - Sustainable growth in city centre population

- A higher density City with a diverse range of housing options being available in the city centre that cater to multiple demographics.

Liveable City - Sustainably designed and optimised urban and natural environments

- The matters contained in this report align to the intent of this theme's outcome.

Liveable City - A unique built heritage and history that is preserved, protected and shared

- The matters contained in this report align to the intent of this theme's outcome.

Resilient City – A focus on planning for a stronger and more resilient future

- A contemporary planning framework considers the changing needs of our community amid challenging economic times while ensuring our built environment is resilient to changes in climate.



## CONSULTATION

The policy was advertised of a period of 21 days. Two submissions were received during this period. The main themes of the consultation process are outlined in the table below. Full submissions and officer responses can be found at Attachment 1 of this report.

Submission	Officer Comment
<p>I am concerned that any planned developments in the 'city triangle' (Sub-precinct E) stay in line with the lease agreement with the Perth Diocesan Trustees and St John's church. The Council does not have the right to erect any buildings or structures on the church's premises.</p>	<p>The policy does not seek to interfere with any lease agreement with the Perth Diocesan Trustees and St John's church or develop the church site.</p> <p>The policy objectives are to support the City's Local Planning Scheme and provide guidance for new development within the City which complements and protects the heritage character of the precinct areas.</p>
<p>I object to Draft Local Planning Policy 3.1 in its current form and request substantial amendment before adoption. My objection is not to development or a higher density. It is to the reliance on discretionary height increases in sensitive heritage transition areas, and the long-term consequences that will follow. Fremantle is not a blank canvas.</p> <p>Requested Amendments          The submitter formally requests that Council:</p> <ol style="list-style-type: none"> <li>1. Remove Section 1.4 (Discretionary Additional Building Height), or substantially limit it.</li> <li>2. Introduce parcel-specific envelope modelling.</li> <li>3. Mandate comprehensive viewshed protection.</li> <li>4. Remove incentive-based height bonuses.</li> <li>5. Strengthen heritage transition controls across all precincts.</li> <li>6. Acknowledge governance arrangements relating to Church-owned land.</li> </ol>	<p>LPP 3.1 supports the provisions of the City's Local Planning Scheme No. 4. The intent of the review was to continue to align with the scheme provisions for this area, whilst consolidating and simplifying the relevant local planning policies. Many of these objections relate to existing scheme provisions which are simply reinforced in the policy.</p> <p>The City has received approval from the Western Australian Planning Commission to commence preparation of a new local planning scheme which will provide the opportunity for a more comprehensive review of the provisions relating to this area.</p> <p>Officers note and acknowledge the concerns highlighted, including discretionary building height, view corridors and heritage protections. Concerns outlined will be considered as part of the preparation of the new scheme.</p>



## OFFICER COMMENT

The draft LPP 3.1 consolidates three existing policies, these being:

- Local Planning Policy 3.1.3: Precinct 3
- Local Planning Policy 3.1.3.1: Precinct 3, Area 6: 7-15 Quarry Street Fremantle
- Local Planning Policy 3.1.5: Precinct 5

As part of adopting LPP 3.1, the three existing policies will be revoked.

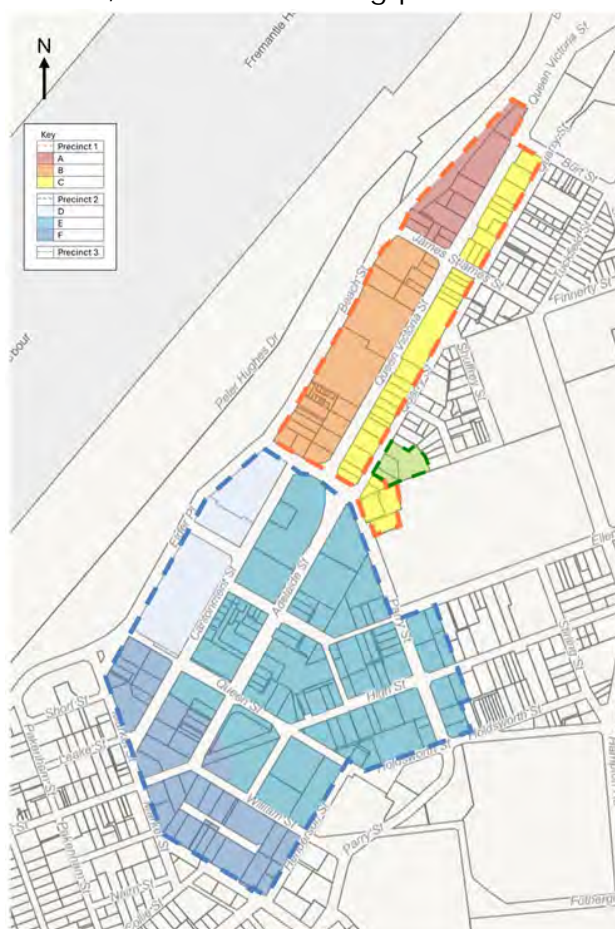


Figure 1: Local Planning Policy area

The areas covered by the policy, as shown in Figure 1 above, are subject to significant current and future development and represent key strategic locations within the City, particularly the City Centre and Northern Gateway precincts. Following a review of existing local planning policies, LPP 3.1 has been prepared to continue to support the preparation and assessment of development applications in these areas. LPP 3.1 consolidates three existing local planning policies into a single, contemporary, and more legible document while retaining the key provisions that support Schedule 7, Planning Areas 1 and 2 of Local



Planning Scheme No. 4 (LPS 4). Minor amendments have been made to modernise the policy, including updated terminology, alignment with the R-Codes, the inclusion of stronger expectations for greening and sustainable development initiatives, and consolidating and updating maps.

Other changes include designating Cantonment Street as a primary street—reinforcing its strategic importance and applying higher built-form and public realm standards—and identifying Fremantle Oval and the William Street view corridor as major landmarks. Vehicle access and parking design provisions have also been strengthened to support a safer, more pedestrian-friendly environment. Provisions from LPP 3.1.3.1 have been carried over with minor refinements.

Overall, the intent and direction of the policy remain consistent with LPS4, with changes focused on consolidation, modernisation, and simplification to ensure the policy remains effective, clear, and fit for purpose. No fundamental changes have been introduced.

Given that LPP 3.1 supports the provisions contained in LPS4, currently the subject of review, Officers do not recommend any modifications to the draft policy at this time.

#### VOTING AND OTHER REQUIREMENTS

Simple Majority Required

#### OFFICER'S RECOMMENDATION

Council:

1. Receives submissions made on LPP 3.1, provided in Attachment 1.
2. Adopt Local Planning Policy 3.1: Fremantle City Centre and Northern Gateway, provided in Attachment 2, in accordance with Schedule 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. Revoke the following local planning policies in accordance with Schedule 2, clause 6(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
  - a. Local Planning Policy 3.1.3: Precinct 3
  - b. Local Planning Policy 3.1.3.1: Precinct 3, Area 6: Quarry Street Fremantle
  - c. Local Planning Policy 3.1.5: Precinct 5



## C2604-9 ADOPTION OF LOCAL PLANNING POLICY 3.7: SOUTH BEACH VILLAGE

Meeting date: 8 April 2026  
Responsible officer: Director Planning, Place and Urban Development  
Voting requirements: Simple Majority Required  
Attachments: 1. Draft Amended Local Planning Policy 3.7  
(previously DGS6) - South Beach Village

### SUMMARY

The purpose of this report is to discuss adopting the amended Local Planning Policy DGS6: South Beach Village and renaming it to Local Planning Policy 3.7: South Beach Village (Attachment 1).

This report recommends that Council adopt draft Local Planning Policy 3.7: South Beach Village.

### BACKGROUND

At the Ordinary Council Meeting held on 12 February 2025, Council received the Local Planning Policy (LPP) Review Timeline 2025-26.

The aim of the review is to simplify the planning framework relating to these areas, remove superfluous and outdated criteria, and revert to the updated Residential Design Codes (R-Codes) where appropriate.

This report focuses on the review of Local Planning Policy Design Guideline S6: South Beach Village, relating to the South Beach Village locality, which has been amended and renamed to Local Planning Policy 3.7: South Beach Village (LPP3.7), as part of the sub-review of local planning policies relating to the South Fremantle.

Development Plan 14 is embedded in Schedule 9 of the City's Local Planning Scheme No. 4 (LPS4). The plan sets out a number of criteria that are repeated in the policy. Many of the criteria are outdated and no longer relevant, as contemporary Residential Design Codes and building codes have superseded them. Additionally, only 3 lots in the area remain vacant land. A new Scheme is being drafted and Development Plan 14 is intended to be deleted. The policy has been amended to prepare for this change and carryover any provisions considered worthy of retention.



Council, at its 10 December 2025 Ordinary Meeting, resolved to endorse new draft LPP 3.7 for the purpose of advertising. The process and results of advertising are discussed in the Consultation section of this report.

#### FINANCIAL IMPLICATIONS

Nil

#### LEGAL IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

Liveable City - Sustainable growth in city centre population

- Fremantle is recognised as a development-friendly city as a result of flexible and adaptable approaches to planning.

Liveable City - Sustainably designed and optimised urban and natural environments

- Urban development and public realm enhancement is coordinated, design-led, and sympathetic to surrounding natural environments.

Liveable City - A unique built heritage and history that is preserved, protected and shared

- Our built heritage is central to our character and sense of place, and is retained and protected for future generations to enjoy.

#### CONSULTATION

In accordance with clause 4, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), the amended local planning policy was advertised from 2 February 2026 to 3 March 2026 (an additional eight-day notice period was provided directly to landowners and occupiers via letter beyond the standard 21-day period).

Advertising occurred through a notice in the Fremantle Herald, letter notices to landowners and occupants in the South Beach Village locality, and a dedicated page on the City of Fremantle MySay platform.



The City received a query on the final day of advertising regarding front and rear setback requirements, open space, and outdoor living area requirements which inspired minor amendments to the draft policy to reinforce requirements in LPS4 No other submissions were received.

### OFFICER COMMENT

Local Planning Policy Design Guideline DGS6: South Beach Village was originally adopted in August 2006 and thereafter amended in 2022. The policy was last considered for revocation by Council at its Ordinary Meeting of 23 March 2022, at which point only five development sites remained vacant. The policy was retained out of concern that new development would be incompatible with the emerging streetscape.

At the time of this report, there are still three remaining lots to be redeveloped and the City has not received a building or planning application for them.



Figure 1: South Beach Village (empty lots shown in orange)

The policy is still recommended to be retained in anticipation of development and has been updated to reflect contemporary legislative references and building code requirements. The extent is now narrowed to target the three empty sites and has been consolidated, where possible, to improve ease of use, such as combining four maps into a single map.



The draft proposes the following:

Retain as is:

- Building elevations and window glazing design requirements
- Building materials
- Carport/garage location and design
- Street walls/fences material
- Roof form and pitch
- Noise and vibration notice (refer to State Planning Policy 5.4: Road and Rail Noise)

Modify with no criteria change but place them into a table clarifying where the policy varies the deemed-to comply criteria of the Residential Design Codes (R-Codes) in accordance with the manner and form template from the Department of Planning, Lands and Heritage:

- Building height
- Primary street setbacks
- Lot boundary setbacks
- Open space and outdoor living areas
- Street walls/fences height

Delete the following:

- Wall and roof insulation requirements are deleted as they are superseded by the most recent building codes.
- Ancillary development and external fixtures are deleted as they duplicate the R-Codes.

Given that the housing stock in the estate is approximately 18 years old, there is little risk that the existing development will be substantially redeveloped in the near term. Development on other lots will be covered by the R-Codes, which will be sufficient to maintain the amenity of the area.

As no submissions were received during the public advertising period, it is recommended that the draft amended policy is adopted, with slight amendments to reinforce consistency with the Local Planning Scheme No. 4 Schedule 9 requirements and for ease of use following a landowner query received at the close of the advertising period. These amendments maintain the status quo and do not require further advertising.





## VOTING AND OTHER REQUIREMENTS

Simple Majority Required

## OFFICER'S RECOMMENDATION

Council adopt amendments to Local Planning Policy DGS6: South Beach Village (renamed Local Planning Policy 3.7: South Beach Village and contained in Attachment 1), affirm that the amendments do not require further advertising, and publish notice in accordance with Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.



C2604-10 PLANNING INFORMATION REPORT - APRIL 2026

1. SCHEDULE OF APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

Meeting date: 8 April 2026  
 Responsible officer: Director Planning, Place and Urban Development  
 Voting requirements: Simple Majority Required  
 Attachments: 1. SCHEDULE OF APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

Under delegation, development approvals officers determined, in some cases subject to conditions, each of the applications relating to the place and proposals as listed in the attachments.

2. UPDATE ON METRO INNER DEVELOPMENT ASSESSMENT PANEL (DAP) DETERMINATIONS AND RELEVANT STATE ADMINISTRATIVE TRIBUNAL APPLICATIONS FOR REVIEW

Meeting date: 8 April 2026  
 Responsible officer: Manager City Planning  
 Voting requirements: Simple Majority Required  
 Attachments: Nil

Applications that have been determined by the Metro Inner DAP and/or are DAP/Council determinations that are subject to an application for review at the State Administrative Tribunal are included below.

1. Application Reference
DA008/25
Site Address and Proposal
No. 8 Point Street, Fremantle- 8 Storey Mixed use development comprising student accommodation.
Update and status
<ul style="list-style-type: none"> <li>• Application for development was accepted on 22 December 2025.</li> <li>• The Responsible Authority Report was submitted on 17 March 2026, with a recommendation for approval.</li> <li>• A DAP meeting was held on 26 March 2025, where the DAP approved the development with minor amendments to the Officers' recommendation.</li> </ul>

2. Application Reference
DAP001/26
Site Address and Proposal



No.9 Cattalini Lane, North Fremantle – 3 Storey (30 dwelling) Multiple Dwelling development
<b>Update and status</b>
<ul style="list-style-type: none"> <li>• On 4 February 2026, the City accepted an application for the above proposal.</li> <li>• Community consultation is currently underway and closes on 11 April 2026.</li> <li>• A Responsible Authority Report is due to DAP on 1 May 2026.</li> </ul>

<b>3. Application Reference</b>
DAP007/25
<b>Site Address and Proposal</b>
No. 242 Marine Terrace, South Fremantle- Five storey Multiple dwelling development
<b>Update and status</b>
<ul style="list-style-type: none"> <li>• DAP refused the application 4 March 2026</li> <li>• On 25 March 2026, the applicant lodged an appeal with State Administrative Tribunal (SAT) of DAP determination.</li> </ul>

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Council receive the following information reports for April 2026:

1. SCHEDULE OF APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY
2. UPDATE ON METRO INNER DAP DETERMINATIONS AND RELEVANT STATE ADMINISTRATIVE TRIBUNAL APPLICATIONS FOR REVIEW.



## General reports

### C2604-11 CITY PLAN: NORTH FREMANTLE - COMMUNITY & STAKEHOLDER ENGAGEMENT UPDATE

Meeting date:	8 April 2026
Responsible officer:	Manager City Design
Voting requirements:	Simple Majority Required
Attachments:	<ol style="list-style-type: none"><li>1. North Fremantle City Plan Pulse Check Engagement Report</li><li>2. City Plan North Fremantle Phase 2 Snapshot Report</li></ol>

#### SUMMARY

This report provides an update on the City Plan: North Fremantle project, covering the following:

- Findings from the Pulse Check engagement conducted from November 2025 – January 2026, including the Pulse Check Engagement Report (Attachment 1) and an Engagement Snapshot (Attachment 2)
- Overview of concept scenarios prepared to date, including community preferences identified through engagement.
- Updates on engagement with key landholders and developers in the Bracks Street precinct, and with State Government agencies.
- Updates on the City's progress in undertaking a City-led transport strategy to inform and substantiate the City Plan: North Fremantle.
- Seeks support for the development of an advocacy approach for transport planning in North Fremantle.

#### BACKGROUND

In early 2025, the City commenced the City Plan: North Fremantle, developing a shared vision and spatial framework for the North Fremantle Town Centre, Bracks Street Precinct and broader peninsula. The project addresses pedestrian connectivity, coastal adaptation, public space and heritage outcomes, and growth opportunities associated with the long-term relocation of Fremantle Port.

A Working Group of Elected Members and senior staff, titled 'North Fremantle Plan Working Group' has met regularly since April 2025, most recently on 4 March 2026. Community engagement commenced in June 2025, and the project was last reported to Council on 12 November 2025, at which Council resolved to note the Phase 1 engagement outcomes, endorse a set of Objectives and Principles, and



forward these to the Department of Transport and the Minister for Transport to inform the brief for the State Government-led transport planning in the area.

Since that report, the City has completed a Phase 2 Community Engagement process including a set of draft concept scenarios, staging options and transport planning approaches. City staff have also met with key stakeholders including private landowners, developers and State Government agencies developing a State-led North Fremantle transport strategy.

#### FINANCIAL IMPLICATIONS

Nil.

#### LEGAL IMPLICATIONS

Nil.

#### STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

##### Liveable City - Connected city

- Multiple transport options offer diverse, equitable and affordable forms of mobility for all members of the community.
- Streets are well connected, and it is easy and safe for pedestrians and cyclists to move within neighbourhoods and between key destinations and precincts.
- Transport networks that reduce the need for cars in our city centre.
- The matters contained in this report align to the intent of this theme's outcome.

#### CONSULTATION

The City Plan: North Fremantle has now completed two phases of community engagement listed below:

- Phase 1 Engagement - 20 May to 27 June 2025 - Captured community perceptions, priorities and aspirations across urban transformation, coastal recreation, pedestrian and vehicle connectivity, cycling, and public transport. Outcomes are published on the City Plan: North Fremantle MySay page and informed the project's principles and objectives.
- Phase 2 'Pulse Check' Engagement – 24 November 2025 to 27 January 2026 – Listed key objectives and principles guiding the project and collected community responses to a range of transport planning scenarios. The



outcome of this engagement is documented in detail in this council report in the 'Officer Comment' section.

In addition to community engagement, City staff have met regularly with representatives of private landholders in the Bracks Street Precinct to discuss transport planning options for the area. The City has also engaged with key State Government agencies responsible for transport planning in North Fremantle, including the Department of Transport and Major Infrastructure, PTA, DPLH and Main Roads.

Private landholders / developers have engaged constructively with the City, working collaboratively to explore long-term transport planning solutions that also reflect local community aspirations. The aim has been to balance the need for regional transport solutions with great place outcomes.

The City's engagement with State Government agencies has to date been more limited, periodically attending broad agency meetings to receive updates on the governments transport planning - with a focus on regional road connectivity and future railway infrastructure planning.

## OFFICER COMMENT

### *Community Feedback on Draft Scenarios*

Through the Phase 2 'Pulse Check' Engagement, the City collected community feedback on a range of draft transport planning options for North Fremantle. These options are indicative and will continue to evolve as the project progresses.

Option 1 – Curtin to Stirling Flyover - A proposed four-lane flyover connecting Stirling Highway and Curtin Avenue, prioritising north-south regional traffic movement. First proposed by Main Roads in 2004, this remains a priority for State Government agencies as part of broader coastal traffic network planning. Community response was strongly negative, with 70% of respondents disagreeing with the proposal, citing concerns about noise, amenity, cost and the impact on the town centre.

Option 2 – Curtin Avenue Extension - A direct extension of Curtin Avenue within the existing MRS road reserve, redirecting regional traffic from Stirling Highway via Tydeman Road. Community response was broadly positive, with 72% either strongly agreeing or somewhat agreeing, noting improved access and coastal connections.

Option 3a & 3b – Curtin Avenue Extension with Train Station Relocation and/or Elevation – Expanding on Option 2, this option explores relocating the train station closer to the North Fremantle town centre (3a), and elevating the rail line to improve local road connections beneath (3b). Community response was mixed, with many residents preferring the station remain in its current location. The rail



elevation concept drew both concern around visual amenity and support for its potential to resolve key transport challenges.

Overall, the engagement confirmed community sensitivity around transport planning in North Fremantle and reinforced the City's understanding around local priorities and aspirations.

### *City-Led Integrated Transport Strategy*

Following community engagement and meetings with State Government agencies and private landholders / developers, the City has decided to commission a City-led North Fremantle Integrated Transport Strategy. Working with a transport planner and modelling consultant, this strategy will rigorously test and model the transport scenarios identified through the City Plan project.

Over the next six months, this work will provide a clearer evidence base on traffic impacts and the relative merits of each option, underpinning the City Plan's strategic urban design work with robust transport data and modelling. This will strengthen the City's advocacy position as State Government progresses its own transport planning for the area.

The transport strategy will be developed in parallel with the City Plan: North Fremantle, with both documents now intended to be completed in late 2026.

## VOTING AND OTHER REQUIREMENTS

Simple Majority Required

## OFFICER'S RECOMMENDATION

Council receive the update on the City Plan: North Fremantle project, as provided in this report, and:

1. Note the City Plan: North Fremantle Phase 2 Pulse Check Engagement Report (Attachment 1) and Snapshot Report (Attachment 2) including community preference on options developed to date.
2. Note the City's engagement with State Government agencies and other key stakeholders working on urban development and transport planning in the North Fremantle area.
3. Note the City's initiation of its own North Fremantle Integrated Transport Strategy to support the City Plan: North Fremantle.
4. Support the development of an advocacy approach for transport planning in North Fremantle.



## C2604-12 PRIVATE ROAD NAMING APPLICATION - MONUMENT EAST DEVELOPMENT

Meeting date: 8 April 2026  
Responsible officer: Manager Commercial Services  
Voting requirements: Simple Majority Required  
Attachments: 1. Monument East Private road name locations  
2. City of Fremantle Road Names Register

### SUMMARY

The City of Fremantle has received a private road naming application from Locus Development Group (Applicant). The proposed names are for private roads/common property lots within the subdivision of Lots 1196, 1201, 1823, 1209, 1212, 1217 (No. 30-40) Amherst Street & Lots 1223 1222 (No. 2-4) Stack Street Fremantle.

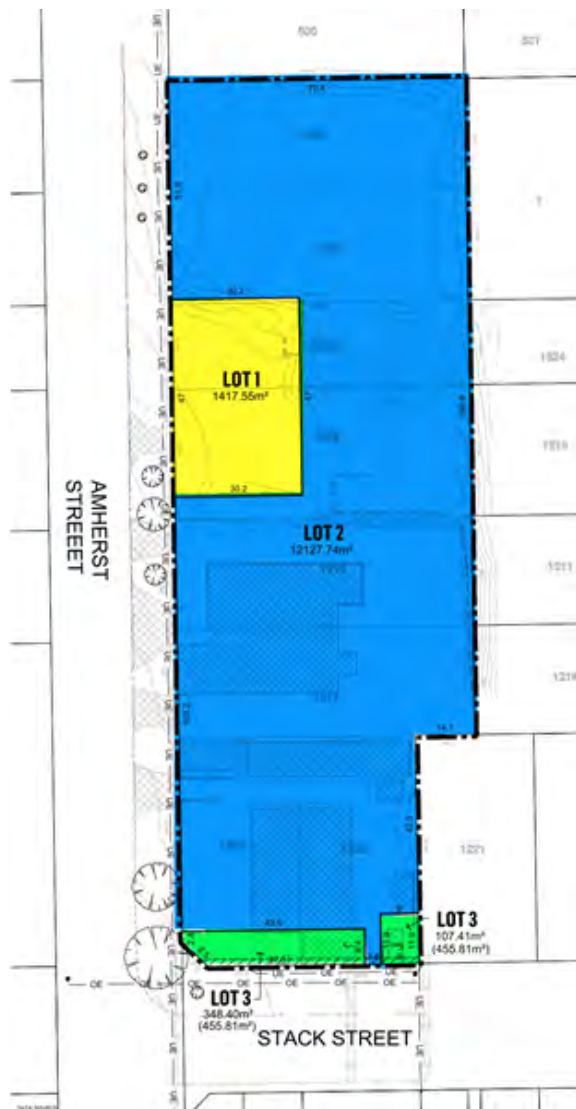
The Applicant is seeking to name three private roads. Five names have been submitted as the Landgate Geographic Names Team (GNT) require at least two additional names to be supplied. The proposed road names selected have a stone/materials thematic naming convention, consistent with local character and design aspirations for the development. This report recommends that Council support the Applicant's proposed road names of Sandstone Street, Limestone Way and Granite Lane plus the substitutes of Slate and Cobble in the locations identified in Attachment 1.

### BACKGROUND

On 27 March 2024, the Metro Inner Development Assessment Panel (DAP) granted approved for DAP/23/02615 which comprised of 57 Grouped dwellings, 24 Multiple dwellings, 7 commercial Tenancies and associated common property.

On 29 April 2024, the Western Australian Planning Commission (WAPC) granted approval for 6 property amalgamation [being Amherst Street 30, 34, 36 and 38 (Lots 1196, 1823, 1209, 1212, 1217) and Stack Street, No. 2 and 4 (Lots 1222 and 1223)] and subdivision into 3 larger allotments (being lots 1, 2 and 3).





Additionally, on the 9th of April 2024, the WAPC approved a survey strata application WAPC59-24 to facilitate the approved redevelopment DAP/23/02615 of middle largest allotment (Lot 2) approved as part of WAPC164400. The resulting subdivision created 57 strata lots inclusive of internal, common property roads and two open space reserves.

On 23 February 2026 the Applicant submitted a private road naming application to the City for the internal roads shown in Attachment 1.

#### FINANCIAL IMPLICATIONS

The Applicant is responsible for all road-naming costs, and as the roads are private, ongoing management and maintenance obligations (including signs) rest with the Strata rather than the City.



## LEGAL IMPLICATIONS

Landgate is responsible for road naming and is guided by the Geographic Names Committee (GNC). The GNC provides the Policies and Standards in relation to the naming of roads, features, townsites and places in Western Australia.

The following publications are referred to by the Landgate Geographic Names Team (GNT) when assessing road naming and street addressing compliance:

- The Geographic Names Committee – Policies and Standards for Geographical Naming in Western Australia (released on 01/01/2013).
- The Australian/New Zealand Standard Rural and Urban Addressing standard (AS/NZS 4819:2011 (3rd edition released in 2011)).

In accordance with the GNC guidelines and Policy, the 'road type' (suffix) should reflect the road on the ground. The selection of road type should meet criteria established by the GNC.

Local governments may no longer request that eligible road names be reserved for future use within their boundaries. Prior existing reserved road names will automatically lapse five years from the original approval, with the Reserve Register to contain no local government requested names from 01 January 2022.

The Landgate Policies and Standards for Geographical Naming in Western Australia Version 03: 2017 – use of personal names clause 1.4.2 Pages 12 and 13 state the following:

*'Landgate will not accept a commemorative naming proposal of a person whilst they are still alive for road or locality. Requests to approve names that commemorate, or that may be construed to commemorate, living persons will also not be accepted. The approval of a name to commemorate an individual will only be considered;*

- *Posthumously;*
- *permission of the immediate family must be obtained. where the person has been deceased for more than 10 years and contact with the immediate family could not be established appropriate consultation must be carried out;*
- *based on a demonstrated record of achievement;*
- *having had a direct and long-term association with the location and made a significant contribution to the area;*
- *the proposal commemorating an individual with an outstanding national or international reputation has had a direct association with the area in which it is to be located;*
- *such application is in the public interest;*
- *there is evidence of broad community support for the proposal.*



*The following will not be considered as appropriate grounds for a commemorative naming request:*

- *Current or past ownership of the land is not considered sufficient grounds;*
- *Precedence of existing names;*
- *Past or ongoing public service within all levels of government;*
- *Names will not be supported after a person who has sponsored the development of the area, or was a commercial developer.'*

Local governments are responsible for initiating, assessing, and endorsing proposed road names in accordance with Landgate's Policies and Standards for Geographical Naming in Western Australia. Councils must ensure that proposed names comply with state naming requirements including avoiding duplication and meeting cultural considerations before submitting them to Landgate for final approval, as all road-naming requests must be lodged by the local government or its authorised representative.

## STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

Liveable City - Sustainable growth in city centre population

- Residential developments enable residents to minimise their environmental footprint.
- Fremantle is recognised as a development-friendly city as a result of flexible and adaptable approaches to planning.

Liveable City - Connected city

- Streets are well connected, and it is easy and safe for pedestrians and cyclists to move within neighbourhoods and between key destinations and precincts.

## CONSULTATION

Officers have consulted with Landgate to verify preliminary checks of the proposed words. Landgate advised that the use of 'street' is permissible provided that the applicant ensuring that specific signage will be installed onsite at the entrance letting traffic know it's a no-through road. Otherwise, a cul-de-sac suffix from AS/NZS 4819:2011 would be needed. The applicant has confirmed that signage will be installed.

There is no requirement to undertake public consultation for the naming of private roads within a new development where no existing public road is affected.

## OFFICER COMMENT

In February 2026, the Applicant submitted a road naming application for three proposed private road names within the the Monument East development together



with the required Landgate preliminary suitability checks, thematic justification, and supporting documentation.

The naming theme was based on stone and masonry materials to reflect both the development's architectural character and Fremantle's historic built form.

City officers undertook initial review and requested additional information to strengthen the justification for Council, including clearer origin statements for each name, explicit references to Fremantle's heritage and built character, cultural and historical considerations, and further evidence of Landgate duplication checks. Officers informed the Applicant of Council's recent encouragement of the use of words of Aboriginal origin and women's names and requested clarification on why this theme was not adopted. The Applicant advised that the project's time constraints and additional consultation requirements made this approach unfeasible, and that a neutral, descriptive materials-based theme was chosen to ensure timely compliance with Landgate requirements.

It is noted that Council has encouraged the use of women's names for future road naming, however identifying suitable options is challenging due to Landgate's strict naming requirements. Several notable women listed in the City's Road Names Register are not eligible because they do not have a direct historical connection to the site, which is required for approval. In addition, Landgate's updated naming standards significantly limit available options by prohibiting duplication or similarity with existing road names across the metropolitan area.

The City's naming register is attached in Attachment 2. The names that have been listed on the register are not verified for use at this site. Further site specific research from the applicant would be necessary for Council to consider these words for use at this location. Despite officer's recommendation to pursue the use of these words, the applicant advised that due to timing it wasn't feasible.

While Fremantle has recognised important women through names such as Friend Street and Pulford Lane, many other potential names cannot be used because they are already allocated elsewhere or do not meet Landgate's locality-based criteria. As a result, despite the number of women of significance in Fremantle, the pool of compliant, non-duplicated and locality-relevant women's names is extremely limited, making it difficult to apply this naming approach for the current development.

The Applicant noted that Stage 1 is planned for completion in late 2026, with most homes already sold, and that road-naming approval is needed before addressing, utility servicing, emergency services updates, Strata Plan lodgement, and title issuance can occur. Because these processes are sequential, delays in endorsement may result in delays to servicing, certification, settlements, and increased holding and contractual costs.

The Applicant advised that the proposed road names of Sandstone Street, Granite Lane, and Limestone Way (location shown on Attachment 1) are based on a cohesive stone and masonry materials theme. The theme was selected to reflect



Fremantle's physical character and historic built form, where locally sourced stone and masonry have long been used in streetscapes, warehouses, civic buildings, boundary walls and paving. The Applicant noted that the Monument East development incorporates textured, masonry-inspired architectural finishes and robust materials referencing Fremantle's industrial and port heritage, and that the naming theme is intended to connect the development's contemporary design with the established heritage character of Fremantle.

For each name, the Applicant provided the following rationale:

Sandstone Street (Road 1: Strata Roads A, C, D and shared laneway)

Origin and relevance: Sandstone has historically been used throughout Fremantle for building façades, kerbing, boundary walls and architectural detailing, often in combination with limestone.

Function: This road forms the primary internal frontage street; the suffix "Street" reflects its hierarchy and activity level.

Heritage link: The name references Fremantle's longstanding masonry craftsmanship.

Granite Lane (Road 2: Strata Road B)

Origin and relevance: Granite has traditionally been used in Fremantle and more broadly in Western Australia for paving, civil works and heavy-duty surfaces due to its durability.

Function: This road is narrower and secondary in hierarchy; "Lane" appropriately reflects its scale and access function.

Heritage link: The name reflects the utilitarian stone materials associated with Fremantle's working harbour and industrial precincts.

Limestone Way (Road 3: Strata Roads E, F and G)

Origin and relevance: Limestone is a hallmark of Fremantle's historic built form, having been locally quarried and widely used in early settlement architecture and significant heritage structures.

Function: This route forms a key connecting movement corridor; the suffix "Way" denotes a principal access route.

Heritage link: The name directly references Fremantle's limestone architectural identity.

Additional names -

Slate



Slate is a fine-grained metamorphic stone traditionally used for roofing, paving, and architectural details. Although not quarried in Fremantle, it features in many Australian colonial and Federation-era buildings. In Fremantle, slate is most often seen on heritage cottages, civic buildings, and adapted warehouses, where it contributes to the layered material palette that shapes the city's historic character.

### Cobble

“Cobble” refers to cobblestone paving, historically used in streets, laneways and service areas in port and industrial cities. Cobblestones are strongly associated with early transport routes, warehouse precincts and maritime infrastructure. Fremantle, as a historic port city, has a strong association with stone paving and service laneways, particularly in older commercial and industrial areas near the harbour. Cobbled surfaces are emblematic of working port environments and pedestrian-scale laneways.

The Applicant further advised that the proposed names are non-commemorative, do not reference living persons, avoid duplication with existing heritage or commemorative themes, and use neutral, descriptive terms aligned with local physical and built characteristics.

Collectively, the Applicant considers that the naming approach provides a consistent, locally relevant and policy-compliant naming strategy that reflects Fremantle's masonry and port heritage while aligning with the design intent of the Monument East development.

Following further correspondence, City officers requested backup names for each proposed road, in line with Landgate requirements to mitigate potential duplication issues. The developer subsequently provided acceptable alternative names and confirmed that signage would be installed where required, for example, to support the continued use of “Street” for a no-through-road section.

A final preliminary check was completed by the developer, with results confirming that both the primary and backup names could proceed to Council consideration. The naming submission is now complete, meets Landgate's preliminary requirements, and is ready for Council to consider endorsement prior to formal referral to Landgate for approval.

### VOTING AND OTHER REQUIREMENTS

Simple Majority Required



### OFFICER'S RECOMMENDATION

Council supports the following names to be applied to private roads within the subdivision of Lots 1196, 1201, 1823, 1209, 1212, 1217 (No. 30-40) Amherst Street & Lots 1223 1222 (No. 2-4) Stack Street Fremantle:

Proposed Road Names	Road type (suffix)	Location
Sandstone	Street	CP49 & CP61
Limestone	Way	Portion of CP24
Granite	Lane	Portion of CP24
Additional names		
Slate		
Cobble		



## C2604-13 COUNCIL MEMBER, COMMITTEE MEMBER AND CANDIDATE CODE OF CONDUCT REVIEW

Meeting date:	8 April 2026
Responsible officer:	Manager Governance
Voting requirements:	Absolute Majority Required
Attachments:	1. Draft Amended City of Fremantle Council Members, Committee Members and Candidates Code of Conduct

### SUMMARY

A review of the Council Members, Committee Members and Candidates Code of Conduct has been undertaken to ensure continued alignment with the requirements of the *Local Government Act 1995* and the *Local Government (Model Code of Conduct) Regulations 2021*.

This report recommends that Council adopt the amended Council Members, Committee Members and Candidates Code of Conduct, provided in Attachment 1.

### BACKGROUND

It is a requirement under section 5.104(2) of the *Local Government Act 1995* that within 3 months after the day on which regulations amending the model code come into operation, a local government must amend, by absolute majority, the adopted code of conduct to incorporate the amendments made to the model code.

With the commencement of relevant parts of the *Local Government Regulations Amendment (Local Government Amendment Act 2024) Regulations 2025* on 1 January 2026, officers have prepared the required amendments to the Council Members, Committee Members and Candidates Code of Conduct (Council Policy).

### FINANCIAL IMPLICATIONS

Nil.

### LEGAL IMPLICATIONS

Under section 5.103 of the *Local Government Act 1995*, all local governments are required to adopt a Code of Conduct for council members, committee members and candidates that is consistent with the Model Code of Conduct.





The Model Code, established through the *Local Government (Model Code of Conduct) Regulations 2021*, sets the minimum statutory standards for behavioural expectations, ethical decision-making, and the management of alleged breaches.

Local governments may strengthen the Model Code with additional provisions, provided they do not reduce the mandatory standards prescribed by the Regulations. Any review or amendment to the City's Code of Conduct must ensure continued alignment with the Model Code requirements, including the prescribed standards of conduct, the complaints process, and roles of the Complaints Officer.

The Council Members, Committee Members and Candidates Code of Conduct Council Policy was adopted in accordance with section 5.104 of the *Local Government Act 1995* on 28 April 2021 (FPOL2104-8), with amendments recorded within the Policy review record.

## STRATEGIC IMPLICATIONS

This is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

Corporate - Lead and empower the organisation to deliver the vision of 'strong reputation, stronger future'

- Enable the City to maintain legislative compliance and accountability for organisational decision making.

## CONSULTATION

This Council Policy is preexisting and is distributed as part of the elected member induction to ensure awareness and compliance with the policy. The reviewed policy has been presented to Elected Members at an informal meeting for information and general feedback prior to being presented to Council for formal adoption.

## OFFICER COMMENT

Officers have presented amendments 13 weeks following the commencement of the legislative changes, as the updates are procedural in nature, reflect requirements that must be followed in accordance with legislative requirements, and don't change the required conduct of Council Members, Committee Members, and Candidates. The timing of this review aligns with a review of other elected member related policies and an informal briefing that allowed input from Council prior to being proposed in the formal Council Agenda.



The amendments to the model code of conduct relate primarily to the appointment and powers of the Local Government Inspector, and management of behavioural breaches (division 3 of the code of conduct), which are to be lodged with the City of Fremantle. Noting that, if the Local Government Inspector receives a behavioural complaint, it will be referred to the City, unless:

- a) the respondent has been found to have committed a behavioural breach on at least 2 previous occasions on or after 1 January 2026; and
- b) having regard to those previous behavioural breaches, the Inspector considers that the breach should be dealt with as a conduct breach.

The City is also required to forward recurrent behavioural breaches to the Inspector.

Conduct breaches and specified breaches are to be dealt with by [Local Government Inspector](#), rather than the City of Fremantle.

The required amendments to the Code of Conduct take place from the *Local Government (Model Code of Conduct) Regulations 2021* and are detailed in the table below. All recommended changes are shown as tracked amendments in Attachment 1, with the table presenting officer’s comments, proposed amendments and reason for the change.

Proposed Changes	Reason
Clause 2. Terms used Addition of definitions for “Inspector” and “Monitor”.	Ensures clarity in the relation to the other additions (described below).
Clause 3. Overview Addition of “This Code of Conduct is to be read in conjunction with the Local Government Act 1995 and Regulations.”	Ensures Council Members, Committee Members, and Candidates are aware that the code of conduct isn’t to be read and applied in isolation.
Clause 11. Complaint about alleged breach Amendment to clause 11(1).	A Council can prescribe additional requirements to a code of conduct, but not less than the model. Administrative addition to clarify that alleged breach complaints under this section are related to Division 3, but particularly, behaviour.
Clause 11. Complaint about alleged breach Additions of clauses 11(4), 11(5), and 11(6).	Alleged behavioural breaches are to be dealt with by the local government in the first instance. The Inspector may deal with the breach as a conduct breach if it is recurrent or they otherwise determine so, therefore it will be dealt with under the Act and Regulations rather than the Code of Conduct.



Clause 12. Dealing with complaint Addition of a note to subclause (1)	References clause 14A in relation to the appointment of a monitor to assist the local government to deal with matters raised by a complaint.
Clause 14A. Appointment of monitor (new) Addition of part 14A - Appointment of Monitors	It is a power of the Inspector to appoint a monitor if they receive an alleged behavioural breach complaint. This is more likely for recurrent breaches but not limited to this.
Clause 14B. Performance of local government's functions under cl. 12 and 13 (new) Addition of part 14B – Performance of functions under cl 12 and 13 (dealing with or dismissal of a complaint)	Dealing with or dismissal of a complaint can be delegated by Council to a Committee; and parts of the functions of the local government in relation to dealing with or dismissal of a complaint can be performed by an authorised person.
Clause 15. Other provisions about complaints Addition of clause 15(3) under Division 3 (behaviour)	Monitors will not be appointed (nor can delegation be given to a Committee to deal with the functions under clauses 12 and 13) to deal with complaints made before 1 January 2026.
Clause 21. Disclosure of information Addition of clause 21(1)(b) to Disclosure of Information under Division 4 (rules of conduct).	Required change under the model code of conduct regulations.
"Disclosure of information" part numbered to part 21 and subsequent parts re-numbered accordingly	Administration amendment to reflect model code of conduct.
Clause 24. Elected Members Communications Agreement Addition of a new clause 24.	A Council can prescribe additional requirements to a code of conduct, but not less than the model. This clause is included to specify that Elected Members are required to comply with the City of Fremantle Elected Member Communications Agreement. Any breaches of the Communication Agreement will be managed in accordance with this Code of Conduct.

The above-mentioned amendments to the Council Members, Committee Members and Candidates Code of Conduct, are recommended for Council adoption.

#### VOTING AND OTHER REQUIREMENTS

Absolute Majority Required

#### OFFICER'S RECOMMENDATION

Council adopt the amended Council Members, Committee Members and Candidates Code of Conduct, provided in Attachment 1.



## C2604-14 ROAD SAFETY PROJECT - DOURO ROAD, FREMANTLE

Meeting date:	8 April 2026
Responsible officer:	Manager Infrastructure Engineering
Voting requirements:	Simple Majority Required
Attachments:	<ol style="list-style-type: none"><li>1. South Terrace &amp; Douro Road Engagement Report</li><li>2. Option 1</li><li>3. Option 2</li><li>4. Option 3</li><li>5. Road Safety Audit Report</li></ol>

### SUMMARY

Funding has been allocated in the 2025/26 budget for road rehabilitation and safety works on Douro Rd in the vicinity of the Douro Rd/South Terrace roundabout.

A draft design for the proposed safety works was developed and shared with the community through consultation in late 2025. Feedback received through this process informed amendments to the draft design.

The amended draft design and community feedback were discussed with elected members at the informal meeting held in February 2026. Further investigations were undertaken in response, and the matter was reviewed again in March 2026.

This report recommends that Council:

1. Support the road resurfacing project, funded by the Metropolitan Regional Road Group (MRRG), be implemented as part of stage 1; and
2. Support in principle, a design option (as provided in the attachments), for further community consultation, prior to final council consideration.

### BACKGROUND

The South Terrace, Douro Road roundabout area of South Fremantle is in need of resurfacing, traffic calming modifications and pedestrian safety enhancements.

This area provides an important connection to South Beach, Wilson Park, North Coogee and a range of cafes, shops, hospitality venues, and other amenities. Both



the community and the City have identified it as a high-priority location for road safety improvements.

The City has received funding from the Metropolitan Regional Road Group (MRRG) to resurface key segments of road in South Fremantle, including the busy intersection of South Terrace and Douro Road.

Alongside the road resurfacing project, municipal funding was allocated for road safety improvements. Accordingly, City officers developed a concept for the area focused on pedestrian safety and accessibility, slower vehicle speeds and streetscape enhancement.

Community consultation was undertaken in relation to the concept plan, with amendments made in response to comments received.

The results of the consultation, and the amended concept plan were presented to elected members at the IEM held in February 2026. Following feedback from the community and elected members further investigations were undertaken, and additional options were discussed at the Informal Elected Members Meeting (IEM) held in March 2026.

In addition to the above an independent Road Safety Audit (RSA) in relation to the proposed alternate option discussed at the March 2026 IEM was commissioned.

The matter is now presented to Council for endorsement of the proposed improvements.

#### FINANCIAL IMPLICATIONS

The road rehabilitation component of this project involves the resurfacing of the pavement in accordance with asset management principles and is part funded by a grant from the MRRG under the State Road Funds to Local Government Agreement. The grant funding is provided on a 2:1 basis (i.e. 2/3 State funded and 1/3 City funded). The total funding available for this work is \$318,972; however, it is noted that additional funding may be required due to increases in contract rates for asphalt and traffic management since the grant application was originally submitted. An application will be forwarded to Main Roads WA (MRWA) to cover a portion of these cost increases.

It should also be noted that this funding has been provided for the current financial year and is preferable to deliver within the financial year. Accordingly,



this component of the works was scheduled to commence from April 2026, subject to the consideration of options and a proposed plan being approved. Any delay in delivery of the project will need to be negotiated with MRWA.

The funding available for safety improvements is \$400,000.

#### LEGAL IMPLICATIONS

The proposed works have been developed in accordance with relevant design standards and the MRWA guidelines and policies, including the application of approved traffic calming treatments on local roads.

The City, as the road authority for local roads under the Road Traffic Code 2000, is empowered to implement traffic management devices and road safety treatments where appropriate. No additional statutory approvals are required beyond the City's normal internal approvals and, where applicable, confirmation from MRWA for signage and line marking arrangements.

#### STRATEGIC IMPLICATIONS

This item is in keeping with the City of Fremantle's Strategic Community Plan 2024 – 2034:

##### Liveable City - Connected city

- Streets are well connected, and it is easy and safe for pedestrians and cyclists to move within neighbourhoods and between key destinations and precincts.

Infrastructure, services and facilities meet the needs of a growing residential population and contribute to making the city centre a safe and desirable place to live.

#### CONSULTATION

The City of Fremantle opened public engagement on this project on 31 October 2025 and collected submissions until close-of-business on 2 December 2025.

A full engagement report has been included as an attachment to this agenda item, and details how community were engaged, who was reached, and what was heard. The below is a summary of engagement.

Throughout this public engagement program, the community was encouraged to:



- Contribute local knowledge and insight on pedestrian, cycling, and driver activity in the project area (Marine Terrace, Douro Road, South Terrace roundabout area).
- Share feedback on the proposed road modifications and pedestrian enhancements via the online survey, or face-to-face with City staff in 1:1 meetings and a public drop-in session.
- Identify key pedestrian movements, pinch points, accessibility and safety issues as well as opportunities via an Interactive Map or in-person at the drop-in session.

The public engagement program reached more than 1,300 people through online and face-to-face interactions. City officers collected submissions in three ways:

- The project team received 203 formal submissions of feedback to the project.
- 62% of submissions were collected via formal submissions to the City's MySay platform, or hard copies of the MySay survey submitted to City staff.
- 19% of submissions were collected via the interactive mapping tool on the MySay project page.
- 13% of submissions were collected in person at the community drop-in session.
- 5% of submissions were collected via formal email attachments and communications.

Key Takeaways from the engagement:

- 87% of respondents supported or somewhat supported the proposed treatments for the intersection of South Terrace and Douro Road.
  - o 40% of respondents support the proposed treatments for this intersection presented during the public engagement program.
  - o 47% somewhat support the proposed treatments for this intersection presented during the public engagement program.
- Community is eager to see a formalised or more clearly acknowledged pedestrian crossing movement through the area, specifically at the South Terrace and Douro Road roundabout.
- Respondents who support the proposed treatments highlighted the following:
  - o The proposal is seen as slowing vehicle movement through the area
  - o The proposal is seen as improving cycling and other shared uses through the area
  - o The proposal aims to improve sight lines and visibility, as well as reduce blind corners



- Respondents who somewhat support the proposed treatments highlighted the following:
  - o Proposal needs clearer pedestrian priority
  - o Proposal needs stronger traffic calming interventions that can further slow vehicle movement
  - o Separation of cyclists seen to be safer over shared spaces
  - o Concerns that red asphalt might not be effective
- Safe, visible crossing points are seen by the community as an opportunity to highlight pedestrian priority for a busy, vibrant destination. The City has just concluded broader engagement on pedestrian movement through South Terrace and Marine Terrace in South Fremantle.
- The community has continually highlighted their request for zebra crossings as a treatment type through this engagement. Main Roads WA guidelines may not support zebra crossings to be installed within the current structure and environment at the roundabout and options have been developed for the provision of a crossing west of the roundabout on Douro Road and North of the roundabout on South Terrace, as an alternative consideration for this community request.
- The community is open to exploring speed reduction for Douro Road. Lowering the speed to 20, 30 or 40kmh is seen to reduce conflicts between pedestrian, vehicles, and other activities.
- Improving sight lines and visibility for pedestrians in all parts of the project area is seen as an important opportunity and will increase safety for all users.
- Where possible, the community is eager to see solutions that shift away from car-dominated design and behaviour. Primarily because of the popularity of South Beach, Wilson Park, and South Terrace businesses as a destination.

## Community-led Engagement

The community conducted a "*All Roads Lead to the Roundabout*" project through a local Town Team group using the Town Team Movement's Streets Alive funding program. This project saw additional engagement with residents, visitors, and businesses in the immediate area which was facilitated by local community members. This consultation included a proposal developed with a consultant engaged by the community group to prepare and design additional safety measures shown in the engagement report which included zebra crossings on all legs at the intersection. Follow up with this consultant indicated that the concept plan was a high-level plan which required further investigations to be undertaken in relation to compliance with design standards or potential congestion impacts.





The feedback captured from these efforts were considered as various options were considered to the proposed treatments with possible changes to scope, budget, safety to all users, regulatory requirements and Main Roads WA guidelines. Their findings have also been attached to this agenda item within the engagement report.

#### OFFICER COMMENT

A concept plan was released for comment as part of the community consultation in the development of proposed works for safety improvements for Douro Road, South Fremantle. Based on the feedback received this plan has been modified to incorporate the following measures requested by the community;

- Feedback to make drivers more aware of the increase in pedestrian presence / movement resulted in the extension of the red asphalt treatment from being threshold statements at the roundabout to being extended further along Douro Road. This modification is intended to make drivers more aware of the bend on Marine Terrace whilst also creating an area where drivers are more aware of pedestrian/cyclist movements.
- Feedback around crossing points was looked at closely and designs were adjusted to reposition pedestrian cut-throughs in medians. These have been placed closer to pedestrian desire lines, providing wider refuges to wait within behind reconstructed and more robust medians/splitter islands.
- Feedback from the community was that drivers often approach the roundabout at speed so additional controls are proposed via the introduction of asphalt Watts profile speed humps to lower vehicle speeds next to crossings.
- Feedback was received indicating pedestrians crossing through medians away from designated crossings. Renewal/Upgrade of the crash barrier will discourage such movements and better direct pedestrians to safer designated crossings.
- There was strong support given for the proposal of extending the 40km/hr zone to encompass Douro Road. The City has started the process of requesting this through the MRWA speed zoning team who have indicated that this would likely be supported. The lower speed limit will give drivers / pedestrians and cyclists greater reaction times / decreased risk of conflict points /decrease effects of conflicts without being adversely punitive to traffic flows.

It should also be noted that there was strong feedback supporting proposals for the Central / Eastern ends of Douro Road to further enhance safety along this



road. Proposals for additional funding will be prepared by the City as these funds become available.

As detailed above this plan was discussed with elected members at the IEM held in February 2026 and following feedback from elected members an alternative design was developed incorporating potential Wombat crossings on two of the legs of the intersection.

A wombat crossing is the affectionate name given to a pedestrian (zebra) crossing that is placed on a flat-top plateau. This type of treatment provides pedestrian crossing priority, and the raised platform gives further prominence to pedestrians, encouraging motorists to slow down on approach to the crossing.

The potential for the incorporation of the wombat crossings was discussed with officers from MRWA. Their initial thoughts were that the proposed treatments could potentially result in increased instances of congestion at the intersection and possible rear end crashes, which may result in adversely impacting pedestrian safety. Congestion at the intersection may also create the potential for motorists to seek alternate routes leading to "rat-running" through nearby local streets.

Given the concerns of City and MRWA officers in relation to the wombat crossings the City engaged consultants, Shawmac Traffic and Safety, to conduct a Road Safety Audit (RSA) of the intersection and the proposed treatments and options to include pedestrian crossings. This report is provided in Attachment 5.

A Road Safety Audit is a formal, systematic, assessment of the potential road safety risks associated with a new road project or road improvement project conducted by a qualified audit team. The assessment considers all road users and suggests measures to eliminate or mitigate any risks identified by the audit team.

The Road Safety Audit was conducted following the general principles detailed in Austroads Guide to Road Safety Part 6: Road Safety Audit and in accordance with the requirements contained in the Main Roads Western Australia Policy and Guidelines for Road Safety Audit.

A number of maintenance type issues were identified in the audit, and these will be assessed and addressed by City Officers as necessary.

The RSA raised a finding in respect to the proposed wombat Crossing on Douro Road and South Terrace design, noting the following:



*It was noted that the Douro Road pedestrian crossing has obstructed sight distances due to the trees and vegetation.*

*The design shows a split wombat crossing which is unconventional and may increase the risk of pedestrian and vehicle crashes as the location is shown close to the roundabout and queuing traffic.*

*The wombat crossing on South Terrace to the northern leg of the roundabout is close to the roundabout and could increase queuing into the roundabout.*

In terms of justification for the above finding the RSA states;

*The design shows a split wombat crossing which is unconventional and may increase the risk of pedestrian and vehicle crashes especially as it is close to the roundabout with vehicles queuing back through the crossing.*

*With the pedestrian crossing being too close to the roundabout there is a risk of vehicles blocking the roundabout and increasing rear end and pedestrian crashes.*

*Should the vegetation and trees obstruct the sight distance for pedestrians crossing the road, this increases the potential for pedestrians crossing the road in an unsafe traffic gap and result in a hit pedestrian crash.*

The RSA's recommendation to this finding was as follows;

- *Assess the sight distance at the pedestrian crossings and either remove trees or trim the trees and vegetation accordingly.*
- *Review the design and provide an at grade pedestrian crossing at this location where pedestrians can pick safe gaps in the traffic.*
- *The South Terrace crossing point to the northern leg of the roundabout is best placed further north hence to avoid queuing into the roundabout.*

The RSA also indicated that the proposed treatment represented a moderate likelihood to potentially pose a Fatal or Serious Injury (FSI) Crash Risk.

For the proposed wombat crossing on South Terrace, the auditors indicated no objection, subject to the crossing being relocated further north of the intersection. Notwithstanding this, the City is currently undertaking community consultation



regarding pedestrian movements along South Terrace and Marine Terrace as part of a separate project.

Accordingly, consideration was given to defer the installation of the proposed wombat crossing on South Terrace as it may be inconsistent with any area wide treatments identified in that process. Considering pedestrian crossings on a precinct basis is preferable as it contributes to ensuring treatments are consistent, complimentary, and avoid motorist confusion that may arise from different crossing types. A precinct level approach is also more likely to attract grant funding via the Low-Cost Urban Road Safety scheme as part of a wider precinct safety program. Notwithstanding this preference, the current recommended proposal does include the South Terrace crossing.

Whilst the request for zebra crossings on all legs of the intersection is understood and acknowledged, it is important that any intersection improvements consider all users, and do not inadvertently create increased safety risks.

After consideration of community feedback, the RSA, and advice from MRWA, it is considered that the following options are available to Council;

Option 1: Undertake the proposed modifications as shown in Attachment 2.

This option provides road improvements, without the inclusion of zebra/wombat crossings. It is felt that the modifications proposed in this option, whilst not providing pedestrian priority, will improve safety for pedestrians without unduly impacting the overall safety of all road users.

Risk/s:

- As indicated by the community engagement report this option may not fully incorporate the preferences of community members who participated in the engagement campaign.

Funding:

- The proposed works can be undertaken with the available budgeted funds, however, current world events may result in price increases for materials and service contracts that are beyond the control of the City. Proceeding with the works as soon as possible will minimise the possibility of significant cost increases.



Timing:

- Selection of this option will allow the MRRG components of this work (new drainage and road resurfacing) to proceed in accordance with the Grant program (scheduled to commence in April 2026).

Option 2 – Undertake the proposed modifications as shown in Attachment 3, with the addition of a wombat crossing on the northern leg of South Terrace.

This option provides priority to pedestrians at the wombat crossing;

Risk/s:

- This solution may not align with the broader improvements being considered through the community consultation currently underway regarding pedestrian movement along South Terrace and Marine Terrace.
- To meet MRWA design criteria, the proposed wombat crossing would need to be approximately 20 to 30 metres north of the roundabout and there will still be potential for pedestrians to cross informally at the intersection to avoid the additional travel distance.
- As indicated by the community engagement report this option may not fully incorporate the preferences of community members who participated in the engagement campaign.

Funding:

- The wombat crossing is estimated at approximately \$20,000, however, depending on the exact location, additional street lighting could be required adding up to a further \$60,000.
- No funds are currently available for the additional works.
- Leaving the inclusion of crossing until after the current engagement campaign for pedestrian movement in Marine Terrace and South Terrace may enable the crossing to be funded under the Low Cost Urban Road Safety program.

Timing:

- Selection of this option will not prevent the MRRG components of this work (new drainage and road resurfacing) proceeding in accordance with the Grant program (scheduled to commence in April 2026).
- The crossing would be incorporated into the works as a final phase following confirmation of additional funding and broader design review.



### Option 3 – Undertake the proposed modifications as shown in Attachment 4

This option will provide pedestrian priority on the northern South Terrace leg and the western Douro Road leg of the intersection and is closest to the community feedback preference.

#### Risk/s:

- A wombat crossing at the proposed location in Douro Rd may result in congestion and a higher potential for rear end crashes, which may adversely impact pedestrian safety.
- As detailed in the RSA the proposed treatment represented a 'moderate' likelihood to potentially pose a Fatal or Serious Injury (FSI) Crash Risk.
- To provide the required sightlines the installation of the crossing on Douro Rd will require the removal of some mature Norfolk Island Pines. Given the size of the trees in this location, there is potential for damage to surrounding infrastructure during their removal, including a high pressure gas main in the vicinity.
- Whilst MRWA have expressed a degree of concern in relation to potential issues associated with the inclusion of the wombat crossings, the road is a local government road and accordingly Council can endorse the treatment.
- Endorsement of this option is against the recommendations of a Road Safety Audit.
- This option does not fully address the expectations of a portion of the community feedback, however it is considered the closest to meeting community preferences.
- Increased congestion at the intersection may cause "rat-running" through the adjacent local road network.

#### Funding:

- Additional funding would also be required for the addition of the wombat crossings. The following order of costs is envisaged;

o wombat crossings	\$40,000
o additional lighting	\$60,000 - \$120,000
o tree removal	\$50,000
o drainage modifications	\$10,000
<u>Total</u>	<u>\$160,000 - \$220,000</u>
- As Douro Road is a District Distributor Road, any crossings installed would not be eligible for Low-Cost Urban Road Safety program funding, as this is only applicable to roads classified as Local Roads.
- No funds are currently available for the additional works.



Timing:

- As additional design work and approvals would be required, selection of this option could delay the MRRG components of this work (new drainage and road resurfacing) proceeding in accordance with the Grant program (scheduled to commence in April 2026).

Whilst option 1 or 2 most closely addresses MRWA design guidelines, RSA recommendations, and would normally represent the preference of officers; On balance Option 3 is considered to provide a solution that is considered closest to addressing community preference. However, it is noted that option 3 will require the removal of trees, which may not be supported by the community, in which case, it is recommended that further consultation with the community on this option, be undertaken prior to final adoption.

#### VOTING AND OTHER REQUIREMENTS

Simple Majority Required

#### OFFICER'S RECOMMENDATION

Council:

1. Receive the South Terrace and Douro Road community engagement report, provided in Attachment 1.
2. Support the road resurfacing works, as indicated in Attachment 4, be implemented as stage 1 of the road improvements project for the Douro Road and South Terrace intersection.
3. Support in principle, design Option 3 (provided in Attachment 4), incorporating the addition of two pedestrian crossings, for further community consultation.
4. Note that the final location of the pedestrian crossings will be brought back to Council following further community consultation, for final consideration.



## Statutory reports

Nil.

## Committee and working group reports

Nil.

## Motion of which previous notice has been given

A member may raise at a meeting such business of the City as they consider appropriate, in the form of a motion of which notice has been given to the CEO in accordance with the Meeting Procedures Policy.

## Urgent business

In cases of extreme urgency or other special circumstances, matters may, on a motion that is carried by the meeting, be raised without notice and decided by the meeting.

## Late items

In cases where information is received after the finalisation of an agenda, matters may be raised and decided by the meeting. A written report will be provided for late items.

## Confidential business

Nil.

## Closure