



Meeting attachments

Planning Services Committee

Wednesday 1 July 2026 6pm

**PSC2607-1 DEFERRED ITEM: FIELD STREET, NO.2 (LOT 55),
BEACONSFIELD - DEMOLITION OF EXISTING SINGLE HOUSE AND
CONSTRUCTION OF SINGLE STOREY SINGLE HOUSE - (CR DA0077/26)**

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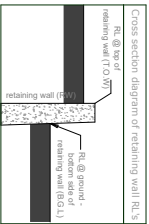
1. Schedule of applications determined under delegated authority.....129

NOTE: No file viewed by The Land Division. A certificate of title check for easements and encumbrances is highly recommended as should they exist, they may affect design.

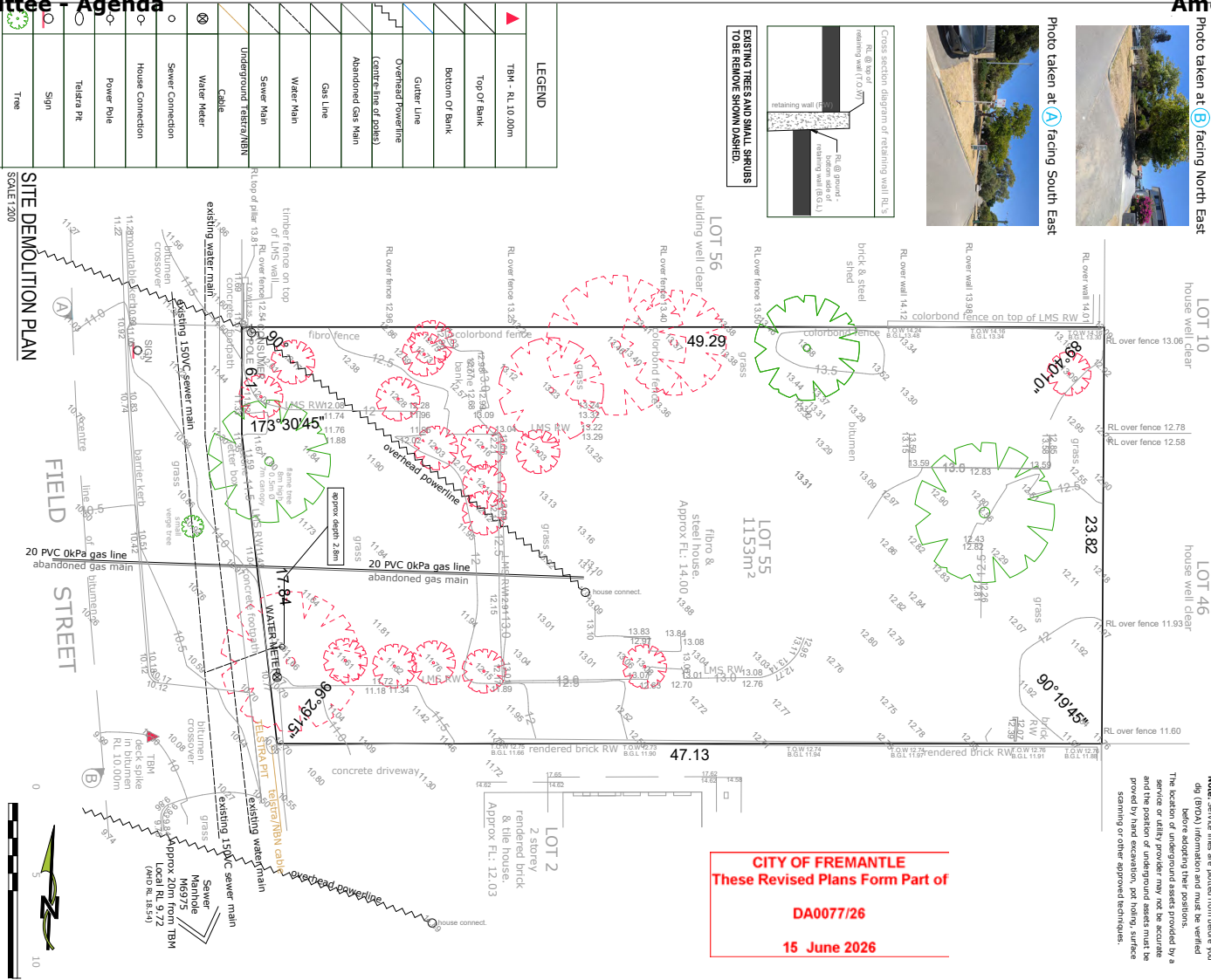
Photo taken at (B) facing North East



Photo taken at (A) facing South East



EXISTING TREES AND SMALL SHRUBS
TO BE REMOVE SHOWN DASHED.

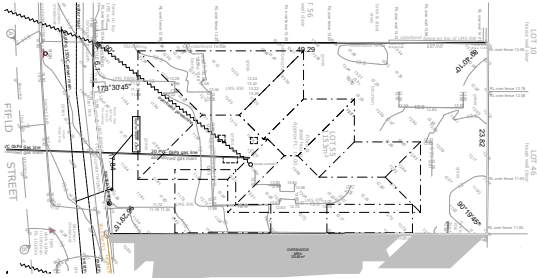


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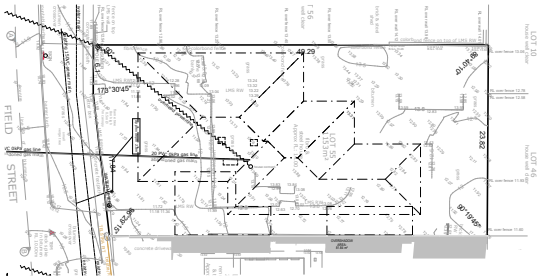
DA0077/26

15 June 2026

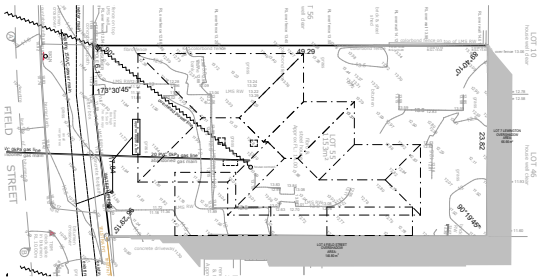
INSITE		THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT	
RESIDENTIAL		OWNER: A	
BP 102555 - BC 102440 (Registered Builder) ACN - 617020949 106C Shiring Hwy, North Fremantle WA 6159		OWNER: B	
		BUILDER REPRESENTATIVE	
REV	AMENDMENTS	DIN	DATE
2	PLANNING DRAWINGS	RC/CO	04/02/26
3	REVISION 1	RC/CO	10/02/26
4	REVISION 2	RC/CO	11/02/26
5	REVISION 3	RC/CO	11/02/26
6	REVISION 4	RC/CO	21/02/26
7	WORKING DRAWINGS	RC/CO	10/02/26
8	DA REVISION 1	RC/CO	30/02/26
9	DA REVISION 2	STR	11/06/26
PROPOSED DEMOLITION PLAN SCALE AS SHOWN ON A3		MODEL: 2 of 7 CUSTOM	
DO NOT SCALE FROM THIS DRAWING		REF NO: TBA	
ALL DIMENSIONS ARE TO BE CHECKED ON THE GROUND AND TO BE CORRECTED IF NECESSARY		TBA	
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SHADOW DIAGRAM
JUNE 21 - 9:00 AM
SCALE 1:500



SHADOW DIAGRAM
JUNE 21 - 12:00 NOON
SCALE 1:500



SHADOW DIAGRAM
JUNE 21 - 3:00 PM
SCALE 1:500

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15 June 2026

INSITE
RESIDENTIAL
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(Registered Builder)
ACN - 617080949
106C Stirling Hwy,
North Fremantle WA 6159

THIS IS ONE OF THE DRAWINGS
REFERRED TO IN THE CONTRACT
DATED / /
OWNER A
OWNER B
BUILDER REPRESENTATIVE

REV	AMENDMENTS	DRN	DATE	CHECK
2	PLANNING DRAWINGS	RX-CD	05/02/26	
3	REVISION 1	RX-CD	10/02/26	
4	REVISION 2	RX-CD	11/02/26	
5	REVISION 3	RX-CD	11/02/26	
6	REVISION 4	RX-CD	27/02/26	
7	WORKING DRAWINGS	RX-RG	10/03/26	
8	DA REVISION 1	RX-CD	30/03/26	
9	DA REVISION 2	ST-IR	11/06/26	

PROPOSED RESIDENCE FOR:
[REDACTED]
ADDRESS
LOT 55, 2 FIELD ST, BEACONSFIELD
**OVERSHADOW
DIAGRAM**
SCALE AS SHOWN ON A3
3 of 7

REF NO:	DO NOT SCALE FROM THIS DRAWINGS Any dimensions to be taken from the drawings shall be taken from the original drawings. ALL DIMENSIONS ARE TO BRICKWORK ERRORS AND OMISSIONS EXCEPTED		
TBA	WIND RATING	ENGINEERS DETAILS	COSTAL CATEGORY
	TBA	TBA	TBA
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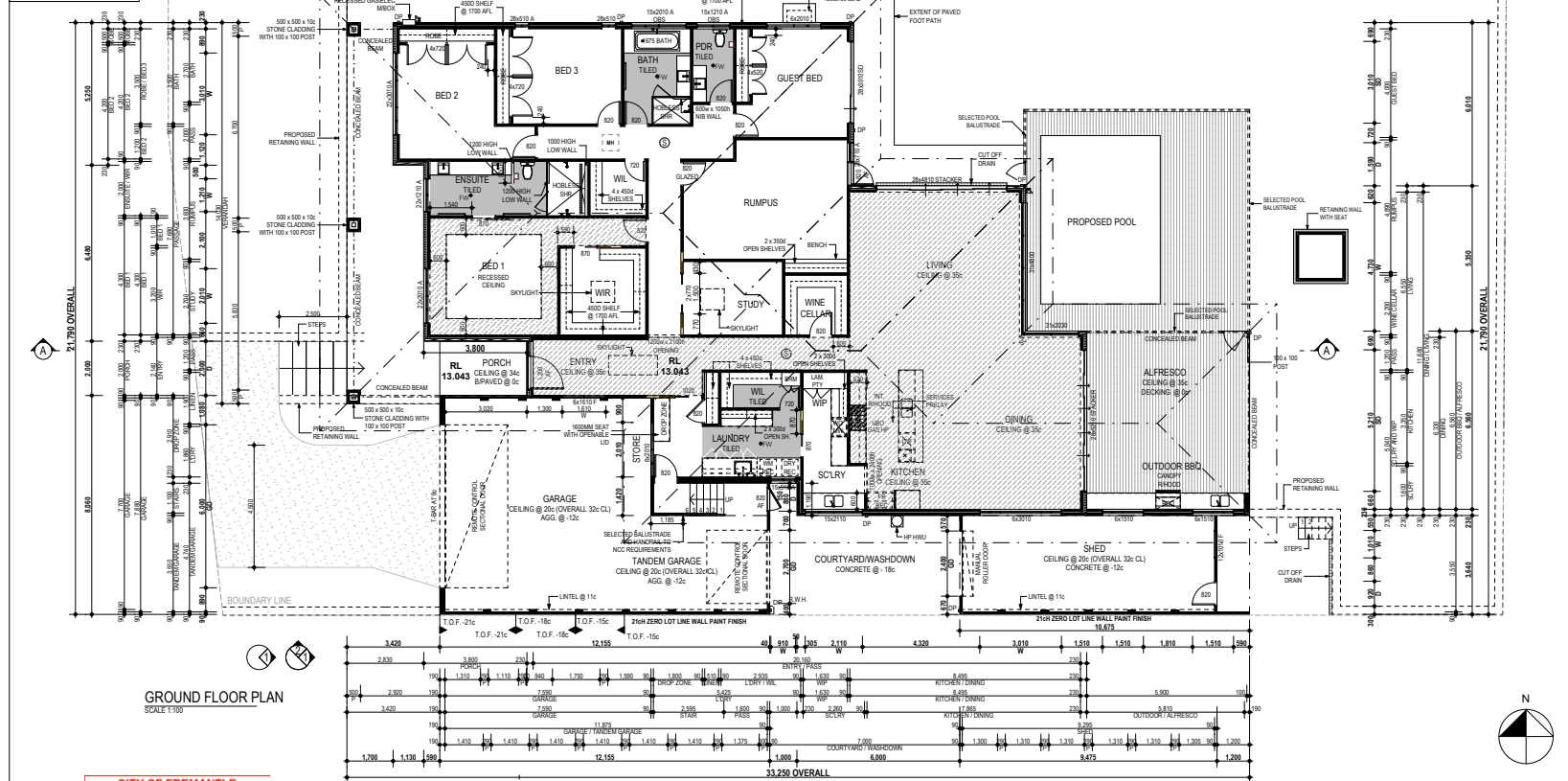
City of Fremantle
Planning Services Committee - Agenda
1 July 2026

PSC2607-1.1
Amended plans

	PERIM (m)	AREA (m ²)
HOUSE	87.40	334.91
GARAGE	40.43	83.43
ALFRESCO	25.58	49.74
SHED	26.59	34.14
PORCH	10.42	6.42
		409.66 m ²

ROOF AREA - GROUND (ND ON THE FLAT) 645.58

NOTE:
WIRELESS SHOWERS REFLUX VALVE INCLUDED



GROUND FLOOR PLAN
SCALE 1:100

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North Fremantle WA 6159

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OWNER "B"
BUILDER REPRESENTATIVE

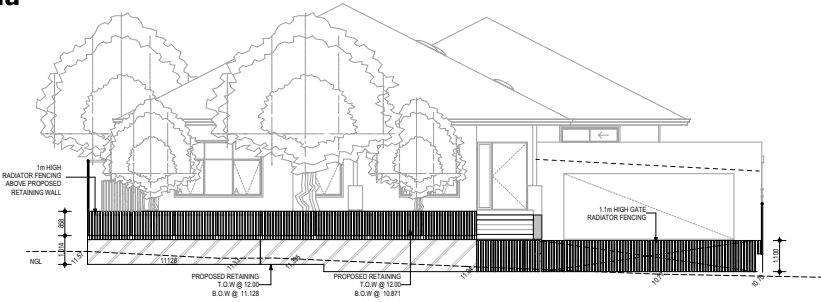
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2	VARIATION 1	16/02/26	RS-CD		LOT 55, 2 FIELD ST, BEACONSFIELD
3	VARIATION 2	16/02/26	RS-CD		
4	VARIATION 3	16/02/26	RS-CD		
5	VARIATION 4	16/02/26	RS-CD		
6	VARIATION 5	16/02/26	RS-CD		
7	WORKING DRAWINGS	05/03/26	RS-CD		
8	DA REVISION 1	05/03/26	RS-CD		
9	DA REVISION 2	05/03/26	RS-CD		

GROUND FLOOR PLAN
SCALE AS SHOWN ON A2

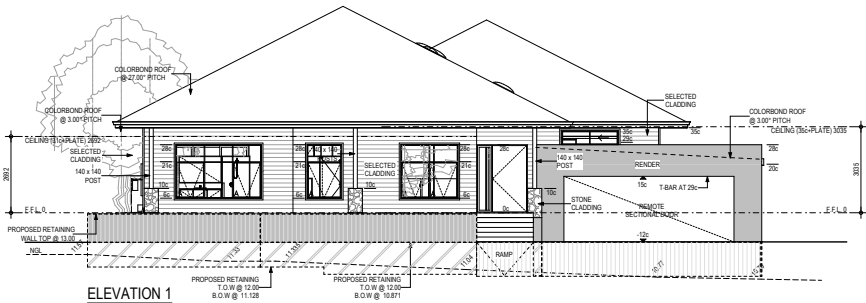
4 of 7
CUSTOM

REF NO: DO NOT SCALE FROM THE DRAWINGS
TBA
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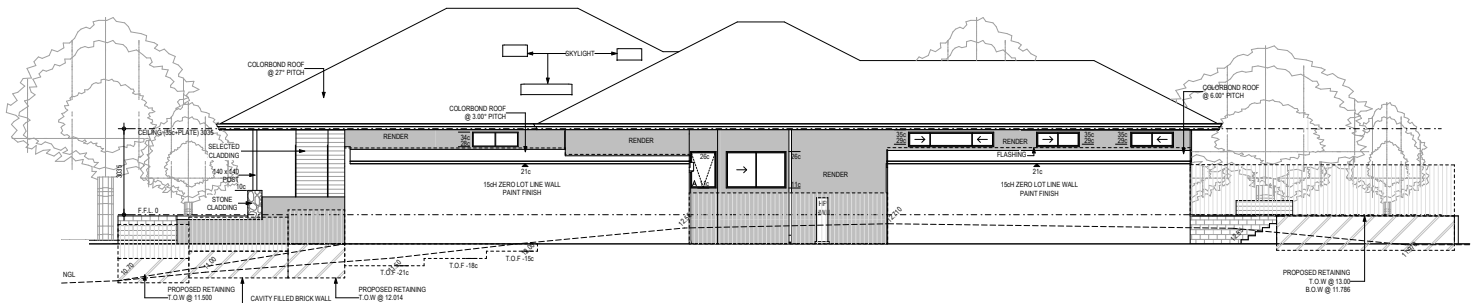
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FENCE ELEVATION
SCALE 1:100



ELEVATION 1
SCALE 1:100



ELEVATION 2
SCALE 1:100

LEGEND:	
FEATURE 24 FACE BRICK:	
RENDER:	
STONE CLADDING:	
CLADDING:	

316 - GF CEILING LEVEL
NOTED OTHERWISE.
COLORBOND ROOF AT 27°, 7°/38°, 1°
RENDERED BRICKWORK & FEATURE CLADDING
FINISH TO EXTERNAL UNLESS NOTED
OTHERWISE.

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THIS IS ONE OF THE DRAWINGS
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DATED / /
OWNER "A"
OWNER "B"
BUILDER REPRESENTATIVE

REV	AMENDMENTS	ORN	DATE
2	PLANNING DRAWINGS	RS-CD	06/02/26
3	VARIATION 1	RS-CD	16/02/26
4	VARIATION 2	RS-CD	16/02/26
5	VARIATION 3	RS-CD	16/02/26
6	VARIATION 4	RS-CD	16/02/26
7	WORKING DRAWINGS	RS-CD	30/03/26
8	DA REVISION 1	RS-CD	30/03/26
9	DA REVISION 2	ST-DR	11/06/26

PROPOSED RESIDENCE FOR:
ADDRESS
LOT 55, 2 FIELD ST, BEACONSFIELD

ELEVATIONS 1-2
SCALE AS SHOWN ON A2

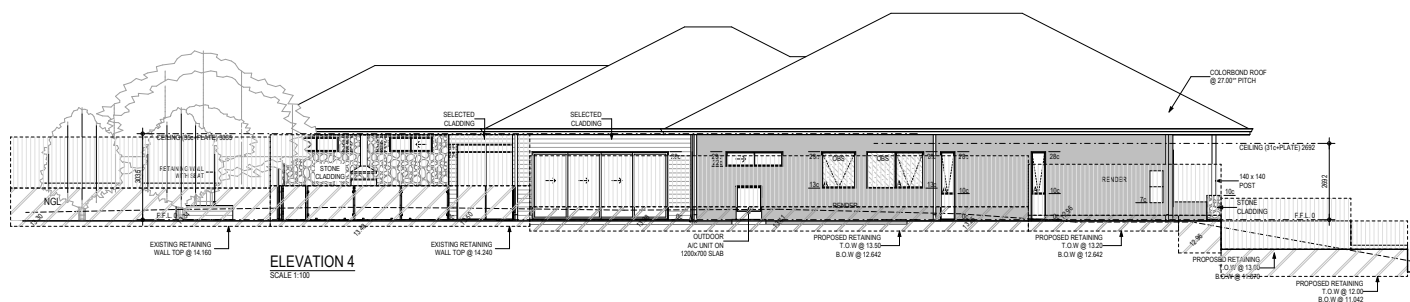
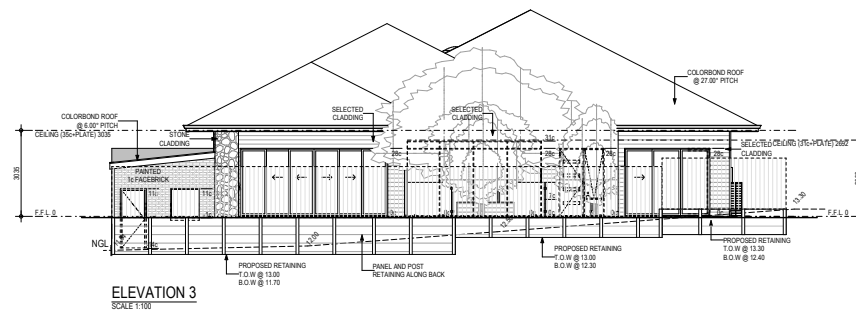
5 of 7
MODEL:
CUSTOM

REF NO:	DO NOT SCALE FROM THE DRAWINGS
TBA	ALL DIMENSIONS ARE TO BRICKWORK ENDORS AND DIMENSIONS EXCEPTED
DATE ISSUED	DATE OF SALE
DATE OF SALE	DATE OF SALE
DATE OF SALE	DATE OF SALE

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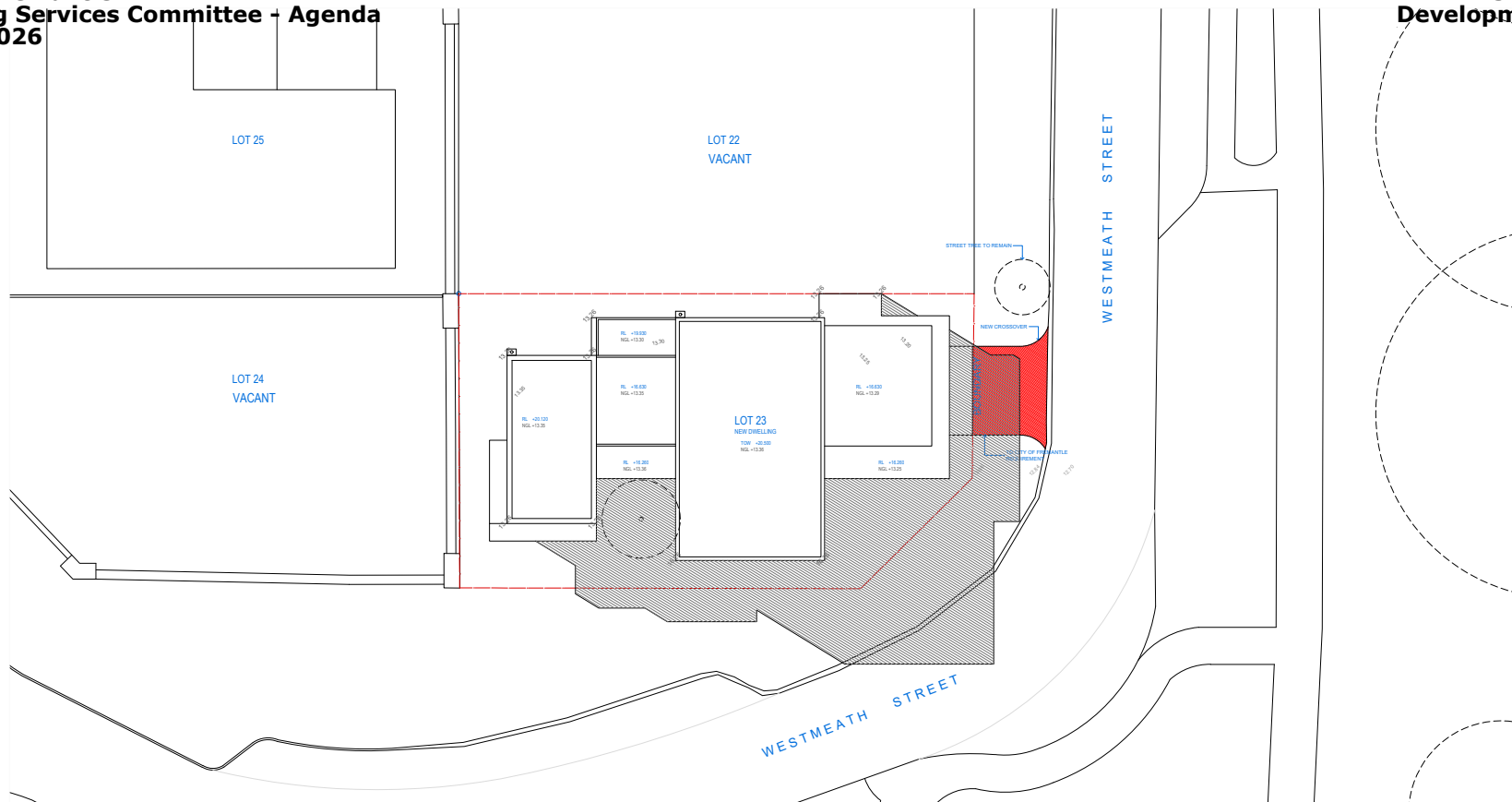
LEGEND:	
FEATURE 24 FACE BRICK	
RENDER	
STONE CLADDING	
CLADDING	

316 - GFF CEILING LEVEL
NOTED OTHERWISE.
COLORBOND ROOF AT 27° 17' 58" 31'
RENDERED BRICKWORK & FEATURE CLADDING
FINISH TO EXTERNAL UNLESS NOTED
OTHERWISE.



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	DATED / /		2	PLANNING DRAWINGS	RS-CD	05/02/26		ADDRESS	
	OWNER "A"		3	VARIATION 1	RS-CD	16/02/26		LOT 55, 2 FIELD ST, BEACONSFIELD	
	OWNER "B"		4	VARIATION 2	RS-CD	16/02/26			
BUILDER REPRESENTATIVE		5	VARIATION 3	RS-CD	16/02/26			ELEVATIONS 3-4 SCALE AS SHOWN ON A2	TBA DO NOT SCALE FROM THE DRAWINGS ALL DIMENSIONS ARE TO BRICKWORK ERRORS AND OMISSIONS EXCEPTED COPYRIGHT © INSITE RESIDENTIAL
		6	VARIATION 4	RS-CD	16/02/26			6 of 7	MODEL: CUSTOM
		7	WORKING DRAWINGS	RS-CD	30/03/26				
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		9	DA REVISION 2	ST-DR	16/06/26				



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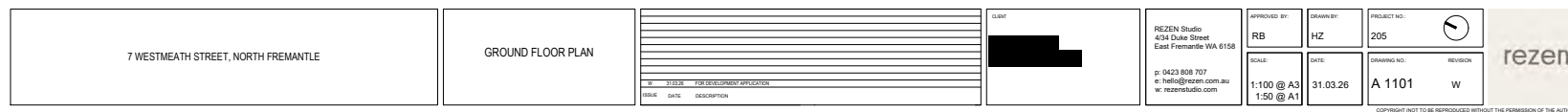
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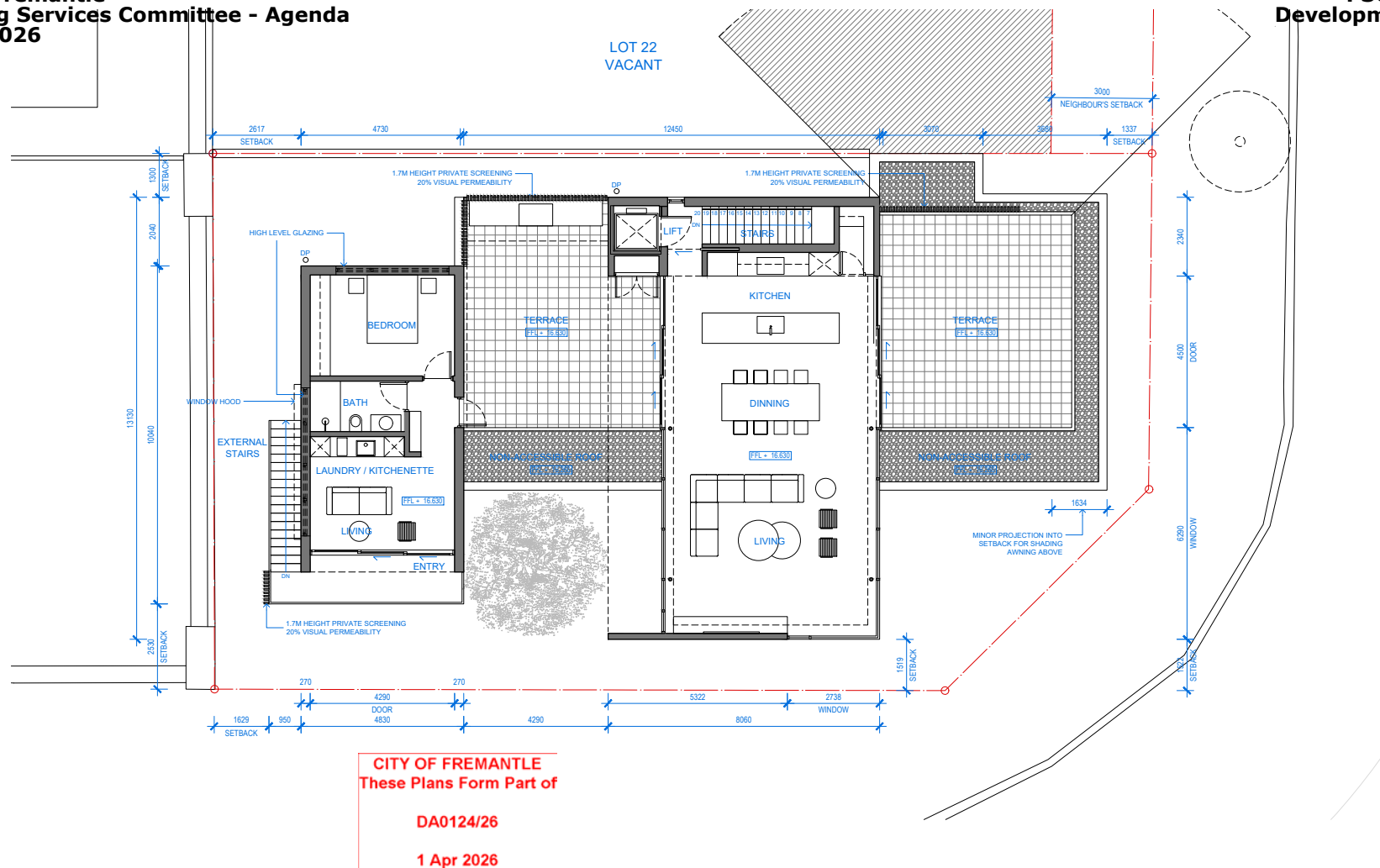
1 Apr 2026

SITE AREA: 425 SQM
SITE COVERAGE: 211 SQM (49.6%)
OVERSHADOWING: SELF SHADOWING

RELATIVE LEVEL AT BUILDING'S CORNER
RL +0.00
TOP OF ROOF LEVEL
TOW +0.00
TOP OF WALL LEVEL

7 WESTMEATH STREET, NORTH FREMANTLE	SITE PLAN		CLIENT 	REZEN Studio 85 George Street East Fremantle WA 6158 p: 0423 808 707 e: hello@rezen.com.au w: rezenstudio.com	APPROVED BY: RB	DRAWN BY: HZ	PROJECT NO.: 205		rezen COPYRIGHT (NOT TO BE REPRODUCED WITHOUT THE PERMISSION OF THE AUTHOR)
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7 WESTMEATH STREET, NORTH FREMANTLE

UPPER FLOOR PLAN

REVISION	DATE	DESCRIPTION
1	11.03.26	FOR DEVELOPMENT APPLICATION
2	11.03.26	FOR DEVELOPMENT APPLICATION
3	11.03.26	FOR DEVELOPMENT APPLICATION
4	11.03.26	FOR REVIEW
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100	11.03.26	FOR REVIEW

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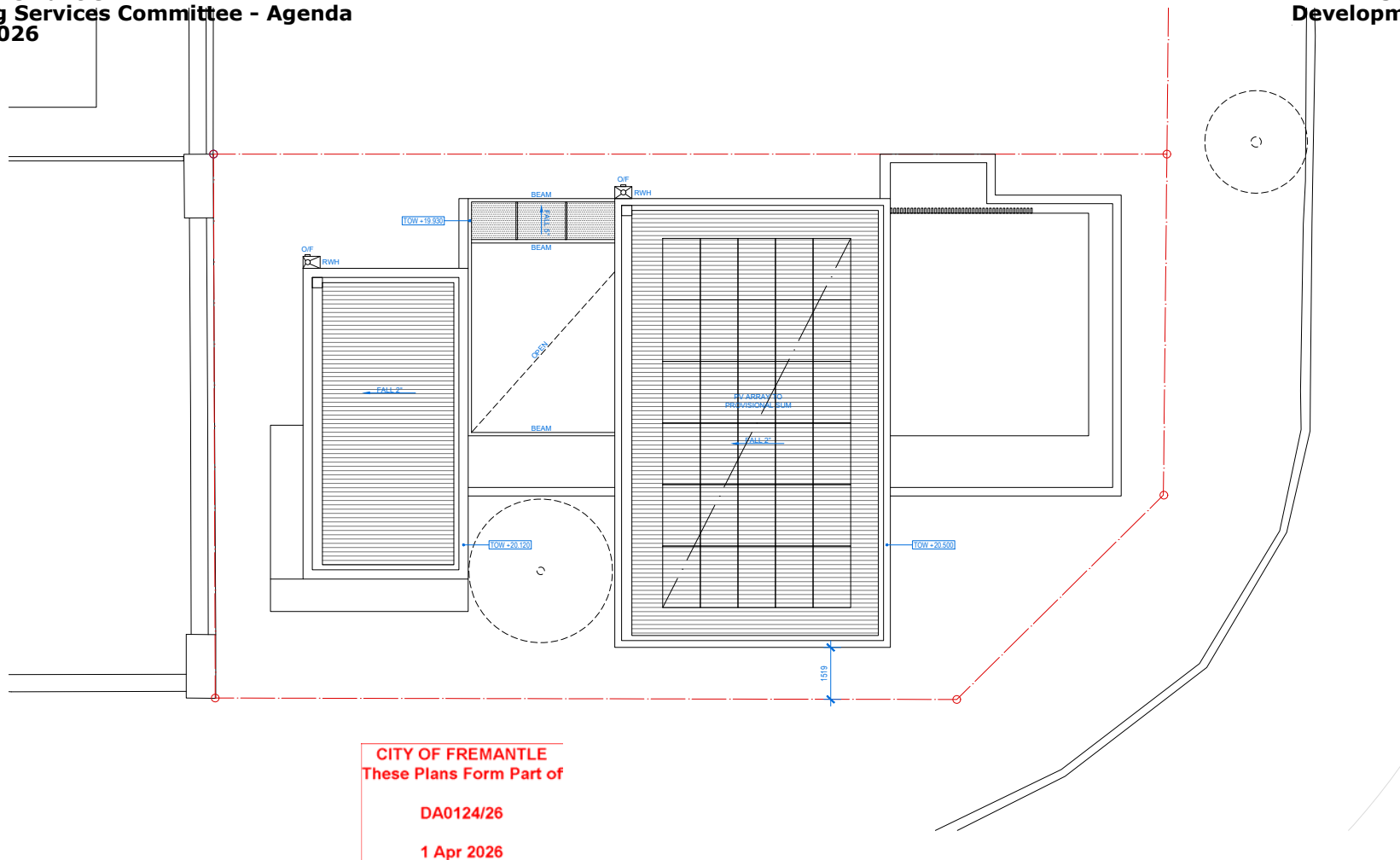
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DATE:	31.03.26

PROJECT NO:	205
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REVISION:	U

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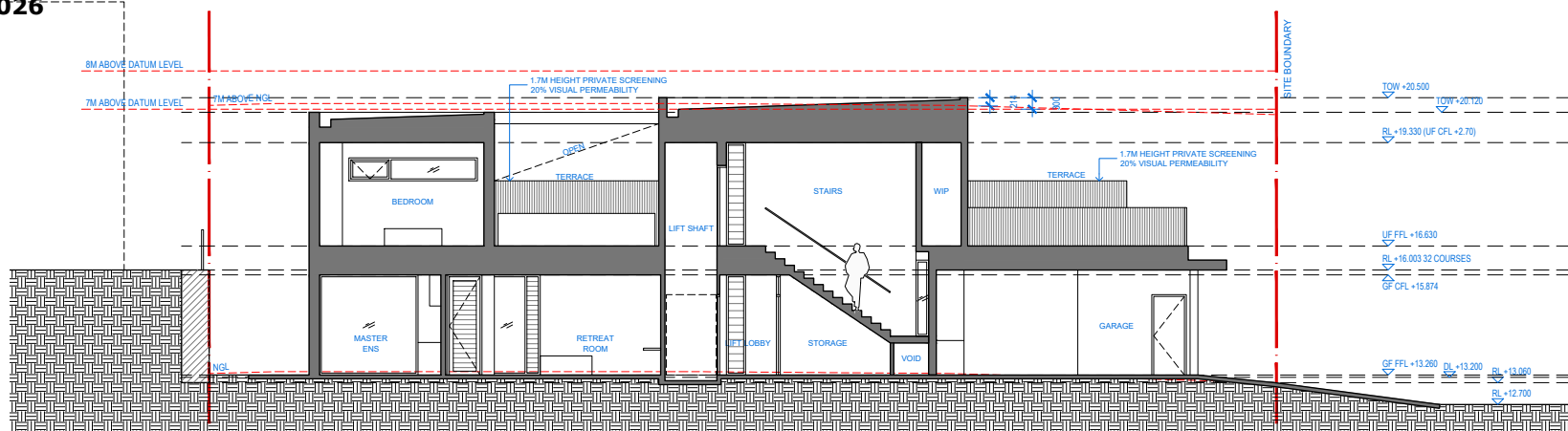
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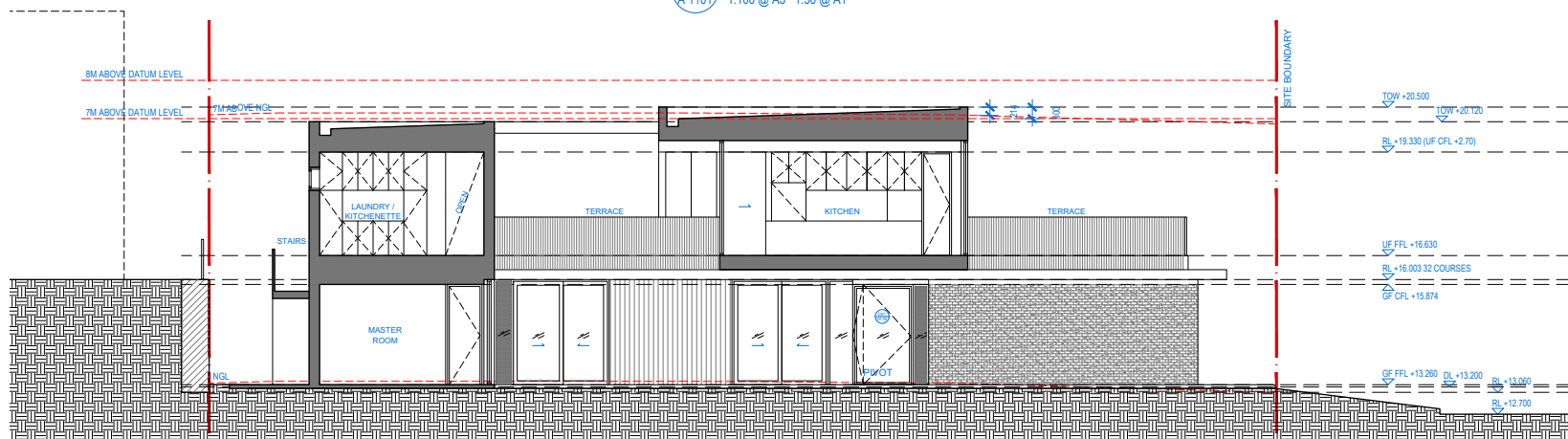
1 Apr 2026

7 WESTMEATH STREET, NORTH FREMANTLE	ROOF PLAN																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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A SECTION
A 1101 1:100 @ A3 1:50 @ A1



B SECTION
B 1101 1:100 @ A3 1:50 @ A1

CITY OF FREMANTLE
These Plans Form Part of

DA0124/26
7 WESTMEATH STREET, NORTH FREMANTLE
1 Apr 2026

SECTIONS

REVISION	DATE	DESCRIPTION
1	31.03.26	FOR DEVELOPMENT APPLICATION
2	31.03.26	FOR DEVELOPMENT APPLICATION
3	31.03.26	FOR DEVELOPMENT APPLICATION
4	31.03.26	FOR DEVELOPMENT APPLICATION
5	31.03.26	FOR DEVELOPMENT APPLICATION
6	31.03.26	FOR DEVELOPMENT APPLICATION
7	31.03.26	FOR DEVELOPMENT APPLICATION
8	31.03.26	FOR DEVELOPMENT APPLICATION
9	31.03.26	FOR DEVELOPMENT APPLICATION
10	31.03.26	FOR DEVELOPMENT APPLICATION

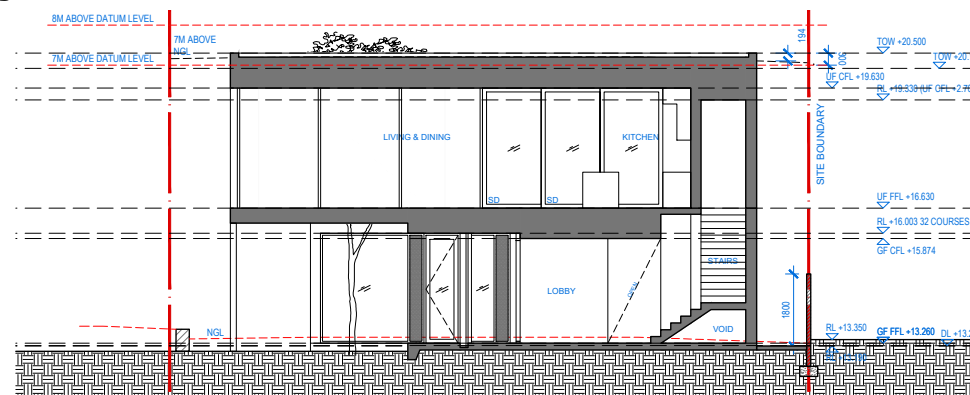
CUSTOMER	REZEN Studio 4/34 Duke Street East Fremantle WA 6158
PROJECT NO.	205
SCALE	1:100 @ A3 1:50 @ A1
DATE	31.03.26
REVISION	A 2101 q

APPROVED BY	RB
DESIGNED BY	HZ
SCALE	1:100 @ A3 1:50 @ A1
DATE	31.03.26
REVISION	A 2101 q

PROJECT NO.	205
SCALE	1:100 @ A3 1:50 @ A1
DATE	31.03.26
REVISION	A 2101 q

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C SECTION
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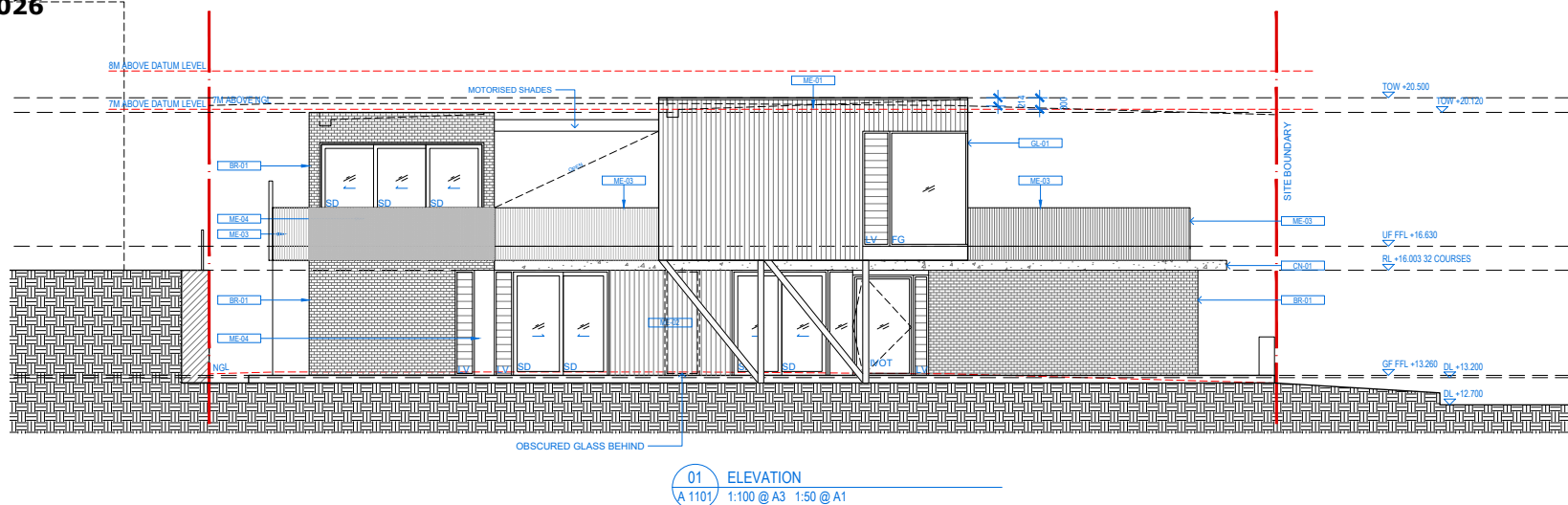
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1 Apr 2026

7 WESTMEATH STREET, NORTH FREMANTLE	SECTIONS		CLIENT 	REZEN Studio 4/34 Duke Street East Fremantle WA 6158 p: 0423 808 707 e: hello@rezen.com.au w: rezenstudio.com	APPROVED BY: RB	ISSUED BY: HZ	PROJECT NO: 205	rezen
		SCALE: 1:100 @ A3 1:50 @ A1			DATE: 31.03.26	DRAWING NO: A 2102	REVISION: P	

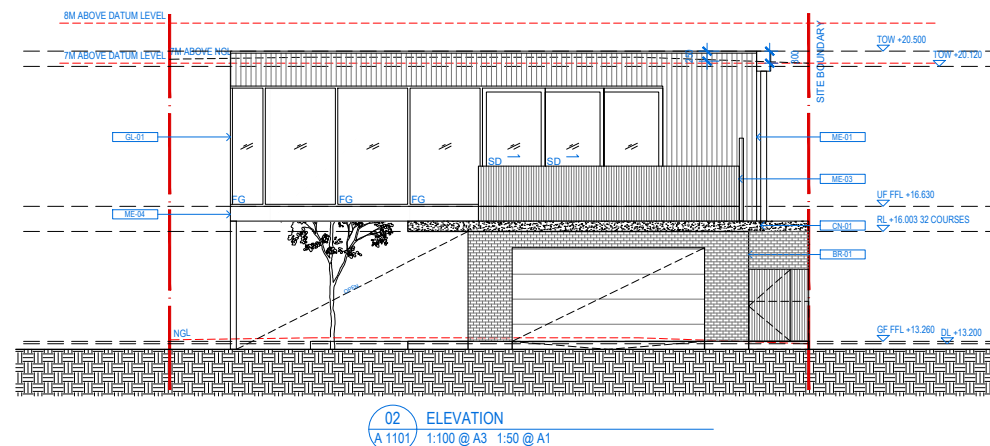
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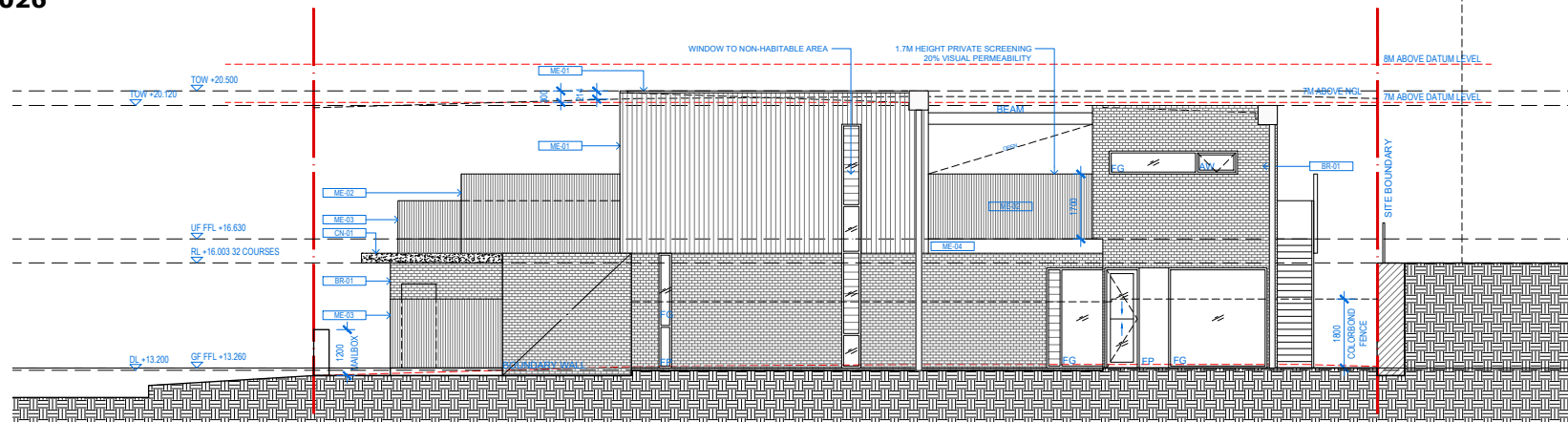
1 Apr 2026



MATERIALS KEY :
BR-01 - BRICKWORK WITH ACRYLIC RENDER
CN-01 - CONCRETE
GL-01 - GLASS
GL-02 - OBSOURED GLASS
ME-01 - METALLIC CLADDING
ME-02 - ALUMINIUM SCREENING
ME-03 - ALUMINIUM BALUSTRADE
ME-04 - ALUMINIUM CLADDING
PF-01 - METAL SHEETING

GLAZING KEY :
FG - FIXED GLAZING
FP - FIXED PANEL
AW - AWNING
OBSO - OBSOURED GLAZING
LV - LOUVRE WINDOW

7 WESTMEATH STREET, NORTH FREMANTLE	ELEVATIONS		CLIENT 	REZEN Studio 434 Duke Street East Fremantle WA 6158	APPROVED BY: RB	DRAWN BY: HZ	PROJECT NO.: 205	
		p: 0423 808 707 e: hello@rezen.com.au w: rezenstudio.com		SCALE: 1:100 @ A3 1:50 @ A1	DATE: 31.03.26	DRAWING NO.: A 3101	REVISION: q	

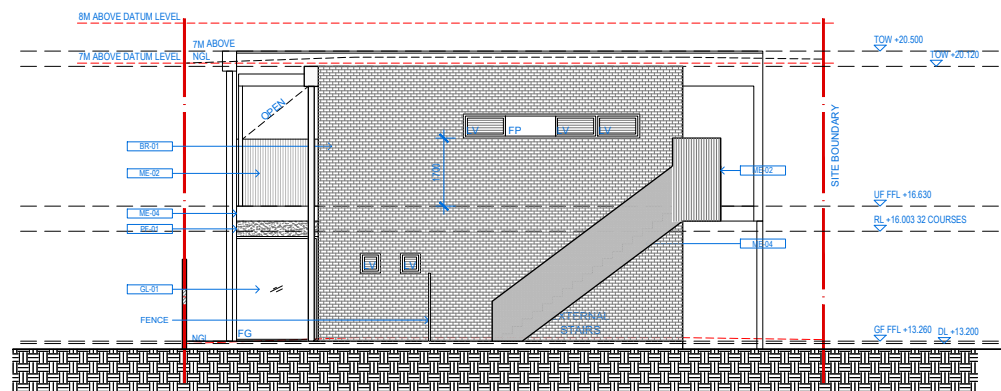


03 ELEVATION
A 1101 1:100 @ A3 1:50 @ A1

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DA0124/26

1 Apr 2026



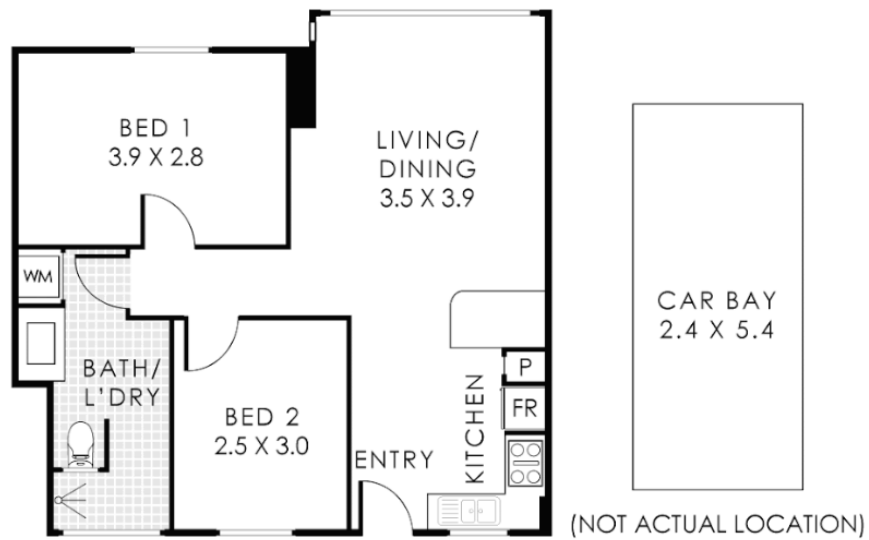
04 ELEVATION
A 1101 1:100 @ A3 1:50 @ A1

MATERIALS KEY :
BR-01 - BRICKWORK WITH ACRYLIC RENDER
CN-01 - CONCRETE
GL-01 - GLASS
GL-02 - OBSCURED GLASS
ME-01 - METALLIC CLADDING
ME-02 - ALUMINIUM SCREENING
ME-03 - ALUMINIUM BALUSTRADE
ME-04 - ALUMINIUM CLADDING
PF-01 - METAL SHEETING
GLAZING KEY :
FG - FIXED GLAZING
FP - FIXED PANEL
AW - AWNING
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LV - LOUVRE WINDOW

7 WESTMEATH STREET, NORTH FREMANTLE	ELEVATIONS		CLIENT	CLIENT	REZEN Studio 434 Duke Street East Fremantle WA 6158 p: 0423 808 707 e: hello@rezen.com.au w: rezenstudio.com	APPROVED BY:	DRAWN BY:	PROJECT NO:		rezen	
						RB	HZ	205			
						SCALE:	DATE:	DRAWING NO:	REVISION:		
						1:100 @ A3 1:50 @ A1	31.03.26	A 3102	Q		

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Floor Plan
Unit 39/31 East Street



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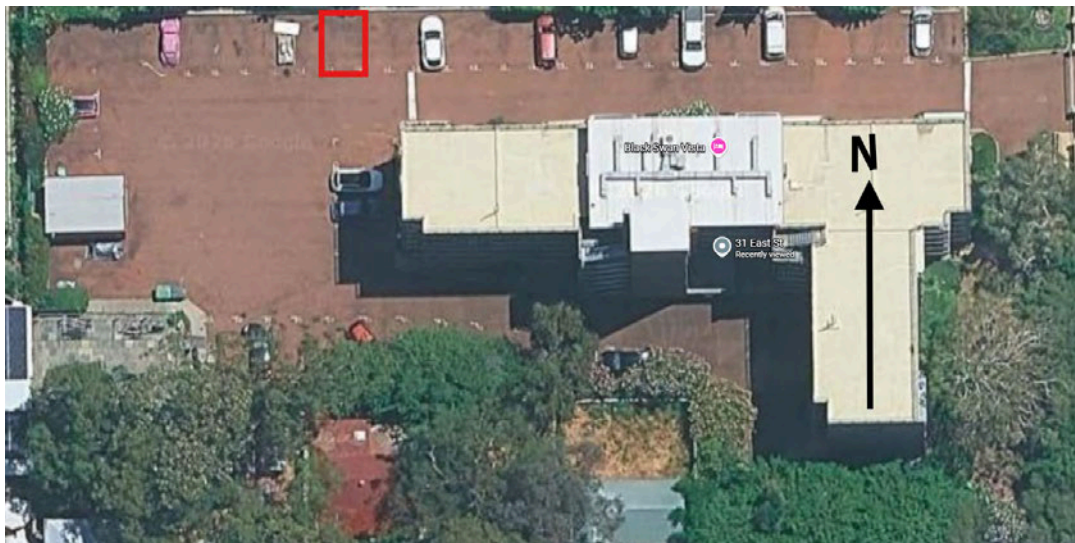
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Site Plan

Black Arrow = North direction

Red Square = Parking bay number 39 (For unit 39)



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MANAGEMENT PLAN

SHORT-TERM ACCOMMODATION

39/31 East street, Fremantle, 6160

Date: 14/08/2026

Property Manager:

[REDACTED] AirBnBliss

[REDACTED]

Mobile number: [REDACTED]

Property Owner

[REDACTED]

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1. Property Overview

This Management Plan applies to the short-stay accommodation to be provided as detailed below. The Plan includes details of the property accommodation and parking; house rules and noise management; as well as booking procedures, complaint handling and other matters.

The property is conveniently located 31 East street, Fremantle, 6160

The accommodation is intended for small groups and families, who are seeking a relaxed, home-like stay away from home. It is not intended for large groups, parties and late-night activities, which are more suited to hotels and tourism precincts.

The property will be occupied and managed much like an ordinary residential dwelling within the local area. The number of guests and car bays will be consistent with the bedrooms and car bays that the dwelling has been designed for and will not require any building works or modifications to increase capacity beyond a typical residential dwelling.

Guests will see the number of available parking spaces before they complete the booking. They will also be reminded after the booking is confirmed.

A small sign plaque will be installed in the main frontage of the building, it will not exceed 0.5m² and will include the property managers information.

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Property Address	39/31 East Street, Fremantle
Number of Bedrooms	Two(2) bedrooms
Bed 1 (See floor plan attached)	3.9 x 2.8 (metres)
Bed 2	2.5 x 3.0 (metres)
Bathroom	1 x toilet, 1 x shower
Max Number of Guests	Four (4) guests
Car Parking Location	Open parking area within the complex (See site plan)
Total Car Parking Bays	1 x designated park for the unit (see site plan)
Visitors	Visitors require management consent. No overnight visitors.
Pets	No Pets allowed
Parties & Gatherings	No parties
Music & Noise	No loud music, movies, noise etc to be heard outside the property between 9pm to 7am
Smoking	No Smoking permitted on the property

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2. Guest Screening & Booking Process

When a guest requests or books a stay at this property, we can view or determine whether the guest's profile includes their required verification steps, including:

- Contact details including full name(s) & phone number
- Acceptance of our stipulated house rules
- Confirmed payment
- Profile photo (if set)
- Government issued ID (such as driver's license or passport)
- Written reviews/recommendations from other hosts
- Their overall star rating which can be categorized for items such as observance of house rules, cleanliness & communication
- Total number of guests & location based

Once we have carried out a thorough check of the prospective guest, we then have a right to refuse, accept or cancel the reservation. Prior to the booking and after booking confirmation guests will be informed of the house rules, which include a no party policy and noise restrictions between 9 pm and 7 am. Guest can only book if they agree to the house rules

Our set of house rules are displayed both on the online listing and at the property.

Once a guest is confirmed, our direct phone numbers are automatically exchanged for any further required communication. We message our guests before, during and after their stays and all the correspondence is saved for our own records.

We anticipate approximately one booking per week and our average trip length is between 3-6 nights. This is based on the average performance of other similar listings in the area.

We specify a mandatory minimum stay length of two (2) nights as we find this significantly deters any unwanted targeting for parties or gatherings.

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23 April 2026

3. Check-In & Check-Out Procedure

Check-in is from 3:00pm until late with a simple self check-in process

Our check-in instructions are easy to follow with pictures & videos sent to them for ease of access and understanding. These are sent via the Airbnb platform, outlining the location of:

- The pedestrian gate location, and the code to access
- the locked letter box containing the door key, and padlock code
- Location of the parking bay within the complex
- The route to walk from the parking bay, to the elevator within the complex
- An alternate route to the elevator, if an uber/taxi/public transport is used

Check-out is at 10:00am or earlier on their departure date.

Keys are to be left in the same locked letterbox when departing/checking out

4. Complaint management & Nuisance procedure

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Contact & Communication

- A 24-hour contact number and email address are provided to guests upon booking confirmation and are advertised at the property for easy access.
- This 24-hour contact information will also be made available and communicated to adjoining residents, neighbours, and relevant stakeholders to report any complaints or nuisance issues. Any complainant will be kept informed throughout the process.

House Rules & Mitigation

- Guests and visitors must agree to all house rules in the online listings.
- Guests and visitors must not engage in any anti-social behaviour and must minimize their impact upon the residential amenity of neighbours and the local community.
- Noise must not be offensive or excessive to occupiers of neighbouring properties. Quiet hours are strictly enforced, especially between 9:00pm and 7:00am Monday to Saturday, and 10:00pm – 9:00am on Sunday and public holidays.

Complaint Response Procedure

- Upon receipt of a complaint, the issue will be dealt with immediately.
- For urgent matters, such as noise or anti-social behaviour, the property manager will acknowledge the issue generally within one hour.
- The complaint will be assessed immediately, and guests will be contacted to investigate the concern, be informed of the situation and any breach of house rules, and instructed to cease the behaviour causing disturbance.
- We aim to resolve all issues within 30 minutes to 1 hour total.

Enforcement and Consequences

- If the complaint is substantiated, appropriate action will be taken without delay. This may

- include issuing a formal warning or requiring immediate compliance with house rules.
- Continued or serious breaches may result in the reservation being immediately terminated and guests being required to vacate the premises.
- We, police, security, rangers, or other engaged professionals may be engaged to attend the property in person during or after normal business hours to minimize disruptions to neighbours and have the guests removed.
- Where required, local authorities may also be contacted.

Documentation and Review

- All complaints will be recorded, including the nature of the issue, actions taken, and the outcome.
- The operator will review complaints periodically to ensure that any recurring issues are addressed and that the amenity of neighbouring properties is protected.
- Complainants will be encouraged to provide evidence to support swift action.

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5. Guest Handbook & Code of Conduct

When a guest checks in, they are encouraged to read our 'Guest Handbook' which provides them with all the important information they need to know to have an enjoyable, safe & respectful stay.

The Handbook includes contact details, emergency plan, house rules, parking rules, bin collection days, public transport, nearby amenities, sights, and attractions in the area and more.

Guests will also always have access to the listing platform during their stay and are required to communicate with their host on this platform so all details pertaining to their booking are documented. The listing platform also provides guests with the hosts contact details.

Included in the Guest handbook is the Code of Conduct – which summaries the house rules for all guests and any approved visitors.

The Code of Conduct is printed on a one-page, laminated document and affixed in a prominent place/s at the dwelling. It includes alternate public transport information, and also explicitly states that no pets are allowed.

6. House Rules

- 1) To allow property servicing and maintenance, check in time is from 3pm, and check out by 10am.
- 2) No parties, special functions or gatherings permitted on the property
- 3) Out of respect for neighbors - minimal noise level required from 9pm until 7am. Please be aware that noise complaints mean there has been a breach of terms and conditions and may result in immediate termination of accommodation reservation and will result in full cost of security patrol call out fees and a \$550 fine payable through Airbnb.
- 4) There is no smoking permitted inside the house. Please dispose of cigarette ends thoughtfully if you smoke outside.
- 5) All breakages and damage must be reported immediately and are the responsibility of the guest. Guest to message host on arrival if they notice damage and attach a picture to message where possible.
- 6) Please do not move furniture around during your stay - a fee may be charged by a tradesperson to put back.

If guests fail to adhere to our house rules, they will be at risk of having their booking cancelled immediately. We, police, security, rangers, or other engaged professionals may attend in person to have the guest/s removed.

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7. Hygiene, Comfort & Waste Management

Rubbish and recycling items are to be disposed of in accordance with the local council policies, strata by-laws & procedures and in the correctly allocated bins for weekly collection on Wednesdays.

Guests are notified & reminded to place all rubbish & recycling in the allocated bins at the property.

Any excess rubbish must not be left in sight of a public area and is removed by housekeeping.

The cleaning & housekeeping team are also asked to attend and assist with rubbish disposal at checkout and if the property is vacant.

Bin location & contents are monitored by housekeeping at each check-out, and we may gather photo/evidence of this so we can effectively & efficiently maintain the bins both inside the property and to mitigate risk of problems

The property includes a fully functional kitchen with fridge and pantry for food storage and there has never been problems with vermin or pests – if this changes then we can send professional pest control companies to rectify this swiftly and implement measures to prevent occurrence in future.

The linen and towels are removed off-site following each check out clean and provided to a professional commercial laundering service to wash, dry, and return to our storage facility upon completion.

Exhaust fans & air conditioning/heating appliances and regularly checked by the housekeeping teams and repaired or replaced if required, guests are also encouraged to report maintenance to us immediately upon discovery so that swift resolution can be made.

A washing machine & dryer is provided for guest convenience to use during their stay to wash their clothes as required.

8. Maintenance

Property maintenance is regularly reported and resolved swiftly either during or after guest's stays depending on the severity.

9. Safety

The property includes compliant RCDs and Smoke Alarms.

A fire extinguisher is available in the kitchen, as well as an emergency safety plan in case of a fire. In our detailed guest handbook, guests are provided with the contact details for the local police station, hospitals & fire station and that our emergency contact number is '000'.

A first aid kit is provided for guests.

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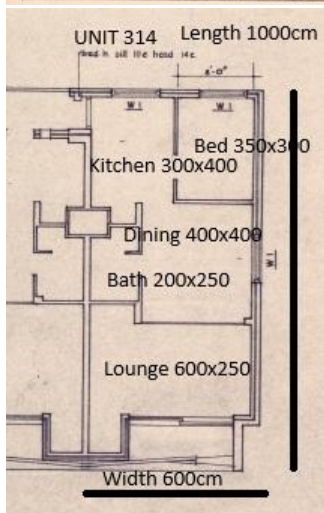
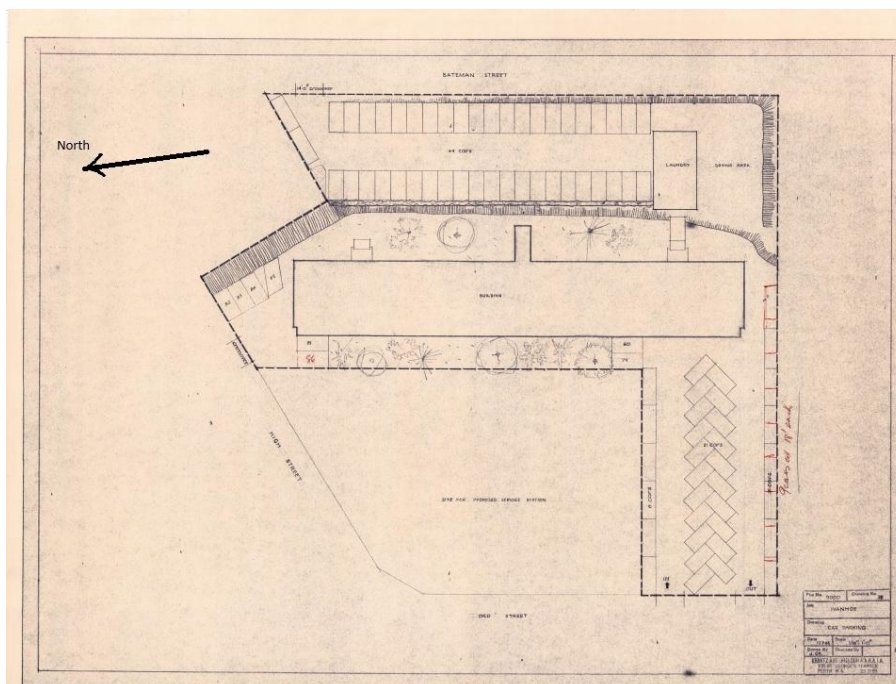
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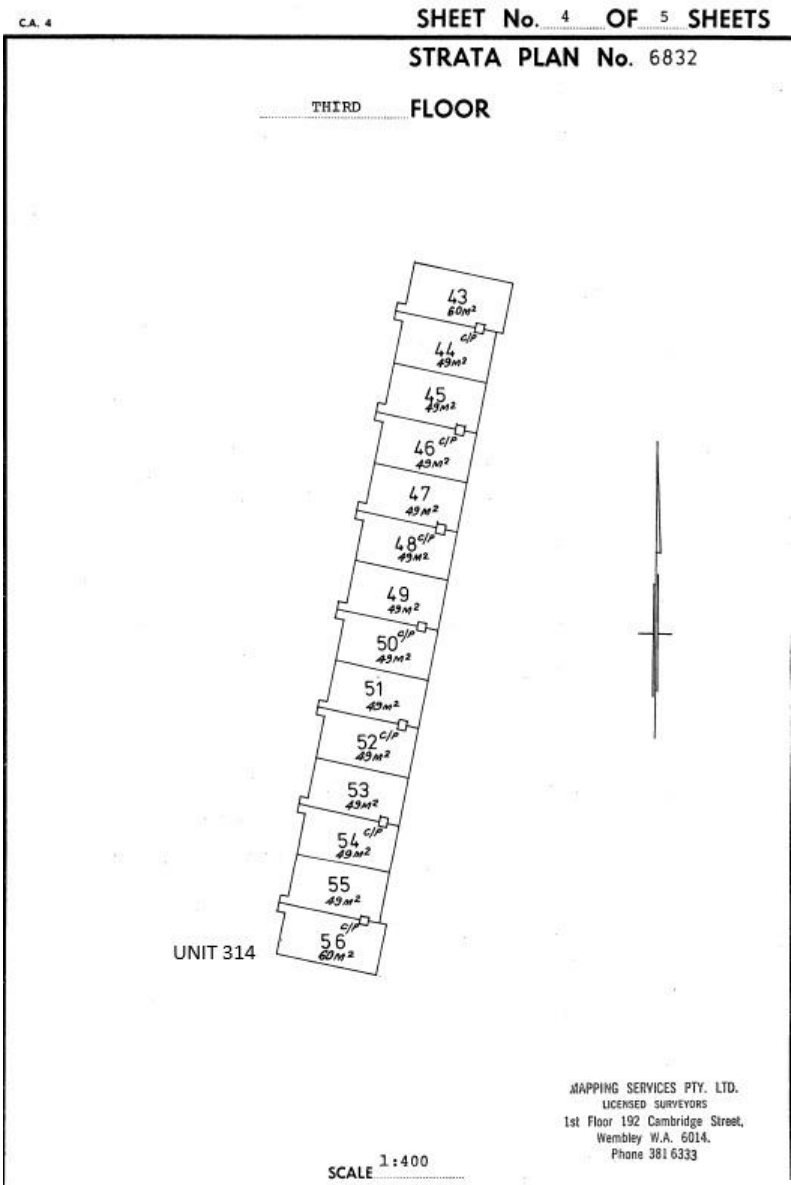
Relevant Plans for Short Term accommodation renewal for 314 / 8 Ord Street Fremantle.

Previous Fremantle approval: SSA24_0068

STRAR reference: STRA61600HVAJCA2



CITY OF FREMANTLE
These Revised Plans Form Part of
DA0132/26
9 June 2026



CITY OF FREMANTLE
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DA0132/26

9 June 2026

FORM I		TOWN		Ca. I	
PARCEL OF LAND LOT 10 OF FREMANTLE, LOTS 921, 922, 923 & 924 ON DIAGRAM 31878				STRATA PLAN 6832	
CERTIFICATE OF TITLE: VOLUME: 1349 FOLIO 023				OFFICE USE ONLY	
LOCAL AUTHORITY: City of Fremantle 322 092A				LODGED 14.3.79	
LOCALITY: Fremantle INDEX PLAN PERTH 1000:				EXAMINED 16.3.79	
NAME OF BUILDING IVANHOE LODGE 14.26, 14.27				REGISTERED 30.3.78 App B.688178	
ADDRESS FOR SERVING OF H. CHAPPLE, 13.26, 13.27				REGISTRAR OF TITLES	
NOTICES ON COMPANY: P.O. Box 242, CLAREMONT 6010				See Annexure 'A'	
STRATA PLAN 6832				HELD BY LANDGATE IN DIGITAL FORM ONLY.	

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Management Plan Unit 314 8 Ord Street Fremantle

Contact details (phone number and email address) of the Property Manager, which may be the landowner or an external agent.

Michael Speldewinde Mobile: [REDACTED] email: [REDACTED]

The Michael will respond to nuisance behaviour within 12 hours of a complaint.

Method of booking and checking in.

Using the Airbnb App

Confirmation of location of designated on-site / visitor parking bays.

There are no designated bays. There is parking on the premises in front of and behind the complex. There is a laminated sign that guests should display on their dashboard

Whether pets will be permitted at the property

Pets are not permitted

Complaint management procedures addressing nuisance behaviour which may include:

- Violence or threats
- Loud aggressive behaviour, including yelling, screaming or arguing
- Excessively loud noise nuisance
- Overlooking
- Light spill
- Barking dogs
- Smoke or odours.

Contact Michael Speldewinde in the first instance. Further details are in the Airbnb procedures. Airbnb's complaint management involves documenting issues with photos, messaging the host/guest directly via the Airbnb app/website to resolve them.

Waste management strategies to ensure appropriate disposal.

The cleaner and the owner will manage waste disposal accordingly. There are dedicated Green, Red and Yellow bins in the apartment.

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Code of Conduct Unit 314 8 Ord Street Fremantle. Updated 12 May 2026

Contact details of the Property Manager, including after-hours contact details.

Michael Speldewinde Mobile: [REDACTED] email: [REDACTED]

Expected behaviour of occupants / visitor to minimise impact on neighbours.

Maximum of 2 guests.

As detailed in the AirBnb App. Airbnb's guest behaviour policy requires guests to be respectful, follow house rules, and avoid disrupting neighbors. Key rules include no parties, Quiet Hours are strictly 22:00 to 07:00 (10 PM–7 AM), respecting guest limits, smoking restrictions, and avoiding excessive cleaning needs. Violations can lead to booking cancellations, suspension, or removal from the platform.

Any restrictions of visitors or parties/ events.

Parties and events are not allowed. There is a maximum of 2 guests.

Location of on-site car parking for occupants / visitors, as well as any parking restrictions applicable to the location.

There are no designated bays. There is parking on the premises in front of and behind the complex. There is a maximum of one parking bay available per booking.

A valid laminated permit must be clearly displayed on the front dashboard of the vehicle at all times. This permit is located in drawer below the TV.

Details of alternate transport options, such as public transport.

There are public bus stops near to the complex

Details regarding waste management, including specific expectations of guests regarding waste disposal and bin collection.

The cleaner and the owner will manage waste disposal accordingly. There are dedicated Green, Red and Yellow bins in the apartment. Waste management guidance is will be on the fridge.

Guests must comply with the City of Fremantle waste systems, including general waste, recycling, FOGO, and Containers for Change.

Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended.

Pets are not permitted

Any other information relevant to the use of the property which may impact the amenity of the location.

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Nothing specific although many details in the AirBnb app. The link to the listing is:
https://www.airbnb.com.au/rooms/1019030199922364123?guests=1&adults=1&s=67&unique_share_id=ac18e8b0-7643-4adb-a745-885f9cc5c0fc

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These Revised Plans Form Part of**

DA0132/26

9 June 2026



Local Planning Policy 5.4

Convenience Stores

fremantle.wa.gov.au



Local Planning Policy 5.4: Convenience Stores

Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This policy may be cited as Local Planning Policy 5.4 – Convenience Stores (LPP 5.4).

Introduction

Consistent with the definition within the Local Planning Scheme, Convenience Stores are intended to sell a broad range of goods akin to a traditional corner shop or deli. Convenience Stores supplement other types of shops by offering a wide variety of products for quick pickup in underserved areas.

The dominance of Convenience Stores within a relatively small geographic area reduces the capacity of the area to support a full mix of uses, limiting opportunities for more diverse retail, hospitality, cultural, and service-based activities. This imbalance can especially undermine the City Centre as a regional activity hub capable of offering a broad and complementary retail experience. It also contradicts the strategic planning intention to maintain vibrant and varied activity centres across Fremantle.

Given the rising popularity and low entry threshold of these uses, there is a significant risk that the same pattern of saturation may extend into the Neighbourhood Centre, Local Centre, and Industrial zones. Unchecked, such expansion could diminish the intended function of these zones, particularly their ability to support local services, employment diversity, and compatible land uses, while also competing with and displacing other essential commercial offerings.

Objectives

- To ensure Convenience Stores encourage streetscape activation and maintain visibility to the interior.
- To prevent an overabundance of Convenience Stores in a locality, which may threaten land use and economic diversity.

Application of this Policy

This policy guides the assessment of all Convenience Stores within the local planning scheme area.

Policy Provisions

1. Location
 - a. The minimum distance between Convenience Stores is 100 metres as measured from the centre of the store (see Figure 1 below).

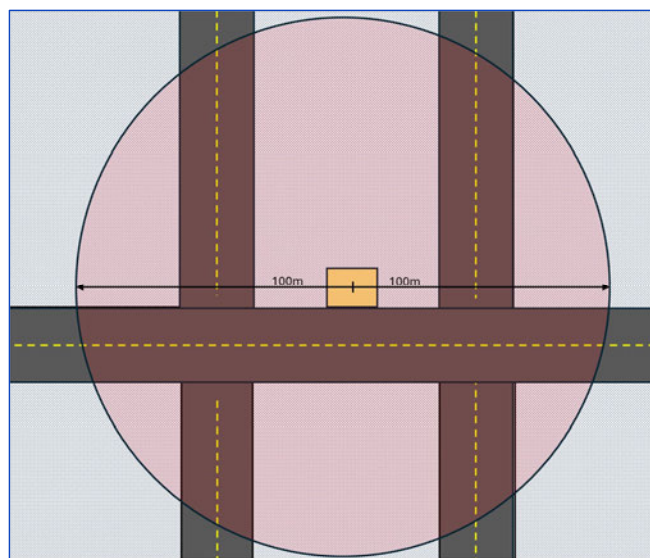


Figure 1: Distance between Convenience Stores

2. Streetscape activation and security
 - a. Visibility into and out of the store is to be maintained by limiting blockages of windows (including from glazing, shelving, product placement, and the like) within 1m of the window to a maximum of 50% of the window area, inclusive of any signage.
 - b. The majority of visibility is to be provided at pedestrian viewing height (0.8m – 2m above footpath level).

Local Planning Policy – Document Control			
Responsible Officer		Previous Policy Title	Next Review Date
Manager City Planning		N/A	(four years)
Version	Decision to Adopt/Amend	Brief Details of Modifications	
1		Adoption	
Public Consultation		Yes	
WAPC Approval Required?		No	Date approved by WAPC N/A



Schedule of Submissions

Local Planning Policies
2.23 & 2.26



Schedule of Submissions: Local Planning Policies 2.23 & 2.26

No.	Submission	Officer Response
1	Do you support proposed amendments to LPP 2.23?	Noted
	I do not support the policy	
	Can you tell us why you chose that option?	
	My concerns are if you control trees on private land you will stop people from planting trees as they will lose control of their own trees/property. Stop interfering with private property! You do what you want on city council land and leave private land alone.	The City already regulates development on private land through planning controls. Local planning provisions are needed to help protect urban canopy.
	Do you support proposed amendments to LPP 2.26?	
	I do not support the policy	Noted
	Can you tell us why you chose that option?	
	Control public land trees and trees that are causing problems and leave private land alone.	
	Is there anything else you would like to add?	The City is invested in protecting and increasing canopy cover in parks and verges, but local planning interventions are needed to ensure canopy cover on private land is protected too.
	It seems to me that if a tree is in the way of what the city wants to do a way is found to remove it.	
2	Do you support proposed amendments to LPP 2.23?	Noted
	I support the policy	



	Can you tell us why you chose that option?	N/A
	Not answered	
	Do you support proposed amendments to LPP 2.26?	Noted
	I somewhat support the policy	
	Can you tell us why you chose that option?	Tree protection already applies through other planning controls in higher density areas. The amended policy is intended as a practical and staged expansion.
	The policy should cover all R zones not just up to R40 as even high density developments should be required to retain significant and desirable native trees in the development design. Commercial developments should also be included in the policy and not be allowed to remove native or significant trees, or to remove any trees other than those listed as weeds or invasive non native.	
	Is there anything else you would like to add?	N/A
	Not answered	
3	Do you support proposed amendments to LPP 2.23?	Noted
	I support the policy	
	Can you tell us why you chose that option?	Noted
	Important for the Community to be informed & have a say	
	Do you support proposed amendments to LPP 2.26?	Noted
	I support the policy	
	Can you tell us why you chose that option?	Noted
	Trees are necessary as a buffer for pollution, birdlike & scenic look to our suburbs. Maintaining the tree canopy & conditions of our trees is vital.	



	Is there anything else you would like to add?	Noted
	Not answered	
4	Do you support proposed amendments to LPP 2.23?	Noted
	I somewhat support the policy	
	Can you tell us why you chose that option?	A list of unwanted tree species has been added to the appendix to the policy as a pragmatic approach to dealing with tree species which are unsuitable in an urban setting. Some of these reasons include: - Susceptibility to polyphagous shot-hole borer - Invasive - Toxic - Prone to failure - Non-native (in combination with the above reasons). While landowners will not require development approval to remove these trees, replacement trees within the site are encouraged.
	I support the extension of areas under tree protection. However I cant make sense of the policy and its changes. It is confusing. I have read the original policy which sates trees over certain height and girth are protected but the new amendments seem to be removing certain trees from the list. I support the planting of extra trees but I don't support a mature tree being removed if it is in the way. recently I have seen more than 3 mature native trees and many healthy young trees being removed on border of Booyembarra park and the golf course to make way for a cafe. There seems to be too many loopholes and exceptions. I have witnessed numerous mature trees bring removed from the Fremantle area this year. It of not satisfactory to just replace a healthy mature tree by a couple of new young trees which will take up to 50 years or more to reach the value of a mature tree.	
	Do you support proposed amendments to LPP 2.26?	Noted
	I somewhat support the policy	
	Can you tell us why you chose that option?	Comments noted.
	I choose that option because I cannot make sense of the policies amendments. I support the extension of areas under tree protection. I have read the original policy which sates trees over certain height and girth are	A list of unwanted tree species has been added to the appendix to the policy as a pragmatic approach to dealing



	protected but the new amendments seem to be removing certain trees from the list. I support the planting of extra trees but I don't support a mature tree being removed if it is in the way. recently I have seen more than 3 mature native trees and many healthy young trees being removed on border of Booyembarra park and the golf course to make way for a cafe. There seems to be too many loopholes and exceptions. I have witnessed numerous mature trees being removed from the Fremantle area this year. It is not satisfactory to just replace a healthy mature tree by a couple of new young trees which will take up to 50 years or more to reach the value of a mature tree.	with tree species which are unsuitable in an urban setting. Some of these reasons include: - Susceptibility to polyphagous shot-hole borer - Invasive - Toxic - Prone to failure - Non-native (in combination with the above reasons). While landowners will not require development approval to remove these trees, replacement trees within the site are encouraged.
	Is there anything else you would like to add? Yes. It would be good if arborists and tree removal companies are fully aware of which trees are protected. Not just the 6 trees that had submissions to be added to the significant tree policy. Also as a nearby resident of Booyembarra park, new trees are planted each year and many of them die due to neglect. Yes there is a tree watering program but perhaps it is not enough. Council workers regularly heavily and clumsily prune healthy trees in the park, some of these trees have died due to the heavy pruning. I have witnessed council workers planting trees in the park in a way that hinders the tree from actually surviving, for example the young tube stock has its root ball above ground, is not watered in and is not even pressed into the ground. More care needs to be taken.	Comments noted
5	Do you support proposed amendments to LPP 2.23? I somewhat support the policy	Noted



	Can you tell us why you chose that option?	
	Increasing the tree canopy of Fremantle and Perth is important. To achieve this, informed decisions need to be made, with action driven by more than activists. But good science, cost/benefit analyses and planning decisions that minimise litigation and impacts on people and infrastructure are largely missing from the current draft. The assumption that "all trees are green & good" is an unfortunate one. There are many reasons – ranging from human injury, property damage and subsequent litigation – to biodiversity reasons (such as the impacts of the Rainbow lorikeet in displacing Carnaby's cockatoos) – why it is imperative that urban forestry policy is designed around which species are planted and which need to be managed (or in some cases, removed). The City of Fremantle's Urban Forest Plan (2017), for example, has a fine diagram showing benefits of trees (shade etc). But some species have higher costs than others. I will mention just two of these. Firstly, attention needs to be paid to tree species subject to "Sudden Branch Drop" (SBD) (where large, seemingly healthy branches fall, typically during calm, hot weather). The tipu tree (<i>Tipuana tipu</i>) is known to be a SBD species. This is why they should preferably not be planted in small urban gardens. Several native Eucalyptus and Corymbia species are notorious for SBD and have caused deaths in Australia. Secondly, location of planting fig tree species also needs to be carefully considered for several reasons: (i) mass fruit production (and fruit fall) makes public walkways slippery, increasing risk for older people in particular, including the fact they shift into the street to avoid slipping on the unsafe sidewalk; (ii) roots are well known to enter and block pipes (as are <i>Tipuana</i> roots); (iii) they are a major food for Rainbow lorikeets. These are a declared pest	A list of unwanted tree species has been added to the appendix to the policy as a pragmatic approach to dealing with tree species which are unsuitable in an urban setting. Some of these reasons include: - Susceptibility to polyphagous shot-hole borer - Invasive - Toxic - Prone to failure - Non-native (in combination with the above reasons). The <i>Tipuana tipu</i> has been added to this list following consultation. While landowners will not require development approval to remove these trees, replacement trees within the site are encouraged.



	species in WA under the Biodiversity and Conservation Act 2016, increasing from about 10 birds to over 40000 in the Perth/Fremantle area after an illegal release from an aviary in the 1960's. See attachment in 11 below. The policy is too broad brush.....requiring retired older people, including keen gardeners who are conservation conscious, to go to great expense and time filling in and paying for Planning permission to fell a single tree, when the main drivers of canopy loss is the council's own policies allowing urban infill (clearing of back blocks) and development for light industry.....in a form that is simply not fit for purpose. The "mom & pop" home owners are not the developers. Their financial circumstances should be taken into account.	Large tree maintenance already generally requires specialist expertise and such cost are comparable to maintaining other property assets. Majority of tree removal applications received since the introduction of LPP2.26 are part of the development approval process for other works.
	Do you support proposed amendments to LPP 2.26?	Noted
	I somewhat support the policy	
	Can you tell us why you chose that option?	Comments noted, the policy seeks to provide a pragmatic and balanced approach to tree retention and tree canopy protection in an urban setting.
	Better science and informed policy reform is needed. Fuzzy terms such as trees with "ecological values" need clarification. All trees have some ecological values. Even invasive ones. But cost-benefit analyses need to be done. The bureauCRAZY currently instituted by LPP 2.26 is mind numbing....to fell a single tree because it threatens a private owners property requires ticking the planning permission for "outbuilding, patio, shade sails and other minor structures".	The City has amended the planning portal to clarify which box to tick for tree removal.
	Is there anything else you would like to add?	



		Noted
6	Do you support proposed amendments to LPP 2.23?	Noted
	I support the policy	
	Can you tell us why you chose that option?	
	Not answered	N/A
	Do you support proposed amendments to LPP 2.26?	Noted
	I support the policy	
	Can you tell us why you chose that option?	
	Not answered	N/A
	Is there anything else you would like to add?	N/A
	Not answered	
7	Do you support proposed amendments to LPP 2.23?	Noted
	I support the policy	
	Can you tell us why you chose that option?	Comments noted



	WATCA supports the proposed amendments to the Significant Tree Register provisions and the improved alignment between the Register and the broader Tree Retention policy framework. While Significant Tree Registers can play an important role in recognising and protecting exceptional individual trees, they are not, on their own, sufficient to address broader urban canopy loss across private land. In practice, only a relatively small number of trees are typically captured through register-based approaches. For this reason, WATCA considered the broader Tree Retention LPP framework to remain primary and most important mechanism for protecting urban canopy at scale, with the Significant Tree Register operating as a complementary measure.	
	Do you support proposed amendments to LPP 2.26?	Noted
	I support the policy	
	Can you tell us why you chose that option?	Support noted
	WATCA strongly supports the proposed amendments to LPP 2.26. As the officer report notes, the policy is already operating to protect mature trees in a constructive and balanced way. This reflects the broader experience of councils across Perth that have introduced tree retention local planning policies. The proposed amendment modestly expands the policy to apply to residential land up to R40. In doing so, it aligns Fremantle with a growing number of WA councils adopting broader private-land tree protections in response to ongoing canopy loss. Many councils now apply tree retention policies to either all zoned land; including City of Nedlands, Town of	



	Bassendean, Town of Victoria Park and City of South Perth, or all residential land; including Town of Cambridge and Shire of Peppermint Grove. Similar policies adopted by City of Cockburn and Town of Mosman Park are also proceeding through approval processes. Nedlands also demonstrates the practicality of staged expansion, having initially adopted its policy in June 2024 applying to R20 and below, before expanding coverage to R80 in May 2025. Recent legal developments have further reinforced the importance of councils having clear local planning policies in place. Following the recent State Administrative Tribunal ruling relating to tree removal on private land, planning and environmental lawyer Alex McGlue, Partner at Lavan, observed that local governments should be “immediately adopting local planning policies” because they provide clarity around when development approval is required and what exemptions apply. In our view, the proposed amendments represent a sensible, incremental and highly desirable step toward strengthening tree canopy protection in Fremantle> Importantly, the proposal reflects an emerging planning norm across WA rather than a novel or untested approach. WATCA strongly encourages Council to adopt amendments.	
	Is there anything else you would like to add?	Noted
	Please see attached document showing the current uptake of tree retention LPPs across Perth and those in the pipeline. Well done Freo!	



Tree Retention Local Planning Policy WA Councils Adopted as at May 2026 			
Local Council	Policy ID	Adoption	Status / Scope
City of Nedlands	LPP 33	July 2024	Operational: R20 and below.
	Expansion (LPP 34)	May 2025	Operational: R25 – R80.
Town of Bassendean	LPP 13	September 2024	Operational: All zoned land under the LPS.
Shire of Peppermint Grove	LPP 7	December 2024	Operational: All residential-zoned land.
Town of Cambridge	LPP 3.25	December 2024	Operational: All residential-zoned land.
City of Fremantle	LPP 2.26	March 2025	Operational: Up to R30.
	Proposed Expansion	April 2026	Consultation to expand coverage closes 17 May 2026.
Town of Victoria Park	LPP 47	July 2025	Operational: All zoned land under the LPS.
City of South Perth	LPP 3.2	August 2025	Operational: All zoned land under LPS7.
City of Bayswater	Tree Retention Policy	August 2025	Operational. Applies only to new development sites.
City of Cockburn	LPP 5.26	December 2025	Adopted, pending WAPC + Ministerial approval of Scheme Amendment
Town of Mosman Park	LPP43	December 2025	Adopted, pending WAPC + Ministerial approval of Scheme Amendment



Tree Retention Local Planning Policy WA Council Pipeline

Local Council	Status
Town of Claremont	Community Consultation completed.
City of Perth	Draft LPP Crawley-Nedlands currently open for Community Consultation. Applies to all zoned land. Closes 1 June 2026.
City of Gosnells	Draft LPP that includes rural zones progressing to Community Consultation.
Town of East Fremantle	Draft policy currently being prepared following motion carried at Electors Meeting.
Town of Cottesloe	Council has indicated work on an LPP is imminent.
City of Wanneroo	Council has indicated it is currently developing an LPP.



8	Just as hard cases make bad law, in our determination to address the loss of urban trees we are at risk of making bad policy. Requiring development approval to prune or remove a tree makes having a tree an encumbrance on a property, a burden on the owner, and sets the scene for trees to be removed surreptitiously, or before they are large, or not planted in the first place. The encumbrance or burden is increased if an arborist report is required to support the development application required for any pruning. My perspective arises in that a massive branch of a large River Redgum overhangs my property at [REDACTED] from 18 Suffolk Street. River Redgums have a reputation for dropping large branches without notice and have been nicknamed 'Widow Maker' for this very reason. I trim this and other branches that overhang my house at least once every year, often more, as they start hitting the roof or eaves or small branches die which have fallen on many occasions one time smashing glass-top outdoor table. Usually Bind Freddy can see when this needs doing and it doesn't take an arborist. In having the tree assessed for inclusion on the significant tree register an arborist was engaged by the City yet I was not consulted by the arborist. So the situation now arises that for me to prune the tree I would need permission of the neighbour who owns the tree and also it seems the City, although it is not clear whether I would need the permission of the City or my	The City already regulates development on private land through planning controls. Local planning provisions are need to help protect the urban canopy in lieu of state led policy. Large tree maintenance already generally requires specialist expertise, and such costs are comparable to maintaining other property assets. The majority of tree removal applications received since the introduction of LPP 2.26 have been part of the development approval process for other works. The nominated trees are not recommended for inclusion on the Register as the expanded Tree Retention policy would provide protection for the retention of the tree. Inclusion on the Register would not provide any further protection. Pruning a neighbouring tree branch or root back to the shared property boundary can occur without seeking approval, provided the branch is dead, or the pruning is done to balance the tree or thin the crown in a way that does not harm the overall health of the tree. The advice of a qualified arborist is encouraged.
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	neighbour would need that permission, and, in turn, who can or must carry out any work. I don't own the tree so it is unclear whether I could make an application to the City in respect of a tree that I do not own. Certainly I could not make an development application for a house that I didn't own. If I asked the neighbour to prune the tree, which or a very large tree (as distinct to smaller trees) is the current common law situation, and the neighbour refused to make an application to the City then I'm stuck as its not my tree to make an application in respect of and even if I made the application which granted by the City, that does not constitute consent of the owner of the tree itself. And even if an arborist report was obtained, at some expense, it would inevitably be at odds with the City's already determined position based on the arborist report recently undertaken. Meanwhile, while the neighbour and the City try and decide whether to allow pruning, and which, if not both, of who's permission is required, and further – who is to undertake the pruning, I have a massive branch (and it is absolutely massive) over my house that most people would regard as utterly alarming given this is a 'Widow Maker' with a known propensity to drop apparently entirely healthy limbs with no warning whatsoever. The limb in this instance would cause considerable damage. Its big enough to destroy not just the roof but the brick walls and cause a chain reaction through the structure of the entire dwelling. Make no mistake it is a huge branch.	Guidance for landowners with regulated trees and neighbours is provided on the City's website. Officers are preparing additional guidance to be added to the website.
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	Having build my house myself and gone to particular lengths to ensure there is no paint used and the electrical is simple and absolutely safe, I choose not to insure it. This is a personal decision that carries some risk but in the grans scheme of risks in life – walking, cycling, driving, alcohol consumption, holidays – I am in a somewhat unique position of having built a house so that is safe to not insure it. The risk that is imposed on me and which is completely beyond my control is the risk of this massive limb dropping off this 'Widow Maker' and destroying my house. And to mitigate that risk requires a development approval yet it is not my tree to make an application in respect of and even is the City was to grant approval of a development application it ought to fall to my neighbour as the tree owner and therefore owner of the hazard to undertake the work in which case its should be the neighbour that makes the development application yet I have no power to make them do so. In our 'virtue parading' hysteria to champion the preservation of trees in urban settings there is a tree overhanging the dual-use path in North Coogee just short of the old power station. It is a known hazard because it is below head height of adult cyclists and so the City of Cockburn has affixed robust hazard banding to it (yellow and black). Yet it is in a spot where there are hundreds of trees where one less would be of absolutely no consequence whatsoever. Every adult cyclist has to negotiate this branch yet it is a known hazard that could very simply be removed. A similar situation was reported just recently in Canberra where a cyclist, Paul Storey 71,	
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	collided with such a branch overhanging a cycle path and died. https://www.abc.net.au/news/2026-04-01/cyclist-death-canberra-low-branch-foreseeable-coroner-finds/106520688 This highlights the absurdity that has crept in to the issue of tree retention in urban settings. Trees are not worth dying for and they are not worth losing valuable buildings/homes for. They are not even with causing disputes between neighbours or ratepayers and local government. They are important but not as important as some more important things in life and in community. The current policy is il conceived as it imposes an encumbrance on the properties of, and burden on the very people who are or can act to preserve large trees while complicating the pathway to sensible management including for neighbours in my situation. I haven't drafted an entirely better policy but that doesn't disqualify me from pointing out the folly with the existing or proposed one. A better policy, however, would be for the owners of large trees to be supported in preserving the trees rather than burdening, or increasing the burden on them. Providing annual arborist assessment and free pruning would be appropriate including for green waste removal. It might also be appropriate to consider a discount on rates. Afterall, such people are in essence providing a community service and the costs of that service should be shared rather than fall as a disadvantage on the one or the few.	Council may wish to investigate incentives for tree retention in future.
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	Large trees bring many of us considerable delight but this competes with our natural desire to minimise maintenance and risk of damage to our valuables including houses and perhaps parked vehicles. An appropriate policy is to weight the benefits of tree preservation more in favour of those that can retain or plant then and in the world we live in this boils down to a financial incentive. For the reasons set out above I propose the tree preservation policy not be extended further and that it instead be completely reconsidered. Put bluntly, it is il conceived and stands to result in the very opposite of what is intended by making large trees the last thing anyone wants on their property. I also strenuously oppose the inclusion of the 'Widow Maker' River Redgum at 18 Suffolk Street on the register as it overhangs my house and constitutes a well recognised hazard capable of causing hundreds of thousands of dollars damage to my house reputedly with no warning whatsoever and inspite of being assessed as entirely healthy by the City's arborist.	
9	I am resubmitting my application for the Lemon Scented Gum in my back garden 54 Hope Street, White Gum Valley 6162 to be specifically listed on the Fremantle Council Significant Tree Register as I have serious ongoing concerns for its safety. I am very proud of my garden and take great care to maintain the trees and shrubs and I'm always being complimented on the way I look after it. 2 of your Council Officers.. [REDACTED] and his Arborist have visited and assessed the tree and found it	The nominated trees are not recommended for inclusion on the Register as the expanded Tree Retention policy would already provide protection for the retention of the tree. Inclusion on the Register would not provide any further protection. Pruning a neighbouring tree branch or root back to the shared property boundary can occur without seeking



	healthy, strong, stable and of great value to the Fremantle Tree Canopy Initiative fulfilling all the criteria. Last year the home owners behind at [REDACTED] took to the tree with a chainsaw and lopped all the lower branches without showing me the courtesy of alerting me or notifying me. I came to be confronted with my tree being vandalised. Then in January this year the home owners next door at [REDACTED] were installing a solid modular fence. I explained to them the new Fremantle Council's Significant Tree Register protecting all trees to contribute to the Tree Canopy. When [REDACTED] visited he strongly advised that the neighbour engage an Arborist to assess and protect the root system and not cause damage. The neighbour refused saying it was not necessary and assured me they would not touch the roots. When I came out to check why they were using a chainsaw I found they had dug a metre below ground and had cut away 3 below ground roots. When I challenged the contractor he started swearing at me shouting he 'didn't give a **** about Fremantle Council laws and he would do whatever he wanted to finish the job. I feel these 2 attacks on the tree are truly valid reasons for my request that the tree is vulnerable to further damage and needs to be included and specifically named in the Significant Tree Register. By doing this it will hopefully warn off and deter any further unscrupulous attempts to damage or destroy this beautiful tree by people who have no knowledge, care or concern for the Fremantle Tree Protection Policy and Register. It is indeed a wonderful initiative by the Council.	approval, provided the branch is dead, or the pruning is done to balance the tree or thin the crown in a way that does not harm the overall health of the tree. The advice of a qualified arborist is encouraged. Guidance for landowners with regulated trees and neighbours is provided on the City's website. Officers are preparing additional guidance to be added to the website.
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	For all these reasons I am again submitting my application for specifically naming , listing and including my Lemon Scented Gum at 54 Hope Street White Gum Valley on the Significant Tree Register for its protection and safety from those who have no concern for Fremantle laws which have been wisely made to encourage more trees to enhance the tree canopy and welcome even more birds into my garden haven.	
10	I didn't proceed with the survey regarding tree policy updates – as the attached policy information is extensive for reading on a phone : and as such details appear a little convoluted and are not entirely clear But: I have these things to say. .I hope that my CapeLilac that is a source of food and is established habitat for an endangered species of Cockatoo will be included to the Significant Tree Register ..if it is not considered in this process.. I will reapply in its interest. And approach the Council in person to represent the tree. It is my opinion that the large tree ought be further and fully protected from developers, who can vary easily apply for its removal with the conditions of planting a couple of other (bits of small) trees. Although it IS an Australian 'native species' is it possibly outside of even your general listing of vegetation species covered even by your minimal and basic protections.. my opinion is that the criteria needs reassessment. Hopefully more trees will be guarded sufficiently to avoid 'gaping holes in' protection Hopefully they will also be listed as protected on your site maps and will stand out as such when planning permits are at first stages of being investigated and considered	Comments noted. The nominated trees are not recommended for inclusion on the Register as the expanded Tree Retention policy would already provide protection for the retention of the tree. Inclusion on the Register would not provide any further protection.



	I, (as are distressed birds that are flying around) saddened today to witness yet another very tall tree close by to my address being carved into. I expect that permission has been granted or that pruning is all that is necessary or required .. I also anticipate that verge collection will imminently arrive I general terms my statement is that: This tree protection that City is responsible for, really need to primarily function in the interests of trees and not developers. .. or fall short of proper understanding on the part of land owners As it reads it would appear that it is very easy to remove trees and stick a couple of bottle brushes in to satisfy the existing and possibly the proposed criteria. EVERYBODY must be given the information to understand all parameters. .particularly at Green waste pick up time . and not just when seeking development permits . These are my basic comments and overall concerns. In the past 12 months there have been substantial tree removal close by to where I live .. that included an old growth jarrah that could have been treated and maintained , old but healthy peppermints, ... and others.	
11	Thank you for the opportunity to comment on the proposed amendments to Local Planning Policy 2.23 (Register of Significant Trees and Vegetation Areas) and Local Planning Policy 2.26 (Tree Retention). We wish to provide the following feedback: 1. Need for Clearer Guidance on Trees Located on Property Boundaries The draft policies do not adequately address trees positioned in or near property boundaries, particularly	Guidance for landowners with regulated trees and neighbours is provided on the City's website. Officers are preparing additional guidance to be added to the website.



	where a tree is located in a corner and affects multiple adjoining landowners. These situations create complex maintenance, safety, and liability issues that are not clearly resolved by the current or proposed wording. We request that the policies include: • Specific guidance for trees within a defined distance of a boundary or corner • Requirements for assessing multi-property impacts before a tree is nominated or protected • Clearer expectations for owners regarding maintenance obligations where multiple neighbours are affected 2. Clarification of Responsibilities for Encroaching Roots and Damage While the policies outline pruning requirements, they do not address root encroachment or damage caused by invasive root systems. This is a significant omission, as root intrusion is often the most disruptive and costly impact on neighbouring properties. We recommend the policies include: • A requirement for root impact assessment before a tree is listed • Clear statements that protection does not override common-law responsibilities for preventing damage • Guidance on when root barriers or mitigation measures should be required 3. Need for Stronger Criteria Before Accepting Nominations The amendments expand tree protections to more residential zones, but the criteria for nomination remain	Pruning a neighbouring tree branch or root back to the shared property boundary can occur without seeking approval, provided the branch is dead, or the pruning is done to balance the tree or thin the crown in a way that does not harm the overall health of the tree. The advice of a qualified arborist is encouraged. Comments noted. As outlined in LPP2.23 consultation is undertaken with neighbouring landowners and is considered in the decision to add a tree to the Register.
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	broad. To avoid protecting trees that are already causing conflict or damage, the policy should require: • Evidence of responsible ongoing maintenance by the owner • Confirmation that the tree is not causing existing damage or nuisance • Consideration of neighbour submissions before nomination proceeds 4. Support for Listing Undesirable Species We support the inclusion of a list of undesirable species that may be removed without approval. This provides clarity and reduces unnecessary administrative burden. 5. Request for Clearer Communication of Impacts on Neighbours The policies should explicitly state how neighbour impacts will be considered when assessing nominations, including: • Safety risks • Property damage • Loss of amenity • Encroachment • History of unresolved disputes This will help ensure the policy balances tree protection with reasonable use and enjoyment of adjoining land. Thank you for considering this submission. We look forward to reviewing the next stage of the policy process.	The nominated trees are not recommended for inclusion on the Register as the expanded Tree Retention policy would already provide protection for the retention of the tree. Inclusion on the Register would not provide any further protection. Support noted Noted
12	Arborists: Following Director comment (13 May council meeting) that lopper reports are generally not available to the public, in principle could they be released in a redacted form, with business names and identifying details removed?	For development applications which are presented to Council with involve tree removal all relevant documentation will be provided in the report.



Would the City of Fremantle consider establishing its own register of AQF5 arborists, so that only appropriately qualified reports are accepted? LPP2.26: What is the City doing to actively communicate LPP 2.26 to residents? Mr Mayor, would you consider promoting the Tree Retention Policy regularly on your Facebook page over the coming months? Could the City consider a visible public notice, such as a half page advertisement in the Herald? LPP2.26 cont: I would like to request that Council consider strengthening the replacement planting requirement from a 2:1 ratio to a 3:1 ratio, to better support long-term canopy growth. Where this cannot be achieved on-site, I ask the equivalent contribution be directed into a dedicated greening fund, to support planting by groups with limited capacity to do so. If appropriate, would a Councillor be willing to move a motion (or refer the matter to administration), for consideration prior to final adoption of amendments? Inspection: Does Council intend to mandate inspection of sites, particularly those newly designated for higher density, before any tree removal occurs? Compliance and Penalties:	It is not appropriate for the City to provide a list and be seen to be promoting specific arborists. This information can be found via preferred provide lists provided by industry bodies, Notices have been published on the City's website and local newspaper. Further communication could be implemented should the expanded policy be adopted. The 2:1 replacement rate recognises that removing a large tree eliminates a significant amount of canopy, so additional plantings are needed to provide compensating canopy cover in the short term while new saplings mature. It also acts as an incentive for retention by making tree removal less attractive compared to preserving existing canopy. A 3:1 replacement ratio becomes overly onerous on landowners, where as 2:1 provides a net increase in trees on private land. The development of a financial contribution in lieu of replacement planting can be difficult to calculate and replacing tree canopy in a location close to where canopy is lost, providing a benefit to the immediate area is not always feasible. Tools such as aerial images, canopy mapping and site plans can be used to determine canopy loss. Council may wish to investigate penalties for tree removal in the future.
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	Does Council intend to review whether current regulations and penalties are sufficient to deter non-compliance?	
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Local Planning Policy 2.26

Tree Retention

fremantle.wa.gov.au



Local Planning Policy 2.26: Tree Retention

Statutory Background

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.26: Tree Retention (LPP 2.26)

Introduction and purpose

Trees and other vegetation in urban areas provide significant social, economic, and environmental benefits to the community. The greatest environmental, aesthetic and cooling benefits of trees are provided by large, mature trees which typically have the largest canopy cover.

This policy outlines that the City recognises the increasing importance of retaining trees and ensures that retention and enhancement of the City's tree canopy cover is considered at all stages of development.

This Policy should be read in conjunction with:

- Any relevant provisions of the City of Fremantle Local Planning Scheme No. 4, including the Register of Significant Trees and Vegetation Areas;
- State Planning Policy 7.3 – Residential Design Codes of Western Australia, Volume 1 and Volume 2;
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas;
- City of Fremantle Trees on City Owned or Managed Land Policy;
- City of Fremantle Crossover Policy;
- City of Fremantle Urban Forest Plan;
- Australian Standard 4970 – 2025 – Protection of Trees on Development Sites; and
- Australian Standards 4373 – 2007 – Pruning of Amenity Trees.

Tree-damaging activity constitutes works under the Planning and Development (Local Planning Scheme) Regulations 2015 and development under the Planning and Development Act 2005. The policy clarifies the circumstances in which a development application and approval are required for any tree-damaging activity and guides the assessment of these applications and other planning proposals.

Objectives

The policy aims to encourage and facilitate the protection of trees and to maintain and enhance tree canopy. The objectives of the policy are to:

- Prioritise the retention, protection, and the provision of trees on private land and adjacent reserves in the planning process.
- Promote and facilitate tree preservation at the earliest possible stage in the planning and development process, balancing with the desired built form and land use outcomes.



- Preserve and enhance neighbourhood amenity, character and sense of place.
- Mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to biodiversity and other environmental benefits.

Definitions

Arborist's report – means a report which is prepared by a suitably qualified and experienced arboriculturist with a minimum qualification of Diploma of Horticulture (Arboriculture) Australian Qualification Framework (AQF 5) or equivalent, and with demonstrated experience in high level tree assessment and diagnosis.

Maintenance pruning – means pruning that does not harm, or is not likely to harm, the health, stability, or long-term viability of a tree, such as:

- a) removing dead or diseased wood; or
- b) activity done to a fruit tree for fruit production; or
- c) works to balance the tree; or
- d) otherwise minor maintenance or thinning of the crown.

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.

Tree-damaging activity – 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
- e) any other substantial damage to a tree.

Policy statement

1. Policy Application

1.1 This Policy applies to all lots within a Development Area, on land zoned 'Industrial', or on land coded R40 and below within the City's Local Planning Scheme No. 4 area, including in the circumstances described below:

- development application
- subdivision applications;
- other strategic planning proposals including scheme amendments and structure plans; and



- any tree-damaging activity to a regulated tree where no other development or subdivision is proposed.
- 1.2 A development application is required for any tree-damaging activity to a regulated tree even if a proposal is for other works that are exempt from development approval under the Local Planning Scheme per Schedule 2, Part 7 Clause 61 (deemed provisions) of the Planning and Development (Local Planning Scheme) Regulations 2015 (e.g. the erection of a Single House that meets the deemed-to comply requirements of the Residential Design Codes of Western Australia) or Local Planning Policy 1.6 - Development Exempt from Approval Under Local Planning Scheme No. 4.
- 2. Exemption from Development Approval**
- 2.1 Tree-damaging activity requires development approval except in any of the following circumstances:
- a) the land is located outside the application area set out in clause 1.1 of this Policy;
 - b) the tree does not satisfy the definition of a regulated tree;
 - c) the tree-damaging activity is maintenance pruning as defined in this policy;
 - d) the tree is a palm tree;
 - e) the tree-damaging activity is required as a result of a development approval or deemed-to-comply notification issued prior to this policy coming into effect;
 - f) the tree-damaging activity is carried out in the course of works in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Part 7 Clause 61 (b) item 18:
 - works that are urgently necessary for any of the following —*
 - a) public safety;*
 - b) the safety or security of plant or equipment;*
 - c) the maintenance of essential services; or*
 - d) the protection of the environment.*
 - g) the tree-damaging activity is required as part of an approved Bushfire Management Plan and there are no other viable options;
 - h) tree-damaging activity to a regulated tree that is listed as an undesirable species in Appendix 1 of this Policy, is a Weed of National Significance¹, or is declared by the Department of Primary Industries and Regional Development² or other relevant government agency to be a harmful plant or pest under the Biosecurity and Agriculture Management Act 2007;
 - i) the tree-damaging activity is carried out by the local government on a City owned or managed tree;

¹ Refer to 'Profiles for Weeds of National Significance' at <https://weeds.org.au/weeds-profiles/>

² Select the legal status 'Declared pest' at <https://www.dpir.wa.gov.au/online-tools/western-australian-organism-list/>



- j) the tree-damaging activity is a public work; or
 - k) the Department of Primary Industries and Regional Development or relevant authority has issued a direction to carry out tree damaging activity on a regulated tree. A copy of this direction is to be provided to the local government prior to works occurring.
- 3. Application Requirements**
- 3.1 Development applications, subdivision applications and strategic planning proposals that are subject to this Policy are to provide the following applicable information:
- a) A site survey and / or site plan indicating:
 - (i) the locations of all regulated trees, including street trees;
 - (ii) whether any regulated tree is proposed to be retained or affected by any tree damaging activity;
 - (iii) tree protection zone(s) in accordance with Australian Standard 4970 – Protection of Trees on Development Sites; and
 - (iv) any trees proposed to be planted on the development site.
 - b) Where practicable, identification of all regulated trees on neighbouring properties within 5m of the development footprint;
 - c) For any regulated trees within 5 metres of the proposed development footprint, a demonstration that the root zones will not be impacted in a manner that would detrimentally affect the tree;
 - d) Written justification for any proposed tree damaging activity against the objectives and requirements of this Policy; and
 - e) Whether any regulated tree was identified to be retained at a previous planning stage (e.g. structure plan or subdivision approval).
- 3.2 An arborist's report may be required in the following instances:
- a) To justify tree-damaging activity to a regulated tree specifically considering the health of the tree and / or any safety risk it may pose to people or property; and
 - b) To explain any mitigation measures proposed to protect a regulated tree including works proposed within the tree protection zone (refer to Australian Standard 4970 – Protection of Trees on Development Sites for details on how to identify the tree protection zone).
- 3.3 Additional technical reports (i.e. environmental reports, tree retention strategy, structural engineering reports) may be required for structure plan and large-scale subdivision applications.
- 4. General Requirements**
- 4.1 Unless its removal is approved as part of a subdivision or development approval, or is exempt under the provisions of this Policy, a regulated tree is to be retained and protected for the duration of its natural life.



- 4.2 Retention and protection of regulated trees is to be prioritised, and development works, structure plan and subdivision design are to avoid or, as a minimum, minimise harm to regulated trees.
- 4.3 Where tree-damaging activity is proposed to a regulated tree the following will be given due regard in the assessment process:
 - a) health, maturity, species, and location of the tree;
 - b) ecological, biodiversity, and environmental values of the tree;
 - c) contribution of the tree to the streetscape;
 - d) the preservation of any other regulated tree on the subject site;
 - e) the location of the tree within the development site and capacity for a modified building design or subdivision to maximise tree retention with particular regard for retaining regulated trees within setback areas, private open space, and common property areas;
 - f) any existing development on the site;
 - g) design and location of proposed crossovers;
 - h) topography and the potential impact from excavation / fill;
 - i) possible safety risks due to tree limb failure and infrastructure, and / or structural damage associated with the retaining the tree;
 - j) tree protection zone(s) per Australian Standard 4970 – Protection of Trees on Development Sites;
 - k) tree replacement and / or planting proposed; recommendations of an arborist's report; and
 - l) the objectives of this Policy.
- 4.4 The following justifications for tree damaging activity to a regulated tree will not be considered:
 - a) impact on views;
 - b) the tree is disliked;
 - c) to reduce presence of birds or other fauna;
 - d) the tree causes nuisance by way of leaf, fruit, or bark shedding or the like; or
 - e) the tree impacts private gardens, solar installations, swimming pools, etc.
- 5. General Requirements**
 - 5.1 The City will assess any development application in accordance with the general requirements above.
 - 5.2 There is a general presumption against tree-damaging activity (other than maintenance pruning) to any regulated tree and the siting and design of the development shall, where possible, avoid impacting any regulated tree.



- 5.3 Where necessary to retain a regulated tree, the City may consider variations to provisions of the Scheme, Residential Design Codes (R-Codes), or local planning policies where these provisions may be lawfully varied and are acceptable on planning grounds.
- 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.

6. Tree Replacement and Maintenance

- 6.1 Where removal of a regulated tree is approved by the City, two replacement trees of minimum 30 litre pot size, capable of achieving recognition as a regulated tree when mature, and not identified in clause 2.1(h) above, shall be planted in-ground within the lot, each having the minimum tree planting areas as prescribed by clause 5.3.2 of the R-Codes or otherwise approved by the City.

Note: The City's Urban Forest Plan includes suggested trees appropriate for your area.

- 6.2 The City may include conditions on the care and maintenance of regulated trees proposed to be retained and, when applicable, provision of replacement trees.

7. Subdivision Applications

- 7.1 The City may recommend that, prior to the determination of an application for subdivision approval, additional information be provided to the Western Australian Planning Commission (WAPC) to allow consideration of the impacts of the subdivision design and layout on any regulated tree and whether the general requirements above have been addressed.
- 7.2 Subdivision design, layout and earth working levels, including the positioning of public open space (POS), configuration of the public road network, lot design and densities, should prioritise the retention of regulated trees.
- 7.3 The subdivision plan should identify regulated trees and note if they are to be retained or removed, and the applicant is to demonstrate how the retained regulated trees will be protected as part of the subdivision process.
- 7.4 The City may request the WAPC to include a condition on the subdivision approval to ensure identification and/or protection of regulated trees on site.

8. Strategic Planning Proposals (Scheme Amendments, Structure Plans, etc.)

- 8.1 Where applicable, local planning scheme amendments, structure plan proposals and the like should identify regulated trees and shall outline mechanisms and measures to protect regulated trees at subsequent stages of the planning process.



- 8.2 Concept plans supporting local planning scheme amendments, structure plans and the like shall prioritise positioning of public open space (POS), configuration of the public road network, and lot design and densities to retain regulated trees.
- 8.3 Strategic planning proposals shall be supported by technical information and reports that demonstrate that the protection of regulated trees has been prioritised.

Local Planning Policy – Document Control			
Responsible officer		Previous Policy Title	Next Review Date
Manager City Planning		N/A	+4 years
Version	Decision to Adopt/Amend	Brief Details of Modifications	
1	Ordinary Meeting of Council – C2503-4 – 12 March 2025	Adoption	
2		Amendments to increase applicable density to R40 and addition of Appendix	
Public Consultation		Yes	
WAPC Approval Required?		No	Date approved by WAPC N/A

Appendix

The following table lists trees identified by the City as being undesirable. No planning approval is required for their removal:

Botanical Name	Common Name	Reason
<i>Acacia baileyana</i>	Cootamundra Wattle	Outcompetes native shrubs and hybridises with several other native wattle, thereby threatening integrity of the genetic populations.
<i>Acacia saligna</i>	Golden Wreath Wattle, Orange Wattle, Blue leafed Wattle, Coojong, Western Australian Golden Wattle.	Prolific and self-seeding.



<i>Acer negundo</i>	Box Elder, Box Elder Maple, Ash-leaved Maple	Extreme susceptibility to polyphagous shot-hole borer.
<i>Ailanthus altissima</i>	Tree of Heaven	Mildly toxic invasive weed that inhibits other plants by toxifying the soil environment.
<i>Celtis sinensis</i>	Chinese Nettle Tree	Spreads quickly and outcompetes native trees and shrubs. Potentially invasive.
<i>Cinnamomum camphora</i>	Camphor Tree, Gum Camphor, True Camphor, Japanese Camphor, Formosa Camphor, Shiu Leaf	Aggressive species with a wide canopy and extensive roots that eliminate all other vegetation under the canopy. Shallow root system promotes erosion.
<i>Cotoneaster glaucophyllus</i>	Broad-leaved Cotoneaster, Grey Leaf Cotoneaster, Grey Cotoneaster, Bright Bead Cotoneaster	Fast growing and can displace native shrubs. Toxic to humans and dogs.
<i>Cupressus sempervirens</i> 'Glaucua'	Pencil pine	Non-native ornamental species that provides little to no canopy cover despite its height.
<i>Erythrina x syreski</i>	Common Coral Tree	Extreme susceptibility to polyphagous shot-hole borer. Prone to failure.
<i>Eucalyptus botryoides</i>	Bangalay, Southern Mahogany	Prone to failure.
<i>Lagunaria patersonii</i>	Itchy Bomb Tree, Norfolk Island Hibiscus	Produces pods which when opened release irritant hairs which can cause complaints/allergies.
<i>Olea europaea</i>	Olive	Non-native that can crowd out other vegetation.
<i>Robinia pseudoacacia</i>	Black Locust	Can produce large number of suckers crowding out native



		vegetation. All parts are toxic to humans.
<i>Schinus terebinthifolius</i>	Broad-leaved pepper tree, Brazilian pepper tree, Carnival Peppercorn, Hawaiian Holly	Poor shelter for wildlife. Fast growing with invasive root system. Shades out native plants. Toxic to humans and animals.
<i>Tipuana Tipu</i>	Tipu Tree, Pride of Bolivia, Rosewood	Invasive root system. Outcompetes native plants
<i>Vachellia karroo, Acacia karroo</i>	Karoo Thorn, Karoo Thorn, Sweet Thorn, Mimosa Thorn, Cape Thorn Tree, Cape Gum, Gum Arabic Tree, Sour Thorn, White Thorn, Umbrella Thorn	Thorny, fast growing invasive tree



Local Planning Policy 2.23

Register of Significant Trees and
Vegetation Areas

fremantle.wa.gov.au



Local Planning Policy 2.23: Register of Significant Trees and Vegetation Areas

Statutory background

The Schedule 2 Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* are to be read as though part of City's Local Planning Scheme (LPS4).

Clause 67 of the Deemed Provisions defines matters to be considered by local government in determining a development application and includes, amongst other things:

- *whether any trees or vegetation should be preserved; and*
- *any local planning policy for the Scheme area.*

Clause 3 of the Deemed Provisions allows local government to prepare a local planning policy in respect of any matter relating to the planning and development of the Scheme area.

Schedule A of LPS4 makes provision for Council to create and maintain a register:

Clause 13A Conservation of Significant Trees or Vegetation Areas

- (1) The Council may establish and maintain a register of significant trees to identify those trees or vegetation areas within the Scheme area considered worthy of conservation under the provisions of the Scheme, together with a description of each tree or vegetation area and the reasons for its entry.*
- (2) In considering a proposal to include a place on the register of significant trees, the Council shall –*
 - (a) notify in writing the owner and occupier of the place where the tree is located and provide them with a copy of the description referred to in clause 4.1 and the reasons for the proposed entry,*
 - (b) invite submissions on the proposal from the owner and occupier of the place within 21 days of the date specified in the notice,*
 - (c) carry out such other consultations as it thinks fit, and*
 - (d) consider any submissions made and resolve to enter the place on the register of significant trees with or without modification or reject the proposal after consideration of the submissions.*

Local Planning Policy 1.7 – Development Exempt from Approval Under Local Planning Scheme No. 4 permits tree and vegetation removal on private land without approval UNLESS:

- the tree or vegetation is identified on a significant tree or vegetation register;
- the tree or vegetation is required to be retained as a condition of planning approval; or
- the tree is Regulated Tree and its removal is not exempt under Local Planning Policy 2.26: Tree Retention.



This policy applies as a Local Planning Policy prepared under Clause 3 of the Deemed Provisions.

Purpose

The purpose of this policy is to:

- Define criteria for the inclusion or removal of trees and vegetation areas on the Significant Trees and Vegetation Areas Register ('the Register').
- Provide guidance for the assessment of development applications for sites including trees and vegetation areas listed on the Register.

Application

This policy applies to land subject to the provisions of LPS4. Land and development outside the control of LPS4 (including works on reserved land by a public authority) are not bound by the provisions of LPS4 or this policy and so there is a presumption against inclusion of trees and vegetation areas on the Register which are not on zoned land.

Policy statement

1. Criteria for inclusion on Significant Trees and Vegetation Areas Register

- 1.1 Nominations for trees or vegetation areas must be authorised by the owner(s) of the land on which the tree is located at the time of nomination.
- 1.2 Nominations will be assessed against the following criteria: (a) Healthy specimen with ongoing viability. (b) Species not a weed of national interest. (c) Particular significance based on at least one of the following:
 - i. **Botanic / horticultural value**
Tree(s) or vegetation may:
 - be a rare or endangered species;
 - be of a significant size or specimen for its species; or
 - have special scientific value.
 - ii. **Visual / aesthetic / landmark value**
Tree(s) or vegetation may:
 - have significant visual and aesthetic qualities e.g. size/form/shape/ colour/texture; or
 - create a significant landmark.
 - iii. **Heritage value**
Tree(s) or vegetation may:
 - be of high cultural heritage significance defined against historic, social, spiritual, rarity and representativeness values.
 - iv. **Ecological value not otherwise protected through environmental legislation, including Local Planning Policy 2.26: Tree Retention**



Tree(s) or vegetation may:

- provide significant habitat and/or seed source;
 - represent remnant pre-European tree or vegetation;
 - have special ecological significance; or
 - provide substantial canopy cover.
- v. **The potential of a juvenile tree to become significant by virtue of height at maturity, native food source and rarity**

Species will only be considered if endemic to the area, listed in the Urban Forest Plan and a minimum of 6m of height.

- 1.3 In assessing the ongoing viability of the nominated tree / vegetation, consideration may be given to the following:

- The development potential of the site and prospects for retaining the tree or vegetation in future development.
- Proximity to and impact on buildings and / or infrastructure.
- Proximity to boundary and impact on neighbouring property.
- The root structure and attributes of the plant and its propensity to be affected by changes to the environment outside the lot boundaries (e.g. development on neighbouring land).

Trees with a limited prospect of long-term retention or lifespan will not be included.

- 1.4 In assessing the ecological value of trees and vegetation areas, consideration will be given to proximity to recognised ecological linkages or biodiversity corridors.
- 1.5 Nominations for inclusion, and requests for removal of trees and vegetation areas from the Register made independent of a development application will be assessed annually, in accordance with any applicable procedure.

2. Development application for sites including a tree / vegetation area on the Register

- 2.1 A development application is required for any tree-damaging activity to a tree / vegetation area on the Register even if the proposal is for other works that are exempt from development approval under the Local Planning Scheme per Schedule 2, Part 7 Clause 61 (deemed provisions) of the *Planning and Development (Local Planning Scheme) Regulations 2015* (e.g. the erection of a Single House that meets the deemed-to-comply requirements of the Residential Design Codes of Western Australia) or Local Planning Policy 1.6 - Development Exempt from Approval Under Local Planning Scheme No. 4.
- 2.2 Development applications, subdivision applications and strategic planning proposals that are subject to this Policy are to provide the following applicable information:
- a) A site survey and / or site plan indicating:



- (i) the locations of all trees / vegetation areas on the Register, including street trees;
 - (ii) whether any tree / vegetation area on the Register is proposed to be retained or affected by any tree damaging activity;
 - (iii) tree protection zone(s) in accordance with Australian Standard 4970 – Protection of Trees on Development Sites; and
 - (iv) any trees proposed to be planted on the development site.
 - b) Written justification for any proposed tree damaging activity against the general requirements of this Policy; and
 - c) Whether any tree / vegetation area on the Register was identified to be retained at a previous planning stage (e.g. structure plan or subdivision approval).
- 2.3 An arborist's report may be required in the following instances:
- a) To justify tree-damaging activity to a tree / vegetation area on the Register specifically considering the health of the tree and / or any safety risk it may pose to people or property; and
 - b) To explain any mitigation measures proposed to protect a tree / vegetation area on the Register including works proposed within the tree protection zone (refer to Australian Standard 4970 – Protection of Trees on Development Sites for details on how to identify the tree protection zone).
- 2.4 Additional technical reports (i.e. environmental reports, tree retention strategy, structural engineering reports) may be required for structure plan and large-scale subdivision applications.
- 3. Exemption for Development Approval**
- 3.1 Tree-damaging activity requires development approval except in any of the following circumstances:
- a) the tree-damaging activity is maintenance pruning as defined in this policy;
 - b) the tree-damaging activity is carried out in the course of works in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 Part 7 Clause 61 (b) item 18:
works that are urgently necessary for any of the following —
 - a) *public safety;*
 - b) *the safety or security of plant or equipment;*
 - c) *the maintenance of essential services; or*
 - d) *the protection of the environment.*
- In such cases, the onus is on the proponent to demonstrate the above to the satisfaction of the City;



- c) the tree-damaging activity is required as part of an approved Bushfire Management Plan and there are no other viable options;
- d) the tree-damaging activity is a public work; or
- e) the Department of Primary Industries and Regional Development or relevant authority has issued a direction to carry out tree damaging activity on a Registered tree. A copy of this direction is to be provided to the local government prior to works occurring.

4. General Requirements

- 4.1 Unless its removal is approved as part of a subdivision or development approval, or is exempt under the provisions of this Policy, a tree / vegetation area on the Register is to be retained and protected for the duration of its natural life.
- 4.2 Retention and protection of a tree / vegetation area on the Register is to be prioritised, and development works, structure plan and subdivision design are to avoid or, as a minimum, minimise harm to Registered trees.
- 4.3 Where tree-damaging activity is proposed to a tree / vegetation area on the Register the following will be given due regard in the assessment process:
 - a) health, maturity, species, and location of the tree / vegetation area;
 - b) ecological, biodiversity, and environmental values of the tree / vegetation area;
 - c) contribution of the tree / vegetation area to the streetscape;
 - d) heritage value of the tree / vegetation area;
 - e) the location of the tree / vegetation area within the development site and capacity for a modified building design or subdivision to maximise tree / vegetation area retention with particular regard for retaining trees / vegetation areas within setback areas, private open space, and common property areas;
 - f) any existing development on the site;
 - g) design and location of proposed crossovers;
 - h) topography and the potential impact from excavation / fill;
 - i) possible safety risks due to tree limb failure and infrastructure, and / or structural damage associated with the retaining the tree / vegetation area;
 - j) tree protection zone(s) per Australian Standard 4970 – Protection of Trees on Development Sites;
 - k) tree replacement and / or planting proposed; and
 - l) recommendations of an arborist's report.
- 4.4 The following justifications for tree damaging activity to a tree / vegetation area on the Register will not be considered:
 - a) impact on views;
 - b) the tree is disliked;
 - c) to reduce presence of birds or other fauna;



- d) the tree causes nuisance by way of leaf, fruit, or bark shedding or the like;
- e) the tree impacts private gardens, solar installations, swimming pools, etc; or
- f) withdrawal of the support of the owner of the land (or subsequent owner of the land).

5. Development Application Assessment

- 5.1 The City will assess any development application in accordance with the general requirements above.
- 5.2 There is a general presumption against tree-damaging activity (other than maintenance pruning) to any tree / vegetation area on the Register and the siting and design of the development shall, where possible, avoid impacting any Registered tree.
- 5.3 Where necessary to retain a tree / vegetation area on the Register, the City may consider variations to provisions of the Scheme, Residential Design Codes (R-Codes), or local planning policies where these provisions may be lawfully varied and are acceptable on planning grounds.
- 5.4 Tree-damaging activity to a tree / vegetation area on the Register may be considered where, in the City's opinion, the following relevant information and / or technical reports have been provided that demonstrate:
 - a) the tree / vegetation area is unhealthy, based on an arborist's report;
 - b) the tree / vegetation area 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 tree / vegetation area is unfeasible.

6. Tree Replacement and Maintenance

- 6.1 Where removal of a tree or vegetation area on the Register is approved by the City, two replacement trees of minimum 30 litre pot size, capable of achieving recognition as a regulated tree when mature, shall be planted in-ground within the lot, each having the minimum tree planting areas as prescribed by clause 5.3.2 of the R-Codes or otherwise approved by the City.

Note: The City's Urban Forest Plan includes suggested trees appropriate for your area.
- 6.2 The City may include conditions on the care and maintenance of trees / vegetation areas proposed to be retained and, when applicable, provision of replacement trees.

Definitions

Arborist's Report – means a report which is prepared by a suitably qualified and experienced arboriculturist with a minimum qualification of Diploma of Horticulture (Arboriculture) Australian Qualification Framework (AQF 5) or equivalent, and with demonstrated experience in high level tree assessment and diagnosis.



Maintenance pruning – means pruning that does not harm, or is not likely to harm, the health, stability, or long-term viability of a tree, such as:

- a) removing dead or diseased wood; or
- b) activity done to a fruit tree for fruit production; or
- c) works to balance the tree; or
- d) otherwise minor maintenance or thinning of the crown.

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, or the Appendix of Local Planning Policy 2.26: Tree Retention.

Tree-damaging activity - 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
- e) any other substantial damage to a tree.

Local Planning Policy – Document Control		
Responsible officer	Previous Policy Title	Next Review Date
Manager City Planning	N/A	+4 years
Version	Decision to Adopt/Amend	Brief Details of Modifications
1	Ordinary Meeting of Council – SPD1902-3– 27 February 2019	Adoption
2	SPT1905-3 – 22 May 2019	
3	SPT 2010-02 - 21 October 2020	
4	C2402-5 - 14 February 2024	
5	C2402-24 - 28 February 2024	
6	C2409-6 – 11 September 2024	



7	C2503-4 – 12 March 2025	
8	Item – Date	Alignment with LPP 2.26 and deletion of entries to Register
Public Consultation	Yes	
WAPC Approval Required?	No	Date approved by WAPC N/A

Appendix A – Register of Significant Trees and Vegetation Areas

Tree ID	Common and botanical name	Address and coordinates (latitude and longitude)	Description	Statement of significance
19-01	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	11-13 Harvest Road, North Fremantle -32.034780, 115.755177	Tree on private property	The Norfolk Island Pine on 11-13 Harvest Road, North Fremantle, which was planted in the late Nineteenth Century to Inter-War Era, has cultural heritage significance for the following reasons: • It has historic and social value as a remnant of the early residential development of Bruce Town when larger houses were set back from the street in spacious gardens. • it has historic value as a representative example of early garden design in Fremantle that made use of a limited palette of trees and plants favoured for their aesthetic qualities as well as their tolerance for the local conditions. • It has aesthetic and landmark value for its distinctive appearance and presence in the area for over 100 years. • It has social value, and its value to the community is demonstrated by its inclusion in the Fremantle Society's Photographic Survey 1978 – 1980, its subsequent protection by the Fremantle Council during the redevelopment of the site in the late 1980s, its inclusion in the Fremantle Municipal Heritage Inventory in 2000, and its inclusion in the Heritage List in 2008.
19-02	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	15 Harvest Road, North Fremantle -32.034188, 115.755211	Tree on private property	The Norfolk Island Pine on 15 Harvest Road, North Fremantle, which was most likely planted in the Inter-War Era, has cultural heritage significance for the following reasons: • It has historic and social value as a remnant of the early residential development of Bruce Town, when larger houses were set back from the street in spacious gardens. • It has historic value for its 50-year association with the Salvation Army, which ran a maternity hospital and migrants' hostel on the site between the 1910s and the 1960s.



Tree ID	Common and botanical name	Address and coordinates (latitude and longitude)	Description	Statement of significance
				• It has historic value as a representative example of early garden design in Fremantle that made use of a limited palette of trees and plants favoured for their aesthetic qualities, as well as their tolerance for the local conditions. • It has aesthetic and landmark value for its distinctive appearance and presence in the area for over 100 years. • It has social value to the community, as demonstrated by its inclusion in the Fremantle Society Photographic Survey 1978 – 1980, and its inclusion in the Fremantle Municipal Heritage Inventory in 2000 and the Heritage List in 2008.



Local Planning Policy 3.16

Burt Street

fremantle.wa.gov.au

Local Planning Policy 3.16 – Burt Street

Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This policy may be cited as Local Planning Policy 3.16 – Burt Street (LPP 3.16).

Introduction

The provisions of this Policy assist in the interpretation of the requirements within Sub area 2.3.4 of the City of Fremantle Local Planning Scheme No. 4 (LPS4) and partially augment the Residential Design Codes Volume 2 (R-Codes).

Objectives

The objective of this Policy is to ensure that development in the Burt Street area appropriately responds to the surrounding context in terms of streetscape appearance, built form, landscaping and tree cover.

Application of this Policy

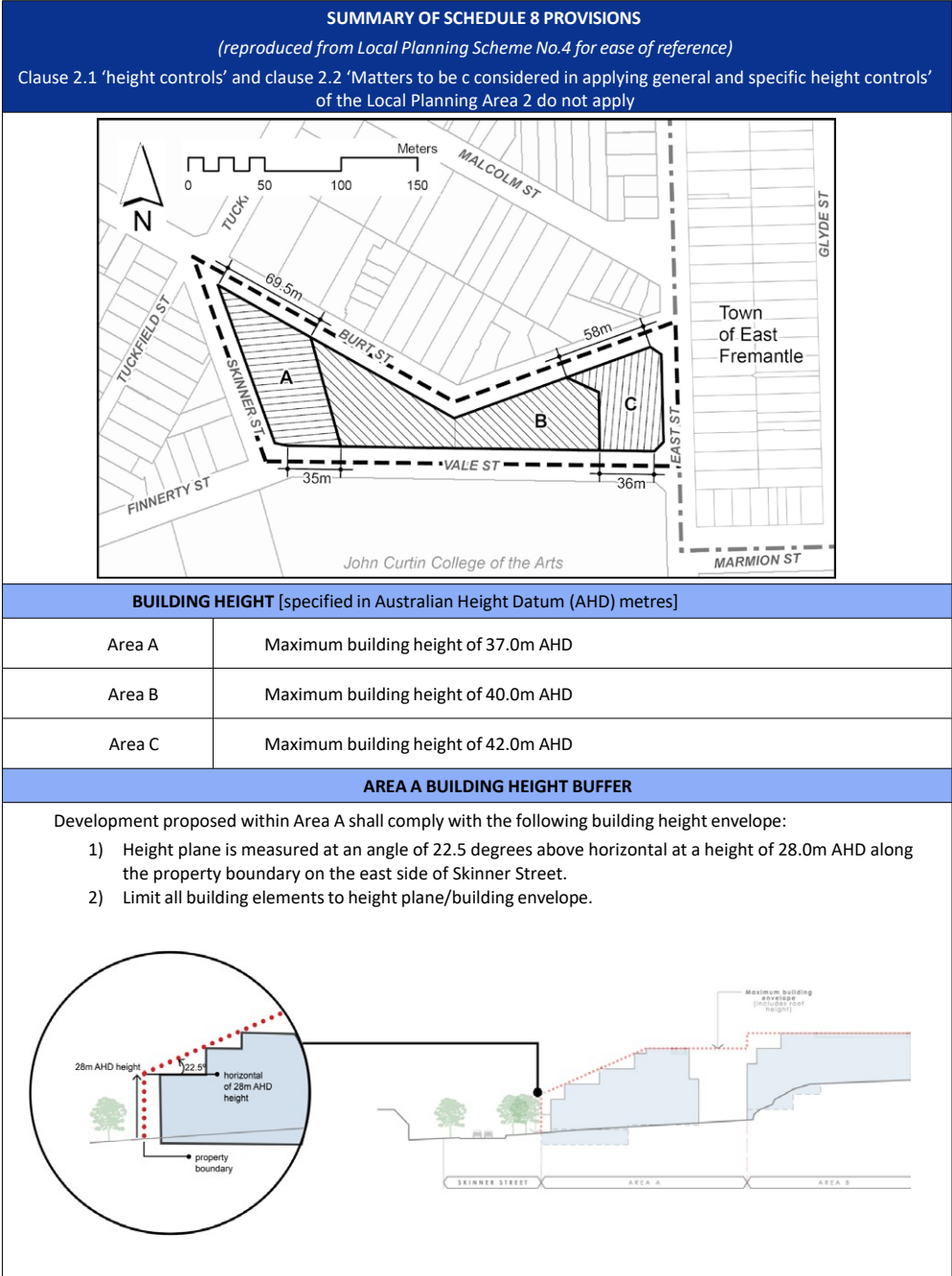
This policy applies to the land bound by Skinner Street, Burt Street, East Street and Vale Street as shown below. Provisions relating to the development standards for this site are contained in Scheme under Sub Area 2.3.4 of Schedule 8.

In the event that there is a conflict between this policy, and a provision contained within a Local Area Planning Policy, the most specific policy provision shall prevail.

Notwithstanding the zoning of the site, development applications for the site require referral to the Design Advisory Committee for consideration, unless otherwise agreed upon by the Manager of Development Approvals.

Policy Provisions

Schedule 8 Provisions – Sub Area 2.3.4



SUMMARY OF SCHEDULE 8 PROVISIONS (reproduced from Local Planning Scheme No.4 for ease of reference)	
Clause 2.1 'height controls' and clause 2.2 'Matters to be considered in applying general and specific height controls' of the Local Planning Area 2 do not apply	
BUILDING SETBACKS	
East Street frontage	5.0m minimum
CAR PARKING AND VEHICLE ACCESS	
Primary vehicle access	Shall be located from Vale Street
Traffic Impact Assessment shall be submitted to support any planning application ¹ .	
OTHER DEVELOPMENT REQUIREMENTS ^{*2}	
Retain and/or interpret any features of cultural heritage or landscape significance	
Maximise opportunities to retain existing trees and provide significant areas of new planting	
Provide street verge landscaping and vehicle parking for public use	
Integrate with surrounding public areas	
Provide visual permeability through the site and mitigate the impact of building bulk on streetscape	

Notes:^{*1} The Traffic Impact Assessment (required as specified in Schedule 8 Provisions) is to be undertaken by a suitably qualified traffic engineer and shall be submitted in support of application for planning approval.

Notes:^{*2} Additional requirements must be met for Multiple Dwelling Diversity as per Clause 4.4.5 of LPS4 and the City's Memorandum of Understanding with the Housing Authority.

POLICY REQUIREMENTS	
<i>The below provisions are in addition to the R-Codes Volume 2 (and numbered accordingly)</i>	
CLAUSE 2.7: BUILDING SEPARATION	
Acceptable Outcomes: A2.7.1 The length of buildings fronting Vale Street must not exceed 40m and are to incorporate complete breaks between buildings of a minimum of 6m, providing uninterrupted views through the site. A2.7.3 A minimum of 30% open space must be provided across the site with a minimum dimension of 1m at any point. In calculating this percentage, deep soil areas and communal open space are included. A2.7.3 In relation to the open space requirement above, no more than 10% of the culminated setback areas on the site are to be included in the open space calculation. Design Guidance: DG2.7.1 Where landscaped building setbacks are included in the open space calculation, these shall incorporate the adjacent public realm and provide a consolidated experience and sense of character.	
CLAUSE 3.1: SITE ANALYSIS AND DESIGN RESPONSE	
Design Guidance: DG3.1.1 Site design should be responsive to neighbouring sites, the existing context and neighbouring public realm resulting in a positive contribution to the neighbourhood. DG3.1.2 Development should retain and/or interpret any features of cultural heritage or landscape significance. DG3.1.3 Development should achieve visual permeability through the site, incorporating view lines achievable from the public realm (measured at height of standard person).	
CLAUSE 3.3: TREE CANOPY AND DEEP SOIL AREAS	
DG3.3.1 Appendix 1 of this Policy includes a map showing existing tree canopy and identifies trees that meet the criteria of R-Codes cl. A3.3.1 as being worthy of retention. Where the City approves a tree for removal, it should be replaced by equivalent planting. As a last resort, removed onsite trees may be offset by planting trees in the road reserve but this should not be used to justify excessive site cover.	
CLAUSE 3.6: PUBLIC DOMAIN INTERFACE	
Design Guidance: DG3.6.1 Opportunities should be provided for casual interaction between residents and the public domain. This may include seating at building entries, near letterboxes and in private courtyards adjacent to streets. DG3.6.2 The provision of street verge landscaping and vehicle parking for public use shall be provided by the owner and or applicant. Additional approval by the City of Fremantle Parks and Landscaping department and/or Traffic and Civic Design will need to be obtained.	
CLAUSE 3.8: VEHICLE ACCESS	
Acceptable Outcomes A3.8.1 Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels. A3.8.2 On sloping sites, minimise basement carparks protruding above ground level by using split levels. A3.8.3 Development and access routes are to avoid removal or potential harm to any affected trees.	
CLAUSE 4.10: FAÇADE DESIGN	
Acceptable Outcomes A4.10.1 Buildings on corners address both frontages to the street with no blank walls to the frontages. A4.10.2 Continuous horizontal and vertical building elements shall be broken into smaller components through architectural features, materials textures and/or building breaks. Design Guidance: DG4.10.1 Key street corners should be activated as landmarks where appropriate to define local character. DG4.10.2 Building facades should be well resolved with an appropriate human scale and proportion to the streetscape. Design solutions may include: (i) well-composed horizontal and vertical elements; (ii) variation in floor heights to enhance the human scale; (iii) elements that are proportional and arranged in patterns; (iv) public artwork or treatments to exterior blank walls; (v) grouping of floors or elements such as balconies and windows on taller buildings; (vi) revealing and concealing certain elements; (vii) changes in texture, material, detail and colour to modify the prominence of elements.	

Appendix 1 - Site character and context analysis

SITE CHARACTER AND CONTEXT ANALYSIS	
Existing Natural Features	
EXISTING MATURE TREES BY CANOPY COVER AND HEIGHT	
	
Tree Canopy present in 2017 at time of original policy adoption (see Appendix for 2026 canopy)	
EXISTING MATURE TREES WITHIN THE AREA	
The site and immediate surrounding area has several existing mature trees, shown above by height. The existing vegetation in the area assists in breaking up any continuous built form.	
	
HEIGHT DIFFERENCES AND NATURAL GRADIENT	
The site has a significant gradient that falls from Burt Street to Vale Street as well as also falling to the West along Burt Street. These height changes have resulted in differing heights of surrounding developments. The sloping natural topography should be used to enhance the visual interest to new developments through retention of some of these site features.	
	

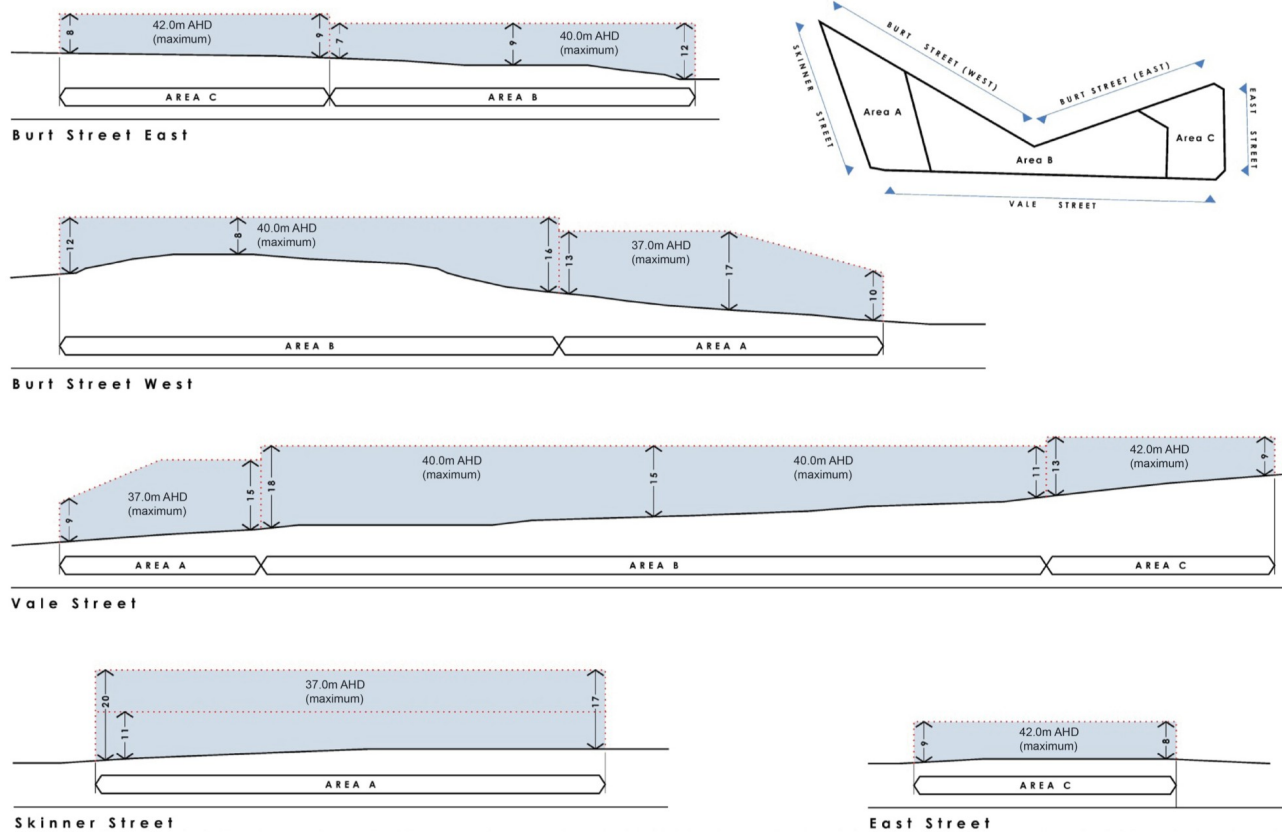
SITE CHARACTER AND CONTEXT ANALYSIS
Existing Natural Features
UNIQUE SITE FEATURES
The limestone rock formation to the north eastern corner Burt Street and East Street is a unique natural feature and landmark to the site. This location of the limestone rock is of a similar size and shape to an existing pocket of green space to the north of the site and would respond well to the local context.

SITE CHARACTER AND CONTEXT ANALYSIS
Built Form Character
SURROUNDING BUILT FORM AND ARCHITECTURAL CHARACTERISTICS

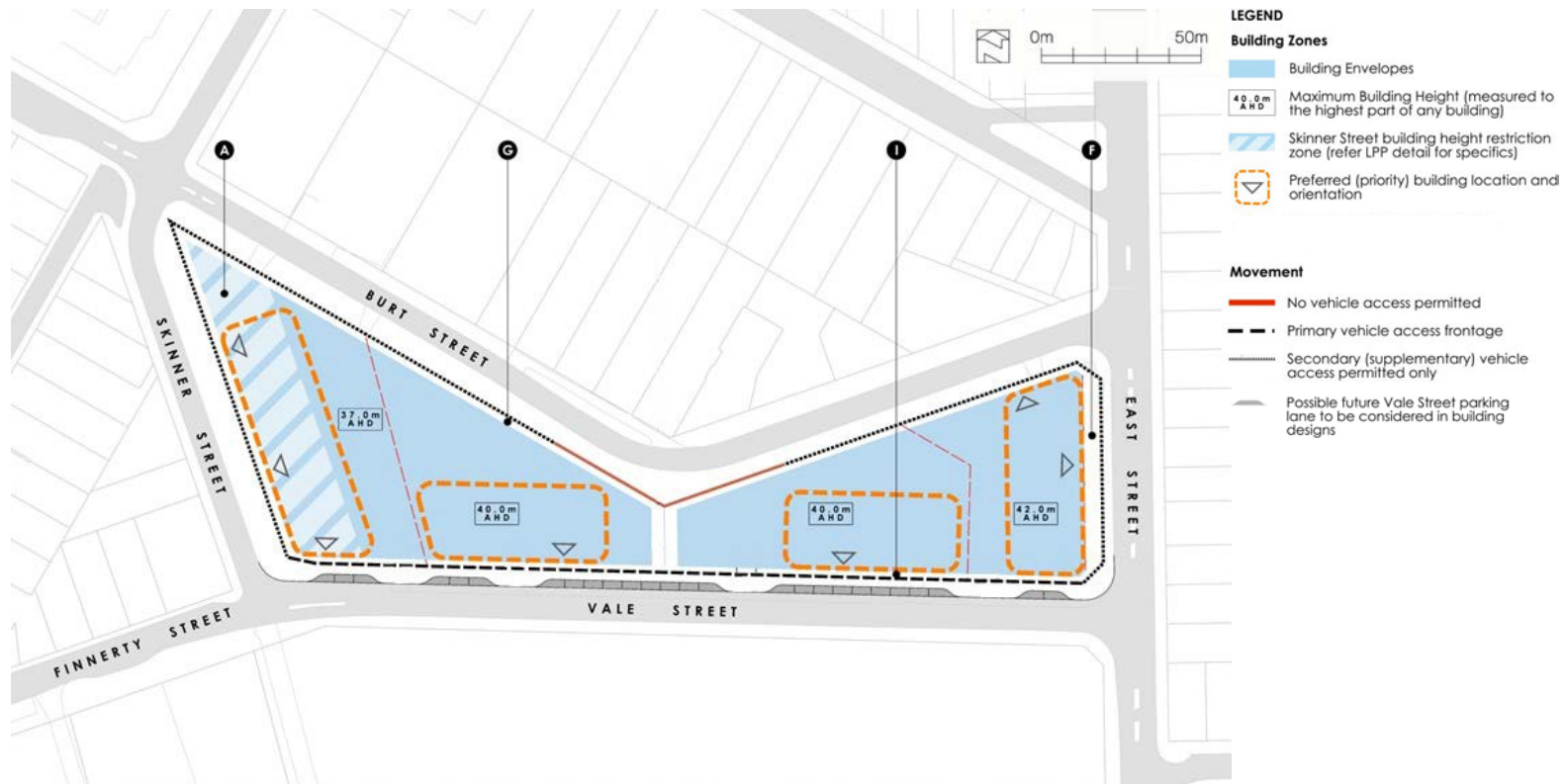
BURT STREET FRONTAGES
Adjoining dwellings located on Burt Street vary in size and height however typically these dwellings are of two to three storeys in height. The buildings along Burt Street vary significantly in age and character which makes for an eclectic mixing of building frontages. Larger side setbacks and varying front setbacks mean that there is building articulation along the streetscape.


SITE CHARACTER AND CONTEXT ANALYSIS	
Existing Natural Features	
EAST STREET FRONTAGES	
The building heights and architectural styles along East Street are similar to those along Burt Street. A higher proportion of sites are of single storey along East Street however, several dwellings range between three and four storeys.	
	
SKINNER STREET FRONTAGES	
The dwellings along Skinner Street are of a similar era and architectural style, found typically in Fremantle. The dwellings are predominantly single storey and have minimal side and front setbacks. This results in limited articulation of buildings however the high degree of landscaping means existing vegetation softens the appearance of continuous buildings.	
	
VALE STREET FRONTAGES	
The adjoining sites along Vale Street are predominantly undeveloped due to the location of John Curtin College and the heritage significant Fremantle Art Centre. Both of these adjoining sites provide expansive green space for the area which is available for active and passive use by the community. Importantly these sites also incorporate significant established native vegetation and planting. The limited development on the adjoining properties means that important green corridors and view corridors are maintained.	
	

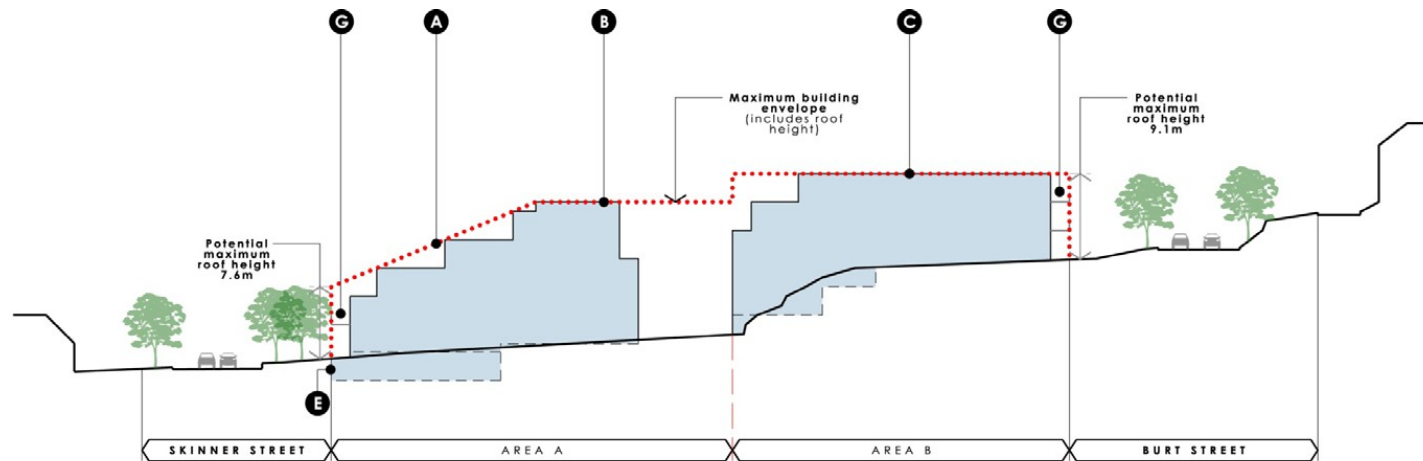
Appendix 2 –Building Heights



Street views illustrating permissible building height planes and approximate building heights above natural ground level (Note: maximum heights at AHD requirement)

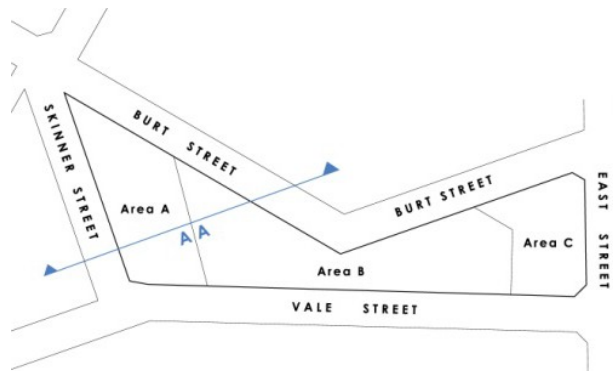


Site Specific Building Requirement Diagram



Indicative Section AA

Illustrative cross section – view north-west describing one possible building massing outcome



Appendix 3 - Existing tree canopy (2026)



Local Planning Policy – Document Control			
Responsible officer		Previous Policy Title	Next Review Date
Manager City Planning		XX	+4 years
Version	Decision to Adopt/Amend	Brief Details of Modifications	
1	Ordinary Meeting of Council – 10 June 2017	Policy adoption	
2	Ordinary Meeting of Council – Item No. – DDMMYYYY	Amendment to consolidate and align policy with current Planning Regulations, and administrative corrections for ease of use	
Public Consultation		Yes	
WAPC Approval Required?		No	Date approved by WAPC N/A



CITY OF FREMANTLE

LOCAL PLANNING POLICY 3.16

(BURT STREET, FREMANTLE)

COUNCIL MEETING DATE: 24/05/2017

ADOPTION DATE: 10/06/2017

AUTHORITY: LOCAL PLANNING SCHEME NO.4

Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This policy may be cited as Local Planning Policy 3.16 – Burt Street (LPP 3.16).

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STATUTORY BACKGROUND

Under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), the Deemed Provisions contained in Schedule 2 of the Regulations are applicable to all local planning schemes, whether or not they are incorporated into the local planning scheme text. Accordingly these provisions are applicable to the City of Fremantle Local Planning Scheme No. 4 (the Scheme).

Clause 5.2.2 of the City's Local Planning Scheme No. 4 states that unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform to the provisions of the R Codes.

Part 7 of the Residential Design Codes 2015 states that a Local Planning Policy may contain provisions that amend or replace specific deemed-to-comply provisions.

Those deemed-to-comply provisions of the Residential Design Codes that are varied or replaced by this policy are clauses 6.1.2 Street Setback, 6.1.3 Lot boundary setback, and 6.1.5 Open Space. All other deemed-to-comply provisions of the R Codes are to be read alongside the provisions of this policy.

Variations to this policy may be approved where the City is satisfied that the development application meets the design intent of this policy and the Design Principles of the R Codes.

Clause 67 of the Deemed Provisions of the Regulations requires the Local Government to consider a broad range of matters when determining an application.

APPLICATION

This policy applies to the land bound by Skinner Street, Burt Street, East Street and Vale Street as shown below. Provisions relating to the development standards for this site are contained in Scheme under Sub Area 2.3.4 of Schedule 8.

In the event that there is a conflict between this policy, and a provision contained within a Local Area Planning Policy, the most specific policy provision shall prevail.

DEFINITIONS

Deep soil area: Soft landscape area on lot with no impeding building structure or feature above or below, which supports growth of medium to large canopy trees and meets a stated minimum dimension. Deep soil areas exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks.



driveways and roof areas.

Building Envelope: The volume of space that can be occupied by a building, defined by its setbacks and maximum height permitted. It is not an indication of the final building form, mass or scale, but merely the outer limits for construction.

Communal open space: means outdoor areas within the lot and either at ground level or on structure that is accessible to and shared by residents for common recreational use and in some instances accessible to the public. It must promote gathering and social interaction. It does not include primary external circulation areas for vehicles or pedestrians however a seating niche or small gathering space within a circulation area is included.

'5-year tree rule': existing trees including those physically on-site or those that have been removed but can be clearly identified on an aerial photo within the past five years. Removed trees will be assumed to have been healthy unless evidence is provided.

All other definitions are as defined in the R-Codes and the City's Local Planning Scheme No.4.

PURPOSEIntroduction

The provisions of this Policy assist in the interpretation of the requirements within sub area 2.3.4 of the City of Fremantle Local Planning Scheme No. 4 (LPS4) and augment the Residential Design Codes Volume 2 (R-Codes). The purpose of this policy is to ensure coordinated design of development within the subject area. The local planning policy is made up of three parts:

Objectives

The objective of this Policy is to ensure that development in the Burt Street area appropriately responds to the surrounding context in terms of streetscape appearance, built form, landscaping and tree cover.

- Summary of schedule 8 provisions for sub-area 2.3.4 of the Local Planning Scheme No. 4
- Site character and context analysis
- Local planning policy design elements assessment

The policy includes a series of overarching design elements that each includes objectives and design criteria. Proponents will need to demonstrate how new development meets the objectives of the policy.

Application

This policy applies to the land bound by Skinner Street, Burt Street, East Street and Vale Street as shown below. Provisions relating to the development standards for this site are contained in Scheme under Sub Area 2.3.4 of Schedule 8.

In the event that there is a conflict between this policy, and a provision contained within a Local Area Planning Policy, the most specific policy provision shall prevail.

CONSIDERATION BY THE DESIGN ADVISORY COMMITTEE

Notwithstanding the zoning of the site, development applications for the site require referral to the Design Advisory Committee for consideration, unless otherwise agreed upon by the Manager of Development Approvals.

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Policy Provisions

Schedule 8 Provisions – Sub Area 2.3.4

SUMMARY OF SCHEDULE 8 PROVISIONS
(contained within Local Planning Scheme No.4)
Clause 2.1 'height controls' and clause 2.2 'Matters to be considered in applying general and specific height controls' of the Local Planning Area 2 do not apply

BUILDING HEIGHT [specified in Australian Height Datum(AHD) metres]	
Area A	Maximum building height of 37.0m AHD
Area B	Maximum building height of 40.0m AHD
Area C	Maximum building height of 42.0m AHD

AREA A BUILDING HEIGHT BUFFER

Development proposed within Area A shall comply with the following building height envelope:

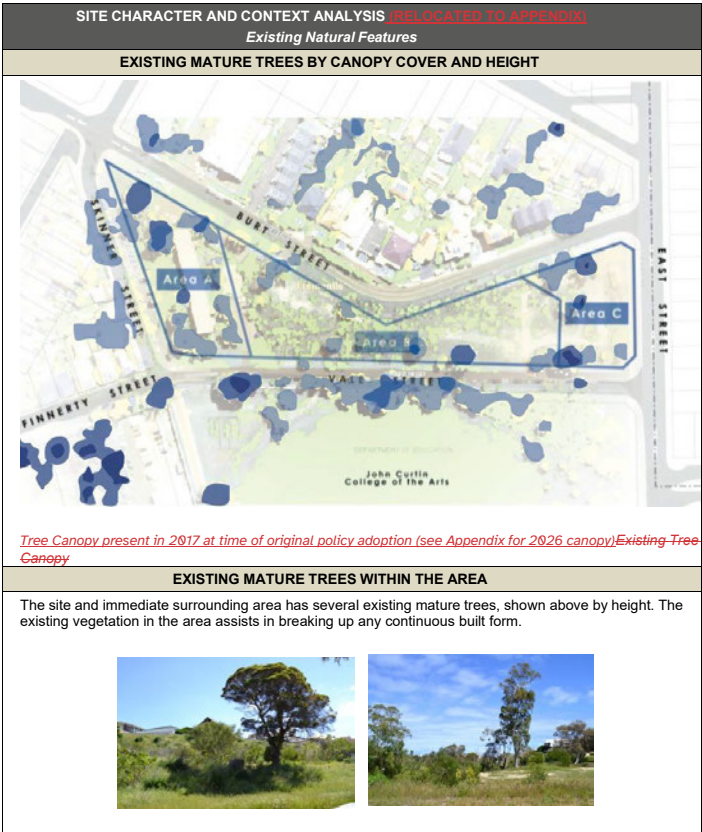
- Height plane is measured at an angle of 22.5 degrees above horizontal at a height of 28.0m AHD along the property boundary on the east side of Skinner Street.
- Limit all building elements to height plane/building envelope.

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SUMMARY OF SCHEDULE 8 PROVISIONS <i>(contained within Local Planning Scheme No.4)</i>	
Clause 2.1 'height controls' and clause 2.2 'Matters to be considered in applying general and specific height controls' of the Local Planning Area 2 do not apply	
BUILDING SETBACKS	
East Street frontage	5.0m minimum
CAR PARKING AND VEHICLE ACCESS	
Primary vehicle access	Shall be located from Vale Street
Traffic Impact Assessment shall be submitted to support any planning application ¹ .	
OTHER DEVELOPMENT REQUIREMENTS ²	
Retain and/or interpret any features of cultural heritage or landscape significance	
Maximise opportunities to retain existing trees and provide significant areas of new planting	
Provide street verge landscaping and vehicle parking for public use	
Integrate with surrounding public areas	
Provide visual permeability through the site and mitigate the impact of building bulk on streetscape	

Notes:¹ The Traffic Impact Assessment (required as specified in Schedule 8 Provisions) is to be undertaken by a suitably qualified traffic engineer and shall be submitted in support of application for planning approval.
Notes:² Additional requirements must be met for Multiple Dwelling Diversity as per Clause 4.4.5 of LPS4 and the City's Memorandum of Understanding with the Housing Authority.





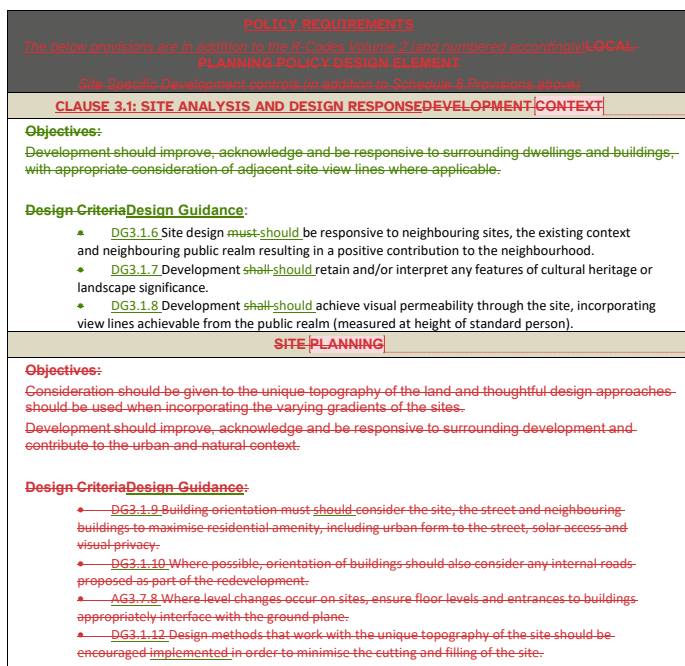
HEIGHT DIFFERENCES AND NATURAL GRADIENT
The site has a significant gradient that falls from Burt Street to Vale Street as well as also falling to the West along Burt Street. These height changes have resulted in differing heights of surrounding developments. The sloping natural topography should be used to enhance the visual interest to new developments through retention of some of these site features. 
UNIQUE SITE FEATURES
The limestone rock formation to the north eastern corner Burt Street and East Street is a unique natural feature and landmark to the site. This location of the limestone rock is of a similar size and shape to an existing pocket of green space to the north of the site and would respond well to the local context. 
Development response to existing natural features: Development should improve, acknowledge and be responsive to the unique natural features of the site and the surrounding area.



SITE CHARACTER AND CONTEXT ANALYSIS	
Built Form Character	
SURROUNDING BUILT FORM AND ARCHITECTURAL CHARACTERISTICS	
	
BURT STREET FRONTAGES	
Adjoining dwellings located on Burt Street vary in size and height however typically these dwellings are of two to three storeys in height. The buildings along Burt Street vary significantly in age and character which makes for an eclectic mixing of building frontages. Larger side setbacks and varying front setbacks mean that there is building articulation along the streetscape.	
	
EAST STREET FRONTAGES	
The building heights and architecturalarchitectural styles along East Street are similar to those along Burt Street. A higher proportion of sites are of single storey along East Street however, several dwellings range between three and four storeys.	
	



SKINNER STREET FRONTAGES	
	
The dwellings along Skinner Street are of a similar era and architectural<ins>architectural</ins> style, found typically<ins>typically</ins> in Fremantle. The dwellings are predominantly<ins>predominantly</ins> single storey and have minimal side and front setbacks. This results in limited articulation of buildings however the high degree of landscaping means existing vegetation softens<ins>softens</ins> the appearance<ins>appearance</ins> of continuous buildings.	
VALE STREET FRONTAGES	
	
The adjoining sites along Vale Street are predominantly undeveloped due to the location of John Curtin College and the heritage significant Fremantle Art Center<ins>Centre</ins>. Both of these adjoining sites provide expansive green space for the area which is available<ins>available</ins> for active and passive use by the community. Importantly these sites also incorporate<ins>incorporate</ins> significant established native vegetation and planting. The limited development on the adjoining properties means that important green corridors and view corridors are maintained.	
Development response to the surrounding built form character: Buildings will be visually interesting and responsive to the surrounding dwelling character with consideration of building materials and textures, colour and the articulation of building form and mass. The sites development will contribute to establishing interesting, attractive and safe streets for residents and visitors.	



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CLAUSE 2.7: BUILDING SEPARATIONARCHITECTURAL EXPRESSION, ARTICULATION AND DWELLING DESIGN Objectives: Proposed development positively responds to the surrounding context and demonstrates consideration to the local urban environment and the site's interaction with the natural landscape. Building breaks and articulation shall be used to create visual connections and interest across the site that assist with the positive interaction between the public realm and the development. New development should encourage innovative and imaginative development that provides variety, articulation and high quality building outcome that will enhance the visual amenity of the area. Design CriteriaAcceptable Outcomes: • <u>A4.10.7</u> The length of buildings fronting Vale Street must be no greater than <u>not exceed</u> 40m in length and incorporate complete breaks between buildings of a minimum of 6m. Pproviding uninterrupted views through the site. • <u>A4.10.8</u> Continuous horizontal and vertical building elements shall be broken into smaller components through architectural features, materials textures and/or building breaks. • Internalised habitable rooms, including bedrooms, will not be permitted. • At least 60% of apartments are naturally cross-ventilated.	Commented [G03]: This policy requirement has been slightly shortened and requirements that duplicate the R-Codes Volume 2 (Clause 2.7 Building Separation and Clause 4.2 Natural Ventilation) have been removed Formatted: Indent: Left: 0.44 cm, No bullets or numbering Formatted: No bullets or numbering Commented [G04]: This section has been merged with what is now Clause 2.7 and shortened
CORNERS (BUILDINGS) Objectives: DG4.10.6 <u>Key street corners should be addressed and activated with landmarks created where appropriate that assist in defining local character.</u>To address and activate key street corners and where appropriate create landmarks that assist in defining local character. Development Criteria:Acceptable Outcomes • A4.10.9 Buildings facing the street have habitable room windows or balconies that face the street. • Buildings on corners shall <u>should</u> address both frontages to the street. with • A4.10.10 <u>Blank walls to corner frontages will not be permitted</u>There should be no blank walls to corner frontages. Design Guidance DG4.10.6 <u>Key street corners should be addressed and activated with landmarks created where appropriate that assist in defining local character.</u>	Formatted: Indent: Left: 1.71 cm, No bullets or numbering Formatted: Indent: Left: 1.71 cm, No bullets or numbering Formatted: Space Before: 0.1 pt Formatted: Indent: Left: 0 cm, Hanging: 1.71 cm, No bullets or numbering Formatted: Condensed by 0.1 pt



ROOF FORMS
Objectives: To ensure that the appearance of the roof area does not negatively impact on the view from adjacent dwellings and from afar as part of the skyline. Design Criteria: • The design of the roof shall be integrated into the overall building composition and development context. • The building roof form shall be entirely located within the building height calculation. • The provision of open space and landscaping on rooftops is encouraged, subject to acceptability, visual privacy, comfort levels, safety and security considerations. • Roof design relates to the street. Design solutions may include: (i) special roof features and strong corners; (ii) use of skillion or very low pitch hipped roofs; (iii) breaking down the massing of the roof by using smaller elements to avoid bulk; (iv) using materials or a pitched form complementary to adjacent buildings; and/or (v) concealed roofs. • Roof treatments should be integrated with the building design. Design solutions may include: (i) Roof design proportionate to the overall building size, scale and form; (ii) Roof material complement the building; (iii) Service elements are integrated into the design, considering position, alignment and screening where appropriate.
CLAUSE 3.8: VEHICLE ACCESS CAR PARKING AND VEHICLE ACCESS
Objectives: Ensure that on-site vehicle parking and access are appropriately located to minimise adverse visual impact on the streetscape. Design Criteria: • Car park access should be integrated with the building's overall facade. Design solutions may include: ○ select materials and colours to minimise visibility from the street; ○ security doors or gates at entries that minimise voids in the facade; ○ where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed. • The visual prominence of underground car park vents should be minimised and located at a low level where possible. • Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view. • Garbage storage areas should be permitted in areas other than the basement car parking areas only where it is clearly demonstrated to be more efficient and effective for collection. These storage areas must be appropriately screened. Acceptable Outcomes • A3.7.7 Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels. • A3.8.8 On sloping sites, minimise basement car parks protruding above ground level by using split levels. protrusion of car parking above ground level should be minimised by using split levels to step underground car parking. • A3.8.9 Development and access routes should be designed to avoid removal or potential harm to trees onsite and street trees in assigning any new vehicle access points the location of tree's suitable for retention should be given consideration.

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BUILDING SERVICES	
Objectives:	To ensure services are well integrated and have minimal visual impact from the public realm and adjacent buildings. To provide efficient and effective building servicing while minimising visual and acoustic impact.
Design Criteria:	- Waste management and storage should be located in basement car parks or out of view to minimise the impact on adjoining residences. - Building mechanical services including plant and service equipment shall be integrated into the roof design and/or not be visible above the roof line of the building facade from the public realm. - Lift overrun minor projections may be considered above the building height plane subject to design merit.
CLAUSE 4.10: FAÇADE DESIGNBUILDING FACADES	
Objectives:	Building facades provide visual interest along each of the street interfaces while respecting the character of the local area. Buildings will be visually interesting and responsive to the surrounding dwelling character with well-considered use of materials and textures, colour and the articulation of building form and mass.
Design CriteriaDesign Guidance:	- Design solutions for front building facades may include: - a composition of varied building elements - a defined base, middle and top of buildings - revealing and concealing certain elements - changes in texture, material, detail and colour to modify the prominence of elements. - DG4.10.7 Building facades should be well resolved with an appropriate human scale and proportion to the streetscape and human scale. Design solutions may include: - well-composed horizontal and vertical elements; - variation in floor heights to enhance the human scale; - elements that are proportional and arranged in patterns; - public artwork or treatments to exterior blank walls; - grouping of floors or elements such as balconies and windows on taller buildings. - revealing and concealing certain elements - changes in texture, material, detail and colour to modify the prominence of elements.

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PUBLIC DOMAIN INTERFACE	
Objectives: Buildings and their landscaped interfaces shall enhance the adjacent streetscapes and public spaces that give expression and character to this location. The sites development will contribute to establishing interesting, attractive and safe streets for residents and visitors.	
Design Criteria Design Guidance: — A3.6.10 Upper level balconies and/or major openings shall face the public domain and/or communal open space areas to provide natural surveillance. — Length of solid walls should be limited along street frontages and ensure visibility is maintained to the street. — Direct street entry to terraces, balconies and courtyard apartments is desirable where it can be achieved. • Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letterboxes and in private courtyards adjacent to streets. • DG3.6.11 The provision of street verge landscaping and vehicle parking for public use shall be provided by the owner and or applicant. Additional approval by the City of Fremantle Parks and Landscaping department and/or Traffic and Civic Design will need to be obtained. — Verge landscaping shall be integrated, where possible, with the provision of onsite open space. • The use of awnings is encouraged to highlight the location of building entries and provide weather protection.	
EXISTING TREE RETENTION	
<u>DG3.3.8 Appendix 1 of this Policy includes a map showing existing tree canopy and identifies trees that meet the criteria of R-Codes cl. A3.3.1 as being worthy of retention. Where the City approves a tree for removal, it should be replaced by equivalent planting. As a last resort, removed onsite trees may be offset by planting trees in the road reserve but this should not be used as justification for excessive site cover.</u> Objectives: Development should improve, acknowledge and be responsive to the unique natural features of the site and the surrounding area. Design Criteria: • Existing trees are considered appropriate for retention if they are: (i) — healthy specimens with ongoing viability; and (ii) — species not included on an applicable weed register; and (iii) — are 3m or more high; and/or (iv) — have a trunk with a diameter of 100mm or more, 1m from the ground; and/or (v) — have two or more trunks and the sum of their individual diameter at 1m above ground is 200mm or more; and/or (vi) — have a canopy 3m or more wide; and/or (vii) — are recognised for individual importance/significance. • In determining whether a tree meets (i) above, specialist arboricultural advice should be requested to determine the tree's health and viability. • The '5 year tree rule' applies to all trees on site and in the verge (refer to '5 year tree rule' definition in the definitions section of this policy). • Existing trees identified for retention shall be: (i) — Retained; with appropriate landscape design measures to support trees' on-going health and viability within proposed development; or (ii) — Replaced; by equivalent planting as part of the deep soil area requirement. Refer to <i>Open Space, Communal Open Space and Deep Soil Areas</i>; or (iii) — Replacement Offset; where an alternative solution for replacement planting in the road reserve can be agreed upon by the City of Fremantle. • If trees are identified for retention, specialist arboricultural advice can be sought on tree protection specifically to provide direction on 'tree and root protection areas' and management during construction and during establishment following completion of the development. <i>Advice Note - Subject to an arborists report, retention of healthy mature trees along the perimeter of the site should be prioritised</i>	

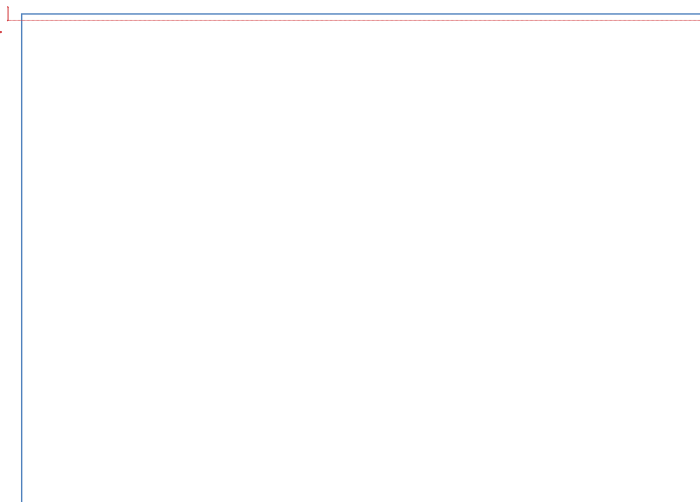
Commented [G09]: This policy requirement has been shortened where possible to remove duplication with other R-Code Volume 2 and policy requirements (Clause 3.6 Public Domain Interface and Clause 4.12 Landscaped Design)

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Objectives:

To create an attractive landscape environment that is complimentary to the wider neighbourhood.
To ensure that the development integrates with the surrounding urban context, streets, parks and neighbouring properties.

Design Criteria
Design Guidance:

- A minimum of 30% open space must be provided across the site. In calculating this percentage, deep soil areas and communal open space are included in the calculation. These areas must be identified in site layout and meet the following minimum requirements:

OPEN SPACE AREAS	MINIMUM DIMENSION	MINIMUM AREA (% OF SITE AREA)
Open Space (entire site)	1m	30%
Communal open space	-	20%
Deep soil area	6m	10%

- In relation to the open space requirement above, no more than 10% of the culminated setback areas on the site are to be included in the open space calculation.
- Communal open space should be consolidated into a well-designed, easily identified and usable area. If this is not possible, smaller spaces can offer the balance of area required, provided they are well integrated and offer complementary uses.
- The requirement for communal open space may be reduced by up to 5% if recreational facilities (i.e. fixed BBQ, seating and shade structures, hard and soft landscaping) are provided within the designated communal open space.
- Development shall maximise the opportunities to retain existing trees and incorporate them into communal open space areas or deep soil areas for their protection.
- If existing tree(s) are retained and incorporated into the development, the deep soil area requirement can be reduced to 8% of site area. See *Existing Tree Retention Design Criteria* below.
- Deep soil areas provide a minimum number of trees (with shade producing canopies) as follows:
 - Minimum 1 small tree for every 16sqm; or
 - Minimum 1 medium tree for every 36sqm; or
 - Minimum 1 large tree for every 64sqm; or
 - A combination of the above.

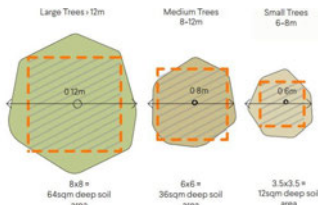


Figure 3.4c Tree size definitions for deep soil areas.

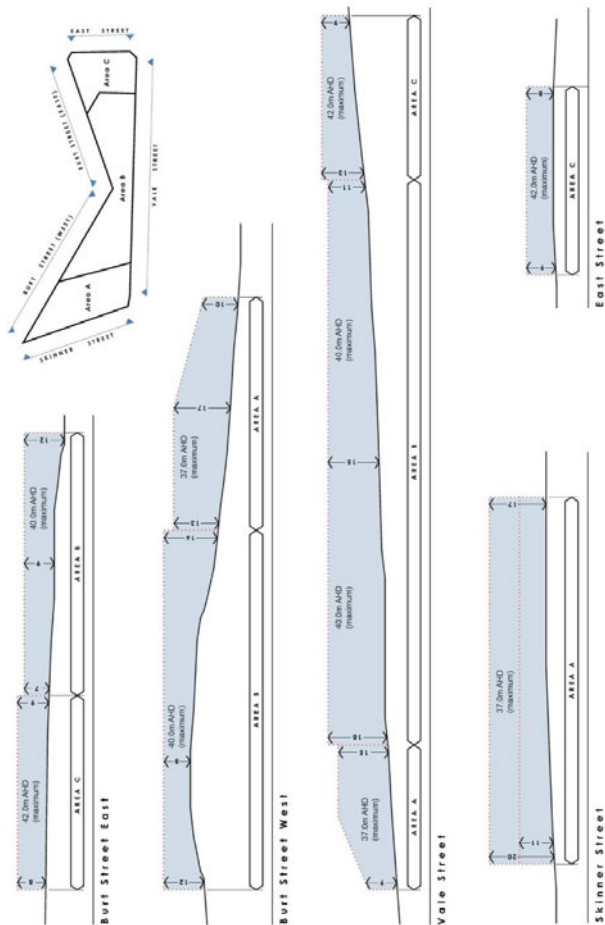
- Where landscaped building setbacks are included in the open space calculation, the form and design of these setbacks shall incorporate the adjacent public realm and provide a consolidated experience and sense of character.



SITE SPECIFIC BUILDING REQUIREMENTS KEY			
All development to be in accordance with R160 Residential Design Code provisions, except where otherwise specified in this policy.			
BUILDING HEIGHT (maximum)			
Area A – Skinner Street interface zone*	28.0m-37.0m AHD		A
Area A	37.0m AHD		B
Area B	40.0m AHD		C
Area C	42.0m AHD		D
BUILDING SETBACKS (minimum distance from property boundary)			
	Location	Requirement	
Basement	All boundaries	Nil	E
Ground Floor (measured from lot boundary)	East Street	5.0m	F
	Burt Street and Skinner Street	2.0m	G
	Vale Street	2.0m	I
OPEN SPACE (Minimum)			
Minimum Open Space requirement	20%		

Notes
**No part of any building may project above a height plane measured at an angle of 22.5 degrees above horizontal, at a height of 28.0m AHD along the property boundary on the east side of Skinner Street.

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Street views illustrating permissible building height planes and approximate building heights above natural ground level
(Note: maximum heights at AHD requirement)



LEGEND

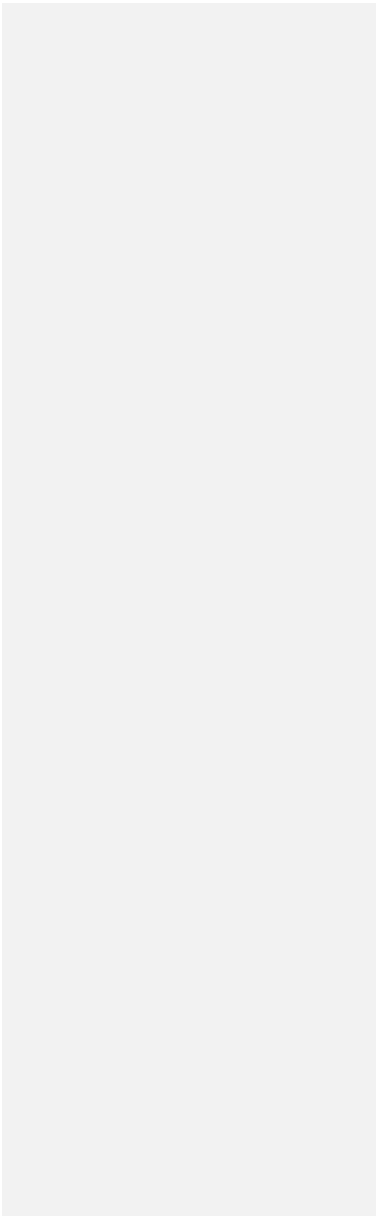
Building Zones

-  Building Envelopes
-  Maximum Building Height (measured to the highest part of any building)
-  Skinner Street building height restriction zone (refer LPP detail for specifics)
-  Preferred (priority) building location and orientation

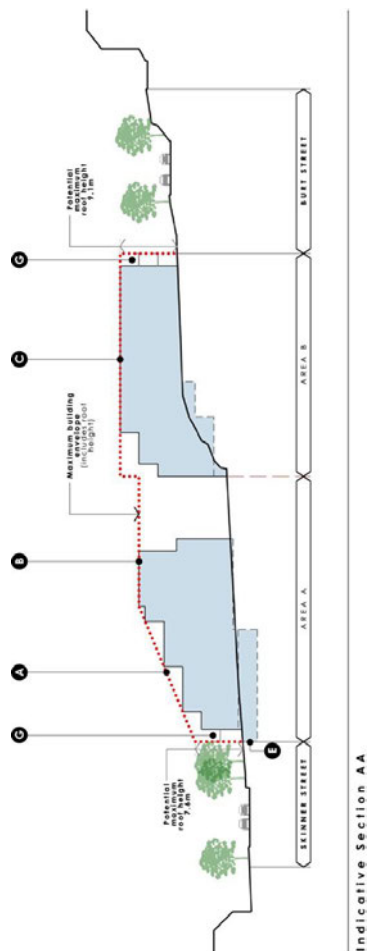
Movement

-  No vehicle access permitted
-  Primary vehicle access frontage
-  Secondary (supplementary) vehicle access permitted only
-  Possible future Vale Street parking lane to be considered in building designs

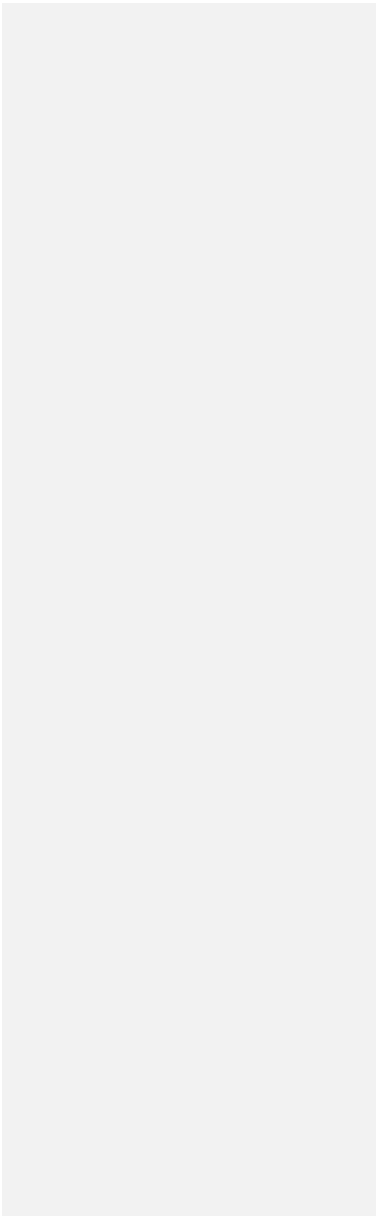
Legends regarding Site Specific Building Requirements (Diagram overleaf)



111/130



Illustrative cross section – view north-west describing one possible building massing outcome





Local Planning Policy 3.17

Hilton Neighbourhood
Centre (South Street,
Hilton)



Hilton Neighbourhood Centre (South Street, Hilton)

Statutory background

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) provide the ability for local governments to prepare a local planning policy on any matter relevant to the planning scheme area.

Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, requires the Local Government to consider a broad range of matters when determining an application.

Clause 4.2.2 of the City's Local Planning Scheme No. 4 states that unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform to the provisions of the Residential Design Codes.

Schedule 7 of Local Planning Scheme No. 4 provides additional development standards including height and density for sub areas 7.3.1 (Area 1 and Area 2) the subject of this local planning policy (refer to appendix 1 for a summary of these sub area requirements).

Introduction and purpose

The purpose of this policy is to provide controls that promote coordinated development that enhance the character of the area, are sensitive to established development interfaces and incorporate thoughtful design which provides high levels of public realm engagement. The design objectives and criteria in this policy are intended to assist proponents in preparing their development applications.

Application

This policy applies to nos. 180, 186, 188, 190, and 192 Carrington Street, 15, 17, 19, 38, 40, 42, and 44 Victor Street, 273, 277, 279, 283, 285, 290, 292, 294, 296, 297, 299, 308, and 312 South Street, 3 Lee Street and 1 and 3 Hughes Street.

In the event that there is a conflict between this policy, and a provision contained within a Local Area Planning Policy, the most specific policy provision shall prevail.



Policy Area – Sub Area 7.3.1 of LPS4

Definitions

Active Edges means street frontages where there is an active engagement between those in the street and those on the ground floors of buildings characteristically achieved through building design and land use activation via retail and commercial opportunities.

Deep Planting Zone (DPZ) means an area of the lot for the exclusive use of supporting plant life. The deep planting zone shall have a minimum length and width dimension of 4.5 metres and be water permeable, unpaved and uncovered. The deep planting zone shall not be used for vehicle parking or access and contain no buildings, structures, or pergolas.

Building Envelope means the volume of space that can be occupied by a building, defined by its setbacks and maximum height permitted. It is not an indication of the final building form, mass, or scale, but merely the outer limits for construction.

All other definitions are as defined in the R-Codes and the City's Local Planning Scheme No. 4.



Policy statement

1. Development is to demonstrate it meets the following design objectives. The design criteria provide specific points to consider when meeting the design objective.

Local Planning Policy design criteria
Site specific development controls (in addition to Schedule 7 provisions above)
Development context
Objectives: Development should improve, acknowledge, and be responsive to surrounding development, with appropriate consideration of adjacent site amenity where applicable. Design criteria: • Site design must be responsive to neighbouring sites, the existing context, and neighbouring public realm, resulting in a positive contribution to the neighbourhood. • Development must be sensitive to the interface with residential lots. Particular care should be taken in the treatment of interfaces to residential properties outside the centre where these are developed for single residential purposes to limit impact and building bulk and overshadowing.
Site planning, orientation, and setbacks
Objectives: Building design must demonstrate satisfactory site planning, orientation and setbacks with specific attention to: • public realm interface with adjoining streets to create interesting, activated and amenable environments • the interface with Residential zoned properties to minimise adverse impacts on amenity • the existing topography of the land and opportunities to 'step' development down sloping sites. Design criteria: • Building orientation must consider the site, the street and neighbouring buildings to maximise amenity, including architectural form to the street, solar access and visual privacy. • Where possible, orientation of buildings should also consider and provide surveillance of internal roads proposed as part of the redevelopment. • Where level changes occur on sites, ensure floor levels and entrances to buildings appropriately interface with the ground plane. • New development proposals should consider the interim opportunities for the South Street road reserve setback to create an amenable interface and interim use of the land through use of soft landscaping, pedestrian connections, awnings and moveable or temporary furnishings (subject to the approval of Main Roads WA and / or WAPC). • The setback of buildings to, and their interface with, Carrington Street should consider the provision of sufficient space and its treatment to accommodate



Local Planning Policy design criteria	
Site specific development controls (in addition to Schedule 7 provisions above)	
pedestrian demand and comfortable visitor entry. responses through the use of soft landscaping, awnings and moveable or temporary furnishings.	
Architectural expression and articulation	
Objectives: Development must convey a contemporary and high quality architectural response with active edges at ground level and articulated facades above including appropriate building form design to South Street frontages to achieve vibrant and stimulating pedestrian experiences. Building design must positively respond to the surrounding urban context, streets, and neighbouring properties and be sensitive to the interface with properties in the Residential zone. New development should encourage innovative and imaginative development that provides variety, articulation and building outcomes that will enhance the visual amenity of the area. Design criteria: • The South Street ground level building facades of retail and commercial tenancies shall be designed to address the street via entries and windows to create interest and a sense of activity within the building. • In buildings over 4 storeys, the design composition should include a legible but harmonious base (boundary, setback, lower levels), middle (main façade) and top (roof/parapet/upper level) in the façade. • Continuous horizontal and vertical building elements shall be broken into smaller components through architectural features, materials textures and/or building breaks to maintain a built form rhythm and grain evocative of traditional town centre character. • Internalised habitable rooms, including bedrooms, will not be permitted. • At least 60% of apartments shall be naturally cross ventilated.	
Corners (buildings)	
Objectives: Address and activate key street corners and, where appropriate (principally the corners of South Street and Carrington Street), create landmarks that assist in defining local character. Design criteria: • Buildings on corners shall address both street frontages and include strong architectural expression to both facades. The ground floor shall provide surveillance and an active edge to the corner return. • Blank walls to corner frontages will not be permitted.	



Local Planning Policy design criteria
Site specific development controls (in addition to Schedule 7 provisions above)
Landscape design and public domain interface
Objectives: Building design must ensure retail areas facilitate the creation of street level activity and vitality of South Street and Carrington Street. Developments must achieve a high quality public realm streetscape that is complimentary to the wider neighbourhood. New development designs should contribute to a comfortable pedestrian environments. Landscaped interfaces between development and South Street shall give expression and character to this location. Design criteria: - Consider the interim opportunities for land in the Metropolitan Regional Scheme Primary Regional Road reserve setback to benefit the areas' building and streetscape responses. Where possible, a coordinated approach with adjoining properties should be achieved. - Pedestrian experience should be considered in the design of the public domain interface through the use of elements such as footpaths, awnings, lighting, seating, and landscaping which can contribute to improving weather protection, safety and comfort. - Development shall maximise opportunities to introduce deep planting zones for the protection of trees. Retention of existing trees is encouraged.
Vehicle parking and access
Objectives: On-site vehicle parking and access is appropriately located to minimise adverse visual impact on the streetscape. Design criteria: - Where possible, vehicle access shall be taken from the rear of the site. - Where car parking is provided underground or in a building, car park access shall be integrated with the building's overall facade. - Car parking and access must also address other design and layout criteria specified in the scheme and other council policies.
Building services
Objectives: Services are to be well integrated and have minimal visual and acoustic impact on the public realm and adjacent buildings. Design criteria: - Waste management and storage designs shall minimise the impact on adjoining residences and be screened from view. - Bin stores and heavy vehicle manoeuvring areas should be located away from the boundaries of residential zoned properties and / or the interface treated to mitigate noise impacts. Provision of an acoustic assessment demonstrating capacity to



comply with the *Environmental Protection (Noise) Regulations 1997* may be required as a pre-requisite to approval.

- Building mechanical services including plant and service equipment shall be integrated into the roof design and / or not be visible above the roof line of the building facade from the public realm.



Appendix 1 – Summary of LPS4 Schedule 7 Provisions –
Sub Area 7.3.1



Sub Area Map – Sub Area 7.3.1

Summary of Schedule 7 provisions (contained within Local Planning Scheme No. 4) Within sub area 7.3.1, clause 4.2.5 does not apply; the following additional development standards do apply.
Sub Area 7.3.1 – General provisions
a) All new non-residential buildings shall be a minimum of 7 metres in height.
b) All new non-residential buildings in Area 1 shall incorporate an activated frontage to the primary street.
c) The base density code of R20 applies only where development proposals do not achieve all of the design criteria for Sub Area 7.3.1 to gain higher density provisions.



Summary of Schedule 7 provisions (contained within Local Planning Scheme No. 4) Within sub area 7.3.1, clause 4.2.5 does not apply; the following additional development standards do apply.	
Sub Area 7.3.1 – Area 1 provisions	
Achievable Residential Density Code	
R160	
Land use	
South Street and Carrington Street frontage	Residential land uses are not permitted at ground floor level
Building height (minimum)	
South Street frontage	7.0m* ¹
Building height (maximum)	
All lots	17.0m
South Street frontage	New ground floors shall not be more than 600mm above the adjacent footpath
	Floor to floor heights on the ground floor shall be a minimum of 4.0m above the adjacent footpath
Building height buffer	
Development proposed within 5m of the boundary of any lot outside sub area 7.3.1	14.0m
Building setbacks	
South Street Frontage	10.0m minimum* ²
	12.0m maximum
	Maximum building separation distance of 6.0m (aggregated)* ³
Frontage to roads other than South Street	nil minimum
	2.0m maximum
Building frontages	
South Street frontage	Building facade to incorporate windows and doors at the ground floor and windows to the first level
Car parking and vehicle access	
South Street frontage	Development sites with frontage to South Street and an alternative public road shall only have vehicle access via the



Summary of Schedule 7 provisions (contained within Local Planning Scheme No. 4) Within sub area 7.3.1, clause 4.2.5 does not apply; the following additional development standards do apply.	
	alternative public road. Access shall be designed to coordinate with adjoining properties. Traffic Impact Assessment shall be submitted to support any planning application for lots with frontage to South Street*4. Vehicle parking shall be located at the rear of buildings, below ground level and / or on roof top level
Outdoor living area	
Minimum outdoor living area	15m ²
Landscaping	
At least 10% of the site area shall be landscaped with planting and permeable surfaces.	

Summary of Schedule 7 provisions (contained within Local Planning Scheme No. 4) Within sub area 7.3.1, clause 4.2.5 does not apply; The following additional development standards do apply.	
Sub Area 7.3.1 – Area 1 bonus density provisions	
Achievable Residential Density Code	
R-AC1*5	
Achievable building height (maximum)	
All lots	20.0m
Building height buffer	
Development proposed within 5m of the boundary of any lot outside sub area 7.3.1	14.0m
Lot size requirements	
Minimum lot size of 2400m ²	



Summary of Schedule 7 provisions (contained within Local Planning Scheme No. 4) Within sub area 7.3.1, clause 4.2.5 does not apply; The following additional development standards do apply.	
Building design	
Incorporates a distinctive architectural feature and achieves exceptional design achieving the principles listed under Part 6.11, Schedule A, clause 78B of the Scheme.	
Additional development requirements	
Development must satisfy at least one of the following criteria:	Incorporates a minimum of two levels of non-residential land uses, one of which shall be the ground floor level.
	At ground floor level, a minimum of 1000m ² net lettable area designed for occupation by a single tenancy for 'shop' land use as defined in Schedule 1 – Land Use Definitions of this Scheme.
	A minimum of 10% of the residential net lettable area of the development shall be provided in the form of dwellings which meet the definition of 'affordable housing' in Schedule 1 – Land Use Definitions of this Scheme.

Summary of Schedule 7 provisions (contained within Local Planning Scheme No. 4) Within sub area 7.3.1, clause 4.2.5 does not apply; The following additional development standards do apply.	
Sub Area 7.3.1 – Area 1 bonus density provisions	
Achievable Residential Density Code	
R100 (only when minimum lot size is achieved).	
Achievable building height (maximum)	
Lots equal or greater than 1000m ²	14.0m
Building height buffer	
Development proposed within 5m of the boundary of any lot outside sub area 7.3.1	11.0m
Lot size requirements	
Lot size of 1000m ² or greater	



Summary of Schedule 7 provisions (contained within Local Planning Scheme No. 4) Within sub area 7.3.1, clause 4.2.5 does not apply; The following additional development standards do apply.	
Car parking and vehicle access	
Carrington Street frontage	Sites with frontage to Carrington Street and an alternative public road shall only have vehicle access via the alternative public road.
	Access shall be designed to encourage coordination of access to adjoining properties.

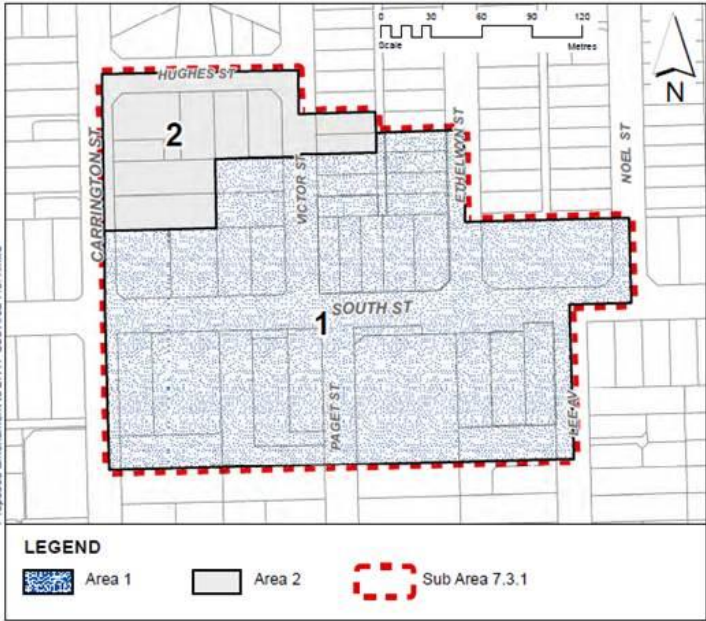
Notes:

- ¹ A minimum building height of 7 metres, including a building facade on the South Street frontage which incorporates windows and doors at the ground floor and windows to the first-floor level to create interest and a sense of activity within the building, applies.
- ² Unless Main Roads has no objection to a reduced street setback.
- ³ Applies to ground floor level of development to South Street only. The 6.0m maximum aggregate width applies to spaces between the building and/or to the building side lot setbacks.
- ⁴ The Traffic Impact Assessment (required as specified in Schedule 7) is to be undertaken by a suitably qualified traffic engineer and shall be submitted in support of application for planning approval.
- ⁵ Design criteria required to be met in order for bonus density to apply – applicable to new buildings.



Responsibility and review information	
Responsible officer:	Manager Strategic Planning and City Design
Document adoption/approval details	27 June 2012 – Item SPT1806-4
Document amendment details	9 October 2024 – Item C2410-4 25 October 2024 (Administrative) – Inserted policy into the City’s current template, including updated ‘Statutory Background’ paragraph, moved ‘Policy Area – Sub Area 7.3.1 of LPS4’ map under the ‘Application’ section, corrected various typographical errors, re-ordered and renumbered notes for clarity, and updated references as follows: • ‘Schedule 8 of LPS4’ to ‘Schedule 7 of LPS4’ • ‘Schedule 12 of LPS4’ to ‘Schedule 7 of LPS4’; and • ‘clause 11.8.6.3 of LPS4’ to ‘Part 6.11, Schedule A, clause 78B of LPS4’.
Next review date	9 October 2028



7.3	SPECIFIC DEVELOPMENT CONTROLS FOR SUB AREA	
Sub area 7.3.1	 Proposed amendment to LPA 7 Sub Area 7.3.1.mxd LEGEND  Area 1  Area 2  Sub Area 7.3.1	
	General provisions	a) Clause 4.2.5 of this scheme does not apply to this sub area. b) In this sub area, a minimum building height of 7 metres applies where new non-residential development is proposed. c) In this sub area, all new non-residential buildings in Area 1 shall incorporate an activated street frontage to the primary street which incorporates windows and doors at the ground floor and windows to the first floor level. d) Clause 7.2 of Local Planning Area – Hilton does not apply. e) The base density code of R20 applies, however, approval will be granted to development(s) proposed at the higher bonus densities, as set out below, where the development proposal achieves the corresponding design criteria.
	Bonus density R160	Design criteria required to be met in order for bonus density to apply: Land use



	Area 1 only) Maximum building height of 17 metres, except for land within 5 metres of the boundary of any lot outside of sub area 7.3.1 where a maximum building height of 14 metres applies.	a) Notwithstanding the provisions of Table 1 – Zoning, residential land uses will not be permitted in new buildings at the ground floor level with frontage to South Street and Carrington Street. Vehicle access b) Development sites with frontage to South Street and an alternative public road shall only have vehicle access via the alternative public road. Vehicle access shall be designed to encourage coordination of access to adjoining properties. c) Vehicle parking shall be located at the rear of buildings, below ground level, or at roof top level subject to suitable screening being provided to ensure that parked vehicles are not visible from the street. d) For new developments fronting South Street, a Traffic Impact Assessment is to be undertaken by a suitability qualified traffic engineer and shall be submitted in support of an application for planning approval. Other e) For new development fronting South Street, Paget Street, Victor Street or Carrington Street, the ground floor level at the street frontage must be no greater than 600mm above the level of the adjacent footpath. The first floor level must be at least 4 metres above the level of the adjacent footpath. f) For new development fronting South Street, the primary street setback shall be a minimum of 10 metres and a maximum of 12 metres. Council may approve a lesser street setback subject to no objection from Main Roads WA. g) For new development fronting roads other than South Street, the primary street setback shall be a minimum of nil and a maximum of 2 metres. h) The maximum aggregate width of spaces between or to the side of building(s) at ground floor level fronting South Street shall be no more than 6 metres on any one development site. i) Notwithstanding part 4.4 of Volume 2 of the R-Codes, each dwelling shall have a minimum outdoor living area of 15m². j) At least 10% of the site area shall be landscaped with plantings and permeable surfaces.
	Bonus density R-AC1 Area 1 only) Maximum building	Design criteria required to be met in order for bonus density to apply: a) All design criteria relating to bonus density of R160 (above) shall be achieved; b) Lot size of 2400m² or greater;



	height of 20 metres, except for land within 5 metres of the boundary of any lot outside of sub area 7.3.1 where a maximum building height of 14 metres applies.	c) Incorporates a distinctive architectural feature and achieves exceptional design achieving the principles listed under Schedule A Clause 78B Advisory committee(6)(c) of this scheme; and d) Achieves at least one of the following: • Incorporates a minimum of two levels of non-residential land uses, one of which shall be the ground floor level; • At ground floor level, a minimum of 1000m² net lettable area designed for occupation by a single tenancy for 'shop' land use as defined in Schedule 1 – Land Use Definitions of this Scheme; and/or • A minimum of 10% of the residential net lettable area of the development shall be provided in the form of dwellings which meet the definition of 'affordable housing' in Schedule 1 – Land use Definitions of this Scheme.
	Bonus density R100 (Area 2 only) Maximum building height of 14 metres, except for land within 5 metres of the boundary of any lot outside of sub area 7.3.1 where a maximum building height of 11 metres applies.	Design criteria required to be met in order for bonus density to apply: a) The development area comprises a minimum of 1000m². b) Development sites with a frontage to Carrington Street and an alternative public road shall only have vehicle access via the alternative public road. Vehicle access shall be designed to encourage coordination of access to adjoining properties.

SCHEDULE OF APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

1. HIGH STREET, NO. 285B (LOT 2), FREMANTLE – GROUPED DWELLING AND ANCILLARY DWELLING – (JD DA0097/26)
2. MCCABE STREET, NO. 15 (LOT 16), NORTH FREMANTLE – MARKETING SIGANGE ADDITION TO EXISTING DEVELOPMENT - (LG DA160/26)
3. EDMUND STREET, NO. 135 (LOT 26), BEACONSFIELD - ANCILLARY DWELLING AND OUTBUILDING ADDITION TO EXISTING SINGLE HOUSE - (JA DA0109/26)
4. HENDERSON STREET, NO. 19-29 (LOT 2074), FREMANTLE – DECK, SEATING AND ROOF ALTERATIONS TO EXISTING RESTAURANT - (LG DA0165/26)
5. ATTFIELD STREET, NO. 81 (LOT 363), FREMANTLE – CARPORT ADDITION TO EXISTING SINGLE HOUSE - (LG DA0138/26)
6. COVICH AVENUE, NO. 19 (LOT 110), BEACONSFIELD – VARIATION TO DA0018/26 (SINGLE STOREY SINGLE HOUSE) - (JD VA0015/26)
7. THOMPSON ROAD, NO. 91 (LOT 24), NORTH FREMANTLE - ALTERATIONS AND ADDITIONS TO EXISTING SINGLE HOUSE – (JD DA0148/26)
8. TUCKFIELD STREET, NO. 15 (STRATA LOT 2), FREMANTLE – EXTERNAL FIXTURE ADDITIONS (SOLAR PANELS) TO EXISTING GROUPED DWELLING – (LG DA0176/26)
9. LADNER STREET, NO. 4/42 (LOT 2) LADNER STREET, O’CONNOR – INTERNAL FIT-OUT OF INDUSTRY – LIGHT UNIT (SPIRIT PRODUCER LICENCE) - (ED DA0167/26)
10. ATTFIELD, NO.34A (LOT 1), FREMANTLE – ALTERATIONS AND ADDITIONS TO EXISTING GROUPED DWELLING - (CR DA0116/26)
11. ONSLOW ROAD, NO. 10 (STRATA LOT 1), FREMANTLE – RE-ROOFING OF EXISTING GROUPED DWELLING (JL DA0145/26)
12. MCLAREN STREET, NO. 5 (LOT 21), SOUTH FREMANTLE – ALTERATIONS AND ADDITIONS TO EXISTING SINGLE HOUSE - (JA DA0144/26)
13. WELLESEY WAY, NO.8 (LOT 137), SAMSON – CARPORT ADDITION TO EXISTING SINGLE HOUSE - (CR DA0126/26)
14. SOUTH STREET, NO. 308, HILTON – ADDITION (LOADING DOCK ENCLOSURE) TO EXISTING BUILDING - (ED DA0178/26)
15. SOUTH STREET, NO. 3/356A SOUTH STREET (LOT 2), O’CONNOR - ADDITION TO EXISTING WAREHOUSE - (CR DA0114/26)
16. SOUTH STREET, NO. 4/356A SOUTH STREET (LOT 3), O’CONNOR - ADDITION TO EXISTING WAREHOUSE - (CR DA0115/26)
17. GRIGG PLACE, NO. 24A (LOT 71), HILTON – OUTBUILDING ADDITION TO EXISTING SINGLE HOUSE - (JA DA0150/26)
18. SOUTH STREET, NO. 79 (LOT 1), BEACONSFIELD - CONVERSION OF EXISTING CARPORT TO GARAGE - (JA DA0147/26)
19. LADNER STREET, NO.4/42, O’CONNOR - SECTION 40 CERTIFICATE – (JL LL0005/26)
20. HENDERSON STREET, NO. 19-29 (LOT 2074), FREMANTLE – INTERNAL FLOORING ALTERATIONS AND REDIAL WORKS TO EXISTING HOTEL - (JL DA0175/26)
21. HOLLAND STREET, NO. 20 (LOT 1139), FREMANTLE – VARIATION TO DA0095/24 (TWO STOREY ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE) (ED VA0014/26)

22. STIRLING STEET, NO. 4 (LOT 8), FREMANTLE – CARPORT ADDITION TO EXISTING SINGLE HOUSE - (JA DA0133/26)
23. ATTFIELD STREET, NO. 45A (LOT 192), FREMANTLE – LIFT ADDITION TO EXISTING SINGLE HOUSE - (JA DA0194/26)
24. HOWARD STREET, NO. 3 (LOT 2), FREMANTLE – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE - (LG DA0107/26)
25. HULBERT STREET, NO. 3 (LOT 63), SOUTH FREMANTLE - ANCILLARY DWELLING ADDITION TO EXISTING SINGLE HOUSE – (JD DA0183/26)
26. SOLOMON STREET, NO. 132 (LOT 10), BEACONSFIELD – ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE – (JD DA0177/26)
27. JONES STREET, NO. 7 (LOT 128), O’CONNOR – WAREHOUSE DEVELOPMENT – (JD DA0072/26)
28. HOPE STREET, NO. 133, WHITE GUM VALLEY – ANCILLARY DWELLING ADDITION TO EXISTING GROUPED DWELLING - (ED DA0135/26)
29. INSTONE STREET, NO. 16 (STRATA LOT 1), HILTON – ALTERATIONS AND ADDITIONS TO EXISTING SINGLE HOUSE - (LG DA0036/26)
30. SEAVIEW STREET, NO. 15 (LOT 1), BEACONSFIELD – PERGOLA ADDITION TO EXISTING SINGLE HOUSE - (JA DA0197/26)
31. SWANBOURNE STREET, 45 (LOT 3), FREMANTLE - OUTBUILDING ADDITION TO EXISTING SINGLE HOUSE - (JA DA0152/26)
32. HOPE STREET, NO.118A (LOT 887), WHITE GUM VALLEY – CARPORT ADDITION TO EXISTING SINGLE HOUSE - (CR DA0163/26)
33. MORAN COURT, NO. 26 (LOT 20), BEACONSFIELD – AMENDMENTS TO DA0091/20 AND VA0040/20 (ED VA0017/26)