



# Agenda

## Planning Framework Committee

Monday 13 April 2026 6:00 pm



## **Notice of an Planning Framework Committee**

Elected Members

An Planning Framework Committee meeting of the City of Fremantle will be held on **Monday 13 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 blue ink, appearing to read "Russell Kingdom".

Russell Kingdom  
**Director Planning, Place and Urban Development**

8 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**

### **Attendance**

### **Apologies**

There are no previously received apologies.

### **Leave of absence**

There are no previously received leave of absence.

### **Disclosures of interest by members**

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**

Nil.

### **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.

### **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**

Nil.

## **Committee member communication**

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



## Reports and recommendations from officers

### PFC2604-1 LOCAL PLANNING SCHEME NO. 5 PROJECT OVERVIEW

<b>Meeting date:</b>	13 April 2026
<b>Responsible officer:</b>	Director Planning, Place and Urban Development
<b>Voting requirements:</b>	Simple Majority Required
<b>Attachments:</b>	1. Planning Committee and Workshops Schedule

#### SUMMARY

**This report sets out the project overview for the new Local Planning Scheme No. 5 (LPS5) and recommends that a series of internal workshops be held to guide development of scheme provisions.**

#### BACKGROUND

On 20 January 2026, the Western Australian Planning Commission (WAPC) resolved that the City of Fremantle (the City) required a new local planning scheme. The current Local Planning Scheme No. 4 is 19 years old and has been subject to over 80 amendments. Since the inception of the Scheme, state planning has progressed to the extent that many provisions are outdated, redundant or no longer work well together. Additionally, the scheme is required to be reformatted to fit the Model Scheme Text provided in the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

Officers intend to present a draft of the new scheme by the end of 2026 to avoid increasing risks of having an outdated scheme. These risks include decision-makers such as the state development assessment unit not giving due regard to provisions, inconsistency with contemporary state legislation, inappropriate controls hindering development, and lack of appropriate guidance for desired urban growth.

#### OFFICER COMMENT

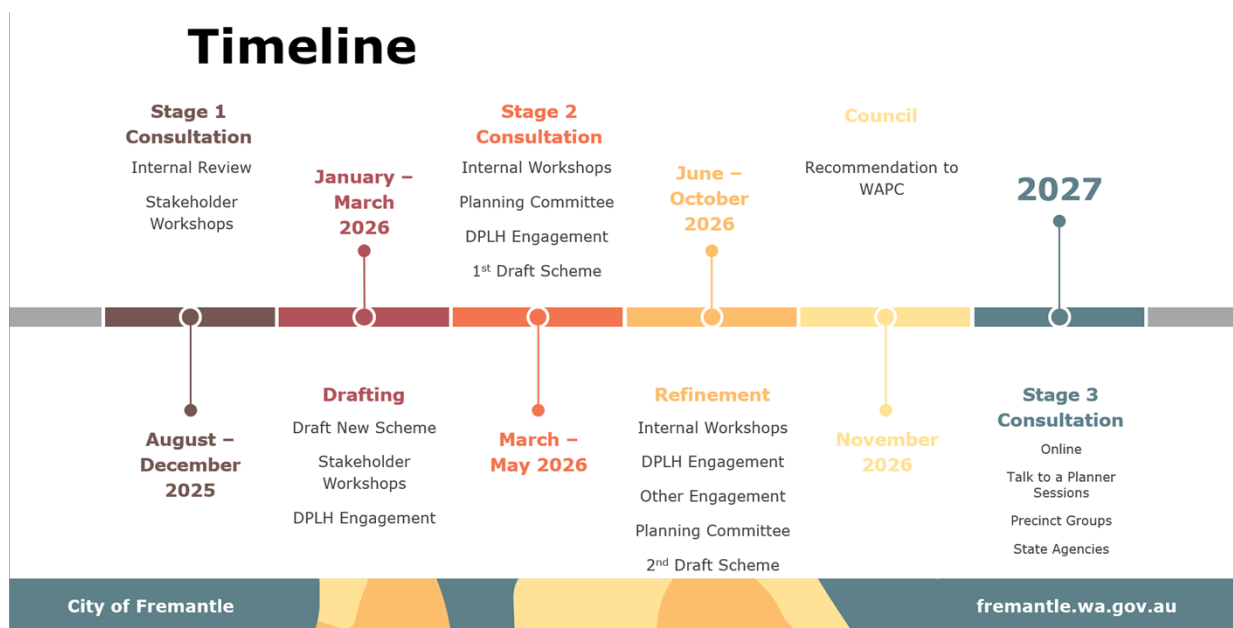
City Officers have been reviewing the existing provisions to determine which should be carried over (with or without amendments) and what new provisions may be needed. This review also includes assessing the land use permissibility in zones as well as density coding throughout the City.



Advice from WAPC Officers and from other local governments going through this process is that the new scheme should be streamlined, with many provisions removed and, if necessary, placed in local planning policies. Additionally, any deviations from the model scheme text will require extensive justification and face a high bar for approval from the WAPC and the Minister. City Officers have operated in line with this approach, noting that the timeframe to amend the Scheme can be 18 months or more while local planning policies can be nimbler and more responsive to changing circumstances.

To receive Elected Member input and feedback on draft provisions, Officers propose a series of internal workshops with Officers and Elected Members. Officers will present different topics and guide a discussion on draft scheme provisions. This will allow Elected Members to guide the final draft scheme, review officer recommendations, and discuss any potential outcomes that Officers may have missed. It is suggested that these workshops occur monthly in line with a schedule of topics provided by Officers (Refer to Attachment 1 for indicative topics). These workshops will be in addition to scheduled Planning Framework Committee meetings, Council items and external engagement with stakeholders and the general public.

Given the extensive time it takes to receive final approval for a scheme, Officers intend to refer the final draft of the scheme to Council before the end of this year, in line with the schedule below:



Following referral to the WAPC and while awaiting approval from the Minister to initiate advertising of the draft Local Planning Scheme (Stage 3 in the schedule



above), Officers will turn to the development and improvement of local planning policies or other statutory instruments that will complement the scheme. In particular, the City Centre requires special investigation and will be the subject of a structure plan led by Officers utilising outside consultants for specialised reports. This structure plan will be an extensive document setting out land use and built form for the City Centre area, which is proposed to extend from its current area up to the intersection of Queen Street and Beach Street, in line with the City Centre: City Plan.

Attachment 1 provides a proposed schedule and list of items for discussion. The major topics include discussion on density and built form outcomes within the City Centre and other targeted areas, land use and strategic objectives for the O'Connor industrial area and buffer zone, existing scheme provisions proposed to be removed or amended, and heritage protection.

## **FINANCIAL IMPLICATIONS**

Nil

## **LEGAL IMPLICATIONS**

The WAPC has endorsed creation of a new local planning scheme under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

## **STRATEGIC IMPLICATIONS**

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

### **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**

Formal community consultation on any new draft scheme can only occur after endorsement from the Minister for Planning.



## **VOTING AND OTHER REQUIREMENTS**

Simple Majority Required

## **OFFICER'S RECOMMENDATION**

**Council receive the project overview and support the schedule of monthly internal workshops, as provided in Attachment 1.**



## **PFC2604-2 FREO ALTERNATIVE REVIEW 2026**

**Meeting date:** 13 April 2026  
**Responsible officer:** Director Planning, Place and Urban Development  
**Voting requirements:** Simple Majority Required  
**Attachments:** 1. Freo Alternative Review 2026

### **SUMMARY**

**The purpose of this report is to provide Council an overview on the outcomes of Special Control Area 5.7 (the Freo Alternative) in light of its upcoming expiration.**

**It is recommended that the Freo Alternative be allowed to lapse, and work continue on developing new mechanisms to promote housing innovation and opportunities in the new local planning scheme.**

### **BACKGROUND**

In 2018, Council resolved to adopt amendment 63 to the City of Fremantle Local Planning Scheme No.4, known colloquially as the "Freo Alternative" for the purpose of improving design and environmental outcomes within character infill areas of the City under Special Control Area 5.7.

Scheme amendment 63 was gazetted on 12 February 2019 subject to a sunset clause restricting its length of operation, which the State Government has since approved an extension to, concluding on 12 February 2027.

The Freo Alternative is an innovative planning response to the pressure of delivering infill housing density while endeavouring to protect neighbourhood character and tree canopy. It represents several years of extensive internal and external work for the purpose of improving design and environmental outcomes within character infill areas of the City. Development arising from the Freo Alternative was intended to demonstrate reduced housing size, decreased car parking provision, and an additional dwelling offered on sites that ordinarily would not be permitted to accommodate an extra dwelling under the applicable density code. The development of the provisions for the Freo Alternative was an extensive and significant project, that sought to find new ways to promote good density.

The Freo Alternative is applied under clause 5.7 - Special Control Area 5.7 under Local Planning Scheme No.4 and supplemented by Local Planning Policy 3.20. The area contains portions of White Gum Valley, Hilton, Beaconsfield, and O'Connor.



## **FINANCIAL IMPLICATIONS**

Nil

## **LEGAL IMPLICATIONS**

The *Planning and Development (Local Planning Schemes) Regulations 2015* set out the process for amending the local planning scheme.

## **STRATEGIC IMPLICATIONS**

### **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 - Sustainably designed and optimised urban and natural environments**

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

## **CONSULTATION**

Formal community consultation on any new scheme will occur after endorsement from the Minister for Planning.

## **OFFICER COMMENT**

It is acknowledged that the Fremantle Alternative has the potential to result in better quality development that fits into existing areas and is an improvement over the Residential Design Codes (R-Codes). However, only three projects have been delivered under the program despite the extension to the scheme's initial sunset clause. The low take-up of the Fremantle Alternative is evident that the approach is not effective in increasing housing stock and has serious implementation issues.

The main reason for the lack of uptake is likely a combination of:

- High upfront costs and inability to subdivide until after construction;
- Greater than normal design and planning expenses (DAC review, sustainability measures, etc.);
- Planning framework complexity and rigidity versus easier development pathways through the standard processes;



- Higher costs and lower profits relative to standard R-Codes subdivision;
- General rising costs of development; and
- Lack of appropriate lots.

The engagement process to develop the planning framework for the Fremantle Alternative was an innovative initiative for its time that was well regarded and even received an urban planning award. It attempted to integrate density into existing urban areas in a way that would maintain the sense of place, enhance vegetation, increase community, and improve sustainability outcomes. At the time, there was little legislation in place that promoted these virtues. However, in the 7 years since the inception of the Freo Alternative operation, state planning controls have been improved to reduce minimum lots sizes required for subdivision, increase the ways lots may be subdivided even further, and eased the restrictions on ancillary dwellings (granny flats) to make them available on more lots. Further, the Residential Design Codes were augmented with new medium density codes that require developers have more regard for internal and external amenity and vegetation. At the local level, a local planning policy was introduced by the City introducing development controls for large trees. All of these changes have further made the complexity of the Freo Alternative a less compelling development pathway while also enshrining some of the project's original objectives into standard contemporary legislation.

The City's recently endorsed Local Planning Strategy identified that Fremantle will meet its density targets without blanket upcoding, and that a new scheme should focus on targeted density around nodes. City Officers are focusing on this approach in drafting a new scheme and do not recommend the Freo Alternative be pursued further at this time. It is intended that the scheme project include considerations of ways to support housing innovation and sustainability measures. This may be within the scheme or other future planning instruments such as local planning policies. The related policy, LPP 2.20: Special Control Area Provisions for Small Infill Development, should be also revoked when the SCA lapses.

The full report on the Freo Alternative is available as Attachment 1.

## **CONCLUSION**

Given the history to date, it is unlikely that amending the Freo Alternative further would encourage additional compatible projects to be delivered without substantial revision and it is equally unlikely the Western Australian Planning Commission would assent to an additional extension to the sunset clause for SCA 5.7 without substantial justification and evidence of efficacy.



The City is drafting a new scheme in alignment with the recently adopted Local Planning Strategy and other modern planning instruments. This will include targeted efforts to concentrate increased density around key activity nodes. In the interim, the Freo Alternative has served its purpose and should be allowed to lapse.

## **VOTING AND OTHER REQUIREMENTS**

Simple Majority Required

## **OFFICER'S RECOMMENDATION**

### **Council:**

- 1. Allow clause 5.7 of the Local Planning Scheme No. 4 (the Freo Alternative) to expire.**
- 2. Upon expiry of clause 5.7 of the Local Planning Scheme No. 4, revoke Local Planning Policy 2.20: Special Control Area Provisions for Small Infill Development under regulation 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- 3. Notes that the work on Local Planning Scheme No. 5 will go some way towards addressing housing options.**



**PFC2604-3 MIXED USE AREAS REVIEW**

**Meeting date:** 13 April 2026  
**Responsible officer:** Manager City Planning  
**Voting requirements:** Simple Majority Required  
**Attachments:** 1. Report: Mixed Use Areas Review 2025

**SUMMARY**

**This report provides the Planning Framework Committee with the Mixed Use Areas Review 2025 report (Attachment 1). The report progresses work outlined in the Local Planning Strategy to review the current provisions of the Mixed Use zones throughout the scheme area, and identifies opportunities for improvement.**

**This report recommends that Council note the Mixed Use Areas Review 2025 report outcomes will be incorporated into the scheme preparation.**

**BACKGROUND**

The City’s Local Planning Strategy (the Strategy) identifies the need to review the function of and development within the City’s Mixed Use areas, many of which were rezoned through the gazettal of Local Planning Scheme No. 4 (LPS4) and have since undergone development. As shown below, Table 8: Neighbourhood, Mixed Use & Local Centre Planning Actions, in Part 1 of the Strategy outlines this as an action.

**Table 8: Neighbourhood, Mixed Use & Local Centre Planning Actions**

Plan Ref	Area	Planning Direction	Action	Matters to be considered	Rationale	Timeframe
Activity centre – Neighbourhood and Mixed Use	Neighbourhood, Local and Mixed Use zoned land	Strengthen and define the City’s lower order Activity Centre hierarchy to ensure the scheme’s zones function effectively and efficiently. Avoid ribbon or out of centre commercial development	<ul style="list-style-type: none"> <li>Review the large areas of existing Mixed Use zones within the City (such as the South Terrace corridor, Hampton Road and land in proximity to Stirling Highway) to understand its function and determine whether updates are required to the local planning scheme to define Neighbourhood Centres or Local Centres in these locations.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate density</li> <li>Height requirements</li> <li>Aboriginal and Historic Heritage</li> <li>Preferred land uses and location of land use i.e. ground floor or upper floors</li> <li>Servicing infrastructure capacity</li> <li>Traffic impacts</li> <li>Local character</li> <li>Site specific issues</li> </ul>	Reference: SPP7.2, CoF SCP  Part 2: 4.3.1 Activity centres	Short and ongoing
Activity centre - local						

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Plan Ref	Area	Planning Direction	Action	Matters to be considered	Rationale	Timeframe
Activity centre – Neighbourhood and Mixed Use South Fremantle	South Fremantle	Facilitate South Fremantle Neighbourhood Centre as a vibrant neighbourhood centre that encompasses weekly and convenience retailing and other amenities to service the diverse needs of the local community.	<ul style="list-style-type: none"> <li>Conduct a comprehensive land use review of the South Fremantle centre to ensure zoning and development standards can accommodate future demand.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate density</li> <li>Height requirements</li> <li>Aboriginal and Historic Heritage</li> <li>Preferred land uses and location of land use i.e. ground floor or upper floors</li> <li>Servicing infrastructure capacity</li> <li>Traffic impacts</li> <li>Local character</li> <li>Site specific issues</li> </ul>	Reference: SPP7.2, CoF SCP Part 2: 4.3.1 Activity centres	Medium

4.3.1 of Part 2 of the Strategy provides further rationale for the need to conduct a review of the mixed use areas:

*In some locations, mixed use areas have evolved as a quasi extension of local centres, such as along South Terrace where the differentiation between centre and mixed use is blurred. In other mixed use zone areas, uptake has either heavily slanted towards either residential or commercial development. Review of the purpose and function of each of the City's mixed-use areas could assist in resetting expectations and may, in some areas, justify a change to ground floor retail requirements or rezoning.*

This review examines the current performance of all Mixed Use areas within the City, assesses their alignment with scheme objectives, considers whether their intended purposes remain appropriate, and identifies options to better achieve desired outcomes. The scope of this review encompasses all Mixed Use zones established under LPS4.

Earlier this year the Western Australian Planning Commission (WAPC) resolved that the City requires a new local planning scheme, as LPS4 is 19 years old, has undergone more than 80 amendments, and contains outdated or redundant provisions. The scheme is required to align with the Model Scheme Text (MST) as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations). The MST provides objectives for zones within the scheme area that should not be varied by local governments.

Under State Planning Policy 4.2: Activity Centres the City contains a Strategic Centre, a District Centre, as well as a number of Neighbourhood Centres and Local Centres. Under the current scheme, the City's network of neighbourhood, mixed use and local centres was intended to create walkable communities or, in some places, serve as a buffer between more industrial uses and purely residential zones. Over time, changing retail and residential patterns have blurred distinctions, necessitating a review of roles and zoning to clarify activity centre hierarchy and land use coding, and rationalise it to match the development that



has actually occurred. As identified in the Strategy, priorities include strengthening the City Centre, supporting local centres and enabling appropriate medium and higher density development around centres to facilitate commercial activity, local character and housing diversity.

## **FINANCIAL IMPLICATIONS**

Nil

## **LEGAL IMPLICATIONS**

The *Planning and Development (Local Planning Schemes) Regulations 2015* set out the process for amending the local planning scheme.

## **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**

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

## **CONSULTATION**

Formal community consultation on any new scheme will occur after endorsement from the Minister for Planning.

## **OFFICER COMMENT**

Many of the City's urban areas are characterised by precincts that accommodate a diverse mix of residential, commercial and service-based uses, particularly in North and South Fremantle, and are recognised as Mixed Use areas. The City formally committed to promoting Mixed Use development in its 2001 Local Planning Strategy and, in 2007, applied Mixed Use zoning across several urban areas through the gazettal of LPS4. The recently endorsed Local Planning Strategy continues to highlight the importance of these Mixed Use areas in providing areas of transition, concentration of land uses, co-location of residential and non-residential land uses and promotion of vibrancy and density.

Sufficient time has now passed to allow an informed assessment of how these areas are currently operating, with the City recognising that some may be



functioning as originally intended while others may not be achieving their planned purpose. In addition, the initial objectives for several Mixed Use areas may no longer align with contemporary community aspirations, presenting an opportunity to evaluate their ongoing relevance and identify alternative approaches where needed.

The review of these areas identifies locations where mixed use areas are functioning as intended in line with LPS4 objectives and considers where this designation may no longer be relevant. The analysis and findings contained in the report will inform the preparation of Local Planning Scheme No. 5 Map. Refer to the Mixed Use Areas Review 2025 report, at Attachment 1, for a full discussion of findings and recommendations.

### **VOTING AND OTHER REQUIREMENTS**

Simple Majority Required

### **OFFICER'S RECOMMENDATION**

**Council receives the Mixed Use Review Report, provided in Attachment 1, and note that its findings will inform the drafting of a future local planning scheme.**



## **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.

Nil.

## **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**

*All Committee recommendations will be presented to Council at the first Ordinary Meeting of Council of the following month (13 May 2026).*