



Minutes

Planning Services Committee

Wednesday 2 September 2026 6:00 pm



Table of Contents

Official opening, welcome and acknowledgement	4
Attendance, apologies and leave of absence.....	4
Attendance	4
Apologies	4
Leave of absence	4
Applications for leave of absence	4
Disclosures of interest by members	5
Responses to previous public questions taken on notice.....	5
Public question time	5
Petitions.....	5
Deputations.....	5
Presentations.....	5
Confirmation of minutes	6
Committee member communication.....	6
Reports and recommendations from officers	7
Committee delegation	7
PSC2609-1 LILLY STREET, NO. 37 (LOT 20), SOUTH FREMANTLE - VARIATION TO DA0288/25 (TWO STOREY ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE) – (JD VA0020/26).....	7
PSC2609-2 TRAFFORD STREET, NO. 3 (LOT 18), BEACONSFIELD - ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE - (LG DA0219/26) 19	
PSC2609-4 FORREST STREET, NO. 20 (LOTS 1626, 973 & 523), FREMANTLE - DEMOLITION OF EXISTING SINGLE HOUSE WITHIN HERITAGE AREA - (ED DA0187/26)	32
PSC2609-3 ATTFIELD STREET, NO. 55 (LOT 406), FREMANTLE - DEMOLITION OF OUTBUILDING - (LG DA0223/26)	43
PSC2609-5 LADNER STREET, NO. 6/42 (STRATA LOT 6), O'CONNOR - UNAUTHORISED CHANGE OF USE TO RECREATION-PRIVATE - (CR DA0241/26)	53
PSC2609-13 PLANNING INFORMATION REPORT - SEPTEMBER 2026.....	66
Council delegation	70



PSC2609-14	ADOPTION OF AMENDED LOCAL PLANNING POLICY 3.16 BURT STREET	70
	Committee delegation.....	77
PSC2609-12	LOCAL PLANNING POLICY 2.19 - CONTRIBUTIONS FOR PUBLIC ART	77
PSC2609-6	HIGH STREET, NO. 70 (LOT 31), FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT-TERM RENTAL ACCOMMODATION - (CR DA0216/26)	84
PSC2609-7	SOUTH TERRACE, NO. 189 (LOT 1), SOUTH FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT-TERM RENTAL ACCOMMODATION - (CR DA0246/26)	100
PSC2609-8	DOURO ROAD, NO. 11/1 (LOT 13), SOUTH FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT TERM RENTAL ACCOMMODATION (ED DA0253/26)	114
PSC2609-9	DOURO ROAD, NO. 2/1 (LOT 4), SOUTH FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT TERM RENTAL ACCOMMODATION (CR DA0254/26)	130
PSC2609-10	PAKENHAM STREET, NO. 14/45 (STRATA LOT 14), FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT-TERM RENTAL ACCOMMODATION - (LG DA0179/26).....	146
PSC2609-11	SOUTH TERRACE, NO. 8/342 (STRATA LOT 8), SOUTH FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT-TERM RENTAL ACCOMMODATION - (LG DA0212/26).....	162
	Motion of which previous notice has been given	181
	Urgent business.....	181
	Late items	181
	Confidential business.....	181
	Closure.....	181



Official opening, welcome and acknowledgement

The Presiding Member declared the meeting open at 6pm and welcomed members of the public to the meeting.

The Presiding Member informed members of the public that the meeting was being recorded and streamed live on the internet. They further advised that while all care is taken to maintain privacy, visitors in the public gallery and members of the public submitting a question, may be captured in the recording.

Attendance, apologies and leave of absence

Attendance

Mr Ben Lawver	Mayor
Cr Jemima Williamson-Wong	Coastal Ward/Presiding Member
Cr Melanie Clark	North Ward / Deputy Presiding Member
Cr Andrew Sullivan	Coastal Ward
Cr Ingrid van Dorssen	North Ward
Cr Pip Slaughter	East Ward (observing)
Mr Graham Tattersall	A/Chief Executive Officer
Ms Chloe Johnston	A/Director Planning, Place and Urban Development
Mr Matt Hammond	Director City Business
Mr Pete Stone	Director Creative Arts and Community
Mr Justin Lawrence	A/Manager City Planning
Ms Gabrielle Woulfe	Senior Governance Officer
Ms Emily Groves	Media and Community Relations Advisor
Ms Kayla Goodchild	Meeting Support Officer

There were 9 members of the public and no members of the press in attendance.

Apologies

Nil.

Leave of absence

Nil.

Applications for leave of absence

Nil



Disclosures of interest by members

Cr Jemima Williamson-Wong declared an impartiality interest in item numbers PSC2609-6, PSC2609-7, PSC2609-8, PSC2609-9, PSC2609-10, PSC2609-11 as she has a commercial conflict as she works on similar applications and conflicts as a Lawyer. Cr Williamson-Wong stated that she would not remain in the meeting for the discussion of the item.

Responses to previous public questions taken on notice

Nil.

Public question time

The following member of the public spoke in relation to item PSC2609-1:
Pippa Johnston

The following member of the public spoke in relation to item PSC2609-2:
Damian Lunt

The following members of the public spoke in relation to item PSC2609-4:
Alexii And Elena Paino
Philip Griffiths
Declan Creighan

Petitions

Nil.

Deputations

Nil.

Presentations

Nil.



Confirmation of minutes

COMMITTEE DECISION

Moved: Cr Melanie Clark

Seconded: Cr Ingrid van Dorssen

The Planning Services Committee confirm the minutes of the Planning Services Committee meeting dated 5 August 2026.

Carried: 5 / 0

For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong,
Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

Committee member communication

Nil.



Reports and recommendations from officers

Committee delegation

PSC2609-1 LILLY STREET, NO. 37 (LOT 20), SOUTH FREMANTLE -
VARIATION TO DA0288/25 (TWO STOREY ADDITIONS AND
ALTERATIONS TO EXISTING SINGLE HOUSE) – (JD
VA0020/26)

Meeting date:	Wednesday 2 September 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Committee
Attachments:	1. Amended Plans 2. CONFIDENTIAL - Applicant and Owner Details
Additional Information: (<i>viewed electronically</i>)	3. Justification Letter 4. Heritage Impact Assessment 5. Adjoining Landowner Support Letter 6. Site Photos

SUMMARY

Approval is sought by the applicant for a variation to the approved two storey additions and alterations to an existing Single house at No. 37 (Lot 20) Lilly Street, South Fremantle.

The proposal is referred to Council due to the nature of some discretions being sought that cannot be addressed through conditions of approval. The application seeks discretionary assessments against the Local Planning Scheme No. 4 (LPS4) and Local Planning Policies. These discretionary assessments include the following:

- Demolition of heritage significant fabric

The application is recommended for refusal.



PROPOSAL

Detail

Approval is sought by the applicant for the variation to the approved two storey additions and alterations to an existing Single house at No. 37 (Lot 20) Lilly Street, South Fremantle (subject site).

The proposed works include:

- Demolition of an 11.75m section of existing limestone dividing fence on the boundary of the subject site and the adjoining property to the south (No. 39A Lilly Street).
- Relocation of the previously approved south garage wall from 250mm off the south side lot boundary (abutting the dividing fence) to a nil setback to this lot boundary (requiring the removal of a portion of dividing fence to allow for the garage to be built on the boundary).

Development plans are included as attachment 1.

Site/application information

Date received: 1 July 2026
Scheme: Residential R30
Heritage listing: Limestone Feature(s), South Fremantle Precinct Heritage Area
Existing land use: Single House
Use class: Single House
Use permissibility: P

In accordance with the *Privacy and Responsible Information Sharing Act 2024* and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment.

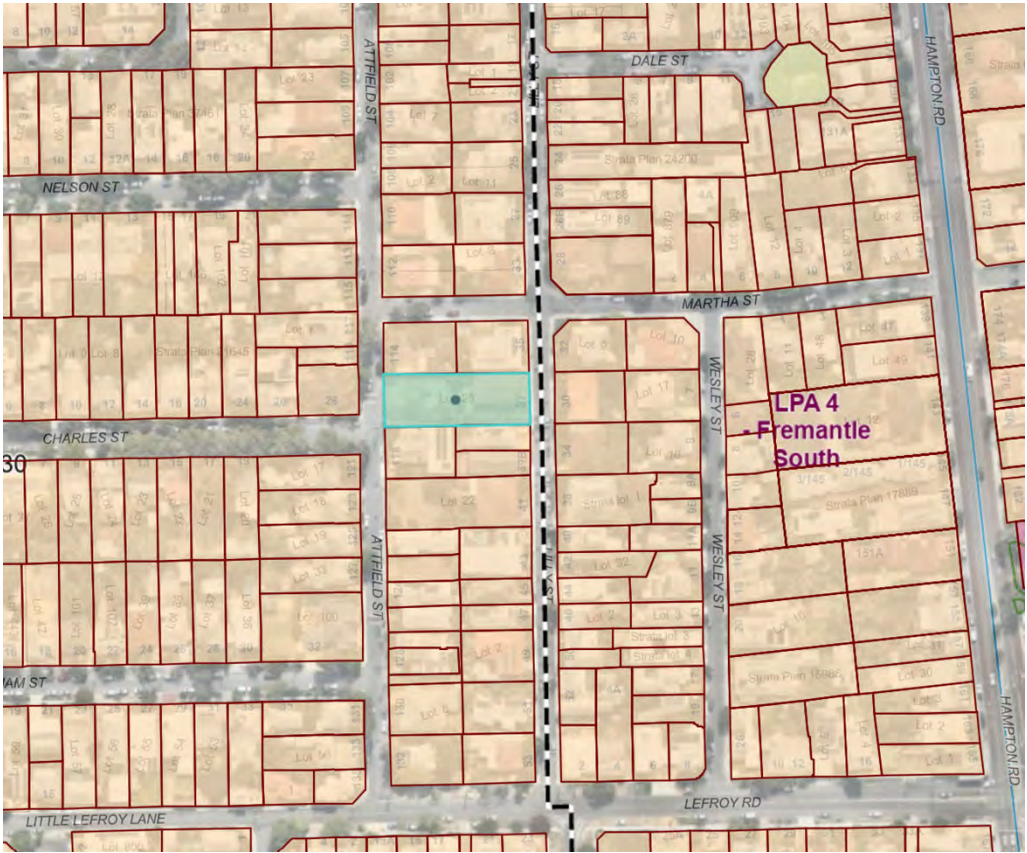


Figure 1 – Planning context map



Figure 2 – Aerial image of the subject site (April 2026)



Figure 3 – The dividing fence subject of this application as viewed from the adjoining lot No. 39A Lilly Street

CONSULTATION

External referrals

Nil required.

Community

The application does not involve any variations to planning controls and is associated with an existing permitted land use, as such no community consultation was required. Notwithstanding, the landowner adjoining the proposed dividing fence works has provided a letter of support.



City of Fremantle internal referrals

City of Fremantle Heritage

The following comments (summarised) were provided in relation to the heritage impact of the demolition of a portion of a heritage significant limestone dividing fence:

- The proposal is to demolish a significant portion of an original 1898 limestone dividing fence.
- The fence is part of the original stables and dividing fence between the subject site and No. 118 Attfield Street and has cultural heritage significance.
- Subsequently, the rear of No. 118 Attfield Street was subdivided and this portion of the fence sits between what is now No. 37 Lilly Street and No. 39A Lilly Street (rear of No. 118 Attfield Street).
- The original development approval under DA0288/25 for No. 37 Lilly Street clearly shows the retention of the limestone dividing fence with a new garage boundary wall proposed to abut this fence.
- It is noted that the applicant states that the dividing fence is in poor condition and needs to be removed.
- Local Planning Policy 3.6 Heritage-protected Places Built Form and Land Use states that demolition or removal of culturally significant fabric or a place is contrary to the principles and objectives of this policy and the scheme.
- LPP3.6 also states that poor condition is not a justification for demolition or removal of culturally significant fabric.
- It is considered that the stabilisation and retention of the dividing fence is possible and that the proposed demolition of the fence will result in the loss of fabric of heritage significance.

The works proposed (demolition of a significant part of an original 1898 limestone dividing fence) in this application are therefore not acceptable as they will have a negative impact on the heritage values of No. 37 Lilly Street, South Fremantle and the South Fremantle Precinct Heritage Area. The City's Heritage Impact Assessment is included as additional information.



OFFICER COMMENT

Statutory and policy assessment

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

- Demolition of heritage significant fabric

The above matters are discussed below.

Background

The subject site is located on the west side of Lilly Street, extending through to Attfield Street as the secondary street. The site has a land area of approximately 1156m² and is currently a Single house. The site is zoned Residential and has a density coding of R30. The site is included on the City of Fremantle Heritage List due to existing Limestone Features which includes a former heritage significant stable. Additionally, the site is located within the South Fremantle Precinct Heritage Area.

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

- BP0219/26 - Alterations and additions to existing Single house (in accordance with plans approved under DA0288/25)
- DP0007/26 - Partial demolition of 60's extension, existing hardscaping/retaining walls and portion of rear stable (in accordance with plans approved under DA0288/25)
- DA0288/25 - Two storey additions and alterations to existing Single house (subject of this variation application)
- Dwelling constructed 1965, no planning history on file

Land Use

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

Demolition of Buildings and Structures

Clause 67(2) (k) and (l) of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions)* require Local Governments to have due regard to the built heritage conservation of any place that is of cultural significance and the effect of the proposal on the cultural heritage significance of the area in which the development is located when making decisions on relevant applications.



The City's LPS4 provides the following requirements for the demolition of buildings and structures –

4.14.1 Council will only grant planning approval for the demolition of a building or structure where it is satisfied that the building or structure:

- (a) has limited or no cultural heritage significance, and*
- (b) does not make a significant contribution to the broader cultural heritage significance and character of the locality in which it is located.*

This clause provides the authority for the decision maker to issue approval for demolition only where both criteria (parts a and b) of clause 4.14.1 are satisfied. If the proposal or place does not meet these criteria, there is no ability for the Council to approve demolition of the place, per the above clause wording.

The proposed demolition of a portion of heritage limestone dividing fence is not supported for the following reasons:

- As detailed in the Heritage Impact Assessment included as additional information, the proposed demolition works are to a limestone fence which was constructed circa 1898. This fence was constructed as part of the original stables. The stables and limestone fence are remnants of a once thriving horse racing and stable industry in South Fremantle and is therefore of cultural heritage significance. Due to the history and use of these buildings/structures, it is considered that they also make a significant contribution to the broader cultural heritage significance and character of the locality.

The demolition of an 11.75m long section of this heritage limestone dividing fence is therefore not supported under clause 4.14.1 for the reasons outlined above.

Local Planning Policy 3.6 Heritage-protected Places Built Form and Land Use

5. Demolition	
5.1 – Demolition criteria	Officer Comment
5.1.1 Demolition or removal of culturally significant fabric or a place is contrary to the principles and objectives of this policy and the scheme. The following factors are not considered justification for demolition:	The applicant has sought to justify that a portion of the dividing fence requires removal due to potential failure that may occur during construction/ excavation works for the



a. economic or other perceived gain from the redevelopment of the land; b. poor condition resulting from the place not being properly maintained; and/or c. the presence of hazardous materials, such as asbestos.	additions and alterations approved under DA0288/25. There has been no evidence provided that the fence as it currently stands is at risk of failure. The onus is therefore on the builder to ensure that the fence is stabilised and/or suitably repaired to ensure its structural integrity, should they wish to act on any approved works. As outlined by clause 5.1.1, any perceived poor condition of the fence, due its lack of maintenance is not considered suitable justification for its removal.
5.1.2 When considering partial demolition, the original / early portion of the place is to be retained and conserved. For contributory properties, this relates only to the original building exterior. For individually listed properties, this relates to the whole of the place.	The whole of the limestone rear stables and dividing fence extending along the south boundary is included in the limestone features heritage listing. Removal of a portion of this fence is therefore not supported.
5.1.3 Facadism, where all building fabric is removed apart from the façade, is not supported due to the loss of significant historic meaning and heritage value.	N/A
5.1.4 The removal and replacement of asbestos or other hazardous materials should be followed immediately by replacement with a matching (but non-hazardous) material. For example, flat asbestos wall sheeting with joint cover battens should be replaced with flat fibre cement sheeting with joint cover battens in the same configuration; a replacement with timber weatherboards or fibre cement weatherboards would not be considered to be a matching material.	N/A
5.1.5 Where demolition is approved, an archival record prepared in a format approved by the City may be required as a condition of planning approval.	Not considered applicable.



8. Additions and Alterations to All Contributory and Individually Listed Places	
8.13 Limestone features	Officer Comment
Parts of Fremantle are located on limestone ridges and low hills. Remnants of limestone outcrops and cuttings into limestone ridges for roads, footpaths and buildings are important features in some streetscapes. i. Limestone features such as outcrops and cuttings are to be conserved and retained.	As detailed above, the existing limestone dividing fence is considered to be of cultural heritage significance and is recommended to be retained in its entirety.

CONCLUSION

Approval is sought by the applicant for the variation to the approved two storey additions and alterations to an existing Single house at No. 37 (Lot 20) Lilly Street, South Fremantle. The proposal involves demolition works to a limestone dividing fence which was constructed circa 1898.

As stated above, the fence was constructed as part of the original stables which exist on the site today. The stables and limestone fence are remnants of a once thriving horse racing and stable industry in South Fremantle and is therefore of cultural heritage significance. Due to the history and use of these buildings/ structures, it is considered that they also make a significant contribution to the broader cultural heritage significance and character of the locality. As considered above, the proposed works do not satisfy the requirements of clause 4.14.1 of LPS4 or the relevant provisions of Local Planning Policy 3.6 Heritage-protected Places Built Form and Land Use. As such, the proposed development is recommended for refusal.

STRATEGIC IMPLICATIONS

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

LIVEABLE CITY - SUSTAINABLE GROWTH IN CITY CENTRE POPULATION

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

FINANCIAL IMPLICATIONS

Nil



LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.

OFFICER'S RECOMMENDATION

Moved: Mayor Ben Lawver

Seconded: Cr Melanie Clark

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Variation to DA0288/25 (Two Storey Additions and Alterations to Existing Single House) at No. 37 (Lot 20) Lilly Street, South Fremantle, as detailed on plans dated 1 July 2026, for the following reasons:

1. The proposal is inconsistent with clauses 67(k) and (l) of the Deemed Provisions, clause 4.14.1 of LPS4 and Local Planning Policy 3.6 (Heritage-protected Places Built Form and Land Use) as the proposed demolition of a portion of heritage listed limestone dividing fence will result in the loss of heritage significant fabric and will detract from the heritage significance of No. 37 Lilly Street, South Fremantle and the South Fremantle Precinct Heritage Area.

Lost: 0 / 5

For:

Nil

Against:

16/178



Mayor Ben Lawver, Cr Jemima Williamson-Wong,
Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Andrew Sullivan moved the following alternative motion, accepted by the Presiding Member.

COMMITTEE RECOMMENDATION ITEM PSC2609-1
(Alternative motion)

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Council:

APPROVE under the Metropolitan Region Scheme and Local Planning Scheme No. 4 the Variations to DA0288/25 (Two Storey Additions and Alterations to Existing Single House) granted 14 November 2025 at No. 37 Lilly Street (Lot 20), South Fremantle, subject to the same terms and conditions, except whereby modified by the following condition(s):

A. Condition 1 of the Planning Approval dated 14 November 2025 February 2026, be deleted and replaced with the following condition(s):

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

B. Additional condition

7. Prior to the removal of the section of southern boundary limestone wall a detailed plan and schedule shall be submitted for approval to the satisfaction of the City of Fremantle, which outlines:
 - a) the limestone buttress and structural bracing system being used, and
 - b) detailed description of the limestone material resulting from the removed portion of fence and how this could be re used for onsite interpretation purposes, and
 - c) any other remediation works which will be implemented to protect and maintain the remaining sections of heritage significant limestone southern dividing fence.

Carried: 5 / 0

For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong,



Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:
Nil

In accordance with clause 9.16 of the [Meeting Procedures Policy](#), Cr Andrew Sullivan requested that the item be referred to the Ordinary Meeting of Council for determination to allow for due process and for the applicant to supply further information about the Geo Technical report. Seconded by Cr Jemima Williamson-Wong.



PSC2609-2 TRAFFORD STREET, NO. 3 (LOT 18), BEACONSFIELD -
ADDITIONS AND ALTERATIONS TO EXISTING SINGLE
HOUSE - (LG DA0219/26)

Meeting date:	Wednesday 2 September 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Committee
Attachments:	1. Amended Development Plans 2. CONFIDENTIAL - Applicant and Owner Details
Additional Information: (viewed electronically)	3. CoF Heritage Impact Assessment 4. Applicant Additional Justification 5. Site Photos

SUMMARY

Approval is sought by the applicant for additions and alterations to an existing Single house at No. 3 (Lot 18) Trafford Street, Beaconsfield.

The proposal is referred to Council as it involves the demolition of a structure which is of heritage significance. The application seeks discretionary assessments against the Local Planning Scheme No. 4 (LPS4) and Local Planning Policies. These discretionary assessments include the following:

- Demolition of a structure on a heritage protected place
- Additions to a heritage protected place

The application is recommended for refusal.

PROPOSAL

Detail

Approval is sought for additions and alterations to an existing Single house at No. 3 (Lot 18) Trafford Street, Beaconsfield (subject site). The proposed works include:

- Demolition of an existing portico at the front entrance of the dwelling.
- Construction of an unenclosed verandah in its place.



The applicant provided amended plans in response to officer queries regarding the proposed scope of works. In response, the applicant provided amended plans with the following revisions:

- “Proposed carport” removed from development plans, replaced with updated “proposed new verandah” at the front of entrance of dwelling.
- Applicant provided additional justification document, refer to Additional Information 3.

Amended development plans are included as Attachment 1.

Site/application information

Date received: 10 June 2026
Scheme: Residential R25
Heritage listing: South Fremantle Precinct Heritage Area
Existing land use: Single House
Use class: Single House
Use permissibility: P

In accordance with the *Privacy and Responsible Information Sharing Act 2024* and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment.



Figure 1 – Planning context map



Figure 2 – Aerial image of subject site (April 2026)



Figure 3 – Image of front portico proposed to be demolished



CONSULTATION

External referrals

Nil required.

Internal referrals

City of Fremantle Heritage

The following comments (summarised) were provided in relation to the heritage impact of the proposed demolition. The full Heritage Impact Assessment (HIA) is included as additional information.

- The property features a single storey timber framed house which was constructed in 1950 and shows the stylistic influences of Post War era design but with some later alterations to the roof and wall cladding.
- The semicircular porch with concrete columns was a key feature of the original façade. A photo from 1979 shows that the fibrous cement sheeting had been clad with 'Brickclad' decorative panels, but these have since been removed. In the 1980s and 1990s several additions were constructed at the rear of the house, but the original section remained largely unchanged.
- In 2025 alterations and additions approved under DA0260/25 were largely carried out. These works included removing the 1970s and 1980s additions to the rear and constructing new two storey additions, internal modifications and the replacement of the tile roof cladding with corrugated metal sheeting. The historic house has remained largely unchanged and the decorative semi-circular porch and front windows are still intact.
- The front porch is a key visual element in the composition of this house and makes a significant contribution to its distinctive aesthetic character.
- The proposed demolition is therefore not considered acceptable as it will have a negative impact on the heritage values of 3 Trafford Street, South Fremantle and a negative impact on the values of the South Fremantle Precinct Heritage Area.



Figure 4 – Historic photograph of the front façade of the dwelling (image from Fremantle Society Survey 1979)

Community
Nil required.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4 and relevant Council local planning policies. In this particular application the areas outlined below require discretionary assessment against LPS4 and policy provisions.

- Demolition of a structure on a heritage protected place.
- Additions to a heritage protected place

The above matters are discussed below.

Background

The subject site is located on the western side of Trafford Street in Beaconsfield. The site has a land area of approximately 673m² and is currently a Single house. The site is zoned Residential and has a density coding of R25. The site is not individually heritage listed but is located within the South Fremantle Precinct Heritage Area.



In 2000, The inaugural MHI included the South Fremantle Heritage Area. At that time, it was not a requirement to identify Contributory Places. No.3 Trafford Street was not included on the MHI and it was not added to the Heritage List which was adopted by Council in 2008.

In 2024, a development application (DA0260/24) was submitted and approved for additions and alterations. During the assessment of the application, the applicant was provided with the following heritage advice:

- Front porch, steps and concrete roof with columns should not be removed.
- There should be no additions to the front of the original house and the proposed store should be relocated.
- The windows to the façade of the house should not be changed.
- The Carport in the front yard should be modified to comply with LPP 3.6.

In 2025 the subject site was identified as having heritage significance during the review of the South Fremantle Heritage Area and it was recommended that it be included as a contributory place and added to the heritage list with a management category of Level 3. A decision on this recommendation was deferred by Council to the 2026 Annual Update.

In 2026, the heritage listing officer recommendations were presented to Council at the July 2026 meeting. Permission was subsequently granted to commence public consultation on the recommendations. At the time of this application the consultation is ongoing and a decision on its listing has not yet been finalised.

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

- DA0260/24 – Alterations and additions to existing Single house (approved under officer delegation)

Demolition of Buildings and Structures

Clause 67(2) (k) and (l) of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions)* require Local Governments to have due regard to the built heritage conservation of any place that is of cultural significance and the effect of the proposal on the cultural heritage significance of the area in which the development is located when making decisions on relevant applications.

The City's LPS4 provides the following requirements for the demolition of building and structures –



4.14.1 Council will only grant planning approval for the demolition of a building or structure where it is satisfied that the building or structure:

- (a) has limited or no cultural heritage significance, and*
- (b) does not make a significant contribution to the broader cultural heritage significance and character of the locality in which it is located.*

This clause provides the authority for the decision maker to issue approval for demolition only where both criteria (parts a and b) of clause 4.14.1 are satisfied. If the proposal or place does not meet these criteria, there is no ability for the Council to approve demolition of the place, per the above clause wording.

The proposed demolition of the front portico structure is not supported for the following reasons:

- As detailed in the HIA, the proposed structure to be demolished was constructed circa 1950 and is noted as having cultural and aesthetic value and makes a significant contribution to the South Fremantle Precinct Heritage Area.
- The front porch is considered a key visual element in the composition of the dwelling and forms part of the original post-war style building design. As such, it is considered the structure makes a significant contribution to the broader cultural heritage significance and character of the locality.
- It is considered that the removal of the structure will have a detrimental impact on the heritage values of the place as well as the South Fremantle Precinct Heritage Area.

For the reasons outlined above, the proposed demolition is not supported under clause 4.14.1 of LPS4.

Local Planning Policy 3.6 - Heritage-protected Places Built Form and Land Use

The proposal has been assessed against the relevant LPP3.6 criteria in the table below:

5. Demolition	
5.1 – Demolition criteria	Officer Comment
5.1.1 Demolition or removal of culturally significant fabric or a place is contrary to the principles and objectives of this policy	The applicant has provided justification that the structure is structurally unsound. It is noted that no engineering report or



and the scheme. The following factors are not considered justification for demolition: a. economic or other perceived gain from the redevelopment of the land; b. poor condition resulting from the place not being properly maintained; and/or c. the presence of hazardous materials, such as asbestos.	documentation has been provided to confirm the structural status of the structure. As outlined under clause 5.1.1, poor condition resulting from the place not being properly maintained is not suitable justification to support demolition. It is considered that the applicant should explore the retention and conservation of the structure.
5.1.2 When considering partial demolition, the original / early portion of the place is to be retained and conserved. For contributory properties, this relates only to the original building exterior. For individually listed properties, this relates to the whole of the place.	As stated above, the portico element proposed to be removed forms part of the original building exterior and the property is identified as contributory. As such, removal of the structure is not supported.
5.1.3 Facadism, where all building fabric is removed apart from the façade, is not supported due to the loss of significant historic meaning and heritage value.	N/A
5.1.4 The removal and replacement of asbestos or other hazardous materials should be followed immediately by replacement with a matching (but non-hazardous) material. For example, flat asbestos wall sheeting with joint cover battens should be replaced with flat fibre cement sheeting with joint cover battens in the same configuration; a replacement with timber weatherboards or fibre cement weatherboards would not be considered to be a matching material.	N/A
5.1.5 Where demolition is approved, an archival record prepared in a format approved by the City may be required as a condition of planning approval.	N/A
8. Additions and Alterations to All Contributory and Individually Listed Places	
8.3 Significance	Officer Comment
ii. Significance Alterations and additions to the original building exterior are to change as little as	The portico proposed to be demolished is a significant feature with high visibility from the street. As outlined in the HIA, the removal of the structure



reasonably possible that would impact the streetscape significance.	would result in a negative impact to the streetscape and the broader heritage area.
8.4 Form	Officer Comment
ii. Mock heritage New development to the original building exterior is to blend in with the streetscape but be discernible as new when looked at more closely. 'Faux' or 'mock' heritage detracts from an understanding and appreciation of the original place and is contrary to the objectives and principles of this policy.	As per the HIA the new verandah would be considered 'faux' or 'mock' heritage as it attempts to make the house look like a building from a different historic era. This is considered contrary to the objectives of the policy and would deter from the appreciation of the original place and its contribution to the heritage area.
8.9 Decorative Details	Officer Comment
i. Existing detail Decorative detail of the original building exterior is to be retained and conserved.	As stated in the heritage comments above, the front portico is a key visual element constructed in circa 1950 a makes a significant heritage contribution to the place and area. As such it is recommended that the structure be fully retained and conserved.
9. Additions and Alterations to All Contributory and Listed Residential Places	
9.2 Verandahs, porches and awnings	Officer Comment
i. Form and material – a) Original verandah or porch forms and materials are to be retained and conserved. b) Front verandahs, porches, etc. are not to be enclosed	As stated above, the portico proposed to be removed forms a part of the original front porch constructed circa 1950 and its demolition is not supported.
iv. Additions a) New verandahs, porches and awnings can be introduced where they do not involve removal of the original and are appropriate to the streetscape without too precisely mimicking the style of the original character, building elements or heritage detailing unless it is a reconstruction.	The proposed verandah addition involves the removal of the original portico entry structure. It is considered that the removal will result in the loss of culturally significant fabric that will detract from the places contribution to the streetscape. The removal and replacement of the structure is therefore not supported.



b) Do not introduce a verandah where the original building had a porch and vice versa.	
--	--

CONCLUSION

Approval is sought for additions and alterations to the existing Single house at No. 3 (Lot 18) Trafford Street, Beaconsfield. The portico sought to be demolished was constructed circa 1950 and is of cultural heritage significance. As such, the proposed demolition does not meet the requirements of clause 4.14.1 of LPS4 or the relevant provisions of Local Planning Policy 3.6 Heritage-protected Places Built Form and Land Use. Therefore, the proposal is recommended for refusal.

STRATEGIC IMPLICATIONS

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

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

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

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required



DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.

OFFICER'S RECOMMENDATION

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Additions and Alterations to Existing Single House at No. 3 (Lot 18) Trafford Street, Beaconsfield, as detailed on plans dated 18 June 2026, for the following reasons:

1. The proposal is inconsistent with clause 67(k) and (l) of the Deemed Provisions, clause 4.14.1 of LPS4 and Local Planning Policy 3.6 (Heritage-protected Places Built Form and Land Use) as the proposed demolition of the front portico will result in the loss of heritage significant fabric and will detract from the heritage significance of No. 3 Trafford Street, South Fremantle and the South Fremantle Precinct Heritage Area.

In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Ingrid van Dorssen moved the following alternative motion, as provided in the additional documents:

COMMITTEE DECISION ITEM PSC2609-2 (Alternative motion)

Moved: Cr Ingrid van Dorssen

Seconded: Cr Melanie Clark

Council:

APPROVE under the Metropolitan Region Scheme and Local Planning Scheme No. 4 the Additions and Alterations to Existing Single House at No. 3 (Lot 18) Trafford Street, Beaconsfield subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 18 June 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. All stormwater discharge from the development hereby approved shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle



3. Prior to lodgement of a Demolition or Building Permit application for the development hereby approved, an archival record is to be made of the building (portico) to be demolished and submitted to the City of Fremantle for approval, and shall include:
- a) A site plan prepared at 1:200 scale, floor plan(s) of the building and four elevations prepared at 1:100 scale.
 - b) Digital photographs taken of the building (once vacated) to include:
 - i) a general/overall photo of the building to be demolished;
 - ii) photos of each of the four elevations;
 - iii) internal photos of all rooms; and photos of any special architectural features.

Advice note(s)

- i. A building permit is required to be obtained for the proposed building work. The building permit must be issued prior to commencing any works on site.
- ii. The applicant is advised that 'Visually permeable' is defined by the Residential Design Codes as:

In reference to a wall, gate, door or fence that the vertical surface has:

- Continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area
- Continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or
- A surface offering equal or lesser obstruction to view;

As viewed directly from the primary street.

- iii. If construction works involve the emission of noise above the assigned levels in the Environmental Protection (Noise) Regulations 1997, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.

Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.



Carried: 5 / 0

For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong,
Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

Reason for alternative motion:

The heritage significance of the building is not in the detail and existing structural concerns are relevant.



PSC2609-4 FORREST STREET, NO. 20 (LOTS 1626, 973 & 523),
FREMANTLE - DEMOLITION OF EXISTING SINGLE HOUSE
WITHIN HERITAGE AREA - (ED DA0187/26)

Meeting date:	Wednesday 2 September 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Committee
Attachments:	1. Development Plans 2. CONFIDENTIAL - Applicant and Owner details
Additional Information: (viewed electronically)	3. Applicant Planning Report and Heritage Impact Assessment 4. CoF Heritage Impact Assessment 5. Site Photos

SUMMARY

Approval is sought for Demolition of an existing Single house and incidental structures at No. 20 (Lots 1626, 973 & 523) Forrest Street, Fremantle.

The proposal is referred to Council as it involves the demolition of a dwelling within the Holland / Forrest Street Heritage Area.

The application is recommended for refusal.

PROPOSAL

Detail

Approval is sought for demolition of an existing Single house and incidental structures at No. 20 (Lots 1626, 973 & 523) Forrest Street, Fremantle. The property is not individually listed on the City of Fremantle Heritage List; however, it is located within the Holland / Forrest Street Heritage Area. As such, Development approval is required for the demolition of the dwelling under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

No new development is proposed as part of this application.

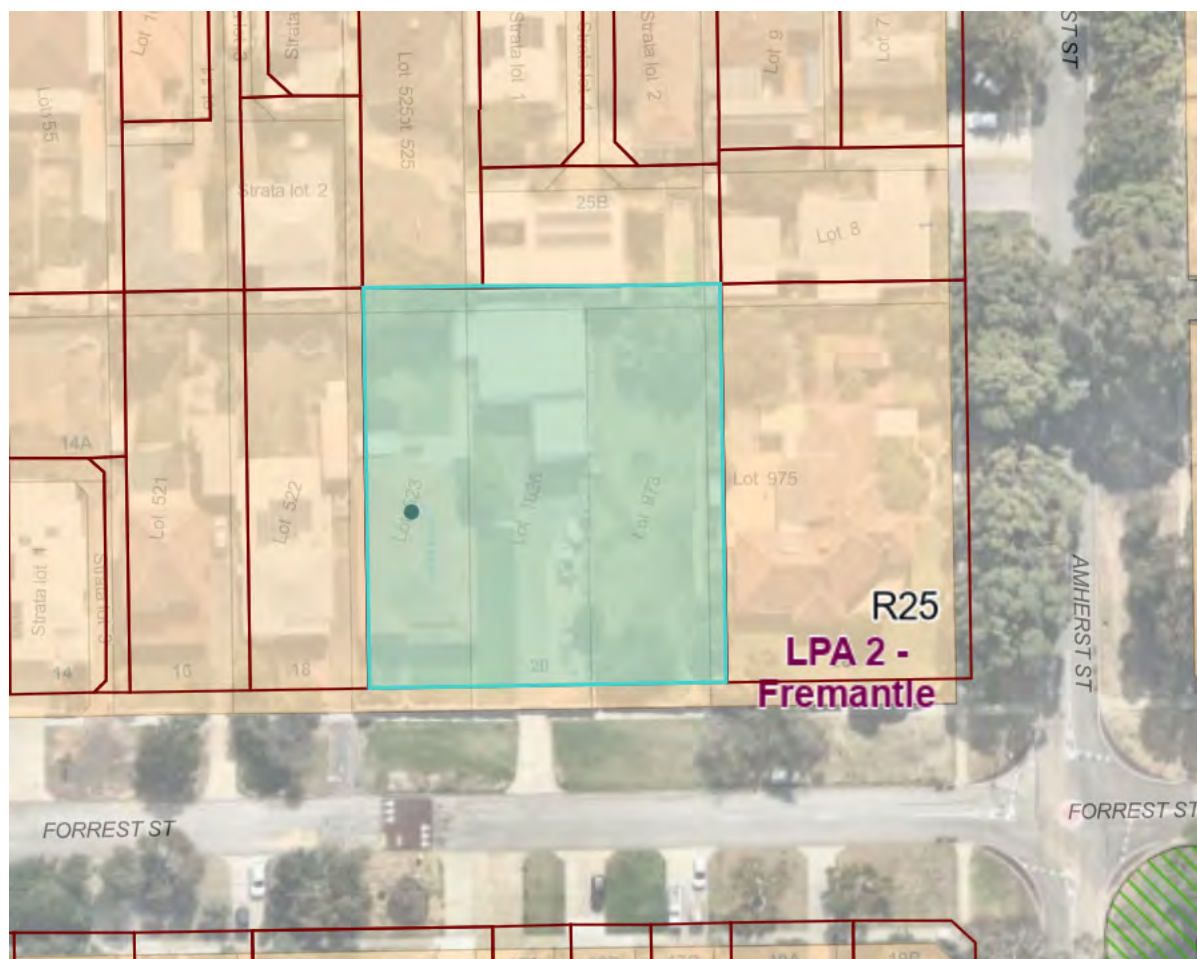
Development plans are included as Attachment 1 and the applicant's supporting Planning Report (prepared by Planning Solutions) and Heritage Impact Statement (prepared by Griffiths Architects) are provided in the Additional Information 1 to this report.



Site/application information

Date received: 21 May 2026
Scheme: Residential (R25)
Heritage listing: Holland/Forrest Street Heritage Area
Existing land use: Single House
Use class: N/A (demolition only)
Use permissibility: N/A

In accordance with the *Privacy and Responsible Information Sharing Act 2024* and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment.



CONSULTATION

External referrals

Nil required.



Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the proposal involved demolition of a dwelling within a registered Heritage Area.

The advertising period concluded on 26 June 2026, and nil (0) submissions were received.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4 and relevant Council local planning policies.

Demolition requires careful consideration because it potentially removes all the heritage significance of the place, except for intangible historical and social values that are not dependent on physical fabric.

Clause 67(2) (k) and (l) of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions)* require Local Governments to have due regard to the built heritage conservation of any place that is of cultural significance and the effect of the proposal on the cultural heritage significance of the area in which the development is located when making decisions on relevant applications.

Clause 4.14.1 of the City's Local Planning Scheme No.4 (LPS4) also states:

4.14.1 *Council will only grant planning approval for the demolition of a building or structure where it is satisfied that the building or structure:*

- (a) has limited or no cultural heritage significance, and*
- (b) does not make a significant contribution to the broader cultural heritage significance and character of the locality in which it is located.*

4.14.2 *In considering an application under 4.14.1, Council shall have regard to any heritage assessment required under the Planning and Development (Local Planning Schemes) Regulations 2015.*



This clause provides the authority for the decision maker to issue approval for demolition only where both criteria (parts a and b) of clause 4.14.1 are satisfied. If the proposal or place does not meet these criteria, there is no ability for the Council to approve demolition of the place, per the above clause wording.

Background

The subject site is located on the northern side of Forrest Street near the junction of Amherst Street, in Fremantle. The site has an effective (across the 3 lots) land area of approximately 2,277m² and is currently a single storey single house with large, detached outbuilding/garage toward the rear of the site (refer site photos at Additional Information 1). The site is zoned Residential and has a density coding of R25. The site is not individually heritage listed though it is located within the Holland/Forrest Street Heritage Area.

The subject dwelling is a single storey, rendered masonry house with a hipped and gabled roof which was constructed in 1906 in the Federation bungalow style and modified in the Post-War Era.

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

Early History

- 1906-1908 - Development of the block of Forrest Street between Chalmers (Edmund) and Amherst begins in 1906 with the construction of two houses on the north side (18 and 20 Forrest Street) and a house on the south side (11 Forrest Street) in 1908.
- 1938 - House extended to rear. Additions include a bedroom, kitchen, bathroom, laundry and rear verandah. Aerial photos from 1947 and 1953 shown that the original roof form and chimneys were retained with a new hipped roofs constructed over the addition creating a 'M' shape.
- 1960s - House altered internally and externally. The changes are typical of Post-War Era house renovations carried out in Fremantle at that time. The roof was modified to create a simple hipped roof that extends over the original and 1930s parts of house. The new roof was clad with tiles and has slightly wider eaves which were boxed in. The two chimneys were removed and the gable end was clad with timber boarding. The verandah was widened and extended across the front of the projecting wing as a sunhood and also around the side of the building to form a sleepout. Information provided by the owner records that the stone walls were rendered and the double hung sash windows modified to horizontal format casement windows. The interior was modernised at this time with new ceilings, cornices, doors etc but the timber floors were retained.



Recent History

- *DA136/06 – Home Occupation*
- *DA0280/15 - Retrospective primary street fence addition to existing Single House*

The Holland and Forrest Streets Heritage Area was adopted in 2017 following a heritage study on the north-east corner of Fremantle which had been commissioned because this area had not been well investigated during the compilation of the original Fremantle Municipal Heritage Inventory in 2000. During the study the heritage area's individual Contributory Places were not identified.

The City of Fremantle is currently reviewing its 18 heritage areas and identifying all contributory places. In areas where the contributory places have not yet been identified, such as the Holland and Forrest Heritage Area, the status of a place is assessed on receipt of a planning application.

Heritage and Demolition

Local Planning Policy 3.6 - Heritage-protected Places Built Form and Land Use (LPP3.6), provides that demolition is a permanent change that cannot be reversed. Even removal of places with lower levels of individual heritage significance in an area or minor fabric of a place can cumulatively undermine the significance of a heritage place or area.

In considering a proposal for demolition on any site in a Heritage Area where the mapping of contributory places has not been completed and/or is incomplete, the local government shall determine whether any fabric located thereon qualifies as a contributory place as part of the development application assessment process. Applications will be assessed against Clause 4.14 of the City's LPS4 (as outlined above) with the following additional policy guidance from LPP3.6:

Clause 5.1 - Demolition Criteria:

5.1.1 Demolition or removal of culturally significant fabric or a place is contrary to the principles and objectives of this policy and the scheme. The following factors are not considered justification for demolition:

- a) economic or other perceived gain from the redevelopment of the land;*
- b) poor condition resulting from the place not being properly maintained;*
and/or
- c) the presence of hazardous materials, such as asbestos.*



- 5.1.2 *When considering partial demolition, the original / early portion of the place is to be retained and conserved. For contributory properties, this relates only to the original building exterior. For individually listed properties, this relates to the whole of the place.*
- 5.1.3 *Facadism, where all building fabric is removed apart from the façade, is not supported due to the loss of significant historic meaning and heritage value.*
- 5.1.4 *The removal and replacement of asbestos or other hazardous materials should be followed immediately by replacement with a matching (but non-hazardous) material. For example, flat asbestos wall sheeting with joint cover battens should be replaced with flat fibre cement sheeting with joint cover battens in the same configuration; a replacement with timber weatherboards or fibre cement weatherboards would not be considered to be a matching material.*
- 5.1.5 *Where demolition is approved, an archival record prepared in a format approved by the City may be required as a condition of planning approval.*

The applicant has provided a supporting Planning Report (prepared by Planning Solutions) and Heritage Assessment (prepared by Griffiths Architects) in support of the demolition of the dwelling within the relevant policy framework, full details can be found in Additional Information 1 of this report.

The applicant's detailed Heritage Assessment report (see Additional Information 1) concludes that:

The assessment prepared a thorough gathering of documentary and physical evidence, examined the broader precinctual physical evidence, produced values and a statement of significance, reviewed the Holland/Forrest Street Heritage Area assessment and drew conclusions.

Heritage values of the place were tested, and it was found that the heritage value of 20 Forrest Street is low in terms of the place being contributory place to the Holland/Forrest Street Heritage Area. In a visual sense, the place does not contribute to the values identified in the Heritage Area assessment.

There are historic and social values that are not represented by the physical evidence, as the house has gone through its major iterations, leaving little fabric that represents its earliest era, and more substantial fragments of 1938 part, and much more of the 1960s. The latter stage left only the enclosing four walls of the 1906 house and none of its roof, openings, or opening treatments.



Considering the place in terms of the Holland/Forrest Street Heritage Area statement of significance, it must be concluded that this is a non-contributory place.

In relation to the precinct as a whole, the loss of 20 Forrest Street would not be to its detriment.

In terms of LPP 3.6, the place can be said to non-contributory and therefore under the provisions of LPS 4.14, demolition can be permitted.

It may be appropriate to make an archive record of the place prior to its demolition, making use of the information in this report and extending it to meet the required archive record standard.

In consideration of its social and historic value, and in acknowledgement of its neighbour at 18 Forrest Street, the replacement house might acknowledge the bulk and scale of no 18 and 20 and make a design that is contemporary and sympathetic to the former.

City officers have reviewed the demolition proposal, applicant's Heritage Assessment (prepared by Griffiths Architects, refer Additional Information 1) and have undertaken a detailed Heritage Impact Assessment (HIA) based on an external inspection of the site and from internal photographs (an internal site inspection was requested by officers but the applicant advised this was unable to be accommodated). Pursuant to this, City officers have prepared a Heritage Impact Assessment in accordance with the Burra Charter and LPP 1.6 Heritage Administration and Procedures, for which full details can be found in Additional Information 2 of this report.

The City's HIA acknowledges the applicant's Heritage Assessment yet disagrees with its conclusions that 20 Forrest Street has little heritage significance and does not contribute to the character of the heritage area. Officers also disagree with the conclusion that the demolition of 20 Forrest Street will not adversely affect the heritage area and that the western end of the heritage area has little heritage value.

The City's HIA provides the following statement of significance for the house at 20 Forrest Street:



House, 20 Forrest Street, is a typical rendered stone and tile single storey house constructed in 1906 and modified in the Post-War era which has cultural heritage significance:

- *aesthetic value for its contribution to the streetscape and the heritage area.*
- *historic and social value as a demonstration of the development of Fremantle and the demographic changes that occurred in the Gold Boom and Post War Eras*
- *as an example of the Federation Bungalow style of architecture which has been modified in the Post War Era*
- *as a representative example of the typical houses in the Fremantle area.*

The house at 20 Forrest Street has heritage Significance but the extent of external and internal modification means that it does not meet the threshold for inclusion on the City of Fremantle Heritage List.

While dwelling does not meet the threshold for inclusion on the City of Fremantle Heritage List, the dwelling remains deemed, in the City's assessment, a 'contributory' dwelling within the Holland/Forrest Street Heritage area, as follows:

While the exterior and interior of 20 Forrest Street have been modified in the Inter-War and Post War Eras the external form of the building visible from the street is still recognisable as an early Twentieth Century house due to its siting, form and composition. 20 Forrest Street, the adjacent house at 18 Forrest Street, and the four historic houses opposite combine to form a historic streetscape that defines the western end of Forrest Street.

20 Forrest Street makes a positive contribution to the heritage streetscape of Holland Street and the heritage values of the Holland / Forrest Street Heritage Area and is a Contributory place in the Holland / Forrest Street Heritage Area.

The dwelling is also deemed to contribute to the Holland and Forrest Street Heritage area generally, as follows:

20 Forrest Street sits in the block between Chalmers and Amherst Street. Development of this block began prior to the construction of government housing to the east of Amherst Street in 1915 and represents the privately constructed housing for workers and small business owners that was constructed in this area in the Gold Boom. A similar pattern of development can be seen in Chalmers Street and the western end of Holland Street.



There are two historic houses on the north side of this block (18 and 20) and four on the south side of the street (9, 11, 13 and 19A). These houses combine to form an identifiable historic streetscape in this block of Forrest Street and they also combine with historic houses in Chalmers Street and the western end of Holland Street to contribute to the heritage character of the Holland and Forrest Street Heritage Area. While the exterior and interior of 20 Forrest Street have been modified in the Inter-War and Post War Eras the external form of the building is still recognisable as an early Twentieth Century house due to its siting, form and composition and it makes a positive contribution to the heritage area.

The changes that have been made to 20 Forrest Street in the Inter-War and Post War eras are typical of modifications that were carried out at that time to refurbish and modernise older houses in Fremantle. Throughout Fremantle there are many examples of houses with these types of modification which are included on the Heritage List and /or are recognised as a contributory place in a heritage area because the original siting, form, composition and scale are still visible.

The alterations that have been made to 20 Forrest Street are linked to the demographic changes that occurred in the Inter-War and Post-War Era and the enormous contribution that was made to the development of Fremantle by families from Southern and Eastern Europe especially in the Post-War era. These changes add a layer of heritage significance to the house.

The HIA also outlines the negative impact of the demolition of the contributory dwelling:

The demolition of a place removes all heritage value apart from some intangible historic and social values that are not embodied in the built fabric. The demolition of 20 Forrest Street will permanently remove all of its heritage values.

The house at 20 Holland Street contributes to the heritage character and values of the Holland and Forrest Streets Heritage. The removal of this place will adversely affect the value of the heritage area. The loss of 20 Forrest Street will leave 18 Forrest Street as the only remaining heritage place on the north side of this block and will weaken the western end of this heritage area.

It is also considered that the existing dwelling is capable of being adapted, altered and/or extended while retaining the existing contribution the dwelling makes to the Holland/Forrest Street Heritage Area.



In summary, the City's HIA concludes that the demolition of 20 Forrest Street should not be supported, pursuant to LPP3.6 and cl. 4.14 of the City's LPS4, as the existing dwelling is deemed to hold greater than little or no heritage significance for the reasons outlined above and its demolition will have a negative impact on the heritage values of Holland/Forrest Heritage Area by removing one of the places that contributes to its heritage character.

CONCLUSION

The demolition of the existing dwelling on the subject site is unable to be supported by officers as the existing dwelling is considered to have cultural heritage significance as a 'Contributory Place' in the Holland/Forrest Street Heritage Area, contributing to the Forrest Street streetscape character through the cultural heritage significance of its built form and typology.

On this basis, the proposal is not supported and is recommended for refusal.

STRATEGIC IMPLICATIONS

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

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

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

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.



VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.

COMMITTEE RECOMMENDATION ITEM PSC2609-4 (Officer's recommendation)

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, demolition of the existing Single House at No. 20 (Lots 1626, 973 & 523) Forrest Street, Fremantle, as detailed on the plans dated 21 May 2026, for the following reasons:

1. The demolition of the existing Single house does not meet the requirements of Clause 4.14.1 of the City of Fremantle Local Planning Scheme No.4, as the place is:
 - a) deemed to have at least "some" cultural heritage significance (i.e. the place has greater than little or no significance); and
 - b) deemed to a contributory place to the streetscape of Forrest Street and the Holland/Forrest Street Heritage Area generally.
2. The demolition proposal does not meet the relevant criterion of clause 5.1 of LPP3.6 to support demolition as the existing dwelling is deemed a 'Contributory Place' within the Holland/Forrest Street Heritage Area and its loss would therefore reduce the cultural heritage significance of the heritage area and streetscape generally.
3. The demolition of the dwelling with cultural heritage significance is contrary to Clause 67(2)(k) and (l) of the Planning and Development (Local Planning Schemes) Regulations 2015(Deemed Provisions) as it will have an adverse impact upon the cultural heritage significance of the place as well as the Holland/Forrest Street Heritage Area.

Carried: 5/0



For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong, Cr Andrew Sullivan,
Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

In accordance with clause 9.16 of the [Meeting Procedures Policy](#), Cr Jemima Williamson-Wong requested that the item be referred to the Ordinary Meeting of Council for determination. Seconded by Cr Andrew Sullivan.



PSC2609-3 ATTFIELD STREET, NO. 55 (LOT 406), FREMANTLE -
DEMOLITION OF OUTBUILDING - (LG DA0223/26)

Meeting date: Wednesday 2 September 2026
Responsible officer: Manager City Planning
Voting requirements: Simple Majority Required
Decision making authority: Committee
Attachments: 1. Development Plans
2. CONFIDENTIAL - Applicant and Owner Details
Additional Information: 3. [CoF Heritage Impact Assessment](#)
(*viewed electronically*) 4. [Applicant Heritage Impact Assessment](#)
5. [Site Photos](#)

SUMMARY

Approval is sought for the demolition of an existing outbuilding at No. 55 (Lot 406), Attfield Street, Fremantle.

The proposal is referred to Council as it involves the demolition of a structure which is of heritage significance. The application seeks discretionary assessments against the Local Planning Scheme No. 4 (LPS4), and Local Planning Policies. These discretionary assessments include the following:

- Demolition of building on a heritage listed place.

The application is recommended for refusal.

PROPOSAL

Detail

Approval is sought for the demolition of an outbuilding at the rear of an existing Single house located at No. 55 (Lot 406), Attfield Street, Fremantle (subject site).

Development plans are included as attachment 1.

Site/application information

Date received: 12 June 2026
Scheme: Residential (R30)
Heritage listing: Individually Listed Category 3
Existing land use: Single House
Use class: Single House

Use permissibility: P

In accordance with the *Privacy and Responsible Information Sharing Act 2024* and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment.

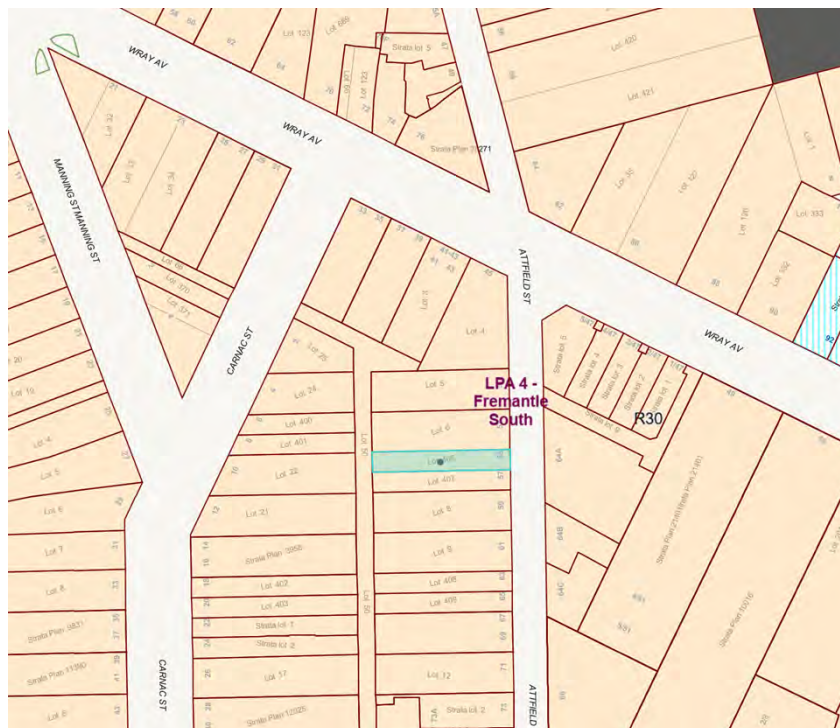


Figure 1 – Planning context map



Figure 2 – Subject site aerial image (April 2026)



Figure 3 – Images of outbuilding proposed to be demolished (images supplied by the applicant)

CONSULTATION

External referrals

Nil required.



Internal referrals

City of Fremantle Heritage

The following comments (summarised) were provided in relation to the heritage impact of the proposed demolition; the full Heritage Impact Assessment (HIA) is included as additional information.

- The proposal is to demolish a historic brick water closet constructed circa 1908.
- The 1908 sewerage plan of the house shows that it is identical to the adjacent property at 57 Attfield Street. They each have a verandah at the front and a timber addition at the rear. In the back yard is a brick water closet.
- House, 55 Attfield Street is a limestone, brick and iron single storey house dating from 1907/08. The place has aesthetic value for its contribution to the streetscape and the surrounding area.
- A preferable outcome is that the water closet is left in place and locked to minimise additional damage due to weathering and neglect. A prospective future extension of the dwelling within the footprint of the water closet is not sufficient justification for the removal of the structure.

Conclusion:

The proposed demolition work is therefore not considered acceptable as it will have a negative impact on the heritage values of 55 Attfield Street, Fremantle.

Community

Nil required.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4, and relevant Council local planning policies. In this particular application the areas outlined below require discretionary assessment against LPS4 and policy provisions.

- Demolition of building on heritage listed place.

The above matters are discussed below.



Background

The subject site is located on the western side of Attfield Street in South Fremantle. The site has a land area of approximately 250m² and is currently improved by a Single house with a detached brick water closet. The site is zoned Residential and has a density coding of R30. The site is individually heritage listed with a Level 3 management category and is located within the South Fremantle Precinct Heritage Area.

A search of the property file revealed no relevant planning history at the subject site.

Demolition of Buildings and Structures

Clause 67(2) (k) and (l) of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions)* require Local Governments to have due regard to the built heritage conservation of any place that is of cultural significance and the effect of the proposal on the cultural heritage significance of the area in which the development is located when making decisions on relevant applications.

The City's LPS4 provides the following requirements for the demolition of building and structures –

4.14.1 Council will only grant planning approval for the demolition of a building or structure where it is satisfied that the building or structure:

- (a) has limited or no cultural heritage significance, and*
- (b) does not make a significant contribution to the broader cultural heritage significance and character of the locality in which it is located.*

This clause provides the authority for the decision maker to issue approval for demolition only where both criteria (parts a and b) of clause 4.14.1 are satisfied. If the proposal or place does not meet these criteria, there is no ability for the Council to approve demolition of the place, per the above clause wording.

The proposed demolition of the outbuilding is not supported for the following reasons:

- As detailed in the Heritage Impact Assessment (included as additional information), the proposed structure to be demolished was built circa 1907/08 and is noted as having cultural and aesthetic value and contribution to the significance of the South Fremantle locality. It is considered that the removal of the structure will adversely affect the



heritage values of the place in respect to its authenticity and representative values as an example of Federation era historic housing within Fremantle.

- Due to the history and age of the structure is considered that it makes a significant contribution to the broader cultural heritage significance and character of the locality.

For the reasons outlined above, the proposed demolition is not supported under clause 4.14.1 of LPS4.

Local Planning Policy 3.6 - Heritage-protected Places Built Form and Land Use

The proposal has been assessed against the relevant LPP3.6 criteria in the table below:

5. Demolition	
5.1 – Demolition criteria	Officer Comment
5.1.1 Demolition or removal of culturally significant fabric or a place is contrary to the principles and objectives of this policy and the scheme. The following factors are not considered justification for demolition: a. economic or other perceived gain from the redevelopment of the land; b. poor condition resulting from the place not being properly maintained; and/or c. the presence of hazardous materials, such as asbestos.	The applicant has provided the justification that the restoration of the structure is not feasible, and that its removal is required for a future extension of the house. It is noted that an engineer review is mentioned, however no engineering documents / information was provided with the application package. As outlined under clause 5.1.1, any perceived poor condition of the wall due its lack of maintenance is not considered suitable justification for its removal. Additionally, the feasibility of a future extension is not considered suitable justification for the structure's removal.
5.1.2 When considering partial demolition, the original / early portion of the place is to be retained and conserved. For contributory properties, this relates only to the original building exterior. For	The whole of the water closet proposed to be removed has been identified as original and as having significant heritage



individually listed properties, this relates to the whole of the place.	significance. Removal of the structure is not supported.
5.1.3 Facadism, where all building fabric is removed apart from the façade, is not supported due to the loss of significant historic meaning and heritage value.	N/A
5.1.4 The removal and replacement of asbestos or other hazardous materials should be followed immediately by replacement with a matching (but non-hazardous) material. For example, flat asbestos wall sheeting with joint cover battens should be replaced with flat fibre cement sheeting with joint cover battens in the same configuration; a replacement with timber weatherboards or fibre cement weatherboards would not be considered to be a matching material.	N/A
5.1.5 Where demolition is approved, an archival record prepared in a format approved by the City may be required as a condition of planning approval.	N/A – proposed demolition is not supported.
8. Additions and Alterations to All Contributory and Individually Listed Places	
8.11 Outbuildings	Officer Comment
Ancillary structures such as sheds and gazebos can have an impact on heritage places and areas through the introduction of elements that are not part of traditional development. Incorporation of these modern features requires careful placement and treatment to minimise impact. In some situations, they may not be appropriate at all. i. Ancillary structures and outbuildings are to be located behind the main wall of the original building and screened from view from the primary street and secondary streets in order to minimise their visual impact on the character of heritage places and areas. ii. Historic outbuildings such as stables, laundries and outdoor water closets are to be retained and conserved as	As stated above, the water closet is an original structure constructed circa 1908, the preference of heritage officers is that the structure is retained and conserved as it contributes to the significance of 55 Attfield Street, South Fremantle. As such the demolition of the structure is not supported.



they contribute to the significance of the heritage place or area.	
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CONCLUSION

Approval is sought for the demolition of an existing outbuilding (water closet) located at the rear of No. 55 (Lot 406) Attfield Street, South Fremantle. As outlined in the officer assessment above, the water closet was constructed circa 1908 and is considered to be of heritage significance. As such, the proposed demolition does not meet the requirements of clause 4.14.1 of LPS4 or the relevant provisions of Local Planning Policy 3.6 Heritage-protected Places Built Form and Land Use. As such, the proposed development is recommended for refusal.

STRATEGIC IMPLICATIONS

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

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

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

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required



DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle
Delegated Authority Register.

COMMITTEE DECISION ITEM PSC2609-3 (Officer's recommendation)

Moved: Cr Ingrid van Dorssen

Seconded: Mayor Ben Lawver

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Demolition of Outbuilding (Water Closet) at No. 55 (Lot 406) Attfield Street, South Fremantle, as detailed on plans dated 11 June 2026, for the following reasons:

1. The proposal is inconsistent with clause 67(k) and (l) of the *Deemed Provisions*, clause 4.14.1 of LPS4 and Local Planning Policy 3.6 (Heritage-protected Places Built Form and Land Use) as the proposed demolition of the water closet will result in the loss of heritage significant fabric and will detract from the heritage significance of 55 Attfield Street, South Fremantle, and the South Fremantle Precinct Heritage Area.

Carried: 5 / 0

For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong,
Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil



PSC2609-5 LADNER STREET, NO. 6 / 42 (STRATA LOT 6), O'CONNOR -
UNAUTHORISED CHANGE OF USE TO RECREATION-PRIVATE
- (CR DA0241 / 26)

Meeting date: Wednesday 2 September 2026
Responsible officer: Manager City Planning
Voting requirements: Simple Majority Required
Decision making authority: Committee
Attachments: 1. Site Plan
2. Management plan
3. Parking and class schedule Information
4. CONFIDENTIAL - Applicant and Owner Details
Additional Information: 5. [Site Photos](#)
(*viewed electronically*)

SUMMARY

Approval is sought by the applicant for an unauthorised partial change of use from Office to Recreation – Private (Dance Studio) at No. 6 / 42 (Strata Lot 6) Ladner Street, O'Connor.

The proposal is referred to Council due to the nature of some discretions being sought and comments received during notification period. The application seeks discretionary assessments against the Local Planning Scheme No. 4 (LPS4), including the following:

- Land use
- Car and bicycle parking

The application is recommended for conditional approval.

PROPOSAL

Detail

Approval is sought for unauthorised partial change of use from Office to Recreation - Private (Dance Studio) at No. 6/42 (Strata Lot 6) Ladner Street, O'Connor (subject site).



The operation of the Recreation – Private land use as outlined in the provided Management Plan (attached) includes:

- Unauthorised Recreation – Private (dance studio) that according to owner has been in operation since 2000 (see attached management plan).
- Dance studio business with operating hours of:
 - o Monday: 4pm-8:30pm
 - o Tuesday: 4pm-8:30pm
 - o Wednesday: 3:45pm-8pm
 - o Thursday: 3:45pm-8.30pm
 - o Saturday: 9am-12.30pm
- Classes with a maximum of 15 students and 1 onsite staff member.
- Sixteen (16) car bays on site with two (2) bays informally allocated to each strata unit and 2 visitor bays for the complex.

Development plans are included as attachment 1.

Site/application information

Date received:	22 June 2026
Scheme:	Industrial
Heritage listing:	Not Listed
Existing land use:	Office
Use class:	Recreation - Private
Use permissibility:	D

In accordance with the *Privacy and Responsible Information Sharing Act 2024* and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment.

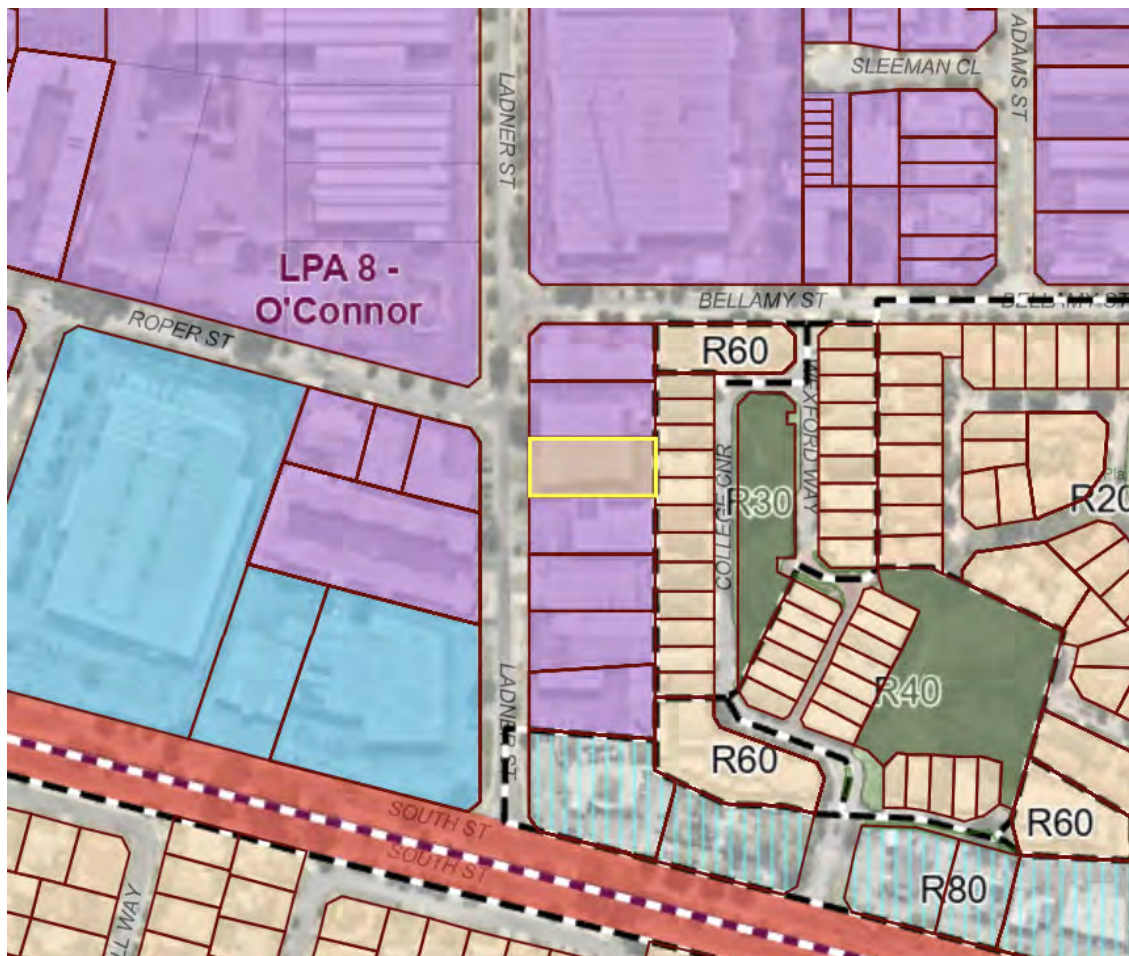


Figure 1 - Site context map

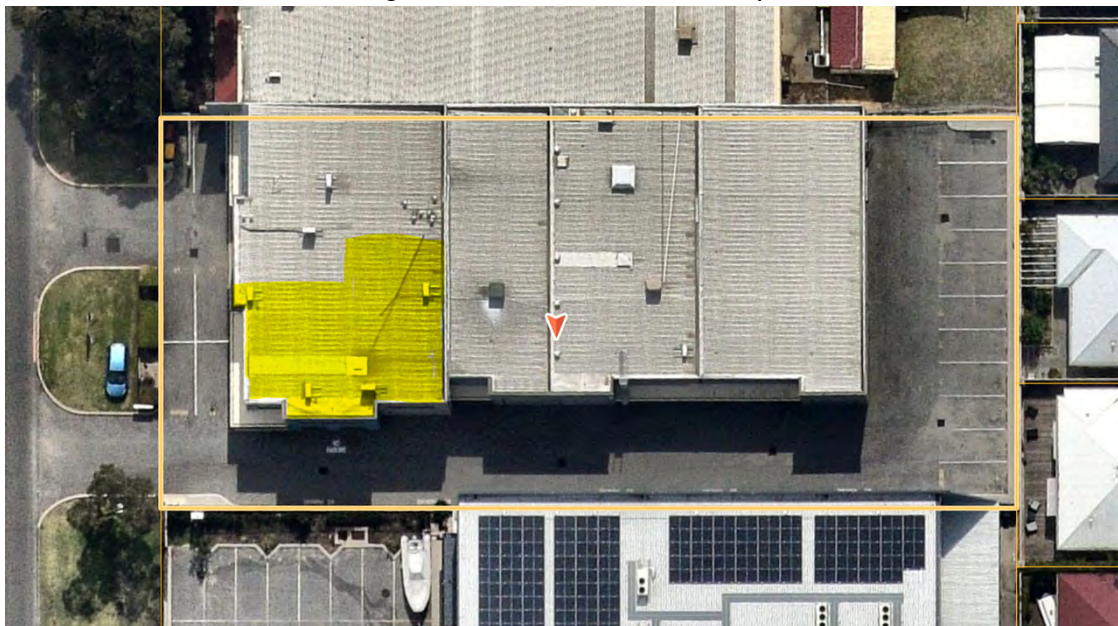


Figure 2 – Aerial view of No. 42 Ladner with 6/42 Ladner highlighted in yellow



CONSULTATION

External referrals

Nil required.

Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the onsite parking shortfall. The advertising period concluded on 23 July 2026, and one (1) submission was received against the application. The following issues were raised (summarised):

- Past and ongoing issues with impact of parking on streetscape due to parking from unauthorised business.

In response to the above, the applicant provided the following response (summarised):

- Provided explanation that pickup and drop of procedure is provided to customers to manage and alleviate impacts of on street/verge parking.

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

A parking management plan is recommended to be conditioned as part of an approval, to ensure that pick up and drop off periods between the classes, which are anticipated to have the greatest potential for vehicle congestion and parking issues generated from site are managed appropriately.

The remaining comments are addressed in the officer comment below.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of Local Planning Scheme No.4 (LPS4). The relevant assessment criteria are discussed as follows.

- Land use
- Car and bicycle parking

The above matters are discussed below.



Background

The subject site is located on the eastern side of Ladner Street, O'Connor. This tenancy is an upper floor commercial unit and has a floor area of approximately 197m². The tenancy is currently approved as an Office and the site is zoned Industrial. The site is not individually heritage listed nor located within a Heritage Area.

Currently the 5 of the 6 other lots are operating as permissible uses under the industrial zoned area, with 1 other unit, 5/42 Ladner Street, in the complex operating as a martial arts studio approved as a "Health Studio" use in 2018.

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

- Approval was granted in 1996 for a warehouse/office development at 42 Ladner Street O'Connor (DA399/96), which was subsequently built in 1998.
- As per provided applicant letter, unauthorised use Private – Recreation (dance studio) has been in operation since 2000, applying on own volition for unauthorised change of use application.
- Complaints of parking impact on street verge from units from 42 Ladner was a raised in 2014.

Land Use

Recreation - Private is a 'D' use in the Industrial Zone, which means that the use is not permitted unless the Council has exercised its discretion by granting planning approval. In considering a 'D' use the Council will have regard to the matters to be considered in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In this regard the following matters have been considered:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*
- (m) *The compatibility of the development with its setting including the relationship of the development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development*
- (n) *The amenity of the locality including the following:*
 - (i) *Environmental impacts of the development*
 - (ii) *The character of the locality*
 - (iii) *Social impacts of the development*
- (s) *the adequacy of –*
 - (i) *the proposed means of access to and egress from the site; and*



- (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles*
- (y) *Any submissions received on the application.*

For the purpose of assessing matter (a) above, the objectives of the Industrial zone as detailed in LPS4, clause 3.2.1(g) are as follows:

- (i) *provide for manufacturing, processing and fabrication industry, the storage and distribution of goods and associated uses, service industry, utilities and communication, ancillary retail which by the nature of their operations should be separated from residential areas, and*
- (ii) *ensure that development contributes to a high standard amenity and design as well as compatibility with adjacent residential areas.*

The unauthorised land use is considered to address the above matters for the following reasons:

- The existing uses look to be as existing with the exception of unit 5, a martial arts studio, that obtained approval as a Health studio in 2018 (DA0135/18).
- The unauthorised land use is highly compatible with surrounding residential and commercial zones. With a 75m distance of commercial zones and 150m distance to residential zones of which the unauthorised business caters to.
- Access is limited to enrolled participants that attend scheduled classes, rather than unrestricted public access. This reduces potential social impact of the development by monitoring and maintaining customer traffic.
- Enables a compatible creative land use that diversifies employment and economic activity.
- No alterations made to structure that would impact the viability of the building within the industrial zone.
- The parking is discussed in detail in the below car parking section.

Car Parking

The car parking requirements for the current approved and unauthorised land uses is identified in the table below.

Element	Requirements	Existing	Extent of Variation
Office (existing)	1: 30 m ² gla (197m ²) Required: 7	2 informally allocated bays for unit	5 bays



		2 visitor bays (shared across complex)	
	Delivery Bay 1: 500m ²	nil	1
Recreation Private	1: 5 seats or 1: 5 people accommodated – (16 capacity proposed) Required 4	2 exclusive bays, 2 visitor bays.	2
	1: service/storage area	1	1

In accordance with clause 4.7.3.1 of the City's LPS4, Council may waive or reduce the standard parking requirements specified in Table 2 of LPS4 subject to the applicant satisfactorily justifying a reduction due to one or more of the following—

- (i) *the availability of car parking in the locality including street parking,*
- (ii) *the availability of public transport in the locality,*
- (iii) *any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces,*
- (iv) *any car parking deficiency or surplus associated with the existing use of the land,*
- (v) *legal arrangements have been made in accordance with clause 4.7.5 for the parking or shared use of parking areas which are in the opinion of the Council satisfactory,*
- (vi) *any credit which should be allowed for a car parking demand deemed to have been provided in association with a use that existed before the change of parking requirement,*
- (vii) *the proposal involves the restoration of a heritage building or retention of a tree or trees worthy of preservation,*
- (viii) *any other relevant considerations.*

The reduction in on-site car parking is considered to meet the requirements of Clause 4.7.3.1 of the LPS4 for the following reasons:

- As stated in additional information provided by applicant (see attached), the period of most heavy occupation will be during classes which will operate on weeknights and weekends, running outside typical business hours of the surrounding industrial zoned aligned tenancies.
- The use of Recreation – Private is an overall decrease of onsite car bay requirements in comparison with the approved office use by three (3).
- This minor parking shortfall is not considered to significantly intensify the existing industrial traffic situation.



- As the operational hours are predominantly outside of typical business hours for other typical industrial businesses, the Recreation – Private use will blend well with the existing industry uses within the strata complex as they have the ability to utilise parking outside of standard business hours.
- Additionally, high frequency public transport is provided to the area along South Street.

Bicycle Racks

Office (existing use)

Element	Required	Provided	Variation
Class 1 or 2	Class 1 or 2: 1 200m ² gla Required: 1 rack	Nil	1 rack
Class 3	Class 3: 1 per 750m ² gla over 1000m ² Required: 1 rack	Nil	1 rack

Recreation Private (unauthorised use)

Element	Required	Provided	Variation
Class 1 or 2	Class 1 or 2: 1 per 4 employees Required: 1 rack	Nil	1 rack, Class 1 or 2 bike rack to be conditioned
Class 3	Class 3: 1 per 200m ² gla Required: 1 rack	Nil	1 rack

In accordance with clause 4.7.3.4 of the City's LPS4 –

Council may waive the class 3 bicycle rack requirements of Table 2, where, in the opinion of the Council, the development application is for a minor change of use.

- (i) *The provision of such bicycle racks would be incompatible with the overall design of the development; and*
- (ii) *The required number of class 3 racks to be provided can adequately be provided on public land in the immediate vicinity of the development; and*



- (iii) cash contribution, equivalent to the cost of installation of the required class 3 bicycle racks is negotiated and made to the City of Fremantle for provision of bicycle racks in the immediate vicinity of the development.*

The reduction in the required class 3 bicycle rack is considered to meet the requirements of Clause 4.7.3.4 of the LPS4 for the following reasons:

- As indicated, the unauthorised Recreation – Private use has the same required bicycle rack variations as the existing approved Office use.
- The subject area has no footpath or bike paths, with high industrial traffic. Bicycle racks in this context are an unnecessary requirement due to their unviability in the location. The requirement of clause 4.7.3.3 to waive the required class 1or 2 racks are therefore met.

CONCLUSION

Approval is sought for the unauthorised partial change of use from Office to a Recreation – Private (Dance Studio) land use at No. 6/42 Ladner Street, O'Connor. The land use is of a reasonable scale and is compatible with the character of the area. Parking, if managed according to a satisfactory parking management plan, will have little impact on the existing parking arrangement on the parent lot or streetscape. In accordance with the assessment above, the application is recommended for conditional approval.

STRATEGIC IMPLICATIONS

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

Creative City – Industry-leading community arts facilities and programming

- Fremantle is recognised as an industry leader in arts programming, enhancing our strong reputation in the sector.

FINANCIAL IMPLICATIONS

Nil



LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.

COMMITTEE DECISION ITEM PSC2609-5 (Officer's recommendation)

Moved: Mayor Ben Lawver

Seconded: Cr Melanie Clark

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Unauthorised Partial Change of Use from Office to Recreation – Private (Dance Studio) at No. 6/42 (Strata Lot 6) Ladner Street, O'Connor, subject to the following conditions:

1. The approval relates only to the development as indicated on the approved plans, dated 22 June 2026. It does not relate to any other development on this lot.
2. The approved Recreation - Private land use shall be limited to the opening hours of:
 - Monday: 4pm-8:30pm
 - Tuesday: 4pm-8:30pm
 - Wednesday: 3:45pm-8pm
 - Thursday: 3:45pm-8.30pm
 - Saturday: 9am-12:30pm;

or as otherwise approved by the City of Fremantle.



3. The approved Recreation – Private land use is limited to a maximum occupancy of 16 people, including staff at any given time.
4. Within 90 days of determination of the hereby approved Recreation – Private (Dance Studio) land use,
5. A parking management plan is to be provided, to the satisfaction of the City of Fremantle.
6. A plan detailing the provision of one Class 1 or 2 (as defined in Local Planning Scheme No. 4) bicycle racks shall be provided, to the satisfaction of the City of Fremantle.
7. Within 120 days of the development hereby approved, the required bicycle rack must be installed in accordance with the approved plan and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
8. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):

- i. A BA9 – Occupancy Permit application form is required to be submitted for the unauthorised building works. A Certificate of Building Compliance (BA18) must be submitted with the application and signed and completed by a Registered Building Surveyor Contractor (private sector). A list of Registered Building Surveyors can be obtained from the Western Australian Building Commission website - <https://www.commerce.wa.gov.au/building-commission>.
- ii. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 1. Mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 2. Vehicles;
 3. Amplified acoustic systems; and



4. Patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.

iii. Bicycle parking facilities are to be provided in accordance with the following standards:

- Class 1 – High security level – Fully enclosed individual locker;
- Class 2 – Medium security level – Lockable compound fitted with class 3 facilities with communal access using duplicated keys.

For more information refer to 'Austroads Cycling Aspects to Austroads Guides'

Carried: 5 / 0

For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong,
Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil



Mayor Ben Lawver left the meeting at 7.37pm and was absent during the discussion and voting of this item.

PSC2609-13 PLANNING INFORMATION REPORT - SEPTEMBER 2026

1. SCHEDULE OF APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

Meeting date: Wednesday 2 September 2026
 Responsible officer: Manager City Planning
 Voting requirements: Simple Majority Required
 Decision making authority: Committee
 Attachments: 1. Schedule of applications determined under delegated authority

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

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

Meeting date: Wednesday 2 September 2026
 Responsible officer: Manager City Planning
 Voting requirements: Simple Majority Required
 Decision making authority: Committee
 Attachments: Nil

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

1. Application Reference
DA0108/26
Site Address and Proposal
No. 612/23 (Lot 82) Adelaide Street, Fremantle – Change of use to Unhosted short-term rental accommodation
Update and status
- At its meeting held on 10 June 2026, the Council resolved to refuse the application. - On 20 July 2026 an Application for Review by the State Administrative Tribunal was lodged by the owner.



- A Mediation session between the parties has been scheduled for 28 August 2026.

2. Application Reference

DAP007/25

Site Address and Proposal

No. 242 Marine Terrace, South Fremantle – Five storey Multiple dwelling development

Update and status

- At its meeting held on 4 March 2026, the Development Assessment Panel refused the application.
- On 25 March 2026 an Application for Review by the State Administrative Tribunal was lodged by the owner.
- The State Administrative Tribunal has ordered the Development Assessment Panel to reconsideration an amended proposal on or before the 31 October 2026.

3. Application Reference

DAP003/26

Site Address and Proposal

No. 254c Hampton Road, Beaconsfield

Update and status

- On 9 June 2026 the City accepted an application for the above proposal.
- Community consultation for this item has closed.
- A Responsible Authority Report is due to DAP on 16 September 2026.

4. Application Reference

DAPV001/26

Site Address and Proposal

No 47 Pakenham Street, Fremantle – Variation to approved development

Update and status

- On 3 June 2026 the City accepted an application for the above proposal.
- Community consultation for this item has closed.
- On A Responsible Authority Report was submitted to DAP on 19 August 2026.
- A DAP meeting was held on 1 September 2026 to determine the item. At the time of agenda publication, a result was not known.

5. Application Reference

DA0153/26

Site Address and Proposal

No. 39/31 East Street, Fremantle – Change of use to Unhosted short-term rental accommodation

Update and status



- At its meeting held on 22 July 2026, the Council resolved to refuse the application.
- On 17 August 2026 an Application for Review by the State Administrative Tribunal was lodged by the owner.
- A Directions hearing is scheduled for 4 September 2026.

3. ADMINISTRATIVE CHANGES TO POLICY UNDER DELEGATION

1. Policy Reference
LPP 1.7: Development Exempt from Planning Approval
Amendments
• Administrative correction - Clause 7 amended to delete column 4(b)(iv): included in a Heritage Area. • Template update.

2. Policy Reference
LPP 2.25: Telecommunications
Amendments
• Administrative changes to modernise wording (ie: 'shall' to 'should'), formatting, and updating legislative references. • Template update.

3. Policy Reference
LPP 3.3: Local Planning Areas (East)
Amendments
• Incorporation of the former Beaconsfield TAFE site in section 3.0 Beaconsfield and stating that it defaults to the R-Codes based on the density shown in the structure plan to enable appropriate, development on small lots. • Minor reconfiguration such as moving figures 1 and 2 to the same page for ease of use

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.



COMMITTEE DECISION ITEM PSC2609-13
(Officer's recommendation)

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Council receive the following information reports for September 2026:

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

Carried: 4 / 0

For:

Cr Jemima Williamson-Wong, Cr Andrew Sullivan,
Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

Mayor Ben Lawver returned to the meeting at 7:40pm.



Council delegation

PSC2609-14 ADOPTION OF AMENDED LOCAL PLANNING POLICY 3.16 BURT STREET

Meeting date:	Wednesday 2 September 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Committee
Attachments:	1. DRAFT amended Local Planning Policy 3 16 Burt Street For Adoption 2. Local Planning Policy 3.16 Burt Street - Schedule of Submissions
Additional Information:	Nil
<i>(viewed electronically)</i>	

SUMMARY

The purpose of this report is to discuss adopting amended Local Planning Policy 3.16: Burt Street.

This report recommends that Local Planning Policy 3.16: Burt Street is approved in accordance with the version of the policy originally proposed to the Planning Services Committee on 1 July 2026.

BACKGROUND

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

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

This particular report focuses on the review of the policy applicable to Sub Area 5 (2.3.5) of Local Planning Scheme No.4, which affects 19-21 and 23-25 Burt Street Fremantle. Construction of 19-21 is currently underway in accordance with Development Assessment Panel planning approval DAP005/21 - Mixed Use Development, while 23-25 remains undeveloped.

At its meeting of 1 July 2026, the Planning Services Committee unanimously resolved to endorse the amended policy for the purpose of advertising subject to the following further amendment:



modifying the "Site Specific Building Requirement Diagram" to include:

1. approximately nine (9) possible future parking bays on the eastern verge of Skinner Street; and,
2. approximately twenty-six (26) possible future parking bays on the southern verge of Burt Street.
3. a reduction from the twenty-five of bays shown on Vale street to approximately fifteen (15) bays configured to accommodate a wide landscape verge near the Skinner Street corner.

In summary, the modifications to the diagram were proposed on the basis of providing for additional verge car parking to complement higher density development and guide the City in design and approvals for improvements to the public realm within the verge to Skinner, Burt, and Vale Streets.

This amendment to the Building Requirement Diagram (figure 1 below) was incorporated in the draft amended policy for advertising to the public.

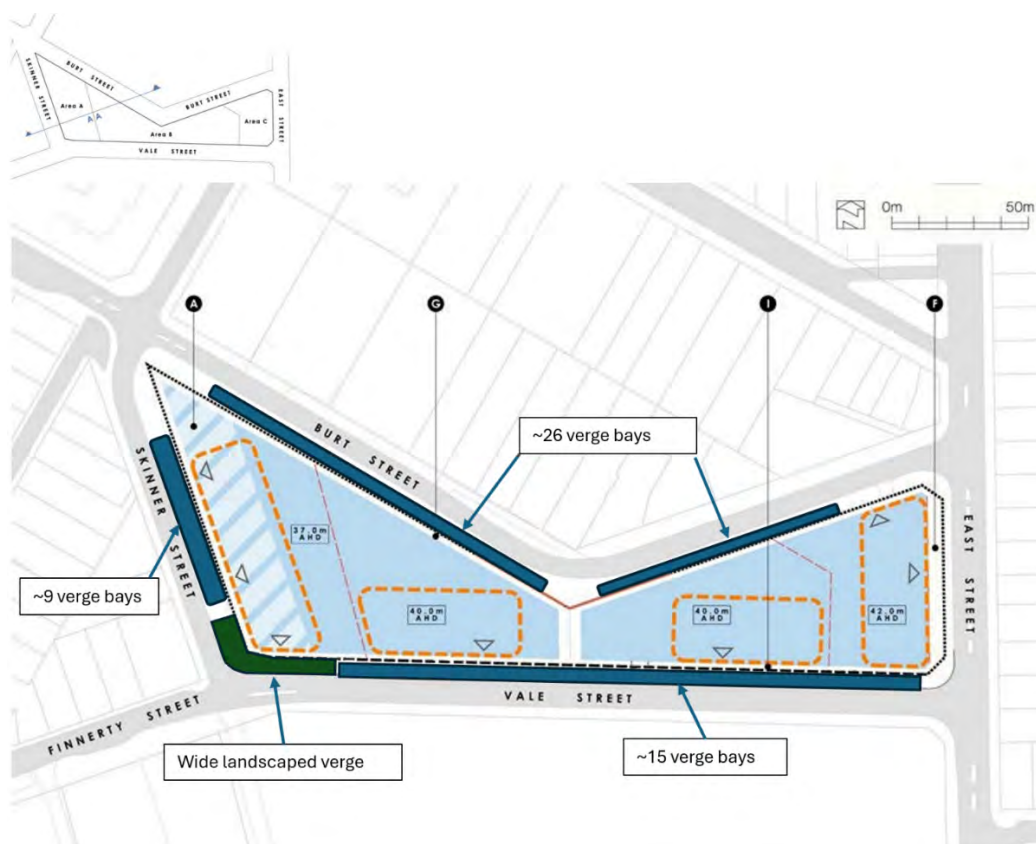


Figure 1: Amendments showing verge parking

Further updates will be provided regarding the second part of PSC's resolution (in relation to public parking strategy developed by the City) separate to this item.



FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

The procedure for amending a local planning policy is set out in Schedule 2, Regulation 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

STRATEGIC IMPLICATIONS

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

Liveable City - Sustainable growth in city centre population

- A higher density City with a diverse range of housing options being available in the city centre that cater to multiple demographics.
- Fremantle is recognised as a development-friendly city as a result of flexible and adaptable approaches to planning.

CONSULTATION

The amended policy was advertised from 10 July to 31 July 2026. Advertising occurred via a dedicated website page on the City's MySay platform, a newspaper notice in the Fremantle Herald, and letters to nearby and surrounding households in both Fremantle and East Fremantle.

The City received a couple of phone calls and an email from residents querying the nature of the changes and one objection (Attachment 2) to the policy during this time. The objection directly relates to the amended Building Requirements diagram.

Objection	Officer Response
The proposed 26 bays of parking on the south side of Burt St seems ill considered. The issue with visibility at the top of the hill on the corner, makes the current proposal dangerous. The visibility on Vale Street is far better and will not impact residents as much as it is next to the school oval.	It is recommended that the amended policy does not include the prospective amendments to the Building Requirements diagram regarding verge parking and landscaping. Analysis by City Officers following the Council decision identified that the changes to the diagram would trigger the required relocation of planned future



Will residents be consulted on this at the next stage when an expert is hired to analyse this proposal? I would like confirmation that the northern verge on Burt Street will not be used for parking as we are currently investing our time and money to undertake the re-wilding of the common area to provide a better habitat for natives and give some privacy from the Muse development for residents in our Strata.	street trees and landscaping, although existing mature trees can be kept. Omitting the amendments to the diagram does not preclude the potential for the City to investigate including additional verge bays at a later date on an as-needs basis, however removing the changes to the diagram will remove the identified conflict with planned landscaping and will enable a more flexible approach to future verge bay delivery.
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OFFICER COMMENT

In response to the modified resolution of committee on 1 July 2026, City officers analysed the potential for the verges of Burt, Skinner and Vale Streets to accommodate the amendments espoused in the Building Requirements diagram (Figure 2 below). The initial review finds that no existing street trees would necessitate removal as an outcome of the verge bays, however it would trigger amendments to the landscaping planned for the site verges including a potential reduction in the number of trees planted.



Figure 2: Potential verge parking bays in purple

It is recommended that the modified Building Requirements diagram not be included for the following reasons:



- The verges are under the City's control, and any development on the verges, such as parking bays, requires the City's approval through a process that sits separate from the development application process.
- Location of verge infrastructure and parking may be impacted by proposed access arrangements of future development, necessitating changes to the plan.
- The verges sit outside the lot boundaries and within City-managed land. Local planning policies generally do not dictate development criteria on City-managed land as these designs are best left to the specialised teams within the City (ie: Parks, Engineering, etc.) when projects are undertaken.
- Whether or not the diagram incorporates the verge bays, the City retains the potential to investigate and undertake these works, or any other, subject to further review.

As none of these processes have occurred to date, it is recommended that the changes to the diagram are not retained in the adopted amended policy.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Council

OFFICER'S RECOMMENDATION

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Council:

1. Adopt amended Local Planning Policy 3.16 – Burt Street, as provided in Attachment 1, in accordance with Schedule 2, clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Andrew Sullivan moved the following amendment, as provided in the additional documents:



AMENDMENT

Moved: Cr Andrew Sullivan

Seconded: Mayor Ben Lawver

Amend the Officer's Recommendation to read as follows:

Council adopt amended Local Planning Policy 3.16 – Burt Street, as provided in Attachment 1, in accordance with Schedule 2, clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, *with the following amendment:*

- a. *Include the Building Requirement Diagram shown in Figure 1 of the Council Report.*

Amendment Carried: 5 / 0

For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong,
Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

Reason for amendment:

To provide strategic direction for both the City and the proponents of the need to provide improved parking opportunities in the locality and set expectations for public realm improvements.

COMMITTEE RECOMMENDATION ITEM PSC2609-14

(Officer's recommendation, as amended)

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Council adopt amended Local Planning Policy 3.16 – Burt Street, as provided in Attachment 1, in accordance with Schedule 2, clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, *with the following amendment:*

- a. *Include the Building Requirement Diagram shown in Figure 1 of the Council Report.*

Carried: 5 / 0

For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong,
Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil



Committee delegation

PSC2609-12 LOCAL PLANNING POLICY 2.19 - CONTRIBUTIONS FOR PUBLIC ART

Meeting date:	Wednesday 2 September 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Committee
Attachments:	1. DRAFT - Local Planning Policy 2.19 - Contributions for Public Art 2. LPP 2.19 - Contributions for Public Art and or Heritage Works
Additional Information:	Nil
<i>(viewed electronically)</i>	

SUMMARY

As part of the ongoing review of the City's local planning policies, officers have reviewed Local Planning Policy 2.19 – Contributions for Public Art and / or Heritage Works (LPP 2.19).

This report recommends that Council adopts the draft Local Planning Policy 2.19 – Contributions for Public Art (Attachment 2) for the purpose of community engagement.

BACKGROUND

At the Ordinary Council Meeting of 12 February 2025 Council received the Local Planning Policy (LPP) Review Timeline 2025-26. The project intends to update and streamline the City of Fremantle's statutory planning framework. This report continues this review.

Recently, Council adopted the 2025 – 35 Public Art Strategy, which sets a clear direction for how public art will be delivered and supported across the City of Fremantle (the City), including the identification of locations around the City where public art should be supplied.

LPP 2.19 requires the provision of either artwork or cash-in-lieu, both equivalent to one percent of the total cost of larger scale development in any of the public contribution areas to be paid to the City. The cash-in-lieu is to be paid into the City's Public Art Fund for use by the City on provision of public art in the locality of the development. LPP 2.19 also allows the one percent contribution to be used on



the cost of works associated with the conservation, restoration or interpretation of proximate public buildings, structures or places of cultural heritage significance.

The one percent contribution for public art is a long-standing, standard model used by local governments throughout the Perth metropolitan area.

LPP 2.19 (Attachment 2) was adopted by Council in November 2012 and has not been reviewed since that time.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

The procedure for amending a local planning policy is provided for under Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

STRATEGIC IMPLICATIONS

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

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

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

This item is in keeping with the City of Fremantle Public Art Strategy 2025-35 objectives:

- Celebrate, develop, deliver and care for the Public Art Collection, Monuments and Memorials.
- Promote and deliver high calibre public art in new developments, including both developer-led and City-led initiatives

CONSULTATION

Should Council resolve to advertise the draft revised policy for public comment, it will be advertised for a minimum of 21 days in accordance with the *Planning and*



Development (Local Planning Schemes) Regulations 2015 before returning to Council for a final decision.

OFFICER COMMENT

A comparison between the new and proposed policy is shown in the table below:

Criteria	Existing Policy	Amended Policy
Developer contribution:	1% of development costs	1% of development costs
Contribution area:	- North Fremantle town centre - City Centre and surrounds - Hilton Neighbourhood Centre - South Fremantle Neighbourhood Centre	Entire city
Development cost threshold:	Applies to development greater than \$1 million	Applies to development greater than \$5 million
Does not apply to:	- Single houses and grouped dwellings; - Buildings used for any industrial use class in Table 2 of the Scheme; - Any development with a gross lettable area of less than 1000 sq m; - Refurbishments and change of use of existing buildings larger than 1000 sq m gross lettable area not involving substantial structural alteration, and all refurbishments to buildings with a gross lettable area of less than 1000 sqm.	- Single houses; - Grouped dwelling developments of fewer than 10 dwellings; - Multiple dwelling developments of fewer than 10 dwellings; - Industrial developments, per Table 1 of Local Planning Scheme No. 4; - Any non-residential or mixed-use development with a floor area of less than 1000m²; - Refurbishments to buildings with a floor area of less than 1000m²; - Refurbishments and changes of use of existing buildings with greater than 1000m² floor area, where they do not involve substantial structural alteration
Cash-in-lieu incentives:	Nil	15% discount
Contribution type:	Proponent's choice of public art on site or cash-in-lieu contribution	Between \$5-\$10 million: cash-in-lieu mandatory.



Criteria	Existing Policy	Amended Policy
		Greater than \$10 million: Proponent's choice of public art on site or cash-in-lieu contribution
Public art alternatives:	With Council approval, part or all of contribution may be used towards cost of works associated with the conservation, restoration or interpretation of proximate public buildings, structures or places of cultural heritage significance (heritage works).	With Council approval, contributions on development within the City Centre may be put towards public realm upgrades provided that: a) Public artwork forms part of the proposal; b) It contributes to an adopted strategy; and c) The proposal goes beyond reasonably expected maintenance to the public realm resulting from the development or upgrades to infrastructure/utilities needed for the development.

In addition to the above, the amended policy updates the formatting, includes information on liability, ownership, copyright and moral rights, and sets out where and in what timeframes the money will be spent, all of which are in line with contemporary public art policies in use by other local governments.

The current LPP 2.19 allows the one percent contribution to be applied to heritage works on public buildings. It is proposed to remove this provision so that the policy is focused solely on the delivery of public art. The intent of this provision was to allow the money to be spent on civil works and public buildings that would improve the public realm, rather than conservation works that would already otherwise occur as part of the development.

Given the large number of significant heritage buildings in Fremantle, the current provision has enabled some proponents to seek to apply their contribution to conservation works they had already planned to do on their own buildings, rather than to additional works that would provide a broader public benefit. In practice, this can reduce or remove the public realm contribution that would otherwise be delivered beyond simply the necessary works to the subject building.

The new policy also imposes mandatory cash-in-lieu contributions for development less than \$10 million, and optional cash-in-lieu contributions for



development greater than \$10 million. All cash-in-lieu options include a 15% discount in order to incentivise cash-in-lieu contributions over having the proponent provide the public art onsite. A cash-in-lieu contribution is preferred for the following reasons:

- A 1% contribution from a single development does not result in a lot of funds for public art and, in aggregate across a series of developments, tends to result in small-scale, underwhelming pieces due to the lack of funds. Pulling together funds from several sites allows the City to lead on implementing bigger, more impactful artworks.
- When proponents propose art for their development, the public art is usually an afterthought, added wherever there is space after the building has been almost fully designed rather than a piece that is integrated into the development. Often, it is a required part of the development (ie: window screening) with some designs added on.
- Proponent-led public art tends to be mainly for the benefit of the proponent's development rather than the wider locality.
- Aggregating funds across development allows the City to fulfill the implementation plan set out in the Public Art Strategy 2025-35.

New clause 3.4 of the draft policy also adds the ability for Council to accept the contribution for public realm upgrades provided that:

- a) Public artwork forms part of the proposal;
- b) It contributes to an adopted strategy; and
- c) The proposal goes beyond reasonably expected maintenance to the public realm resulting from the development or upgrades to infrastructure/utilities needed for the development.

This would establish a statutory mechanism for Council to support public realm upgrades where they are considered necessary or desirable to facilitate new development and ensure that surrounding streets, spaces and public realm infrastructure are capable of supporting the anticipated change in land use and intensity. This mechanism is particularly relevant in parts of the City Centre where there has historically been limited significant development, and where the existing public realm may reflect former industrial or lower-intensity uses rather than the needs of new high density residential or mixed-use development.

In these circumstances, public realm upgrades may assist in improving pedestrian amenity, accessibility, safety, streetscape quality and the overall integration of new development with its surrounding area. Any such contribution would need to demonstrate a clear relationship to an adopted strategy and provide a benefit beyond works that would ordinarily be required as part of the development itself.



The timing, scope and detailed design of any public realm upgrades would remain subject to the City's assessment and approval.

Draft LPP2.19 is included as Attachment 2. Together with the recent Public Art Strategy, LPP 2.19 will provide an improved public art and public realm contribution framework.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.

OFFICER'S RECOMMENDATION

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Council endorse draft revised Local Planning Policy 2.19 – Contributions for Public Art, provided in Attachment 1, for the purposes of advertising, in accordance with Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Andrew Sullivan moved the following amendment, as provided in the additional documents:

AMENDMENT

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Amend the Officer's Recommendation to read as follows:

Council endorse draft Local Planning Policy 2.19 – Contributions for Public Art, provided in Attachment 1, for the purposes of advertising, in accordance with Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, *with the following amendment:*
a. Delete clause 3.4.

Amendment Carried: 5 / 0

For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong,



Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:
Nil

Reason for amendment:

Urban realm upgrades do not fit the definition for public art and are therefore outside of the purpose of the policy. In addition, allowing funds to be used for such purposes would normally be inconsistent with the scope of conditions that can be legitimately applied as part of a planning approvals process.

COMMITTEE DECISION ITEM PSC2609-12
(Officer's recommendation, as amended)

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Council endorse draft Local Planning Policy 2.19 – Contributions for Public Art, provided in Attachment 1, for the purposes of *advertising, in accordance with Schedule 2, Part 2, Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015, with the following amendment:*
a. *Delete clause 3.4.*

Carried: 5 / 0

For:

Mayor Ben Lawver, Cr Jemima Williamson-Wong,
Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:
Nil



Cr Jemima Williamson-Wong declared an impartiality interest in items PSC2609-6, PSC2609-7, PSC2609-8, PSC2609-9, PSC2609-10 and PSC2609-11, earlier in the meeting. Cr Williamson-Wong left the meeting prior to the discussion and vote on the following items and did not return.

At 7:57pm the Deputy Presiding Member, Cr Melanie Clark assumed the chair.

PSC2609-6 HIGH STREET, NO. 70 (LOT 31), FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT-TERM RENTAL ACCOMMODATION - (CR DA0216/26)

Meeting date:	Wednesday 2 September 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Committee
Attachments:	1. Site Plan 2. Management Plan 3. Code of Conduct 4. CONFIDENTIAL - Owner and Applicant Details
Additional Information:	5. Applicant Cover Letter 6. Site Photos

(viewed electronically)

SUMMARY

Approval is sought by the applicant for Unhosted short-term rental accommodation at No. 70 (Lot 31) High Street, Fremantle.

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

- Land Use ('A')

The application is recommended for conditional approval.



PROPOSAL

Detail

Approval is sought for a change of use of an existing Multiple Dwelling to Unhosted short-term rental accommodation at No. 70 (Lot 31) High Street, Fremantle (subject site). There are no works proposed.

Development plans are included as attachment 1 as well as a Management plan and Code of Conduct which is included as attachment 2 and 3.

Site/application information

Date received:	8 June 2026
Scheme:	City Centre
Heritage listing:	West End Heritage Area / Level 1b
Existing land use:	Multiple Dwelling
Use class:	Unhosted Short-Term Rental Accommodation
Use permissibility:	A

In accordance with the Privacy and Responsible Information Sharing Act 2024 and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment and due to the requirement to link the land use to a person in LPP 2.27 Unhosted Short-term Rental Accommodation, the name will be included on the Determination Notice issued.



Figure 1 – Planning context map



Figure 2 – Aerial view of subject site (April 2026)

CONSULTATION

External referrals

Nil required.

Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, proposal required a merit-based assessment against the Scheme and local planning policy. The advertising period concluded on 8 July 2026, and one (1) submission was received. The following issues were raised (summarised):

- Concern of the possibility of cars parking in adjoining right of way to rear of property.

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

- The concern raised is a civil issue between adjoining property owners of which the applicant property, 70 High street, has an easement benefit right of way carriage access over.
- Additionally, the management plan (Attachment 2) does not propose parking in the adjoining property's right of way but rather in an existing parking space that is accessed through right of way. An advice note will be added advise this.

The remaining comments are addressed in the officer comment below.



OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4 specifically land use and car parking provisions. The relevant assessment criteria are discussed as follows:

- Land use

The above matters are discussed below.

Background

The subject site is located on the north side of High Street Fremantle. The dwelling subject to the application is a one (1) bedroom Multiple dwelling with a floor area approximately 80m² on the upper floor of a two-storey mixed-use development. The ground floor consists of a Shop with frontage to High Street. Access to the site is accessed by pedestrians through the shop front while the rear private right of way is used for vehicle access.

The site is zoned City Centre and has a density coding of RAC3. The site is an individually heritage listed level 1B property and is located within the West End Heritage Area.

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

- A recent development application for interior works, DA0100/26 that confirmed the upper floor Multiple Dwelling is an existing and persisting use from its original subdivision in 1997.

Within immediate adjoining properties only one unit of 4 at 61 High street has a registered Unhosted STRA (see below Figure 3).

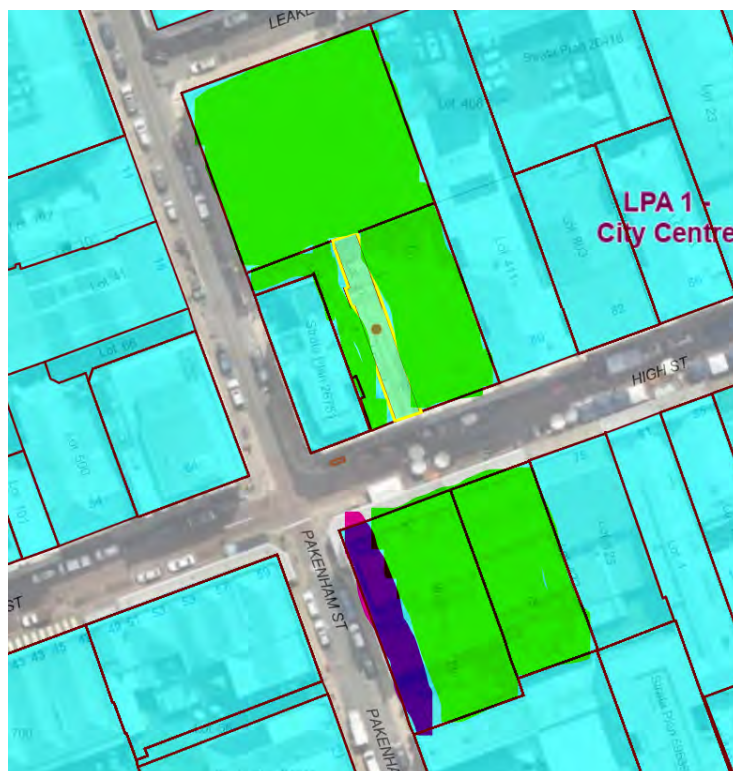


Figure 3 – Adjoining properties highlighted in green have no STRA registered, portion of 61 High street highlighted in purple to represent 1 unit of 4 with Registered STRA

Land Use

Unhosted short-term rental accommodation is an 'A' use in the City Centre Zone, which means that the use is not permitted unless the Council has exercised its discretion by granting planning approval. In considering an 'A' use the Council will have regard to the matters to be considered in the *Planning and Development (Local Planning Schemes) Regulations 2015*. In this regard the following matters have been considered:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*
- (m) *The compatibility of the development with its setting including the relationship of the development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development*
- (n) *The amenity of the locality including the following:*
 - (i) *Environmental impacts of the development*
 - (ii) *The character of the locality*
 - (iii) *Social impacts of the development*
- (y) *Any submissions received on the application.*



For the purpose of assessing matter (a) above, the objectives of the City Centre zone are as follows:

Development within the City Centre zone shall —

- i. provide for a full range of shopping, office, administrative, social, recreation, entertainment and community services, consistent with the region-serving role of the centre and including residential uses, and*
- ii. comply with the objectives of local planning area 1 of schedule 7,*
- iii. conserve places of heritage significance the subject of or affected by development.*

The proposed development is considered to address the above matters for the following reasons:

- Proposed Unhosted Short-Term Rental Accommodation use is consistent in providing short term accommodation for tourism purposes.
- 70 High street is particularly well suited to accommodate the proposed Unhosted Short-Term Rental Accommodation use due to its location in a high noise and activity area of the city centre along High Street (see attached site photos)
- No structural changes are proposed and therefore no relevant objectives of Local Planning Area 1 area triggered for assessment.
- As no structural alterations are proposed, the heritage significance of the subject site is not impacted by the proposed change of use.

Local Planning Policy 2.27 – Unhosted Short-Term Rental Accommodation

The purpose of LPP2.27 is to establish a framework to manage Unhosted short-term rental accommodation within the City of Fremantle. The policy seeks to balance the tourism benefits with residential amenity and urban living, ensuring development and land use aligns with City Centre character while not detrimentally impacting the viability of an area through the overabundance of temporary residents.

The objectives of this policy are to:

- 1. To ensure unhosted short-term rental accommodation is designed, sited and managed to preserve amenity and character of areas with heritage, environmental or conservation values.*
- 2. To maintain the amenity and established character of zones by ensuring the location, scale, design and operation of unhosted short-term rental accommodation is appropriate to the setting.*



3. *To ensure unhosted short-term rental accommodation is appropriately serviced to meet the needs of visitors and prevent detrimental impacts on the local environment or infrastructure.*
4. *To ensure the vibrancy and viability of zones, particularly the City Centre zone, is maintained by retaining a base of predominantly permanent residents.*

The following table evaluates the proposal against the policy provisions of LPP2.27.

Table 1 – Assessment against LPP2.27

1. Built Form and Site Appearance	Officer comment
1.1 Proposals for unhosted short-term rental accommodation must align with the applicable Residential Design Codes (R-Codes), Local Planning Scheme, Local Development Plans and any location specific local planning policies.	No change is proposed to the existing built form.
1.2 On-site signage is required for all proposals and is: a) Limited to sign plaques or plates affixed to the main frontage of the building. b) To not exceed 0.5m ² per dwelling. c) To be consolidated where multiple unhosted short-term rental accommodation units are contained on a site. d) To include the property owner or manager's contact information.	A condition of approval is recommended to ensure compliance with signage requirements.
2. Car Parking	Officer comment
2.1 For all zones, except the City Centre Zone - In addition to providing car parking in accordance with the Residential Design Codes, additional on-site car parking bays should be provided at a rate of one bay for every two bedrooms exceeding four bedrooms (i.e. one additional bay for 5-6 bedrooms, two additional bays for 7-8 bedrooms etc).	City Centre Zone – N/A
2.2 City Centre Zone – The City Centre is a pedestrian friendly location with plentiful retail and dining options within walking distance, close to many of the City's tourist attractions and is well serviced by public transport.	1 existing car bay. Proposed use in City Centre Zone, therefore are no requirements under LPP2.27 for onsite parking to be provided



Therefore, there is no requirement for the provision of on-site parking within this zone.	
3. Dwelling Occupancy	Officer comment
3.2 Grouped and Multiple Dwellings - Maximum occupancy of no more than two persons per bedroom, excluding persons under 16, to a maximum of six persons.	1 bedroom with 2 person maximum occupancy.
3.3 Rooms not originally designed as bedrooms (e.g. living / dining rooms) cannot be converted for STRA occupancy calculations.	Existing bedroom is an approved lawful bedroom.
4. Location Requirements	Officer comment
4.1 In order to prioritise permanent residents within the City Centre Zone so as to retain a lively and vibrant centre throughout the year, consideration will be given to the number of hosted and unhosted short term rental accommodation properties registered at the time of the development application being lodged.	Proposed STRA is a singular multiple dwelling above a shop in a mixed use development.
5. Servicing Considerations	Officer comment
5.1 Development is to be connected to a reticulated potable water supply.	Complies
5.2 Development is to be connected to a reticulated sewage or serviced by an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants.	Complies
6. Time Limitations of Approvals	Officer comment
6.1 Development approval may be limited to a period of 12 months where Council deems it appropriate to properly assess the impact on neighbours and amenity.	The proposal is for an Unhosted short-term rental for two (2) persons. It is not considered that this will result in any significantly detrimental impact to the amenity of adjoining properties/dwellings or the area generally. As such a 12 month approval limit is not considered to be required.
7. Restriction of Operator	Officer comment
7.1 Due to the detailed management measures required to operate an unhosted short term rental accommodation in accordance with this	Compliance with this provision will be secured via a



policy, development approval for unhosted short-term rental accommodation is restricted to the approved landowner and will not run with the property. A change in landowner will require a new development applicant for unhosted short-term rental accommodation to be submitted and approved.	recommended condition of approval.
8. Management Plans and Other Unhosted Short-Term Rental Accommodation Application Requirements	Officer comment
8.1 Where a unhosted short-term rental accommodation is located on a strata title, a letter from the Strata Manager or Strata Management Company in support of the proposed use is to be included with the development application.	N/A - No Strata exists
8.2 For proposals located in all zones except the City Centre zone, a site plan indicating the location of on-site parking is to be provided with the development application.	N/A
8.3 Development applications must include a Management Plan detailing the following: a) Contact details (phone number and email address) of the Property Manager, which may be the landowner or an external agent. The Property Manager is to respond to nuisance behaviour within 12 hours of a complaint. b) Method of booking and checking in. c) Confirmation of location of designated on-site / visitor parking bays. d) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. e) 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	A Management Plan accompanied the lodgement of the application which addresses the requirements of this provision. Compliance with this Management Plan will be secured via a recommended condition of approval.



• Barking dogs • Smoke or odours. f) Waste management strategies to ensure appropriate disposal. g) Bushfire emergency response procedures (in designated bushfire prone areas).	
8.4 A detailed Code of Conduct is to be made available to all occupants and included with the development application. The Code of Conduct is to include the following: a) Contact details of the Property Manager, including after-hours contact details. b) Expected behaviour of occupants / visitor to minimise impact on neighbours. c) Any restrictions of visitors or parties/ events. d) Location of on-site car parking for occupants / visitors, as well as any parking restrictions applicable to the location. e) Details of alternate transport options, such as public transport. f) Details regarding waste management, including specific expectations of guests regarding waste disposal and bin collection. g) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. h) Bushfire emergency response procedures (where applicable). i) Any other information relevant to the use of the property which may impact the amenity of the location.	A Code of Conduct has been provided for this application which addresses the requirements of this provision. Compliance with the Code of Conduct will be secured via a recommended condition of approval. A copy of the Code of Conduct is to be made available to the occupants of the accommodation.

Officer Comment

The proposed Unhosted short-term rental accommodation meets the objectives of LPP2.27 for the following reasons:

- The provided management plan provides necessary controls for the operation of a one bedroom and manage the impact on surrounding properties.
- Due to no structural changes proposed, the character of the area is negligible impacted by the proposed.



- As shown in figure 3, immediate adjoining properties do not have a predominance of STRA registrations, because of this, the proposed Unhosted short-term rental accommodation will not result in a oversaturation of STRA within the immediate area.
- As the property is located along High Street in the City Centre, the proposed Unhosted STRA is an apt and supportable use to the easy access to tourist sites, amenities for visitors and high frequency public transport

Due to the above assessment provided, the proposed Unhosted short-term rental accommodation satisfies the requirements and objectives of LPP 2.27.

CONCLUSION

Approval is sought for a change of use to Unhosted short-term rental accommodation at 70 High Street, Fremantle. With consideration to the officer assessment above, the proposed change of use to Unhosted short term rental accommodation is considered acceptable and can be suitably operated to minimise any potential impact to the amenity of the area. The land use is compatible with the objectives of the City Centre zone and LPP2.27, as the accommodation is minor in scale, with minimal amenity impact to adjoining residents and existing building retains a predominantly long-term residential dwelling land use.

STRATEGIC IMPLICATIONS

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

Liveable City - Sustainable growth in city centre population

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

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal.



Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.

OFFICER'S RECOMMENDATION

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 70 (Lot 31) High Street, Fremantle, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 21 July 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. This approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current Landowner (listed in Confidential Attachment 4) of No.70 High Street Fremantle only. If this Landowner ceases to be the landowner of the site, the Unhosted short-term rental accommodation hereby approved will expire.
3. The approved use is restricted to a maximum of two (2) guests at any one time, based on the one (1) bedroom within the property.
4. The Management Plan and Code of Conduct dated 21 July 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle. The approved code of conduct is to be made available to all occupants of the approved Unhosted short-term rental accommodation prior to their stay.



5. Prior to the occupation/operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
- a) Be limited to sign plaques or plates affixed to the main frontage of the building;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
 - d) Include the property owner or manager's contact information, including contact telephone and email information.

The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):

- i. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the *Privacy and Responsible Information Sharing Act 2024*. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.
- ii. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 - mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - vehicles;
 - amplified acoustic systems; and
 - patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.



In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Andrew Sullivan moved the following amendment, as provided in the additional documents:

AMENDMENT

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Add an additional Condition to the Officer's Recommendation, to read as follows:

7. *The guests of the unhosted Short Term Rental Accommodation use hereby approved, are not permitted to use the existing onsite car bay for the purposes of parking a vehicle*

Amendment Carried: 4 / 0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

Reason for amendment:

It will be difficult for a short stay guest to navigate the right of way and operate the tilt door and very undersized car bay associated with the strata.

COMMITTEE DECISION ITEM PSC2609-6

(Officer's recommendation, as amended)

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 70 (Lot 31) High Street, Fremantle, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 21 July 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. This approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current Landowner (listed in Confidential Attachment 4) of No.70 High Street Fremantle only. If



this Landowner ceases to be the landowner of the site, the Unhosted short-term rental accommodation hereby approved will expire.

3. The approved use is restricted to a maximum of two (2) guests at any one time, based on the one (1) bedroom within the property.
4. The Management Plan and Code of Conduct dated 21 July 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle. The approved code of conduct is to be made available to all occupants of the approved Unhosted short-term rental accommodation prior to their stay.
5. Prior to the occupation/operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the main frontage of the building;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
 - d) Include the property owner or manager's contact information, including contact telephone and email information.

The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.
7. *The guests of the unhosted Short Term Rental Accommodation use hereby approved, are not permitted to use the existing onsite car bay for the purposes of parking a vehicle.*

Advice note(s):

- i. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the *Privacy and Responsible Information Sharing Act 2024*. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.
- ii. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:



- mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
- vehicles;
- amplified acoustic systems; and
- patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.

Carried: 4 / 0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil



PSC2609-7 SOUTH TERRACE, NO. 189 (LOT 1), SOUTH FREMANTLE -
CHANGE OF USE TO UNHOSTED SHORT-TERM RENTAL
ACCOMMODATION - (CR DA0246/26)

Meeting date: Wednesday 2 September 2026
Responsible officer: Manager City Planning
Voting requirements: Simple Majority Required
Decision making authority: Committee
Attachments: 1. Site Plan
2. Code of Conduct
3. Management Plan
4. CONFIDENTIAL - Applicant and Owner Details
Additional Information: 5. [Site Photos](#)
(*viewed electronically*)

SUMMARY

Approval is sought by the applicant for Unhosted short-term rental accommodation at No.189 (Lot 1) South Terrace, South Fremantle.

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

- Land Use ('A')

The application is recommended for conditional approval.

PROPOSAL

Detail

Approval is sought for a change of use of an existing Single House to Unhosted short-term rental accommodation at No. 189 (Lot 1) South Terrace, South Fremantle. There are no works proposed to the existing dwelling as part of this application.

Development plans are included as attachment 1 as well as Management Plans and Code of Conduct as attachments 2 and 3.



Site/application information

Date received:	24 June 2026
Scheme:	Residential R35
Heritage listing:	South Fremantle Heritage Area / Not Listed
Existing land use:	Single House
Use class:	Unhosted Short-Term Rental Accommodation
Use permissibility:	A

In accordance with the Privacy and Responsible Information Sharing Act 2024 and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment and due to the requirement to link the land use to a person in LPP 2.27 Unhosted Short-term Rental Accommodation, the name will be included on the Determination Notice issued.

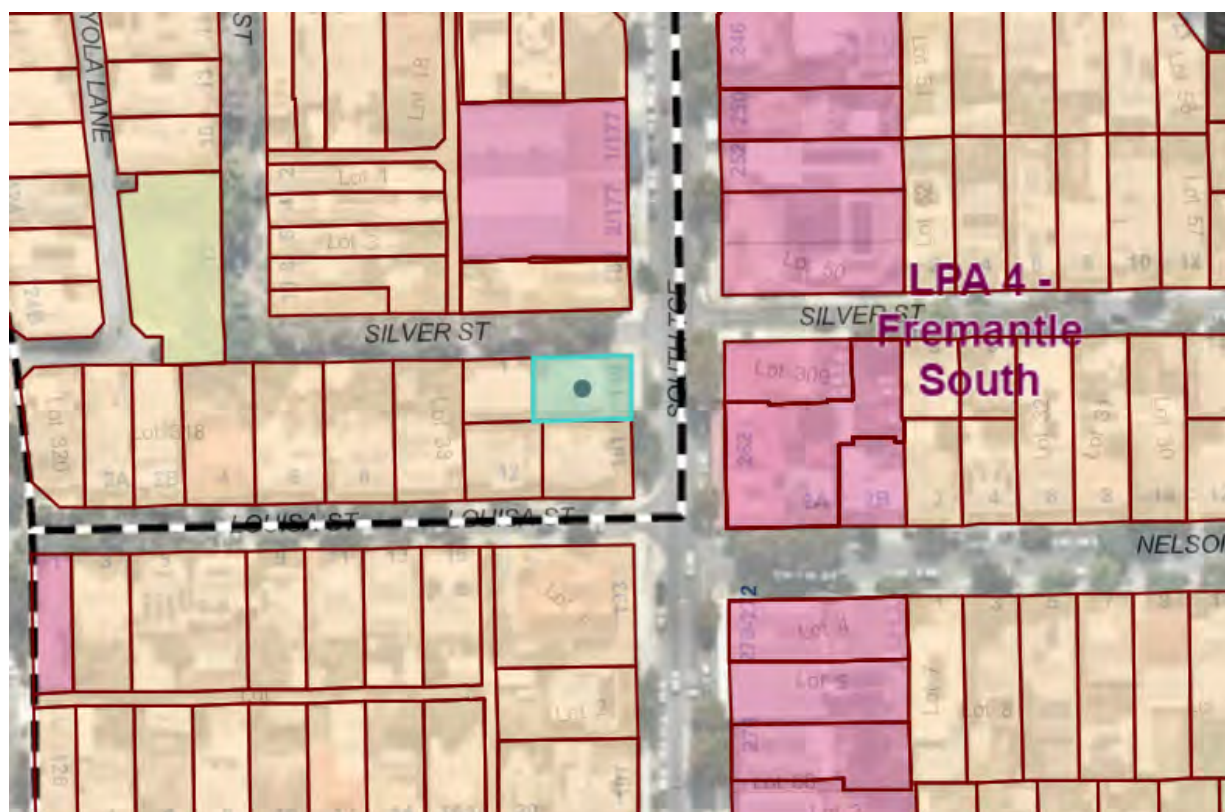


Figure 1 – Context Map

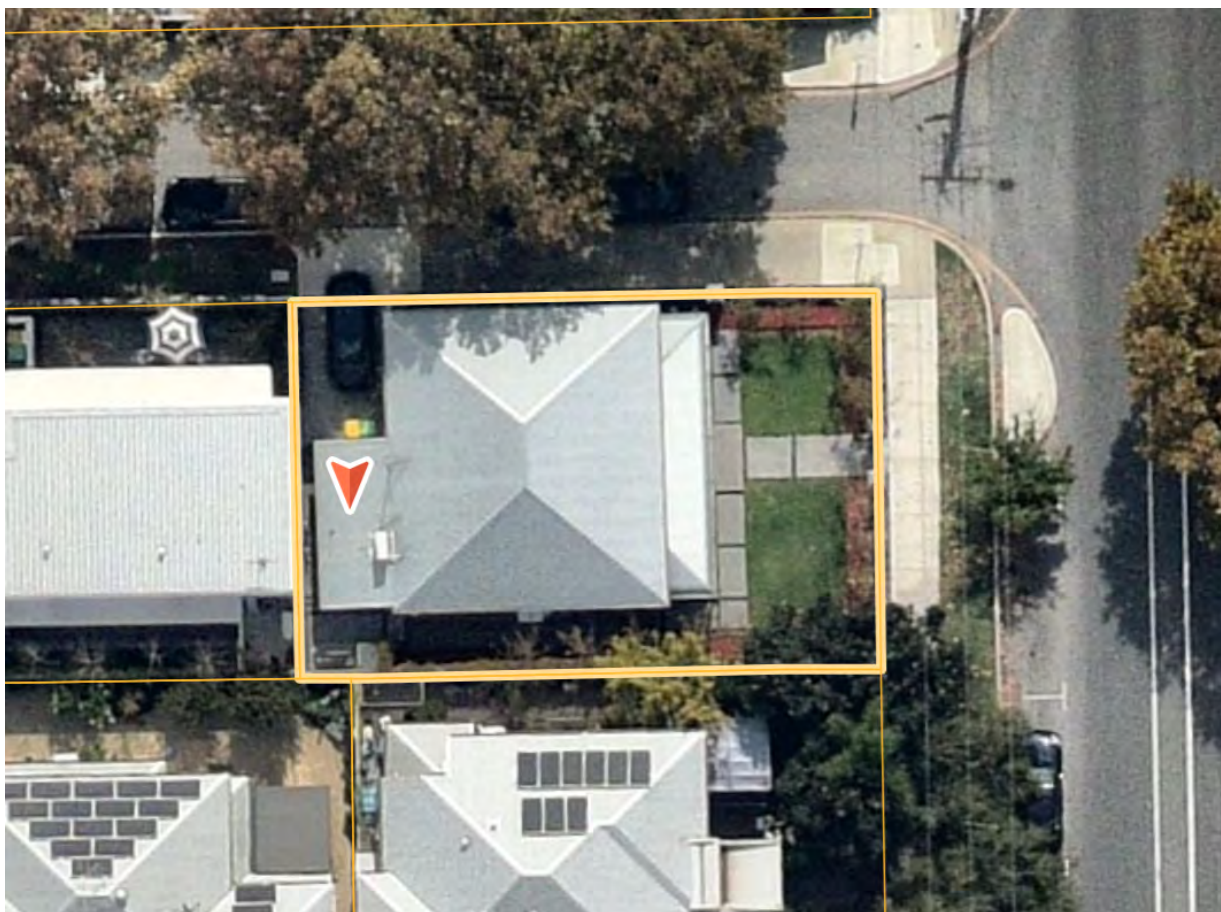


Figure 2 – Aerial View

CONSULTATION

External referrals

Nil required.

Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, proposal required a merit-based assessment against the Scheme and local planning policy. The advertising period concluded on 7 July 2026, and no submissions were received against the application.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4 specifically land use and car parking provisions. The relevant assessment criteria are discussed as follows:

- Land use

The above matters are discussed below.

Background

The subject site is located on the west side of South Terrace. The site has a land area of approximately 294m² and is currently improved by a Single storey dwelling. The site is zoned Residential and has a density coding of R35.

The site is not individually heritage listed and located within the South Fremantle Heritage Area.

A search of the property file has revealed no relevant planning history on file.

A search on the State STRA register revealed that 2 adjoining properties are registered as a Unhosted short-term rental accommodation (see below image).



Figure 3 – Adjoining properties not registered for STRA highlighted in Green, properties registered for STRA in red.



Land Use

Unhosted short-term rental accommodation is an 'A' use in the Residential Zone, which means that the use is not permitted unless the Council has exercised its discretion by granting planning approval. In considering an 'A' use the Council will have regard to the matters to be considered in the *Planning and Development (Local Planning Schemes) Regulations 2015*. In this regard the following matters have been considered:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*
- (m) *The compatibility of the development with its setting including the relationship of the development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development*
- (n) *The amenity of the locality including the following:*
 - (i) *Environmental impacts of the development*
 - (ii) *The character of the locality*
 - (iii) *Social impacts of the development*
- (y) *Any submissions received on the application.*

For the purpose of assessing matter (a) above, the objectives of the Residential zone are as follows:

Development within the residential zone shall —

- i. provide for residential uses at a range of densities with a variety of housing forms to meet the needs of different household types, while recognising the limitations on development necessary to protect local character,*
- ii. safeguard and enhance the amenity of residential areas and ensure that development, including alterations and additions, are sympathetic with the character of the area,*
- iii. encourage high standards of innovative housing design which recognise the need for privacy, energy efficient design and bulk and scale compatible with adjoining sites,*
- iv. recognise the importance of traditional streetscape elements to existing and new development,*
- v. conserve and enhance places of heritage significance the subject of or affected by the development, and*
- vi. safeguard and enhance the amenity of residential areas by ensuring that land use is compatible with the character of the area.*



The proposed development is considered to address the above matters for the following reasons:

- The proposed Unhosted short-term rental accommodation comprises of two bedrooms with a maximum of four occupants. Because of its small scale, it is not considered to have a significant detrimental impact on the amenity of the area or adjoining residents if managed appropriately as per the attached management plan (see attachment 2.)
- The subject site location is immediately adjacent to the mixed use zoning amenities along South Terrace in South Fremantle, easy access to public transport and short walking distance to the Fremantle Boat harbour (200m).
- No structural works are proposed as a part of this application and will have no impact on the existing streetscape or heritage character of the area.

Local Planning Policy 2.27 – Unhosted Short-Term Rental Accommodation

The purpose of LPP2.27 is to establish a framework to manage Unhosted short-term rental accommodation within the City of Fremantle. The policy seeks to balance the tourism benefits with residential amenity and urban living, ensuring development and land use aligns with neighborhood character while not detrimentally impacting the viability of an area through the overabundance of temporary residents.

The objectives of this policy are to:

- 1. To ensure unhosted short-term rental accommodation is designed, sited and managed to preserve amenity and character of areas with heritage, environmental or conservations values.*
- 2. To maintain the amenity and established character of zones by ensuring the location, scale, design and operation of unhosted short-term rental accommodation is appropriate to the setting.*
- 3. To ensure unhosted short-term rental accommodation is appropriately serviced to meet the needs of visitors and prevent detrimental impacts on the local environment or infrastructure.*
- 4. To ensure the vibrancy and viability of zones, particularly the City Centre zone, is maintained by retaining a base of predominantly permanent residents.*



The following table evaluates the proposal against the policy provisions of LPP2.27.

Table 1 – Assessment against LPP2.27

1. Built Form and Site Appearance	Officer comment
1.1 Proposals for unhosted short-term rental accommodation must align with the applicable Residential Design Codes (R-Codes), Local Planning Scheme, Local Development Plans and any location specific local planning policies.	No change is proposed to the existing built form.
1.2 On-site signage is required for all proposals and is: a) Limited to sign plaques or plates affixed to the main frontage of the building. b) To not exceed 0.5m ² per dwelling. c) To be consolidated where multiple unhosted short-term rental accommodation units are contained on a site. d) To include the property owner or manager's contact information.	A condition of approval is recommended to ensure compliance with signage requirements.
2. Car Parking	Officer comment
2.1 For all zones, except the City Centre Zone - In addition to providing car parking in accordance with the Residential Design Codes, additional on-site car parking bays should be provided at a rate of one bay for every two bedrooms exceeding four bedrooms (i.e. one additional bay for 5-6 bedrooms, two additional bays for 7-8 bedrooms etc).	The subject site is compliant with existing approval for parking. As only two bedrooms are proposed to be rented out, only the existing one bay is required to be provided.
2.2 City Centre Zone – The City Centre is a pedestrian friendly location with plentiful retail and dining options within walking distance, close to many of the City's tourist attractions and is well serviced by public transport. Therefore, there is no requirement for the provision of on-site parking within this zone.	N/A
3. Dwelling Occupancy	Officer comment
3.2 Grouped and Multiple Dwellings - Maximum occupancy of no more than two persons per bedroom, excluding persons under 16, to a maximum of six persons.	N/A



3.3 Rooms not originally designed as bedrooms (e.g. living / dining rooms) cannot be converted for STRA occupancy calculations.	Existing bedrooms are approved lawful bedrooms.
4. Location Requirements	Officer comment
4.1 In order to prioritise permanent residents within the City Centre Zone so as to retain a lively and vibrant centre throughout the year, consideration will be given to the number of hosted and unhosted short term rental accommodation properties registered at the time of the development application being lodged.	N/A
5. Servicing Considerations	Officer comment
5.1 Development is to be connected to a reticulated potable water supply.	Complies
5.2 Development is to be connected to a reticulated sewage or serviced by an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants.	Complies
6. Time Limitations of Approvals	Officer comment
6.1 Development approval may be limited to a period of 12 months where Council deems it appropriate to properly assess the impact on neighbours and amenity.	The proposal is for an Unhosted short-term rental for four (4) persons. It is not considered that this will result in any significant detrimental impact to the amenity of adjoining properties/dwellings or the area generally. As such a 12 month approval limit is not considered to be required.
7. Restriction of Operator	Officer comment
7.1 Due to the detailed management measures required to operate an unhosted short term rental accommodation in accordance with this policy, development approval for unhosted short-term rental accommodation is restricted to the approved landowner and will not run with the property. A change in landowner will require a new development applicant for unhosted short-term rental accommodation to be submitted and approved.	Compliance with this provision will be secured via a recommended condition of approval.



8. Management Plans and Other Unhosted Short-Term Rental Accommodation Application Requirements	Officer comment
8.1 Where an unhosted short-term rental accommodation is located on a strata title, a letter from the Strata Manager or Strata Management Company in support of the proposed use is to be included with the development application.	N/A – no Strata exists
8.2 For proposals located in all zones except the City Centre zone, a site plan indicating the location of on-site parking is to be provided with the development application.	Parking location indicated in provided plans.
8.3 Development applications must include a Management Plan detailing the following: a) Contact details (phone number and email address) of the Property Manager, which may be the landowner or an external agent. The Property Manager is to respond to nuisance behaviour within 12 hours of a complaint. b) Method of booking and checking in. c) Confirmation of location of designated on-site / visitor parking bays. d) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. e) 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. f) Waste management strategies to ensure appropriate disposal. g) Bushfire emergency response procedures (in designated bushfire prone areas).	A Management Plan (see attached) accompanied the lodgement of the application which addresses the requirements of this provision. Compliance with this Management Plan will be secured via a recommended condition of approval.



8.4 A detailed Code of Conduct is to be made available to all occupants and included with the development application. The Code of Conduct is to include the following: a) Contact details of the Property Manager, including after-hours contact details. b) Expected behaviour of occupants / visitor to minimise impact on neighbours. c) Any restrictions of visitors or parties/ events. d) Location of on-site car parking for occupants / visitors, as well as any parking restrictions applicable to the location. e) Details of alternate transport options, such as public transport. f) Details regarding waste management, including specific expectations of guests regarding waste disposal and bin collection. g) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. h) Bushfire emergency response procedures (where applicable). i) Any other information relevant to the use of the property which may impact the amenity of the location.	A Code of Conduct (see attached) has been provided for this application which addresses the requirements of this provision. Compliance with the Code of Conduct will be secured via a recommended condition of approval. A copy of the Code of Conduct is to be made available to the occupants of the accommodation.
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The proposed Unhosted short-term rental accommodation meets the objectives of LPP2.27 for the following reasons:

- As no changes are proposed to the existing building, the development is expected to have minimal, if any, impact on the character of the surrounding area.
- The proposed two-bedroom (Max 4 occupants) Unhosted short-term rental accommodation is modest in scale, and its design and operation are not expected to adversely affect neighbouring properties. In addition, the applicant has submitted a management plan outlining measures to minimise potential impacts on surrounding residents.
- As discussed in the Background section, the availability and amenity of the residential zone will be maintained due to predominant surrounding properties continuing to be used as permanent residences.



Due to the above assessment provided, the proposed Unhosted short-term rental accommodation satisfies the requirements and objectives of LPP 2.27.

CONCLUSION

Approval is sought for a change of use to Unhosted short-term rental accommodation at 189 South Terrace, South Fremantle. With consideration to the officer assessment above, the proposed change of use to Unhosted short term rental accommodation is considered acceptable and can be suitably operated to minimise any potential impact to the amenity of the area. The land use is compatible with the objectives of the Residential zone and LPP2.27, as the accommodation is minor in scale and with manageable amenity impact to adjoining residents.

STRATEGIC IMPLICATIONS

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

Creative City – Optimised, accessible and affordable places and spaces for creatives

- Flexible and affordable short- and long-term tenancy options are available for emerging and established creative enterprises.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required



DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle
Delegated Authority Register.

COMMITTEE DECISION ITEM PSC2609-7 (Officer's recommendation)

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 189 (Lot 1) South Terrace, South Fremantle, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 24 June 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. This approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current Landowner (listed in Confidential Attachment 4) of No.189 South Terrace Fremantle only. If this Landowner ceases to be the landowner of the site, the Unhosted short-term accommodation hereby approved will expire.
3. The use hereby approved shall at all times comply with the definition of Unhosted short-term rental accommodation as provided by Schedule 2 clause 1 of the Planning and Development (Local Planning Schemes) Regulations 2015, as follows

Unhosted short-term rental accommodation means short-term rental accommodation that —

- a) is not hosted short-term rental accommodation; and
- b) accommodates a maximum of 12 people per night.

Notwithstanding the above interpretation, the approved use is restricted to a maximum of four (4) guests at any one time, based on the number of bedrooms within the property (2).

4. The Management Plan and Code of Conduct dated 24 June 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle.



5. The approved code of conduct is to be made available to all occupants of the approved Unhosted short-term rental accommodation prior to their stay.
6. Prior to the occupation/operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the main frontage of the building;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Include the property owner or manager's contact information, including contact telephone and email information.

The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

7. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):

- i. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the *Privacy and Responsible Information Sharing Act 2024*. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.
- ii. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 - mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - vehicles;
 - amplified acoustic systems; and
 - patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.



Carried: 4 / 0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil



PSC2609-8 DOURO ROAD, NO. 11/1 (LOT 13), SOUTH FREMANTLE -
CHANGE OF USE TO UNHOSTED SHORT TERM RENTAL
ACCOMMODATION (ED DA0253/26)

Meeting date: Wednesday 2 September 2026
Responsible officer: Manager City Planning
Voting requirements: Simple Majority Required
Decision making authority: Committee
Attachments: 1. Development Plans
2. Management Plans (Redacted)
3. Code of Conduct (Redacted) Douro
4. CONFIDENTIAL - Applicant and Owner
Details
Additional Information: 5. [Site Photos](#)
(*viewed electronically*)

SUMMARY

Approval is sought by the applicant for a change of use to Unhosted short-term rental accommodation at No. 11/1 Douro Road, South Fremantle.

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

- Land Use (Discretionary 'A')

The application is recommended for conditional approval.

PROPOSAL

Detail

Approval is sought for a change of use of an existing Grouped dwelling to Unhosted short-term rental accommodation (STRA) at No. 11/1 Douro Road, South Fremantle. No works are proposed to the existing building or dwelling as part of this application.



Development plans are included as Attachment 1 and the Management Plan and Code of Conduct at Attachments 2 and 3 respectively. Site photos are provided at Additional Information 1.

Site/application information

Date received:	2 July 2026
Scheme:	Residential (R40)
Heritage listing:	South Fremantle Heritage Area (Not Individually Listed)
Existing land use:	Multiple Dwelling
Use class:	Unhosted Short Term Rental Accommodation
Use permissibility:	A

In accordance with the Privacy and Responsible Information Sharing Act 2024 and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment and due to the requirement to link the land use to a person in LPP 2.27 Unhosted Short-term Rental Accommodation, the name will be included on the Determination Notice issued.

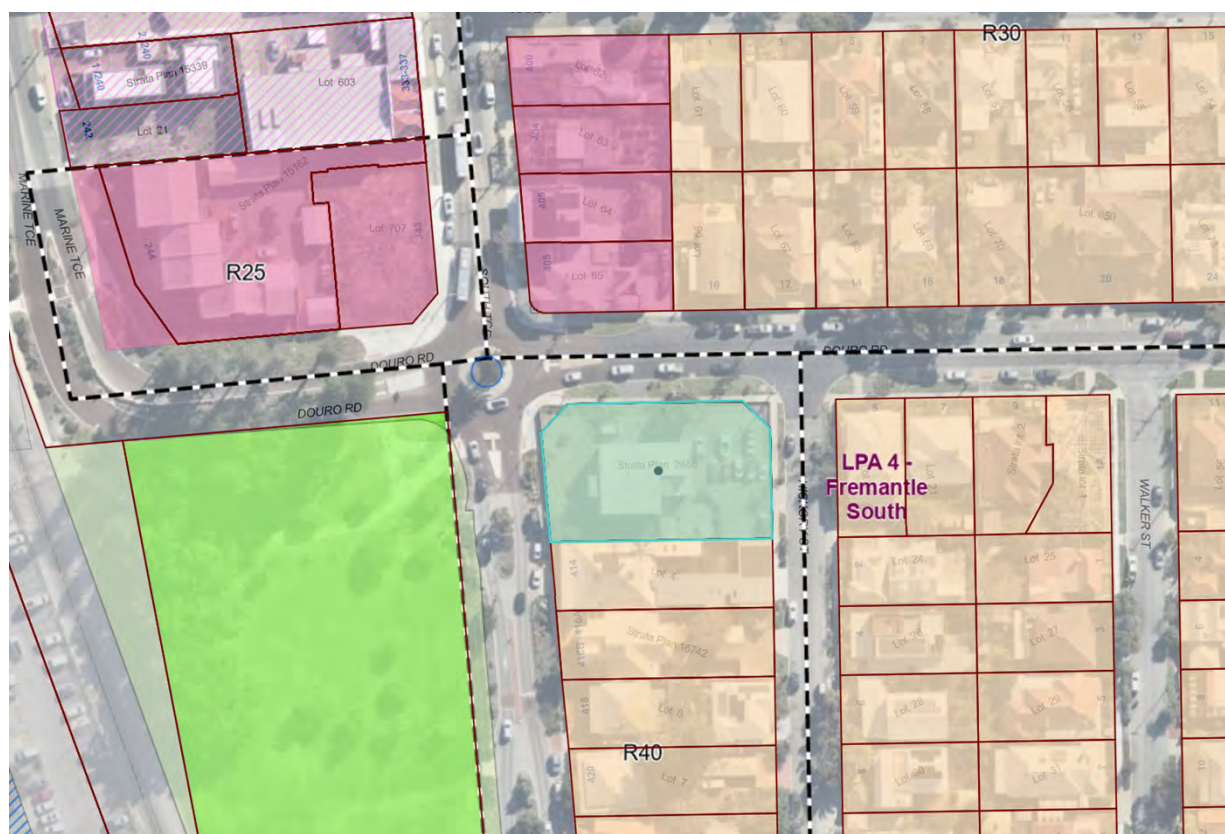


Figure 1. Site Location Plan within planning context.



CONSULTATION

External referrals

Nil required.

Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the proposal required a merit-based assessment against the Scheme and local planning policy. The advertising period concluded on 24 July 2026, and one (1) submission was received, objecting to the proposal. The following issues were raised (summarised) with officer comment provided in the following table:

Submitter Comment	Officer Comment
Objection in principle to the use, housing supply and long term accommodation should be considered, Fremantle does not need more STRA in this area.	Assessment of the discretionary land use and its appropriateness at this location is detailed in the officer comment below.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4, the R-Codes and relevant Council local planning policies. The relevant assessment criteria are discussed as follows:

- Land use – Unhosted Short-Term Rental Accommodation

The above matters are discussed below.

Background

The subject site is located on the southern side of Douro Road in South Fremantle at the junction with South Terrace and comprises a 3 storey complex of 15 Multiple Dwellings (refer site photos at Additional Information 1). The site is zoned Residential and has a density coding of R40. The site is not individually heritage listed though is located within the South Fremantle Heritage Area.



The subject dwelling comprises 1 bedrooms, an internal area of approximately 40sqm and has 1 car parking space in the ground floor car park designated for exclusive use of the dwelling.

The surrounding area is comprised of 1-2 storey single houses and grouped dwellings, some 2-3 storey multiple dwellings and various non-residential uses along the mixed use zone toward this end of South Terrace

A search of the property file has revealed there is no recent nor relevant planning history for the site.

Data from the State's Short Term Rental Accommodation (STRA) Register indicates that 3 of the 15 units, including the subject unit, within the apartment complex (representing 20% of the total unit number) are registered as unhosted STRA units as it currently stands.

Land Use

'Unhosted Short-Term Rental Accommodation' is a discretionary ('A') use in the Residential Zone, which means that the use is not permitted unless the Council has exercised its discretion and has granted development approval after giving special notice (advertising) in accordance with clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2. In this regard the following matters have been considered:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*
- (m) *The compatibility of the development with its setting including the relationship of the development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development*
- (n) *The amenity of the locality including the following:*
 - (i) *Environmental impacts of the development*
 - (ii) *The character of the locality*
 - (iii) *Social impacts of the development*
- (y) *Any submissions received on the application.*

For the purpose of assessing matter (a) above, the objectives of the Residential zone are as follows:

Development within the residential zone shall —

- (i) *provide for residential uses at a range of densities with a variety of housing forms to meet the needs of different household types, while*



- recognising the limitations on development necessary to protect local character,*
- (ii) safeguard and enhance the amenity of residential areas and ensure that development, including alterations and additions, are sympathetic with the character of the area,*
 - (iii) encourage high standards of innovative housing design which recognise the need for privacy, energy efficient design and bulk and scale compatible with adjoining sites,*
 - (iv) recognise the importance of traditional streetscape elements to existing and new development,*
 - (v) conserve and enhance places of heritage significance the subject of or affected by the development, and*
 - (vi) safeguard and enhance the amenity of residential areas by ensuring that land use is compatible with the character of the area.*

The proposed development is considered to address the above matters for the following reasons:

- The proposed Unhosted short-term rental accommodation is considered minor in scale, comprising a single bedroom unit (limited to a maximum of two occupants, secured by condition) and it is not considered the scale of this operation will result in detrimental impact to the amenity of the area or adjoining residents if managed appropriately in accordance and the management plan (Attachment 2) by the operator and guests comply with the code of conduct submitted with the application (Attachment 3).
- It is noted that while the subject site is located in the residential zone, the subject site is adjacent the popular tourist area of South Beach (150m west of the subject site) and the various and many café/restaurant offerings toward this end of South Terrace (25m north of subject site).
- The subject dwelling is 1 of only 3 total registered unhosted STRA units within the complex of 15 units (representing 20%) as it currently stands, with the majority of dwellings remaining as owner-occupied and/or long term rental tenanted. It is therefore considered there is not an overabundance of temporary residents or STRA within the complex as it currently stands.
- There are no external additions or alterations proposed to the dwelling (or complex) in this application, as such there are no elements that will impact the existing streetscape or heritage character of the area.
- The land use is considered to satisfy the objectives of the Residential zone, as it will provide a land use compatible with surrounding residential uses, providing accommodation without having detrimental impact on adjoining properties subject to effective and responsible management of the accommodation and compliance with the Local Planning Policy 2.27, which



seeks to mitigate any amenity impacts, as discussed in greater detail below.

Local Planning Policy 2.27 – Unhosted Short-Term Rental Accommodation

The purpose of LPP2.27 is to establish a framework to manage unhosted Short-term rental accommodation within the City of Fremantle. The policy seeks to balance the tourism benefits with residential amenity and urban living, ensuring development and land use aligns with neighbourhood character while not detrimentally impacting the viability of an area through the overabundance of temporary residents.

The objectives of LPP2.27 are to:

1. *To ensure unhosted short-term rental accommodation is designed, sited and managed to preserve amenity and character of areas with heritage, environmental or conservations values.*
2. *To maintain the amenity and established character of zones by ensuring the location, scale, design and operation of unhosted short-term rental accommodation is appropriate to the setting.*
3. *To ensure unhosted short-term rental accommodation is appropriately serviced to meet the needs of visitors and prevent detrimental impacts on the local environment or infrastructure.*
4. *To ensure the vibrancy and viability of zones, particularly the City Centre zone, is maintained by retaining a base of predominantly permanent residents.*

The following table evaluates the proposal against the policy provisions of LPP2.27.

Table 1 – Assessment against LPP2.27

1. Built Form and Site Appearance	Officer comment
1.1 Proposals for unhosted short-term rental accommodation must align with the applicable Residential Design Codes (R-Codes), Local Planning Scheme, Local Development Plans and any location specific local planning policies.	No change is proposed to the existing built form.
1.2 On-site signage is required for all proposals and is: a) Limited to sign plaques or plates affixed to the main frontage of the building. b) To not exceed 0.5m² per dwelling.	A condition of approval is recommended to ensure compliance with signage requirements per the policy.



c) To be consolidated where multiple unhosted short-term rental accommodation units are contained on a site. d) To include the property owner or manager's contact information.	
2. Car Parking	Officer comment
2.1 For all zones, except the City Centre Zone - In addition to providing car parking in accordance with the Residential Design Codes, additional on-site car parking bays should be provided at a rate of one bay for every two bedrooms exceeding four bedrooms (i.e. one additional bay for 5-6 bedrooms, two additional bays for 7-8 bedrooms etc).	Complies – 1 on-site bay is provided for and allocated to the one-bedroom dwelling for dedicated use. As the dwelling is only one-bedroom, no additional on-site parking is required.
2.2 City Centre Zone – The City Centre is a pedestrian friendly location with plentiful retail and dining options within walking distance, close to many of the City's tourist attractions and is well serviced by public transport. Therefore, there is no requirement for the provision of on-site parking within this zone.	N/A – not located within the City Centre zone.
3. Dwelling Occupancy	Officer comment
3.2 Grouped and Multiple Dwellings - Maximum occupancy of no more than two persons per bedroom, excluding persons under 16, to a maximum of six persons.	The subject dwelling is one-bedroom dwelling. A maximum of two (2) persons are permitted to occupy the at any one time which is secured via a recommended condition of approval.
3.3 Rooms not originally designed as bedrooms (e.g. living /dining rooms) cannot be converted for STRA occupancy calculations.	The bedroom is a lawful bedroom and there is no proposal to convert other areas of the dwelling for use as an additional sleeping area.
4. Location Requirements	Officer comment
4.1 In order to prioritise permanent residents within the City Centre Zone so as to retain a lively and vibrant centre throughout the year, consideration will be given to the number of hosted and unhosted short term rental accommodation properties registered at the time of the development application being lodged.	N/A – not located within City Centre zone.
5. Servicing Considerations	Officer comment



5.1 Development is to be connected to a reticulated potable water supply.	Complies
5.2 Development is to be connected to a reticulated sewage or serviced by an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants.	Complies
6. Time Limitations of Approvals	Officer comment
6.1 Development approval may be limited to a period of 12 months where Council deems it appropriate to properly assess the impact on neighbours and amenity.	The proposed STRA can only accommodate a maximum of two (2) persons. It is not considered that this will result in any significantly detrimental impact to the amenity of adjoining properties/dwellings or the area generally. As such a 12 month approval limit is not considered to be required.
7. Restriction of Operator	Officer comment
7.1 Due to the detailed management measures required to operate an unhosted short term rental accommodation in accordance with this policy, development approval for unhosted short-term rental accommodation is restricted to the approved landowner and will not run with the property. A change in landowner will require a new development applicant for unhosted short-term rental accommodation to be submitted and approved.	Compliance with this provision will be secured via a recommended condition of approval.
8. Management Plans and Other Unhosted Short-Term Rental Accommodation Application Requirements	Officer comment
8.1 Where a unhosted short-term rental accommodation is located on a strata title, a letter from the Strata Manager or Strata Management Company in support of the proposed use is to be included with the development application.	A letter from the Associate Strata Manager, on behalf of the Council of Owners, has been submitted in support of the proposed STRA within the complex.
8.2 For proposals located in all zones except the City Centre zone, a site plan indicating the location of on-site parking is to be provided with the development application.	Refer plans provided in Attachment 1 of this report which indicates the allocated parking bay for the unit.



8.3 Development applications must include a Management Plan detailing the following: - Contact details (phone number and email address) of the Property Manager, which may be the landowner or an external agent. The Property Manager is to respond to nuisance behaviour within 12 hours of a complaint. - Method of booking and checking in. - Confirmation of location of designated on-site / visitor parking bays. - Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. - 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. - Waste management strategies to ensure appropriate disposal. - Bushfire emergency response procedures (in designated bushfire prone areas).	A Management Plan accompanied the lodgement of the application (Attachment 2) which addresses the requirements of this provision. Adherence with this Management Plan will be secured via a recommended condition of approval.
8.4 A detailed Code of Conduct is to be made available to all occupants and included with the development application. The Code of Conduct is to include the following: - Contact details of the Property Manager, including after-hours contact details. - Expected behaviour of occupants / visitor to minimise impact on neighbours. - Any restrictions of visitors or parties/ events. - Location of on-site car parking for occupants / visitors, as well as any parking restrictions applicable to the location.	A Code of Conduct accompanied the lodgement of the application (refer Attachment 3) which addresses the requirements of this provision. Compliance with the Code of Conduct will be secured via a recommended condition of approval. A copy of the Code of Conduct is to be made



e) Details of alternate transport options, such as public transport. f) Details regarding waste management, including specific expectations of guests regarding waste disposal and bin collection. g) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. h) Bushfire emergency response procedures (where applicable). i) Any other information relevant to the use of the property which may impact the amenity of the location.	available to the occupants of the accommodation.
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In further consideration of the objectives of LPP2.27, while the property is not located in the City Centre zone, it is noted that only 3 units, inclusive of the subject site, of the 15 dwellings within the complex (representing 20% overall) are registered as unhosted STRA units, with a majority of dwellings remaining as owner-occupied and/or long term rental tenanted. It is therefore considered there is not an overabundance of temporary residents or STRA within the complex as it currently stands.

Further, the STRA unit is considered of a small scale (one bedroom, two occupant maximum), that is appropriately located near the popular tourist destination of South Beach and South Terrace and well serviced (with public transport and excellent walkability and cyclability to other areas of Fremantle) to meet the needs of visitors and if managed appropriately and in accordance with management plans provided, will not be detrimental to the amenity of the adjoining residents or the area generally.

On the basis of the above and subject to appropriate conditions of approval, the proposal is considered acceptable pursuant to LPP2.26 objectives and provisions.

CONCLUSION

Approval is sought for a change of use to Unhosted short-term rental accommodation at No. 11/1 Douro Road, Fremantle. With consideration to the officer assessment above, the proposed Unhosted STRA is considered acceptable and can be suitably operated to minimise any potential impact to the amenity of adjoining residents and the area generally.

The land use is generally compatible with the objectives of the Residential zone and LPP2.27, providing accommodation that is minor in scale, with STRA still a



minority use (3 out of 15 dwellings, representing 20%) of the overall number of dwellings within the multiple dwelling complex. The subject site is suitably located for visitors and can be expected to operate with minimal amenity impact to adjoining residents if managed appropriately and in accordance with the management plans to be implemented by the operator.

As such, the application is considered worth of approval, subject to appropriate conditions of approval.

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.



OFFICER'S RECOMMENDATION

Moved: Cr Andrew Sullivan

Seconded: Mayor Ben Lawver

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 11 / 1 Douro Road, South Fremantle, subject to the following condition(s):

1. This approval relates only to the development as indicated on the approved plans, dated 30 June 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. Notwithstanding condition 1, this approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current landowner (listed in Confidential Attachment 4) of 11 / 1 Douro Road, South Fremantle, only. If this Landowner ceases to be the landowner of the site, the Unhosted short-term rental accommodation use hereby approved will expire.
3. The approved use is restricted to a maximum of two (2) guests at any one time, based on the one (1) bedroom within the dwelling.
4. The Management Plan and Code of Conduct dated 30 June 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle. A copy of the Code of Conduct is to be made available to all occupants of the Unhosted short-term rental accommodation.
5. Prior to the occupation / operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the front door / entrance to the dwelling;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
 - d) Include the property owner or manager's contact information, including contact telephone and email information.



The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):

- i. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 - mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - vehicles;
 - amplified acoustic systems; and
 - patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.

- ii. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the Privacy and Responsible Information Sharing Act 2024. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.



In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Melanie Clark moved the following amendment, as provided in the additional documents:

AMENDMENT

Moved: Cr Melanie Clark

Seconded: Cr Ingrid van Dorssen

Amend Condition 2 of the Officer's Recommendation, to read as follows:

2. Notwithstanding condition 1, this approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current landowner (listed in Confidential Attachment 4) of 11/1 Douro Road, South Fremantle, *for a period of 24 months from the date of this approval* only. If this Landowner ceases to be the landowner of the site, *or the temporary 24 month approval from date of this approval is reached*, the Unhosted short-term rental accommodation use hereby approved will expire.

Amendment Carried: 4/0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

Reason for amendment:

As per our Policy, to review land use compatibility and amenity concerns, development approval may be limited to a period of 24 months where Council deems it appropriate to properly assess the impact on neighbours and amenity. Two years is appropriate in this instance.

COMMITTEE RECOMMENDATION ITEM PSC2609-8

(Officer's recommendation, as amended)

Moved: Cr Andrew Sullivan

Seconded: Mayor Ben Lawver

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 11/1 Douro Road, South Fremantle, subject to the following condition(s):

1. This approval relates only to the development as indicated on the approved plans, dated 30 June 2026. It does not relate to any other



development on this lot and must substantially commence within four years from the date of this decision letter.

2. Notwithstanding condition 1, this approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current landowner (listed in Confidential Attachment 4) of 11/1 Douro Road, *for a period of 24 months from the date of this approval only*. If this Landowner ceases to be the landowner of the site, *or the temporary 24 month approval from date of this approval is reached*, the Unhosted short-term rental accommodation use hereby approved will expire.
3. The approved use is restricted to a maximum of two (2) guests at any one time, based on the one (1) bedroom within the dwelling.
4. The Management Plan and Code of Conduct dated 30 June 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle. A copy of the Code of Conduct is to be made available to all occupants of the Unhosted short-term rental accommodation.
5. Prior to the occupation/operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the front door/entrance to the dwelling;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
 - d) Include the property owner or manager's contact information, including contact telephone and email information.

The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):



i. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:

- mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
- vehicles;
- amplified acoustic systems; and
- patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.

ii. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the Privacy and Responsible Information Sharing Act 2024. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.

Carried: 3 / 1

For:

Mayor Ben Lawver, Cr Andrew Sullivan and Cr Ingrid van Dorssen

Against:

Cr Melanie Clark

In accordance with Delegation 1.1 of the City of Fremantle [Delegated Authority Register](#), the above item will be referred to the Ordinary Meeting of Council for final determination.



PSC2609-9 DOURO ROAD, NO. 2/1 (LOT 4), SOUTH FREMANTLE -
CHANGE OF USE TO UNHOSTED SHORT TERM RENTAL
ACCOMMODATION (CR DA0254/26)

Meeting date: Wednesday 2 September 2026
Responsible officer: Manager City Planning
Voting requirements: Simple Majority Required
Decision making authority: Committee
Attachments: 1. Site Plan
2. Management Plan
3. Code of Conduct
4. CONFIDENTIAL - Applicant and Owner Details
Additional Information: 5. [Site Photos](#)
(viewed electronically)

SUMMARY

Approval is sought by the applicant for a change of use to Unhosted short-term rental accommodation at No. 2/1 (Strata Lot 4) Douro Road, South Fremantle.

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

- Land Use (Discretionary 'A')

The application is recommended for conditional approval.

PROPOSAL

Detail

Approval is sought for a change of use of an existing Grouped dwelling to Unhosted short-term rental accommodation (STRA) at No. 2/1 (Strata Lot 4) Douro Road, South Fremantle. No works are proposed to the existing building or dwelling as part of this application.

Development plans are included as Attachment 1 and the Management Plan and Code of Conduct at Attachments 2 and 3 respectively.

Site/application information

Date received: 2 July 2026
Scheme: Residential (R40)
Heritage listing: South Fremantle Heritage Area (Not Individually Listed)
Existing land use: Multiple Dwelling
Use class: Unhosted Short Term Rental Accommodation
Use permissibility: A

In accordance with the Privacy and Responsible Information Sharing Act 2024 and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment and due to the requirement to link the land use to a person in LPP 2.27 Unhosted Short-term Rental Accommodation, the name will be included on the Determination Notice issued.

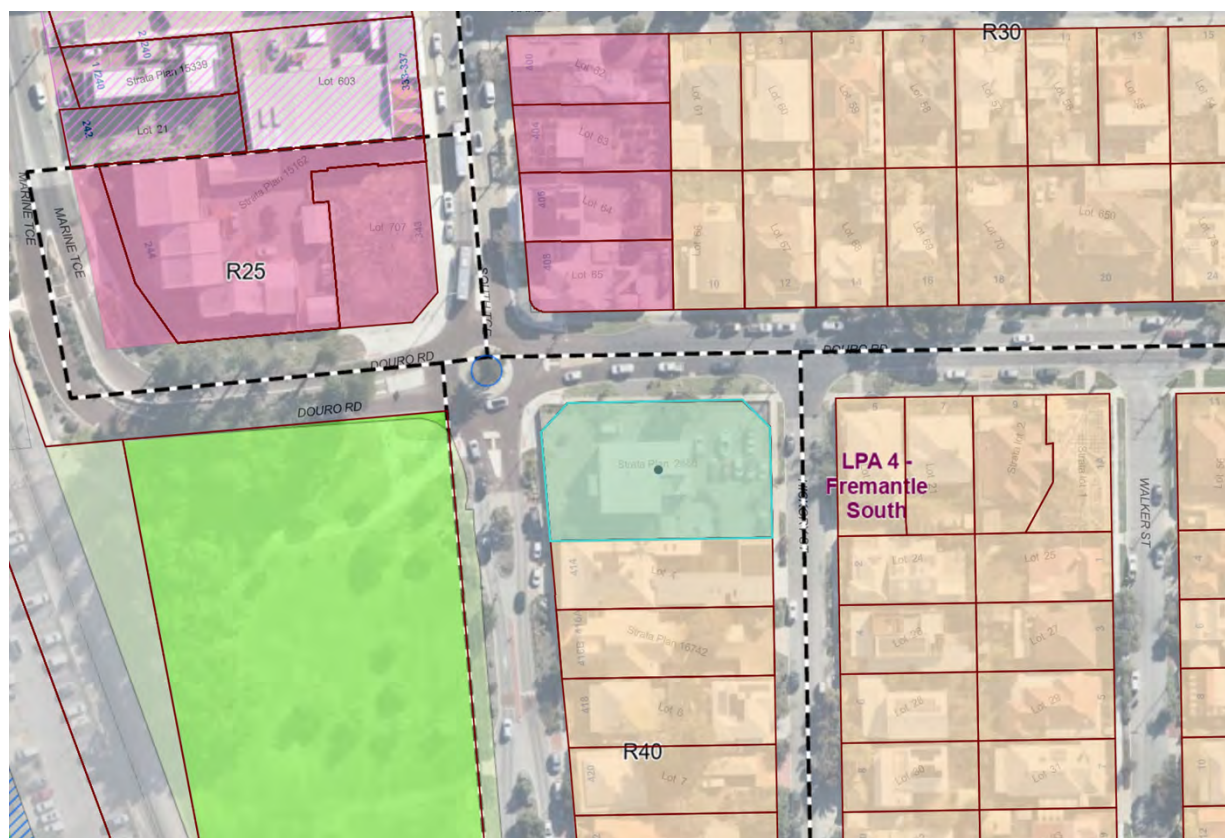


Figure 1. Site Location Plan within planning context.



CONSULTATION

External referrals

Nil required.

Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the proposal required a merit-based assessment against the Scheme and local planning policy. The advertising period concluded on 24 July 2026, and one (1) submission was received, objecting to the proposal. The following issues were raised (summarised) with officer comment provided in the following table:

Submitter Comment	Officer Comment
Objection in principle to the use, housing supply and long term accommodation should be considered, Fremantle does not need more STRA in this area.	Assessment of the discretionary land use and its appropriateness at this location is detailed in the officer comment below.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4, the R-Codes and relevant Council local planning policies. The relevant assessment criteria are discussed as follows:

- Land use – Unhosted Short-Term Rental Accommodation

The above matters are discussed below.

Background

The subject site is located on the southern side of Douro Road in South Fremantle at the junction with South Terrace and comprises a 3 storey complex of 15 Multiple Dwellings. The site is zoned Residential and has a density coding of R40. The site is not individually heritage listed though is located within the South Fremantle Heritage Area

The subject dwelling comprises 1 bedrooms, an internal area of approximately 40sqm and has 1 car parking space in the ground floor car park designated for exclusive use of the dwelling.



The surrounding area is comprised of 1-2 storey single houses and grouped dwellings, some 2-3 storey multiple dwellings and various non-residential uses along the mixed use zone toward this end of South Terrace.

A search of the property file has revealed there is no recent nor relevant planning history for the site.

Data from the State's Short Term Rental Accommodation (STRA) Register indicates that 3 of the 15 units, including the subject unit, within the apartment complex (representing 20% of the total unit number) are registered as Unhosted STRA units as it currently stands.

Land Use

'Unhosted Short-Term Rental Accommodation' is a discretionary ('A') use in the Residential Zone, which means that the use is not permitted unless the Council has exercised its discretion and has granted development approval after giving special notice (advertising) in accordance with clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2. In this regard the following matters have been considered:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*
- (m) *The compatibility of the development with its setting including the relationship of the development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development*
- (n) *The amenity of the locality including the following:*
 - (i) *Environmental impacts of the development*
 - (ii) *The character of the locality*
 - (iii) *Social impacts of the development*
- (y) *Any submissions received on the application.*

For the purpose of assessing matter (a) above, the objectives of the Residential zone are as follows:

Development within the residential zone shall —

- (i) *provide for residential uses at a range of densities with a variety of housing forms to meet the needs of different household types, while recognising the limitations on development necessary to protect local character,*
- (ii) *safeguard and enhance the amenity of residential areas and ensure that development, including alterations and additions, are sympathetic with the character of the area,*



- (iii) encourage high standards of innovative housing design which recognise the need for privacy, energy efficient design and bulk and scale compatible with adjoining sites,*
- (iv) recognise the importance of traditional streetscape elements to existing and new development,*
- (v) conserve and enhance places of heritage significance the subject of or affected by the development, and*
- (vi) safeguard and enhance the amenity of residential areas by ensuring that land use is compatible with the character of the area.*

The proposed development is considered to address the above matters for the following reasons:

- The proposed Unhosted short-term rental accommodation is considered minor in scale, comprising a single bedroom unit (limited to a maximum of two occupants, secured by condition) and it is not considered the scale of this operation will result in detrimental impact to the amenity of the area or adjoining residents if managed appropriately in accordance and the management plan (Attachment 2) by the operator and guests comply with the code of conduct submitted with the application (Attachment 3).
- It is noted that while the subject site is located in the residential zone, the subject site is adjacent the popular the tourist area of South Beach (150m west of the subject site) and the various and many café/restaurant offerings toward this end of South Terrace (25m north of subject site).
- The subject dwelling is 1 of only 3 total registered Unhosted STRA units within the complex of 15 units (representing 20%) as it currently stands, with the majority of dwellings remaining as owner-occupied and/or long term rental tenanted. It is therefore considered there is not an overabundance of temporary residents or STRA within the complex as it currently stands.
- There are no external additions or alterations proposed to the dwelling (or complex) in this application, as such there are no elements that will impact the existing streetscape or heritage character of the area.
- The land use is considered to satisfy the objectives of the Residential zone, as it will provide a land use compatible with surrounding residential uses, providing accommodation without having detrimental impact on adjoining properties subject to effective and responsible management of the accommodation and compliance with the Local Planning Policy 2.27, which seeks to mitigate any amenity impacts, as discussed in greater detail below.



Local Planning Policy 2.27 – Unhosted Short-Term Rental Accommodation

The purpose of LPP2.27 is to establish a framework to manage Unhosted Short-term rental accommodation within the City of Fremantle. The policy seeks to balance the tourism benefits with residential amenity and urban living, ensuring development and land use aligns with neighbourhood character while not detrimentally impacting the viability of an area through the overabundance of temporary residents.

The objectives of LPP2.27 are to:

1. *To ensure unhosted short-term rental accommodation is designed, sited and managed to preserve amenity and character of areas with heritage, environmental or conservations values.*
2. *To maintain the amenity and established character of zones by ensuring the location, scale, design and operation of unhosted short-term rental accommodation is appropriate to the setting.*
3. *To ensure unhosted short-term rental accommodation is appropriately serviced to meet the needs of visitors and prevent detrimental impacts on the local environment or infrastructure.*
4. *To ensure the vibrancy and viability of zones, particularly the City Centre zone, is maintained by retaining a base of predominantly permanent residents.*

The following table evaluates the proposal against the policy provisions of LPP2.27.

Table 1 – Assessment against LPP2.27

1. Built Form and Site Appearance	Officer comment
1.1 Proposals for unhosted short-term rental accommodation must align with the applicable Residential Design Codes (R-Codes), Local Planning Scheme, Local Development Plans and any location specific local planning policies.	No change is proposed to the existing built form.
1.2 On-site signage is required for all proposals and is: a) Limited to sign plaques or plates affixed to the main frontage of the building. b) To not exceed 0.5m² per dwelling. c) To be consolidated where multiple unhosted short-term rental accommodation units are contained on a site.	A condition of approval is recommended to ensure compliance with signage requirements per the policy.



d) To include the property owner or manager's contact information.	
2. Car Parking	Officer comment
2.1 For all zones, except the City Centre Zone - In addition to providing car parking in accordance with the Residential Design Codes, additional on-site car parking bays should be provided at a rate of one bay for every two bedrooms exceeding four bedrooms (i.e. one additional bay for 5-6 bedrooms, two additional bays for 7-8 bedrooms etc).	Complies – 1 on-site bay is provided for and allocated to the one-bedroom dwelling for dedicated use. As the dwelling is only one-bedroom, no additional on-site parking is required.
2.2 City Centre Zone – The City Centre is a pedestrian friendly location with plentiful retail and dining options within walking distance, close to many of the City's tourist attractions and is well serviced by public transport. Therefore, there is no requirement for the provision of on-site parking within this zone.	N/A – not located within the City Centre zone.
3. Dwelling Occupancy	Officer comment
3.2 Grouped and Multiple Dwellings - Maximum occupancy of no more than two persons per bedroom, excluding persons under 16, to a maximum of six persons.	The subject dwelling is one-bedroom dwelling. A maximum of two (2) persons are permitted to occupy the at any one time which is secured via a recommended condition of approval.
3.3 Rooms not originally designed as bedrooms (e.g. living / dining rooms) cannot be converted for STRA occupancy calculations.	The bedroom is a lawful bedroom and there is no proposal to convert other areas of the dwelling for use as an additional sleeping area.
4. Location Requirements	Officer comment
4.1 In order to prioritise permanent residents within the City Centre Zone so as to retain a lively and vibrant centre throughout the year, consideration will be given to the number of hosted and unhosted short term rental accommodation properties registered at the time of the development application being lodged.	N/A – not located within City Centre zone.
5. Servicing Considerations	Officer comment
5.1 Development is to be connected to a reticulated potable water supply.	Complies



5.2 Development is to be connected to a reticulated sewage or serviced by an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants.	Complies
6. Time Limitations of Approvals	Officer comment
6.1 Development approval may be limited to a period of 12 months where Council deems it appropriate to properly assess the impact on neighbours and amenity.	The proposed STRA can only accommodate a maximum of two (2) persons. It is not considered that this will result in any significantly detrimental impact to the amenity of adjoining properties/dwellings or the area generally. As such a 12 month approval limit is not considered to be required.
7. Restriction of Operator	Officer comment
7.1 Due to the detailed management measures required to operate an unhosted short term rental accommodation in accordance with this policy, development approval for unhosted short-term rental accommodation is restricted to the approved landowner and will not run with the property. A change in landowner will require a new development applicant for unhosted short-term rental accommodation to be submitted and approved.	Compliance with this provision will be secured via a recommended condition of approval.
8. Management Plans and Other Unhosted Short-Term Rental Accommodation Application Requirements	Officer comment
8.1 Where a unhosted short-term rental accommodation is located on a strata title, a letter from the Strata Manager or Strata Management Company in support of the proposed use is to be included with the development application.	A letter from the Associate Strata Manager, on behalf of the Council of Owners, has been submitted in support of the proposed STRA within the complex.
8.2 For proposals located in all zones except the City Centre zone, a site plan indicating the location of on-site parking is to be provided with the development application.	Refer plans provided in Attachment 1 of this report which indicates the allocated parking bay for the unit.
8.3 Development applications must include a Management Plan detailing the following:	A Management Plan accompanied the lodgement of the application



a) Contact details (phone number and email address) of the Property Manager, which may be the landowner or an external agent. The Property Manager is to respond to nuisance behaviour within 12 hours of a complaint. b) Method of booking and checking in. c) Confirmation of location of designated on-site / visitor parking bays. d) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. e) 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. f) Waste management strategies to ensure appropriate disposal. g) Bushfire emergency response procedures (in designated bushfire prone areas).	(Attachment 2) which addresses the requirements of this provision. Adherence with this Management Plan will be secured via a recommended condition of approval.
8.4 A detailed Code of Conduct is to be made available to all occupants and included with the development application. The Code of Conduct is to include the following: a) Contact details of the Property Manager, including after-hours contact details. b) Expected behaviour of occupants / visitor to minimise impact on neighbours. c) Any restrictions of visitors or parties/ events. d) Location of on-site car parking for occupants / visitors, as well as any parking restrictions applicable to the location. e) Details of alternate transport options, such as public transport.	A Code of Conduct accompanied the lodgement of the application (refer Attachment 3) which addresses the requirements of this provision. Compliance with the Code of Conduct will be secured via a recommended condition of approval. A copy of the Code of Conduct is to be made available to the occupants of the accommodation.



f) Details regarding waste management, including specific expectations of guests regarding waste disposal and bin collection. g) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. h) Bushfire emergency response procedures (where applicable). i) Any other information relevant to the use of the property which may impact the amenity of the location.	
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In further consideration of the objectives of LPP2.27, while the property is not located in the City Centre zone, it is noted that only 3 units, inclusive of the subject site, of the 15 dwellings within the complex (representing 20% overall) are registered as unhosted STRA units, with a majority of dwellings remaining as owner-occupied and/or long term rental tenanted. It is therefore considered there is not an overabundance of temporary residents or STRA within the complex as it currently stands.

Further, the STRA unit is considered of a small scale (one bedroom, two occupant maximum), that is appropriately located near the popular tourist destination of South Beach and South Terrace and well serviced (with public transport and excellent walkability and cyclability to other areas of Fremantle) to meet the needs of visitors and if managed appropriately and in accordance with management plans provided, will not be detrimental to the amenity of the adjoining residents or the area generally.

On the basis of the above and subject to appropriate conditions of approval, the proposal is considered acceptable pursuant to LPP2.26 objectives and provisions.

CONCLUSION

Approval is sought for a change of use to Unhosted short-term rental accommodation at No. 2/1 Douro Road, Fremantle. With consideration to the officer assessment above, the proposed Unhosted STRA is considered acceptable and can be suitably operated to minimise any potential impact to the amenity of adjoining residents and the area generally.

The land use is generally compatible with the objectives of the Residential zone and LPP2.27, providing accommodation that is minor in scale, with STRA still a minority use (3 out of 15 dwellings, representing 20%) of the overall number of dwellings within the multiple dwelling complex.



The subject site is suitably located for visitors and can be expected to operate with minimal amenity impact to adjoining residents if managed appropriately and in accordance with the management plans to be implemented by the operator.

As such, the application is considered worth of approval, subject to appropriate conditions of approval.

STRATEGIC IMPLICATIONS

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

Thriving City - Vibrant and active city centre

- The amenity and infrastructure that services our inner-city neighbourhoods reflect that of a modern and global city.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.



OFFICER'S RECOMMENDATION

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 2/1 (Strata Lot 4) Douro Road, South Fremantle, subject to the following condition(s):

1. This approval relates only to the development as indicated on the approved plans, dated 30 June 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. Notwithstanding condition 1, this approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current landowner (listed in Confidential Attachment 4) of 2/1 Douro Road, South Fremantle, only. If this Landowner ceases to be the landowner of the site, the Unhosted short-term rental accommodation use hereby approved will expire.
3. The approved use is restricted to a maximum of two (2) guests at any one time, based on the one (1) bedroom within the dwelling.
4. The Management Plan and Code of Conduct dated 30 June 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle. A copy of the Code of Conduct is to be made available to all occupants of the Unhosted short-term rental accommodation.
5. Prior to the occupation/operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the front door/entrance to the dwelling;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
 - d) Include the property owner or manager's contact information, including contact telephone and email information.



The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):

- i. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 - mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - vehicles;
 - amplified acoustic systems; and
 - patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.

- ii. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the Privacy and Responsible Information Sharing Act 2024. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.



In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Melanie Clark moved the following amendment, as provided in the additional documents:

AMENDMENT

Moved: Cr Melanie Clark

Seconded: Cr Ingrid van Dorssen

Amend Condition 2 of the Officer's Recommendation, to read as follows:

2. Notwithstanding condition 1, this approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current landowner (listed in Confidential Attachment 4) of 2/1 Douro Road, South Fremantle, *for a period of 24 months from the date of this approval* only. If this Landowner ceases to be the landowner of the site, *or the temporary 24 month approval from date of this approval is reached*, the Unhosted short-term rental accommodation use hereby approved will expire.

Amendment Carried: 4/0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

Reason for amendment:

As per our Policy, to review land use compatibility and amenity concerns, development approval may be limited to a period of 24 months where Council deems it appropriate to properly assess the impact on neighbours and amenity. Two years is appropriate in this instance.

COMMITTEE RECOMMENDATION ITEM PSC2609-9

(Officer's recommendation, as amended)

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 2/1 (Strata Lot 4) Douro Road, South Fremantle, subject to the following condition(s):

1. This approval relates only to the development as indicated on the approved plans, dated 30 June 2026. It does not relate to any other



development on this lot and must substantially commence within four years from the date of this decision letter.

2. Notwithstanding condition 1, this approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current landowner (listed in Confidential Attachment 4) of 2 / 1 Douro Road, South Fremantle, *for a period of 24 months from the date of this approval* only. If this Landowner ceases to be the landowner of the site, *or the temporary 24 month approval from date of this approval is reached*, the Unhosted short-term rental accommodation use hereby approved will expire.
3. The approved use is restricted to a maximum of two (2) guests at any one time, based on the one (1) bedroom within the dwelling.
4. The Management Plan and Code of Conduct dated 30 June 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle. A copy of the Code of Conduct is to be made available to all occupants of the Unhosted short-term rental accommodation.
5. Prior to the occupation / operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the front door / entrance to the dwelling;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
 - d) Include the property owner or manager's contact information, including contact telephone and email information.

The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):



i. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:

- mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
- vehicles;
- amplified acoustic systems; and
- patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.

ii. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the Privacy and Responsible Information Sharing Act 2024. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.

Carried: 3 / 1

For:

Mayor Ben Lawver, Cr Andrew Sullivan and Cr Ingrid van Dorssen

Against:

Cr Melanie Clark

In accordance with Delegation 1.1 of the City of Fremantle [Delegated Authority Register](#), the above item will be referred to the Ordinary Meeting of Council for final determination.



PSC2609-10 PAKENHAM STREET, NO. 14/45 (STRATA LOT 14),
FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT-TERM
RENTAL ACCOMMODATION - (LG DA0179/26)

Meeting date:	Wednesday 2 September 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Committee
Attachments:	1. Plans 2. Management Plan 3. Code of Conduct 4. CONFIDENTIAL - Applicant and Owner Details
Additional Information: (viewed electronically)	6. Site Photos 7. Applicant Response to Submissions

SUMMARY

Approval is sought by the applicant for a change of use to Unhosted short-term rental accommodation at No.14/45 Pakenham Street, Fremantle.

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

- Land use

The application is recommended for conditional approval.

PROPOSAL

Detail

Approval is sought by the applicant for a change of use of an existing one (1) bedroom Multiple dwelling to Unhosted short-term rental accommodation at No. 14/45 Pakenham Street, Fremantle. There are no works proposed.

Development plans are included as attachment 1.

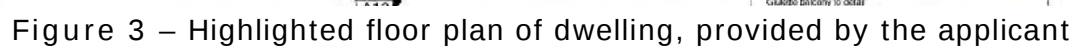
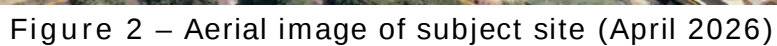
Site/application information

Date received:	15 May 2026
Scheme:	City Centre
Heritage listing:	Not listed / West End Heritage Area
Existing land use:	Multiple dwelling
Use class:	Unhosted short-term rental accommodation
Use permissibility:	A

In accordance with the Privacy and Responsible Information Sharing Act 2024 and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment and due to the requirement to link the land use to a person in LPP 2.27 Unhosted Short-term Rental Accommodation, the name will be included on the Determination Notice issued.



Figure 1 – Planning context map





CONSULTATION

External referrals

Nil required.

Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the proposal required a merit-based assessment against the Scheme and local planning policy. The advertising period concluded on 12 June 2026, and four (4) submissions were received, all objecting to the proposal. The following issues were raised (summarised):

- Concern relating to the number of short stay dwellings existing in the building, stating that short stay dwellings reduced the availability of accommodation for long-term residents.
- Concern regarding increased anti-social behaviour, noise impacts and security concerns from increased number of guests in the building.
- General concern for the Council to consider the accumulative impact of approving short-stay dwellings on housing, and the community impacts of short-stay dwellings in this precinct.

The abovementioned comments are addressed in the officer comment below.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4, and relevant Council local planning policies. The relevant assessment criteria are discussed as follows:

- Land use

The above matters are discussed below.

Background

The subject site is located on the west side of Pakenham Street. The dwelling subject to the change of use is within a strata complex comprising of 24 Multiple dwellings and 2 commercial units and has a floor area of approximately 59m². The site is zoned City Centre and has a density coding of RAC-3. The site is not individually heritage listed but is located within the West End Heritage Area. The dwelling is located on the second floor, fronting Pakenham Street, and sits within a parent lot of approximately 1105m².



Data from the State's Short-Term Rental Accommodation (STRA) Register indicates that 6 of the 24 dwellings (25%) within the 48 Henry Street – 45 Pakenham Street building are registered as Unhosted short-term rental accommodation.

A search of the property file has revealed no relevant planning information for the subject site.

Land Use

An Unhosted short-term rental accommodation is an 'A' use in the City Centre Zone, which means that the use is not permitted unless the Council has exercised its discretion by granting planning approval. In considering an 'A' use the Council will have regard to the matters to be considered in the *Planning and Development (Local Planning Schemes) Regulations 2015*. In this regard the following matters have been considered:

- (a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*
- (m) The compatibility of the development with its setting including the relationship of the development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development*
- (n) The amenity of the locality including the following:*
 - (i) Environmental impacts of the development*
 - (ii) The character of the locality*
 - (iii) Social impacts of the development*
- (y) Any submissions received on the application.*

For the purpose of assessing matter (a) above, the objectives of the City Centre zone are as follows:

Development within the City Centre zone shall —

- (i) provide for a full range of shopping, office, administrative, social, recreation, entertainment and community services, consistent with the region-serving role of the centre and including residential uses, and*
- (ii) comply with the objectives of local planning area 1 of schedule 7,*
- (iii) conserve places of heritage significance the subject of or affected by development.*



The proposed development is considered to address the above matters for the following reasons:

- The proposed land use is considered consistent with the region-serving role of the centre, as it provides a form of short-term tourism accommodation for visitors and to the City.
- The land use will complement the surrounding retail and hospitality land uses by providing accommodation for visitors to the area and assist in ongoing viability of these businesses.
- The proposal is small scale (1 Bedroom), with no structural changes proposed, as such it is considered that there will be no impact on the heritage significance of the area. The maximum occupancy for the proposal is two (2) persons (as per clause 3.2 of LPP2.27) which is to be secured by a recommended condition of approval.

Local Planning Policy 2.27 – Unhosted Short-Term Rental Accommodation

The purpose of LPP2.27 is to establish a clear framework to manage unhosted Short-term rental accommodation within the City of Fremantle. The policy seeks to balance the tourism benefits with residential amenity and urban living, ensuring development and land use aligns with neighbourhood character while not detrimentally impacting the viability of an area through the overabundance of temporary residents.

The objectives of this policy are to:

1. *To ensure unhosted short-term rental accommodation is designed, sited and managed to preserve amenity and character of areas with heritage, environmental or conservation values.*
2. *To maintain the amenity and established character of zones by ensuring the location, scale, design and operation of unhosted short-term rental accommodation is appropriate to the setting.*
3. *To ensure unhosted short-term rental accommodation is appropriately serviced to meet the needs of visitors and prevent detrimental impacts on the local environment or infrastructure.*
4. *To ensure the vibrancy and viability of zones, particularly the City Centre zone, is maintained by retaining a base of predominantly permanent residents.*



The following table evaluates the proposal against the policy provisions of LPP2.27.

Table 1 – Assessment against LPP2.27

1. Built Form and Site Appearance	Officer comment
1.1 Proposals for unhosted short-term rental accommodation must align with the applicable Residential Design Codes (R-Codes), Local Planning Scheme, Local Development Plans and any location specific local planning policies.	No change is proposed to the existing built form.
1.2 On-site signage is required for all proposals and is: a) Limited to sign plaques or plates affixed to the main frontage of the building. b) To not exceed 0.5m ² per dwelling. c) To be consolidated where multiple unhosted short-term rental accommodation units are contained on a site. d) To include the property owner or manager's contact information.	A condition of approval is recommended to ensure compliance with signage requirements.
2. Car Parking	Officer comment
2.1 For all zones, except the City Centre Zone - In addition to providing car parking in accordance with the Residential Design Codes, additional on-site car parking bays should be provided at a rate of one bay for every two bedrooms exceeding four bedrooms (i.e. one additional bay for 5-6 bedrooms, two additional bays for 7-8 bedrooms etc).	N/A
2.2 City Centre Zone – The City Centre is a pedestrian friendly location with plentiful retail and dining options within walking distance, close to many of the City's tourist attractions and is well serviced by public transport. Therefore, there is no requirement for the provision of on-site parking within this zone.	The subject site is located within the City Centre zone. There are no requirements under LPP2.27 for onsite parking to be provided.
3. Dwelling Occupancy	Officer comment
3.2 Grouped and Multiple Dwellings - Maximum occupancy of no more than two persons per bedroom, excluding persons under 16, to a maximum of six persons.	The subject dwelling is a single bedroom dwelling. A maximum of two (2) persons are permitted to occupy the bedroom/dwelling which is



	secured vi a recommended condition of approval.
3.3 Rooms not originally designed as bedrooms (e.g. living / dining rooms) cannot be converted for STRA occupancy calculations.	The single bedroom is an approved lawful bedroom.
4. Location Requirements	Officer comment
4.1 In order to prioritise permanent residents within the City Centre Zone so as to retain a lively and vibrant centre throughout the year, consideration will be given to the number of hosted and unhosted short term rental accommodation properties registered at the time of the development application being lodged.	6 of the 24 dwellings (25%) within the 48 Henry Street – 45 Pakenham Street building are registered as short-term rental accommodation. It is considered that the predominant use of the dwellings within the subject site are for long-term residential use.
5. Servicing Considerations	Officer comment
5.1 Development is to be connected to a reticulated potable water supply.	Complies
5.2 Development is to be connected to a reticulated sewage or serviced by an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants.	Complies
6. Time Limitations of Approvals	Officer comment
6.1 Development approval may be limited to a period of 12 months where Council deems it appropriate to properly assess the impact on neighbours and amenity.	The proposal is for an Unhosted short-term rental for only two (2) persons. It is not considered that this will result in any significantly detrimental impact to the amenity of adjoining properties/dwellings or the area generally. As such a 12 month approval limit is not considered to be required.
7. Restriction of Operator	Officer comment
7.1 Due to the detailed management measures required to operate an unhosted short term rental accommodation in accordance with this policy, development approval for unhosted short-term rental accommodation is restricted to the	Compliance with this provision will be secured via a recommended condition of approval.



approved landowner and will not run with the property. A change in landowner will require a new development applicant for unhosted short-term rental accommodation to be submitted and approved.	
8. Management Plans and Other Unhosted Short-Term Rental Accommodation Application Requirements	Officer comment
8.1 Where a unhosted short-term rental accommodation is located on a strata title, a letter from the Strata Manager or Strata Management Company in support of the proposed use is to be included with the development application.	A letter from the Strata Compact Manager was provided by the application upon lodgement of the application. They have provided consent for the lodgement of this application and for the proposed land use. This letter is included as additional information.
8.2 For proposals located in all zones except the City Centre zone, a site plan indicating the location of on-site parking is to be provided with the development application.	N/A
8.3 Development applications must include a Management Plan detailing the following: a) Contact details (phone number and email address) of the Property Manager, which may be the landowner or an external agent. The Property Manager is to respond to nuisance behaviour within 12 hours of a complaint. b) Method of booking and checking in. c) Confirmation of location of designated on-site / visitor parking bays. d) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. e) Complaint management procedures addressing nuisance behaviour which may include: • Violence or threats • Loud aggressive behaviour, including yelling, screaming or arguing • Excessively loud noise nuisance	A Management Plan accompanied the lodgement of the application which addresses the requirements of this provision. Compliance with this Management Plan will be secured via a recommended condition of approval.



• Overlooking • Light spill • Barking dogs • Smoke or odours. f) Waste management strategies to ensure appropriate disposal. g) Bushfire emergency response procedures (in designated bushfire prone areas).	
8.4 A detailed Code of Conduct is to be made available to all occupants and included with the development application. The Code of Conduct is to include the following: a) Contact details of the Property Manager, including after-hours contact details. b) Expected behaviour of occupants / visitor to minimise impact on neighbours. c) Any restrictions of visitors or parties/ events. d) Location of on-site car parking for occupants / visitors, as well as any parking restrictions applicable to the location. e) Details of alternate transport options, such as public transport. f) Details regarding waste management, including specific expectations of guests regarding waste disposal and bin collection. g) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. h) Bushfire emergency response procedures (where applicable). i) Any other information relevant to the use of the property which may impact the amenity of the location.	A Code of Conduct accompanied the lodgement of the application which addresses the requirements of this provision. Compliance with the Code of Conduct will be secured via a recommended condition of approval. A copy of the Code of Conduct is to be made available to the occupants of the accommodation.

The proposal is considered to meet the objectives of LPP2.27 for the following reasons:

- As discussed above, 29.1% of the subject site is available to be utilised by permanent residents. It is considered that the predominant use of the subject site is for permanent residents.
- The subject site is appropriately located and serviced to meet the needs of visitors if managed in accordance with the management plans provided



and will not be detrimental to the amenity of the adjoining residents or the area generally.

On the basis of the above and subject to appropriate conditions of approval, the proposal is considered acceptable pursuant to the LPP2.27 objectives and provisions.

CONCLUSION

Approval is sought for a change of use to Unhosted short-term rental accommodation at No. 14/45 Pakenham Street, Fremantle. Based on the assessment above, it is considered that the accommodation can be suitably operated to minimise any potential impact to the amenity of the area. The land use will complement the surrounding retail and hospitality land uses and is consistent with the region-serving role of the City Centre and the objectives of LPP2.27. In accordance with the assessment above, the application is recommended for conditional approval.

STRATEGIC IMPLICATIONS

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

Thriving City – Vibrant and active city centre

- A coexistence of residents, visitors and workers creates a desirable environment in which to live, work, and visit.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.



VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.

OFFICER'S RECOMMENDATION

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 14/45 (Strata Lot 14) Pakenham Street, Fremantle, subject to the following condition(s):

1. This approval relates only to the development as indicated on the approved plans, dated 14 May 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. This approval allows the unhosted short-term rental accommodation hereby approved to be operated by the current Landowner (listed in Confidential Attachment 4) of 14/45 Pakenham Street, Fremantle only. If this Landowner ceases to be the landowner of the site, the unhosted short-term rental accommodation hereby approved will expire.
3. The approved use is restricted to a maximum of two (2) guests at any one time, based on the one (1) bedroom within the dwelling.
4. The Management Plan and Code of Conduct dated 14 May 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle.
5. Prior to the occupation/operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the main frontage of the building;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);



- c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
- d) Include the property owner or manager's contact information, including contact telephone and email information.

The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

- 6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):

- i. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 - mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - vehicles;
 - amplified acoustic systems; and
 - patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.

- ii. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the Privacy and Responsible Information Sharing Act 2024. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.

In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Melanie Clark moved the following amendment, as provided in the additional documents:



AMENDMENT

Moved: Cr Melanie Clark

Seconded: Cr Andrew Sullivan

Amend Condition 2 of the Officer's Recommendation, to read as follows:

2. *Notwithstanding condition 1*, this approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current Landowner (listed in Confidential Attachment 4) of 14/45 Pakenham Street, Fremantle *for a period of 12 months from the date of this approval* only. If the current Landowner ceases to be the landowner of the site, *or the temporary 12 month period from the date of this approval is reached*, the Unhosted short-term rental accommodation use here approved will expire .

Amendment Carried: 4 / 0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

Reason for amendment:

As per our Policy, to review land use compatibility and amenity concerns development approval may be limited to a period of 12 months where Council deems it appropriate to properly assess the impact on neighbours and amenity.

COMMITTEE DECISION ITEM PSC2609-10

(Officer's recommendation, as amended)

Moved: Cr Andrew Sullivan

Seconded: Cr Ingrid van Dorssen

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 14/45 (Strata Lot 14) Pakenham Street, Fremantle, subject to the following condition(s):

1. This approval relates only to the development as indicated on the approved plans, dated 14 May 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. *Notwithstanding condition 1*, this approval allows the Unhosted short-term rental accommodation hereby approved to be operated



by the current Landowner (listed in Confidential Attachment 4) of 14/45 Pakenham Street, Fremantle *for a period of 12 months from the date of this approval* only. If the current Landowner ceases to be the landowner of the site, *or the temporary 12 month period from the date of this approval is reached*, the Unhosted short-term rental accommodation use here approved will expire.

3. The approved use is restricted to a maximum of two (2) guests at any one time, based on the one (1) bedroom within the dwelling.
4. The Management Plan and Code of Conduct dated 14 May 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle.
5. Prior to the occupation/operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the main frontage of the building;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
 - d) Include the property owner or manager's contact information, including contact telephone and email information.

The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):

- i. All noise from the proposed development must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (as amended), such as:
 - mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - vehicles;
 - amplified acoustic systems; and
 - patron noise.



It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.

- ii. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the Privacy and Responsible Information Sharing Act 2024. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.

Carried: 4 / 0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil



PSC2609-11 SOUTH TERRACE, NO. 8 / 342 (STRATA LOT 8), SOUTH
FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT-TERM
RENTAL ACCOMMODATION - (LG DA0212 / 26)

Meeting date: Wednesday 2 September 2026
Responsible officer: Manager City Planning
Voting requirements: Simple Majority Required
Decision making authority: Committee
Attachments: 1. Plans
2. Management Plan & Cde of Conduct
3. CONFIDENTIAL - Applicant and Owner
Details
Additional Information: 4. [Site Photos](#)
(viewed electronically)

SUMMARY

Approval is sought by the applicant for a change of use to Unhosted short-term rental accommodation at No. 8 / 342 (Strata Lot 8) South Terrace, South Fremantle.

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

- Land use

The application is recommended for conditional approval.

PROPOSAL

Detail

Approval is sought for a change of use to Unhosted short-term accommodation of an existing two (2) bedroom grouped dwelling at No. 8/342 (Strata Lot 8) South Terrace, South Fremantle (subject site). There are no works proposed.

Development plans are included as attachment 1.



Site/application information

Date received: 8 June 2026
 Scheme: Mixed Use (R30)
 Heritage listing: Not Individually Listed / South Fremantle Precinct Heritage Area
 Existing land use: Grouped Dwelling
 Use class: Unhosted Short-Term Rental Accommodation
 Use permissibility: D

In accordance with the Privacy and Responsible Information Sharing Act 2024 and to minimise the public disclosure of personal information, the applicant's name has been redacted from the public agenda. The applicant's details have been provided to elected members within the confidential attachment and due to the requirement to link the land use to a person in LPP 2.27 Unhosted Short-term Rental Accommodation, the name will be included on the Determination Notice issued.



Figure 1 – Planning context map



Figure 2 – Aerial image of subject site (April 2026)



Figure 3 – Subject site strata plan, dwelling subject to change of use highlighted yellow (lot 8).



CONSULTATION

External referrals

Nil required.

Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the proposal required a merit-based assessment against the Scheme and local planning policy. The advertising period concluded on 7 July 2026, and eleven (11) submissions were received, seven (7) objecting and four (4) in support. It is noted that two (2) additional submissions of support were received post the closure of the advertising period. The following comments were raised (summarised):

Concerns

- Loss of community character and cohesion due to transient visitors.
- Reduced long-term rental housing during a housing crisis.
- Existing short-term accommodation in Fremantle is considered sufficient.
- Noise, parties, late night arrivals and anti-social behaviour.
- Parking congestion, blocked access, damage to gates and impacts on neighbouring businesses.
- Lack of accountability from absentee owners and poor management of guest behaviour.
- Privacy, security and amenity impact on permanent residents.
- Incorrect rubbish disposal and unattended pets causing nuisance.
- Residential complex considered unsuitable for unhosted short-term rentals.
- Concern proposals prioritise commercial gain over residential housing.

Support

- Additional short-term accommodation supports tourism and South Fremantle's growth as a visitor destination.
- South Fremantle is an ideal location for short-stay accommodation, providing visitors convenient access to local businesses, cafes, restaurants and attractions.
- Short-stay accommodation supports tourism and provides an alternative form of accommodation in Fremantle.
- The complex has no visitor parking bays, guests are less likely to have friends and visitors visiting the residence.
- Other units in the complex operate short-stay accommodation with no issues arising during the span of them operating.



- Short-stay accommodation is a way of generating additional income to assist with financial pressure.
- One submission outlined they had no objection to the proposal.

In response to the above, the applicant submitted the following responses to the submitter comments:

- *Loss of community character and cohesion due to transient visitors - Given the presence of family in the complex, we actually intend to use the apartment a lot ourselves and be part of that community - the reason we bought this apartment was because of my sister living there and the people we know there already who are part of that community.*
- *Reduced long-term rental housing during a housing crisis - this really wouldn't be an option for us with this property anyway given the intended purpose of the purchase was to use the apartment ourselves much of the time. If we can't acquire a DA number we would likely utilise the 90 day STRA allowance that doesn't require an STRA number in cities, (given the building strata has no rules objecting to this).*
- *Existing short-term accommodation in Fremantle is considered sufficient - South Fremantle is an upcoming tourist destination and STRA, while excessive in Fremantle, does not have the same numbers in South Fremantle, which helps boost all the local businesses sprouting up there now.*
- *Noise, parties, late night arrivals and anti-social behaviour - I have self-managed another Airbnb for 14yrs with strict guidelines and no complaints. We will adhere to all council regulations with regards to displayed contact numbers for any disturbance. Late night arrivals would not be permitted. My Sister who is on the strata committee also lives onsite, so would be able to monitor the unit for any disruption.*
- *Parking congestion, blocked access, damage to gates and impacts on neighbouring businesses - The unit has onsite parking for 1 car and there is unmetered street parking so I can't see this being a problem.*
- *Lack of accountability from absentee owners and poor management of guest behaviour - As I said, I have self-managed an Airbnb for 14 yrs with no complaints. The only problems or complaints I have had as a landlord have been with long term tenants, not with Airbnb short term guests, so I'm not sure it's fair to say short term guests cause more disturbances in general than long term tenants if correctly managed.*



- *Privacy, security and amenity impact on permanent residents - There is no common security gate etc. All units are individual town houses with individual access, so this shouldn't pose any increased security risk.*
- *Incorrect rubbish disposal and unattended pets causing nuisance - No pets will be permitted at the premises. If the unit is occupied, then guests will be informed of Rubbish Day and my sister is happy to put out the bins if unoccupied and I'm away. I am not far away and can also do this is required. Furthermore, bins are kept within the individual premises, so this shouldn't affect other residents in any way.*
- *Residential complex considered unsuitable for unhosted short-term rentals- This is simply not valid - there is already one Airbnb in the complex which has operated without problem for quite some time. The unit next to mine has also been an Airbnb in the past with no issues for many years, up until it was sold last year. The strata have written the letter I enclosed in my application saying that it does not object to STRA.*
- *Concern proposals prioritise commercial gain over residential housing - As I have stated, this property will not be used for long term leasing for an extended period as the purpose was to be part of the community in the area and spend time with family.*

The remaining comments are addressed in the officer comment below.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4, the R Codes and relevant Council local planning policies. The relevant assessment criteria are discussed as follows:

- Land use

The above matters are discussed below.

Background

The subject site is located on the east side of South Terrace, located on the corner of South Terrace and Scott Street. The dwelling subject to this application is a Grouped dwelling within a strata complex comprising of 16 Grouped dwellings. The subject site has a floor area of approx. 119m², with the total parent lot size being approx. 2150m². The site is zoned Mixed Use and has a density coding of



R30. The site is not individually heritage listed and located within the South Fremantle Precinct Heritage Area.

Data from the State's Short-Term Rental Accommodation (STRA) Register indicates that 2 of the 16 dwellings (12.5%) within the 342 South Terrace strata complex are registered as short-term rental accommodation, 2 hosted and 1 unhosted.

A search of the property file revealed no relevant planning history.

Land Use

An Unhosted short-term rental accommodation is an 'D' use in the Mixed Use Zone, which means that use is not permitted unless the council has exercised its discretion by granting planning approval. In considering an 'D' use the Council will have regard to the matters to be considered in the *Planning and Development (Local Planning Schemes) Regulations 2015*. In this regard the following matters have been considered:

- (a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*
- (m) The compatibility of the development with its setting including the relationship of the development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development*
- (n) The amenity of the locality including the following:*
 - (i) Environmental impacts of the development*
 - (ii) The character of the locality*
 - (iii) Social impacts of the development*
- (y) Any submissions received on the application.*

For the purpose of assessing matter (a) above, the objectives of the Mixed Use zone are as follows:

Development within the mixed use zone shall —

- (i) provide for a mix of compatible land uses including light, services and cottage industry, wholesaling, trade and professional services, entertainment, recreation and retailing of goods and services in small scale premises, including showrooms, where the uses would not be detrimental to the viability of retail activity and other functions of the City Centre, Local Centre and Neighbourhood Centre zones;*
- (ii) provide for residential at upper level, and also at ground level providing the residential component is designed to contribute positively to an*



active public domain; ensure future development within each of the mixed used zones is sympathetic with the desired future character of each area;

(iii) ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality, and

(iv) conserve places of heritage significance the subject of or affected by the development.

The proposed development is considered to address the above matters for the following reasons:

- The proposed Unhosted short-term rental comprise of a two (2) bedroom dwelling with a maximum of four (4) occupants. This is considered small scale and is not considered to result in a significant impact to the amenity of adjoining residents if managed as per the provide Management Plan (refer Attachment 2).
- The subject site is situated within a residential complex within close proximity to a mixture of land uses, including a Café adjacent to the south, and a various commercial land uses along South Terrace. The site is well serviced by public transport with direct access to the Fremantle City Centre, as such this location is considered appropriate for short-term accommodation.
- The applicant has provided a Management Plan and Code of Conduct included as Attachment 2 to mitigate potential impacts to adjoining properties. Compliance with these documents is to be secured via recommended conditions of approval.
- There are no works proposed in this application, as such there will be no impact on the heritage significance of the South Fremantle Precinct Heritage Area.

Local Planning Policy 2.27 – Unhosted Short-Term Rental Accommodation

The purpose of LPP2.27 is to establish a clear framework to manage unhosted Short-term rental accommodation within the City of Fremantle. The policy seeks to balance the tourism benefits with residential amenity and urban living, ensuring development and land use aligns with neighbourhood character while not detrimentally impacting the viability of an area through the overabundance of temporary residents.



The objectives of this policy are to:

1. *To ensure unhosted short-term rental accommodation is designed, sited and managed to preserve amenity and character of areas with heritage, environmental or conservations values.*
2. *To maintain the amenity and established character of zones by ensuring the location, scale, design and operation of unhosted short-term rental accommodation is appropriate to the setting.*
3. *To ensure unhosted short-term rental accommodation is appropriately serviced to meet the needs of visitors and prevent detrimental impacts on the local environment or infrastructure.*
4. *To ensure the vibrancy and viability of zones, particularly the City Centre zone, is maintained by retaining a base of predominantly permanent residents.*

The following table evaluates the proposal against the policy provisions of LPP2.27.

Table 1 – Assessment against LPP2.27

1. Built Form and Site Appearance	Officer comment
1.1 Proposals for unhosted short-term rental accommodation must align with the applicable Residential Design Codes (R-Codes), Local Planning Scheme, Local Development Plans and any location specific local planning policies.	No changes are proposed to the existing built form.
1.2 On-site signage is required for all proposals and is: a) Limited to sign plaques or plates affixed to the main frontage of the building. b) To not exceed 0.5m² per dwelling. c) To be consolidated where multiple unhosted short-term rental accommodation units are contained on a site. d) To include the property owner or manager's contact information.	A condition of approval is recommended to ensure compliance with signage requirements.
2. Car Parking	Officer comment
2.1 For all zones, except the City Centre Zone - In addition to providing car parking in accordance with the Residential Design Codes, additional on-site car parking bays should be	Proposal utilises two (2) bedrooms therefore 1 bay is required. There are two (2) existing allocated bays for



provided at a rate of one bay for every two bedrooms exceeding four bedrooms (i.e. one additional bay for 5-6 bedrooms, two additional bays for 7-8 bedrooms etc).	the unit which is considered sufficient to cater for the maximum occupancy of four (4).
2.2 City Centre Zone – The City Centre is a pedestrian friendly location with plentiful retail and dining options within walking distance, close to many of the City’s tourist attractions and is well serviced by public transport. Therefore, there is no requirement for the provision of on-site parking within this zone.	N/A
3. Dwelling Occupancy	Officer comment
3.2 Grouped and Multiple Dwellings - Maximum occupancy of no more than two persons per bedroom, excluding persons under 16, to a maximum of six persons.	The subject dwelling is two (2) bedroom dwelling. A maximum of four (4) persons are permitted to occupy the bedrooms/dwelling which is secured via a recommended condition of approval.
3.3 Rooms not originally designed as bedrooms (e.g. living / dining rooms) cannot be converted for STRA occupancy calculations.	The two (2) bedrooms are approved lawful bedrooms.
4. Location Requirements	Officer comment
4.1 In order to prioritise permanent residents within the City Centre Zone so as to retain a lively and vibrant centre throughout the year, consideration will be given to the number of hosted and unhosted short term rental accommodation properties registered at the time of the development application being lodged.	N/A
5. Servicing Considerations	Officer comment
5.1 Development is to be connected to a reticulated potable water supply.	Complies
5.2 Development is to be connected to a reticulated sewage or serviced by an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants.	Complies
6. Time Limitations of Approvals	Officer comment
6.1 Development approval may be limited to a period of 12 months where Council deems it appropriate to properly assess the impact on neighbours and amenity.	The proposal is for an Unhosted short-term rental for a minor number of people (four (4) persons). It is not considered that this will



	result in any significantly detrimental impact to the amenity of adjoining properties/dwellings or the area generally. As such a 12 month approval limit is not considered to be required.
7. Restriction of Operator	Officer comment
7.1 Due to the detailed management measures required to operate an unhosted short term rental accommodation in accordance with this policy, development approval for unhosted short-term rental accommodation is restricted to the approved landowner and will not run with the property. A change in landowner will require a new development applicant for unhosted short-term rental accommodation to be submitted and approved.	Compliance with this provision will be secured via a recommended condition of approval.
8. Management Plans and Other Unhosted Short-Term Rental Accommodation Application Requirements	Officer comment
8.1 Where a unhosted short-term rental accommodation is located on a strata title, a letter from the Strata Manager or Strata Management Company in support of the proposed use is to be included with the development application.	A letter from the Strata Company Manager included as additional information accompanied the application. They have provided consent for the proposed for the proposed use.
8.2 For proposals located in all zones except the City Centre zone, a site plan indicating the location of on-site parking is to be provided with the development application.	N/A
8.3 Development applications must include a Management Plan detailing the following: a) Contact details (phone number and email address) of the Property Manager, which may be the landowner or an external agent. The Property Manager is to respond to nuisance behaviour within 12 hours of a complaint. b) Method of booking and checking in. c) Confirmation of location of designated on-site / visitor parking bays.	A Management Plan accompanied the lodgement of the application which addresses the requirements of this provision. Compliance with this Management Plan will be secured via a recommended condition of approval.



d) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. e) 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. f) Waste management strategies to ensure appropriate disposal. g) Bushfire emergency response procedures (in designated bushfire prone areas).	
8.4 A detailed Code of Conduct is to be made available to all occupants and included with the development application. The Code of Conduct is to include the following: a) Contact details of the Property Manager, including after-hours contact details. b) Expected behaviour of occupants / visitor to minimise impact on neighbours. c) Any restrictions of visitors or parties/ events. d) Location of on-site car parking for occupants / visitors, as well as any parking restrictions applicable to the location. e) Details of alternate transport options, such as public transport. f) Details regarding waste management, including specific expectations of guests regarding waste disposal and bin collection. g) Whether pets will be permitted at the property, if so, whether they are permitted to be left unattended. h) Bushfire emergency response procedures (where applicable). i) Any other information relevant to the use of the property which may impact the amenity of the location.	A Code of Conduct accompanied the lodgement of the application which addresses the requirements of this provision. Compliance with this will be secured via a recommended condition of approval.



The proposal is considered to meet the objectives of LPP2.27 for the following reasons:

- The subject site is appropriately located and serviced to meet the needs of visitors and if managed appropriately and in accordance with management plans provided, will not be detrimental to the amenity of the adjoining residents or the area generally.
- As stated above 2 of the 16 dwellings (12.5%) within the 342 South Terrace strata complex are registered as short-term rental accommodation (2 hosted and 1 unhosted), with a majority of dwellings remaining as owner-occupied and/or long term rental tenanted. It is therefore considered there is not an overabundance of temporary residents or STRA within the complex as it currently stands.

On the basis of the above and subject to appropriate conditions of approval, the proposal is considered acceptable pursuant to LPP2.27 objectives and provisions.

CONCLUSION

Approval is sought for a change of use to Unhosted short-term rental accommodation at 8/342 South Terrace, South Fremantle. With consideration to the officer assessment above, the proposed change of use to Unhosted short-term rental accommodation is considered acceptable and can be suitably operated to minimise any potential impact to the amenity of the area. The land use is compatible with the objectives of the Mixed Use zone and LPP2.27, as the accommodation is minor in scale and with manageable amenity impact to adjoining residents.

STRATEGIC IMPLICATIONS

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

Liveable City - Sustainable growth in city centre population

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

FINANCIAL IMPLICATIONS

Nil



LEGAL IMPLICATIONS

This proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. The applicant is able to apply for a review of any Refusal or conditions of approval issued by Council in relation to this application, through the State Administrative Tribunal. Where not specifically detailed in the Regulations or City's policy, all works require approval and may be subject to compliance investigation and enforcement if approval is not sought prior to undertaking works.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Planning Services Committee under delegation 1.1 of the City of Fremantle Delegated Authority Register.

OFFICER'S RECOMMENDATION

Moved: Cr Ingrid van Dorssen Seconded: Cr Andrew Sullivan

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 8/342 (Strata Lot 8) South Terrace, South Fremantle, subject to the following condition(s):

1. This approval relates only to the development as indicated on the approved plans, dated 4 June 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. This approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current Landowner (listed in Confidential Attachment 4) of 8/342 South Terrace, Fremantle only. If this Landowner ceases to be the landowner of the site, the Unhosted short-term rental accommodation hereby approved will expire.
3. The approved use is restricted to a maximum of four (4) guests at any one time, based on the two (2) bedrooms within the dwelling.



4. The Management Plan and Code of Conduct dated 4 June 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle.
5. Prior to the occupation/operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the main frontage of the building;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
 - d) Include the property owner or manager's contact information, including contact telephone and email information.

The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):

- i. All noise from the proposed development must comply with the requirements of the Environmental Protection (Noise) Regulations 1997 (as amended), such as:
 - mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - vehicles;
 - amplified acoustic systems; and
 - patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.

- ii. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the Privacy and Responsible Information Sharing Act 2024. The original



unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.

In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Melanie Clark moved the following amendment, as provided in the additional documents.

The Amendment was originally seconded by Cr Andrew Sullivan, however was withdrawn due to a misunderstanding of the terms of the amendment due to a typo in the additional documents.

AMENDMENT

Moved: Cr Melanie Clark

Seconded: Cr Ingrid van Dorssen

Amend Condition 2 of the Officer's Recommendation, to read as follows:

2. *Notwithstanding condition 1*, this approval allows the Unhosted short-term rental accommodation hereby approved to be operated by the current Landowner (listed in Confidential Attachment 4) of 8/342 South Terrace, Fremantle *for a period of 24 months from the date of this approval* only. If the current Landowner ceases to be the landowner of the site, *or the temporary 24 month period from the date of this approval is reached*, the Unhosted short-term rental accommodation use here approved will expire.

Amendment Carried: 4/0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Melanie Clark and Cr Ingrid van Dorssen

Against:

Nil

Reason for amendment:

As per our Policy, to review land use compatibility and amenity concerns, development approval may be limited to a period of 24 months where Council deems it appropriate to properly assess the impact on neighbours and amenity. Two years is appropriate in this instance.



COMMITTEE RECOMMENDATION ITEM PSC2609-11

(Officer's recommendation, as amended)

Moved: Cr Ingrid van Dorssen

Seconded: Cr Andrew Sullivan

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 8/342 (Strata Lot 8) South Terrace, South Fremantle, subject to the following condition(s):

1. This approval relates only to the development as indicated on the approved plans, dated 4 June 2026. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
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3. The approved use is restricted to a maximum of four (4) guests at any one time, based on the two (2) bedrooms within the dwelling.
4. The Management Plan and Code of Conduct dated 4 June 2026 (City of Fremantle stamped date) hereby approved must be implemented at all times to the satisfaction of the City of Fremantle.
5. Prior to the occupation/operation of the Unhosted short-term rental accommodation, signage is to be provided on site and shall:
 - a) Be limited to sign plaques or plates affixed to the main frontage of the building;
 - b) Not exceed 0.5m² per dwelling (minimum size, 0.2m²);
 - c) Be consolidated where multiple Unhosted short-term rental accommodation units are contained on a site; and
 - d) Include the property owner or manager's contact information, including contact telephone and email information.



The signage shall be maintained for the life of the development to the satisfaction of the City of Fremantle.

6. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice note(s):

- i. All noise from the proposed development must comply with the requirements of the Environmental Protection (Noise) Regulations 1997 (as amended), such as:
- mechanical service systems like air-conditioners, exhaust outlets, motors, compressors and pool filters;
 - vehicles;
 - amplified acoustic systems; and
 - patron noise.

It is advised to seek the services of a competent acoustic consultant to assist the applicant in addressing the potential noise impacts on noise sensitive receivers.

- ii. The applicant is advised that contact details have been redacted from the attached Code of Conduct in accordance with the Privacy and Responsible Information Sharing Act 2024. The original unredacted Code of Conduct with relevant contact details included shall be provided to occupants prior to their stay.

Lost: 2 / 2

For:

Cr Andrew Sullivan and Cr Ingrid van Dorssen

Against:

Mayor Ben Lawver and Cr Melanie Clark

Cr Melanie Clark used her casting vote against the recommendation resulting in the recommendation being LOST.

In accordance with Delegation 1.1 of the City of Fremantle [Delegated Authority Register](#), the above item will be referred to the Ordinary Meeting of Council for final determination.



Motion of which previous notice has been given

Nil.

Urgent business

Nil

Late items

Nil

Confidential business

Nil.

Closure

The Presiding Member declared the meeting closed at 8:26pm.