



Agenda

Ordinary Meeting of Council

Wednesday 28 October 2026 6:00 pm



Notice of an Ordinary Meeting of Council

Elected Members

An Ordinary Meeting of Council of the City of Fremantle will be held on **Wednesday 28 October 2026** in the Council Chamber (Bibbool Room) at the Walyalup Civic Centre, located at 151 High Street, Fremantle commencing at 6:00 pm.

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

Glen Dougall
Chief Executive Officer

21 October 2026



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Official opening, welcome and acknowledgement

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

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

Attendance, apologies and leave of absence

Apologies

There are no previously received apologies.

Leave of absence

There are no previously received leave of absence.

Applications for leave of absence

Elected members may request leave of absence.

Disclosures of interest by members

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

Responses to previous public questions taken on notice

The following questions were taken on notice at the Ordinary Meeting of Council held on 23 September 2026:

Su Ferreira spoke in relation to matters not on the agenda, including the Hilton Park Precinct Masterplan, and asked the following questions:

1. Considering the place plan used for the face-to-face engagement is different to the master plan and that 22 responses falls far short of a representative sample of your residents, why didn't Council consider this low response as unrepresentative?



2. Why didn't council seek more feedback to ensure it moved forward with a real community mandate? Noting that community views of the place plan do not count as views on the master plan which now had an oval in it.
3. Please show me, not tell me, the metrics and assessment criteria that were used to decide to take half of the northeast corner of the park away from the recreation space users?
4. The need for more playing fields has been based on the projected growing numbers of formal sport and their needs for space. Where is the same consideration for residents recreation activities? By this I don't mean your idea to cram the recreation options of the master plan into the space that you plan to leave us. I mean why did you want to take this space away from us in the first place?

Response:

Community Engagement supported preparation of both a Place Plan and Master Plan for the Hilton Park Precinct. Its purpose was to involve existing users, surrounding community, sporting and community organisations, Aboriginal Elders, Elected Members and City staff in progressively defining the precinct's values, priorities, vision and future physical layout. Engagement was extensive, with activities running over four rounds from August 2023 until May 2024.

When it comes to how the City conducts community engagement, it's important not to just take one metric over another, but to view all activities and engagements as contributing to the overall picture. Engagement reports are an important part of the information that goes to Council to assist it in its decision-making.

Community members may choose to respond or comment if they wish, but are not required to do so. The number of individual responses at each point of the engagement process is not necessarily an indication of successful community engagement. It is the cumulative outcome that supports council decision making.,

The process from Place Plan to Masterplan developed how and where different elements of development would occur. As described in your q1 above, this was a cumulative and progressive conversation which led to the outcome.

The conversation for a new junior oval was part of the community consultation process. The Masterplan looks to improve both passive and active recreational spaces at Hilton Park and improve amenity of both.



Stephanie Jones spoke in relation to matters not on the agenda, including the Hilton Park Precinct Masterplan, and asked the following questions:

1. In February 2023, Council was presented with a city report proposing the development of Hilton Park. That report revealed that before broader community engagement had even begun, the city had already consulted with sporting clubs to understand their needs. That consultation had been summarised in a desktop review prepared by the community development team. I've not been able to find that document online and I asked that it be made publicly available?
2. What action did the City's community engagement team take to the little community participation to the working group meetings?

Response:

The City has a Hilton Park Precinct Club Information Database, compiled by the Community Development team, which summarises each club's history, membership, facility use and consultation feedback gathered prior to broader community engagement. This is the document referenced in the February 2023 report. It contains some club-provided operational and contact information not intended for general publication.

In addition to working group meetings, the City conducted extensive community consultation from August 2023 until May 2024. This included four rounds of engagement, which involved existing users, surrounding community, sporting and community organisations, and Aboriginal Elders in progressively defining the precinct's values, priorities, vision and future physical layout.

Kajsa Adams spoke in relation to matters not on the agenda, including the Hilton Park Precinct Masterplan, and asked the following questions:

1. Can you explain how there can be a reduction of turf if you add a junior oval size 96 x 76? Where is that turf going to be taken away from?
2. Regarding the Electors meeting, on your website it says Electors narrowly voted in favour of the original motion. There was a show of hands. There was no counting needed. Why is this referred to as a narrow win?

Response:

There will be a reduction in amount of general grass areas, which will be replaced with mulch and understory planting.

The City's Communications Team published a summary of the Special Electors Meeting on the City's website on 16 September 2026: [Special Electors' Meeting](#)



[summary - City of Fremantle](#). The purpose of this statement was to provide the public with a summary and outcomes of the meeting.

The motion moved by Mark Woodcock and seconded by Marija Vujcic at the Special Electors meeting was carried by a show of hands.

The Presiding Person was satisfied that a majority of electors voted to adopt the motion.

The following questions were taken on notice at the Special Meeting of Council held on 29 September 2026:

Lehani Williams spoke in relation to items SC2609-1 and SC2609-2 and asked the following questions:

1. When this report repeatedly describes the engagement as extensive, by what measure?
2. What of this statement given to A Current Affair that 70% supported some tree removal. I'd appreciated an explanation on precisely how that statement was arrived at?

Response:

The City conducted extensive community consultation from August 2023 until May 2024. This included four rounds of engagement, which involved existing users, surrounding community, sporting and community organisations, and Aboriginal Elders in progressively defining the precinct's values, priorities, vision and future physical layout.

The information is contained in the community engagement report presented to council in September, 2024, as part of the report seeking council endorsement of the Hilton Park Masterplan. The engagement report is a public report provided on the City's website.

As previously advised, the City provided a short comment when requested by the program. This short comment did not include the reference you describe.

Roslyn Smith spoke in relation to items SC2609-1 and SC2609-2 and asked the following questions:

1. In relation to the total \$7.35m stage one budget, could the City please provide a comprehensive itemised breakdown? Specifically, what funding amounts have been allocated to supporting the following deliverables for which the thriving suburbs grant is actually awarded. These include AFL, cricket,



- basketball, biking, scootering, pump track, walking, pedestrian infrastructure, park lands and environment, culture and community.
2. Of the \$7.35m grant, what exact \$ amount is being allocated specifically to AFL infrastructure?
 3. Can the City please provide projected costs for upgrades and maintenance to the existing oval, the construction and turfing of the entire new junior oval, the delivery of associated spectator shelters, and the hazard mitigation specifically regarding asbestos and asbestos containing material identification, management and removal on site?
 4. Could the City please provide a clear breakdown showing how ratepayer funds are being portioned across the stage one works?
 5. Would the City please provide a full copy of its August 2024 application submitted to the Australian government's thriving suburbs program for the Hilton Park stage one Northern Zone project, including any subsequent formal variations to the project scope, variables, budget, and itemised breakdown?

Response:

The total project budget is \$8.622m. A breakdown of the funding sources is provided within the report. Regarding the remaining costs, the City has a tender item within this agenda. Whilst the City know what the key elements of the scope of works are, a precise break down of these costs cannot be provided until the Council have a decision and have appointed the contractor.

The financial information is provided within the report provided in the council agenda.

The City does not publish its applications for various grant funds.

Stephanie Jones spoke in relation to items SC2609-1 and SC2609-2 and asked the following question:

1. When voting tonight, how will Councillors distinguish between considering the motions actually passed by the Electors and voting on the officer's recommendations, where those recommendations materially differ from what the Electors requested?

Response:

The Council considers the information provided in the reports by officers and their understanding of the issues in making their decisions.



Gary Anderson spoke in relation to items SC2609-1 and SC2609-2 and asked the following questions:

1. How did the definition of a district facility come about, and does that definition encompass local areas beyond the Fremantle area?
2. If its a local area, why have we allowed both clubs to grow beyond their supply chain, in order for us now to be considering an amenity that is growing also?
3. Is the adequacy of the small oval going to be adequate enough into the future if we allow unfitted growth of both of these clubs?
4. Has the Council made any determination of the demographics of these clubs to understand whether we're talking about local Fremantle families, or are we talking about non-Fremantle families due to the definition of "district"?

Response:

The definition of a District Facility (District Open Space) is based on the Western Australian Government's Classification Framework for Public Open Space (2012). Under both the State framework and the City of Fremantle's Public Open Space Strategy, a District Open Space is defined as an area principally designed to provide for organised formal sport, while also accommodating recreation and, in some cases, nature space. Users are expected to travel from surrounding suburbs or districts to access these facilities.

The City does not cap club membership or participation growth. Growth at Hilton Park has tracked broader population and participation trends identified in the Public Open Space Strategy 2024-2034. As demand has increased, the City's response has been to invest in the site's capacity.

The current and planned oval provision, including the new junior oval, is designed to meet identified demand based on current participation data. However, the City acknowledges that if club growth continues at current rates, further capacity constraints may emerge over time, including for the junior oval. Future adequacy will continue to be monitored through the City's ongoing sporting facility planning.

The City has not undertaken a formal demographic or catchment analysis of club membership. Both clubs have informally provided residential information for their members, which indicates the majority reside in Fremantle and surrounding suburbs, consistent with Hilton Park's role as a district-level facility.

Anthony Egitto spoke in relation to items SC2609-1 and SC2609-2 and asked the following questions:

1. Is there any information regarding the consultation process that took place in regards to the school ovals around the district?



2. How strong was this consultation?

Response:

The City has participated in the State Government process in relation to use of school facilities.

Barbara Freeman spoke in relation to items SC2609-1 and SC2609-2 and asked the following question:

1. If the masterplan goes ahead, can you confirm when works on that community area will begin? Will it happen alongside the oval development, or will we have to wait?

Response:

Stage 1 of the project includes sporting areas and passive areas on the north end of Hilton Park – as per the information and signage provided.

Public question time

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

Petitions

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

Deputations

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

Presentations

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



Confirmation of minutes

OFFICER'S RECOMMENDATION

Council confirm the minutes of the Special Meeting of Council dated 8 July 2026.

Council confirm the minutes of the Ordinary Meeting of Council dated 23 September 2026.

Council confirm the minutes of the Special Meeting of Council dated 29 September 2026.

Elected member communication

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



Reports and recommendations from officers Committee and working group reports

PSC2610-9 ADOPTION OF LOCAL PLANNING POLICY 5.4: CONVENIENCE STORES

Meeting date:	Wednesday 7 October 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Draft LPP 5.4 - Convenience Stores 2. Comments on LPP 5.4 - Convenience Stores

SUMMARY

This report discusses the results of community consultation for Local Planning Policy 5.4: Convenience Stores (LPP 5.4), and recommends that Council adopt LPP 5.4 without modifications, as provided in Attachment 1.

BACKGROUND

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

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

The reason for the amendment was that:

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

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



These reforms have come into effect and seen several Convenience Stores within the City shut down under the new legislation.

Scheme Amendment 89 was drafted to change the land use table within the City of Fremantle Local Planning Scheme No. 4 to change the permissibility of Convenience Stores to an 'A' use in Local, Neighbourhood, City Centre and Industry zones. Scheme Amendment 89 is discussed in a separate report.

At the 8 April 2026 Ordinary Council Meeting, Council endorsed Scheme Amendment 89 to send to the Minister for Planning for permission to advertise. On the 17 June 2026, the City was granted permission to advertise. At the Ordinary Council Meeting of 1 July 2026, Council endorsed Local Planning Policy 5.4: Convenience Stores for the purposes of advertising. LPP 5.4 provides assessment criteria for assessment of Convenience Stores.

The policy and the scheme amendment were advertised concurrently for 42 days.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Schedule 2, Clause 4 of the *Planning and Development (Local Planning Scheme) Regulations 2015* sets out the procedure for making a local planning policy. If endorsed by Council, it comes into effect on the day that notice is published.

STRATEGIC IMPLICATIONS

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

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

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

CONSULTATION

LPP 5.4 was advertised concurrently with Scheme Amendment 89 for 42 days. At close of advertising, the City received 22 comments with 16 in support, 3



somewhat supportive and 3 opposed. Full comments and responses are included in Attachment 3 and summarised below:

Comment	Officer Response
There are too many convenience stores in the City and many seem to be mainly places for selling illegal tobacco rather than true convenience stores for residents.	The planning framework cannot directly address illegal tobacco sales, as that is a police matter. The intent of reducing the number of convenience stores is so that the City maintains a good mix of retail offerings, rather than being dominated by one single use type. However, convenience stores seem to be the primary land use for selling these products.
Illegal cigarette sales are caused by the taxes on the products.	Noted. The planning framework cannot directly address illegal tobacco sales, as that is a police matter.
The business should be at the landlord's discretion with any crimes addressed by the police.	Noted. The planning framework cannot directly address illegal tobacco sales, as that is a police matter.
The separation distance should be greater.	Noted. 100m will limit the number of Convenience Stores to 1 or less per block on Market Street and High Street within the City Centre.

OFFICER COMMENT

In considering the proposed policy, it is important to distinguish between concerns about the operation of individual businesses and the broader strategic planning implications of a growing concentration of Convenience stores. The recent proliferation of Convenience stores, particularly within the City Centre, has caused community concern about the cumulative effect of this land use on the diversity and character of the retail environment. Prior to advertising the policy, four Convenience stores were visible from the corner of Market Street and High Street, illustrating the degree of concentration within a relatively small area. Although each premises may be acceptable when considered individually, a clustering of similar outlets can reduce the range of services and experiences available to residents, workers and visitors. This may present a strategic risk to the City Centre's objective of supporting a diverse, resilient and attractive mix of businesses, particularly if Convenience stores are able to outcompete other retailers for well-located premises.

In ordinary circumstances, market competition would generally be expected to limit the number of comparable retail outlets operating in close proximity; however, the observed concentration indicates that this outcome cannot necessarily be relied upon.



It is understood that much of the community concern regarding Convenience stores arises from allegations that some premises sell illicit tobacco products. Following discussion at the February Council Meeting, the State Government announced and subsequently enacted reforms that increased penalties for illicit tobacco sales, including larger fines for operators and property owners, powers to close non-compliant premises and expanded enforcement powers for police and other authorised agencies. These reforms provide a more direct mechanism for addressing unlawful sales than the local planning framework, which regulates land use and development rather than the legality of individual products or business practices. In the past few months, state enforcement action has resulted in at least three Convenience stores within the City Centre being temporarily or permanently closed, including two of the four stores previously visible from the corner of Market Street and High Street. While this demonstrates that the strengthened enforcement regime is having an effect, it does not remove the separate strategic planning issue associated with the concentration of a single retail use. The amendment is therefore intended to complement, rather than duplicate, state enforcement by enabling the City to consider the location, cumulative impact and suitability of future Convenience stores through the development application process.

Scheme Amendment 89 will require Convenience Stores to submit a planning application where located within 4 zones where they are currently permitted. However, there is limited assessment criteria against which to judge any proposal, with only general zone objectives and matters to be considered in the Regulations. Proposed LPP 5.4 (Attachment 1) introduces criteria to require a 100 metre separation distance between Convenience Stores so that no single type of store will dominate an area and squeeze out other uses that could offer diversity to the street. Having the same type of store dominate a city block also tends to reduce street activation, particularly after normal business hours, and discourages visitors who are seeking a range of offerings.

The policy also includes criteria to maintain visibility into and out of a store to make it harder to sell illicit products without being seen by the public. A number of the current Convenience Stores in the City Centre have large window areas dominated by products that act as a screen to make illicit activity more difficult to see. The City's existing planning policy on advertisements already requires that window signs cover no more than 50% of the window area. The proposed policy would supplement that requirement and ensure that the display of goods and window signage together must not occupy more than 50% of the window area, with the visibility to be at pedestrian height.

It is noted that a local planning policy cannot fetter discretion and that it can be varied. This means that it is possible for a Convenience Store to be approved



within the separation distance, provided it meets the objectives of the policy. In this instance, the proponent would have to demonstrate that they are not contributing to an excessive concentration of Convenience Stores in any one area.

Given that Convenience Stores are currently an 'A' use in the Mixed Use and Commercial Zones, LPP 5.4 would have some utility if adopted immediately. If the scheme amendment is approved by the Minister, it will immediately affect the other zones.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Council

COMMITTEE RECOMMENDATION ITEM PSC2610-9 **(Officer's recommendation)**

Moved: Cr Melanie Clark

Seconded: Mayor Ben Lawver

Council adopt Local Planning Policy 5.4: Convenience Stores, provided in Attachment 1, under Schedule 2, Regulation 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Carried: 5/0

For:

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

Against:

Nil



PSC2610-10 FINAL RECOMMENDATION ON AMENDMENT 89: CONVENIENCE STORES

Meeting date:	Wednesday 7 October 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Scheme Amendment 89 Report - Convenience Stores 2. Comments on Amendment 89

SUMMARY

This report discusses the results of community consultation for Scheme Amendment 89: Convenience Stores.

This report recommends that Council recommend that the Western Australian Planning Commission (WAPC) and the Minister for Planning approve Scheme Amendment 89 without modifications.

BACKGROUND

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

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

The reason for the amendment was that:

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

On 16 February 2026, the State Government announced reforms to the *Tobacco Products Control Act 2006* that would see increased penalties and enforcement abilities as part of a first tranche of reforms. These reforms have come into effect and seen several Convenience Stores within the City shut down under the new legislation.



Scheme Amendment 89 was drafted to change the land use table within the City of Fremantle Local Planning Scheme No. 4 to change the permissibility of Convenience Stores to an 'A' use in Local, Neighbourhood, City Centre and Industry zones.

At the 8 April 2026 Ordinary Council Meeting, Council endorsed Scheme Amendment 89 to send to the Minister for Planning for permission to advertise. On the 17 June 2026, the City was granted permission to advertise the amendment as presented.

At the Ordinary Council Meeting of 1 July 2026, Council endorsed Local Planning Policy 5.4: Convenience Stores (LPP 5.4) for the purposes of advertising. LPP 5.4 provides assessment criteria for assessment of Convenience Stores.

The policy and the scheme amendment were advertised concurrently for 42 days.

LPP 5.4 is discussed in a separate report.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

The *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations) set out the process for a local government to amend the local planning scheme. A local government must refer scheme amendments to the Western Australian Planning Commission (WAPC), who make a recommendation to the Minister for Planning, who makes the final decision. If approved, the amendment takes effect on the day it is published in the Government Gazette.

STRATEGIC IMPLICATIONS

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

Thriving City - A resilient seven-day economy

- A City with a diverse range of unique, resilient and sought-after businesses and attractions.
- A vibrant high street environment attracts and supports unique and independent businesses.

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



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

CONSULTATION

The scheme amendment was advertised for 42 days in accordance with the Regulations. At close of advertising, the City received 22 comments with 16 in support, 3 somewhat supportive and 3 opposed. Full comments and responses are included in Attachment 2 and summarised below:

Comment	Officer Response
There are too many convenience stores in the City and many seem to be mainly places for selling illegal tobacco rather than true convenience stores for residents.	The planning framework cannot directly address illegal tobacco sales, as that is a police matter. The intent of reducing the number of convenience stores is so that the City maintains a good mix of retail offerings, rather than being dominated by one single use type. However, convenience stores seem to be the primary land use for selling these products.
Illegal cigarette sales are caused by the taxes on the products.	Noted. The planning framework cannot directly address illegal tobacco sales, as that is a police matter.
The business should be at the landlord's discretion with any crimes addressed by the police.	Noted. The planning framework cannot directly address illegal tobacco sales, as that is a police matter.

OFFICER COMMENT

In considering the proposed amendment, it is important to distinguish between concerns about the operation of individual businesses and the broader strategic planning implications of a growing concentration of Convenience stores. The recent proliferation of Convenience stores, particularly within the City Centre, has caused community concern about the cumulative effect of this land use on the diversity and character of the retail environment. Prior to advertising the amendment, four Convenience stores were visible from the corner of Market Street and High Street, illustrating the degree of concentration within a relatively small area. Although each premises may be acceptable when considered individually, a clustering of similar outlets can reduce the range of services and experiences available to residents, workers and visitors. This may present a strategic risk to the City Centre's objective of supporting a diverse, resilient and attractive mix of businesses, particularly if Convenience stores are able to



outcompete other retailers for well-located premises. In ordinary circumstances, market competition would generally be expected to limit the number of comparable retail outlets operating in close proximity; however, the observed concentration indicates that this outcome cannot necessarily be relied upon.

It is understood that much of the community concern regarding Convenience stores arises from allegations that some premises sell illicit tobacco products. Following discussion at the February Council Meeting, the State Government announced and subsequently enacted reforms that increased penalties for illicit tobacco sales, including larger fines for operators and property owners, powers to close non-compliant premises and expanded enforcement powers for police and other authorised agencies. These reforms provide a more direct mechanism for addressing unlawful sales than the local planning framework, which regulates land use and development rather than the legality of individual products or business practices. In the past few months, state enforcement action has resulted in at least three Convenience stores within the City Centre being temporarily or permanently closed, including two of the four stores previously visible from the corner of Market Street and High Street. While this demonstrates that the strengthened enforcement regime is having an effect, it does not remove the separate strategic planning issue associated with the concentration of a single retail use. The amendment is therefore intended to complement, rather than duplicate, state enforcement by enabling the City to consider the location, cumulative impact and suitability of future Convenience stores through the development application process.

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

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Council



COMMITTEE RECOMMENDATION ITEM PSC2610-10
(Officer's recommendation)

Moved: Mayor Ben Lawver

Seconded: Cr Melanie Clark

Council:

- 1. Support the proposed Scheme Amendment 89: Convenience Stores, provided in Attachment 1, without amendments under Schedule 2, Regulation 50 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- 2. Authorise the Chief Executive Officer and the Mayor to sign and seal any required documentation necessary to refer the scheme amendment to the Minister for Planning.**

Carried: 5/0

For:

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

Against:

Nil



PSC2610-11 ANNUAL UPDATE OF THE HERITAGE LIST AND LOCAL HERITAGE SURVEY 2026

Meeting date:	Wednesday 7 October 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Results of Consultation 2026 Annual Update of Heritage List and Local Heritage Survey 2. Revised Heritage Assessments 2026 Annual Update 3. Heritage assessments Extracted from Meeting attachments - Ordinary Meeting of Council-10 June 202

SUMMARY

The purpose of this report is to present the outcomes of consultation regarding proposed modifications to the Heritage List and Local Heritage Survey (LHS) as part of the regular update required under the Heritage Act 2018.

Following consideration of the responses provided during the consultation period, this report recommends changes to the Local Heritage Survey and Heritage List and seeks Council's approval of these modifications:

- a. Retention of 1 place on Heritage List and modification of name, LHS management category and other information to reflect inclusion on State Heritage Register;**
- b. Addition of 13 places to Heritage List;**
- c. Retention of 21 places on the Heritage List and modification of LHS Management Category;**
- d. Removal of 41 places from Heritage List and modification of LHS Management Category;**
- e. Identification of 1 place as a Contributory Place in the South Fremantle Heritage Area;**
- f. Modification of the name and address, and/ or management category of 6 places that are on the LHS but not the Heritage List;**
- g. Defer the consideration of 2 places to a future annual update.**



BACKGROUND

Local Heritage Survey

The Heritage Act 2018 requires that local governments prepare and maintain a Local Heritage Survey (LHS) of places that in its opinion are, or may become, of cultural heritage significance. The survey is required to be periodically updated and reviewed. Places on the LHS are recognised but do not automatically receive statutory protection.

The LHS is an information database that records and provides information on all places of cultural heritage significance in Fremantle. However, not all places on the LHS are heritage protected, and the information in the LHS does not have any legal implications for the development of land within the City of Fremantle. The information in the LHS, including the Management Category, is used as background information for the heritage impact assessment of the development of places that are identified on the Heritage List and in a Heritage Area. Because of their greater heritage significance, the significant heritage fabric of places with higher management categories requires a greater level of protection and conservation. However, most heritage places usually contain buildings and fabric of different levels of heritage significance. Items of high significance need to be protected, and items of low significance can be changed or even removed. These levels of significance are usually determined when a planning application is received, and generally, the significant fabric includes the original or early part of the building.

During the assessment process LHS information is generally checked for accuracy in case change has occurred since it was written, or the original data is inconsistent. There are five main management categories in the LHS plus some older categories that are slowly being updated as areas of Fremantle are being reviewed.

Management category - Level 1a – Exceptional Significance – State Listed

The City of Fremantle has identified this place as being of exceptional cultural heritage significance in its own right within the context of Fremantle. This place is entered onto the State Heritage Office of Western Australia's Register of Heritage Places. All development applications must be referred to the State Heritage Office for approval.

Management category - Level 1b – Exceptional Significance – Not State Listed

The City of Fremantle has identified this place as being of exceptional cultural heritage significance in its own right within the context of Fremantle and its conservation is required. It is recommended that this place be considered for entry in the Heritage Council of Western Australia's Register of Heritage Places.



Management category - Level 2 – Considerable Significance

The City of Fremantle has identified this place as being of considerable cultural heritage significance in its own right within the context of Fremantle and its conservation is a priority.

Management category - Level 3 – Some Significance

The City of Fremantle has identified this place as being of some cultural heritage significance for its contribution to the heritage of Fremantle in terms of its individual or collective aesthetic, historic, social or scientific significance, and/or its contribution to the streetscape, local area and Fremantle. Its contribution to the urban context should be maintained and enhanced.

Management category - Level 4 – Historic Record Only

The City of Fremantle has identified this place as being of interest for historical reasons and/or for structures that no longer exist. These places are part of Fremantle's rich cultural heritage but are not included on the Heritage List.

Heritage List and Heritage Areas

The Planning and Development (Local Planning Schemes) Regulations 2015 ('the Regulations') Schedule 2 'Deemed Provisions for local planning schemes' part 3 make provision for the establishment and maintenance of a Heritage List and Heritage Areas which have been identified as of significance and worthy of built heritage conservation. Places on the Heritage List and in Heritage Areas have statutory protection under the planning scheme.

Places on the Heritage List or in a Heritage Area have special protection under the planning scheme to facilitate the conservation of places of heritage value and ensure that development occurs with due regard to identified heritage values in the interest of the community.

The Heritage List contains approximately 2,540 places that are considered to have some heritage value to the City of Fremantle for their individual aesthetic, historic, social or scientific significance (Burra Charter values), and/or their contribution to the streetscape, local area and Fremantle.

The Heritage List contains only a name and address. Management Categories and other information including historical background, physical description and statement of significance are included in the Local Heritage Survey (LHS), formerly known as the Municipal Inventory. The LHS information is recorded in Inherit, a statewide heritage information database, and more recently in the City's own heritage and history database, Recollect. The LHS place record is a useful guide to understand the heritage significance of a place, but it does not have any legal implications for the development of land within the City of Fremantle.



Heritage Areas are places where special planning control is needed to conserve and enhance the cultural heritage significance and character of an area. There are 18 Heritage Areas in Fremantle. Heritage Areas often include places on the Heritage List, but even places not significant enough to go on the Heritage List can contribute to the significance of a heritage area.

Places within Heritage Areas can be defined as either 'contributory' or 'non contributory' to the significance of the area. Contributory places are determined by an assessment against the Burra Charter values and may include representative or rare examples of a place type, period or style, places which contribute to the streetscape; and/or be places which combine with other related places to demonstrate the historic development of a heritage area. Where mapping of contributory places has not been undertaken for a Heritage Area or has not been completed due to the inaccessibility of the site or the inability to fully assess the existence of fabric of cultural significance, this will be assessed upon receipt of a planning application.

The City is currently undertaking a staged review of all heritage areas which includes the identification of all contributory places.

Review process

Council adopted its initial LHS (then called a Municipal Heritage Inventory) in September 2000 and subsequently adopted a Heritage List based on the Inventory through the provisions of Local Planning Scheme No. 4 (gazetted in 2007). These lists are periodically reviewed and adjusted over time. The City's Local Planning Policy 1.6 'Heritage Assessment and Protection' (LPP 1.6) outlines the process for modification to the LHS and Heritage List and stipulates that:

'Any person or organization may nominate a place to be added, removed or amended on the Local Heritage Survey, Heritage List and/or as a contributory place to a heritage area, at any time. This shall be in the form of a written request to the City. The basis for inclusion/removal/amendments of places on the Local Heritage Survey, Heritage List and/or as a contributory place to a heritage area shall be based on cultural heritage significance, determined through a heritage assessment. Requests will be considered through an annual update. The City itself can also identify places for inclusion, removal or amendment as required.'

The process to add or remove a place from the Heritage List (HL), as stipulated in the Regulations and includes the following three steps:



1. Notify each owner and occupier of the place and provide them with a description of the place and the reason for its proposed entry or removal.
2. Invite the owner and occupier of the place to make a submission for a period of not less than 21 days. Note: In the event of landowners making no objection to modifications recommended to the Local Heritage Survey and Heritage List, that these changes be adopted, documented and communicated to the Heritage Council of Western Australia, and the City's records updated accordingly. Where objection is received, the recommendation be referred back to Council.
3. Following consultation, the City is to consider the submissions made on each proposal and resolve if a place is to be added or removed from the heritage list.

Annual Update 2026

Between April 2025 and April 2026, the City received 6 submissions from landowners to alter the heritage protection of their properties.

In addition to landowner requests, officers kept a running list of places that are identified in the due course of work as requiring review. These generally include:

- Places added to the State Register of the Heritage Places by HCWA.
- Places that have been legally demolished.
- Places that have been subdivided and/ or renumbered and do not contain heritage fabric.
- Places identified through officer's work and planning enquiries.

These places were then investigated and recommended changes were presented to Council on 13 August 2026. Council considered the report and endorsed the proposed modifications to the Local Heritage Survey (LHS) and Heritage List for advertising.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

The *Heritage Act 2018* requires periodic update and review of the LHS. The *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the process for adding or amending the Heritage List.

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.
- Adaptive re-use of heritage buildings is enabled through supporting private investment, renewal and innovation.
- The matters contained in this report align to the intent of this theme's outcome.

CONSULTATION

Consultation with affected landowners and tenants was undertaken between 17 July and 7 August 2026 in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015. A project page was posted on My Say Freo to provide detailed information on the Annual Update and provide a formal process for making a submission. Letters were sent to the owners, and tenants of affected properties and emails were also sent to individuals who nominated a place for consideration during the Annual Update.

16 responses were received during the consultation period, and 4 late responses were accepted after. 15 of the responses were submitted via My Say Freo.

Of these 20 responses, 6 were not supportive of the recommendation, 4 were supportive of the recommendation, and 6 requested further information on the implications of listings or corrected information in the report. A further 4 responses were for places that were not being assessed as part of the Annual Update. These responses were redirected to the White Gum Valley Heritage Review or were added to the list for consideration in the 2027 Annual Update.

Not supportive of recommendation:

	Place	Respondent	Recommendation	Response
1	House, 28 Blinco Street, Fremantle	Owner	Add to Heritage List, Add to LHS as Level 3	Disputed significance of house due to age and extent of change.
2	House, 34 Blinco Street, Fremantle	Owner	Add to Heritage List, Add to LHS as Level 3	Disputed significance of house due to extent of change.
3	Dyson Woolstores, 7 Price Street, Fremantle	Owner	Add to Heritage List, Add to LHS as Level 3	Not Supportive



4	Mills & Ware Factory, 330 South Terrace, South Fremantle	Owner	Add to Heritage List, Add to LHS as Level 3	Not required as it is already protected as part of the Heritage Area
5	3 Trafford Street, South Fremantle	Owner	Add to Heritage List, Add to LHS as Level 3	Not supportive. Note: refer DA0219/26
6	Robert Jowitt & Sons Warehouse, 2 James Street, Fremantle	Owner (late)	Add to Heritage List, Add to LHS as Level 3	Retaining the building will adversely affect the development potential of the site.

Supportive of recommendation

	Place	Respondent	Recommendation	Response
7	House and Studio, 8 Coral Street, South Fremantle	Owner	Change name of place	Further information on Silver Street Studio to be provided
8	Dyson Woolstores, 7 Price Street, Fremantle	Neighbour	Add to Heritage List, Add to LHS as Level 3	Supportive
9	House, 5 Skinner Street, North Fremantle	Owner (late submission)	Retain on Heritage List but change management category from Level 2 to Level 3	Supportive
10	House, 8 Staples Street, North Fremantle	Owner	Change description of heritage fabric.	Supportive

Further information requested or provided

	Place	Respondent	Recommendation	Response
11	Church, 3 Canning Highway, Fremantle	Parishioner	Add to Heritage List, Add to LHS as Level 3	Requested further information about effect of heritage listing on future works and maintenance.
12	Joyce Brothers Factory, 8 Josephson Street, Fremantle	Owner	Add to Heritage List, Add to LHS as Level 3	Requested further information about effect of heritage listing



13	Princess Chambers, 21-23 Market Street, Fremantle	Owner	Rename	Requested further information about heritage grants
14	Terrace (demolished), 11 Norfolk Street, Fremantle	Owner	Remove from Heritage List and change Management Category to Level 4	Requested that description be amended from 17 townhouse to 18 townhouse
15	Commercial Building (demolished), 49 Pakenham Street, Fremantle	Owner	Retain on Heritage List but change name and Management Category to Level 3	Requested further information about archaeological potential of site and its impact on future development
16	Mills & Ware Factory, 330 South Terrace, South Fremantle	Owner	Add to Heritage List, Add to LHS as Level 3	Requested further information about heritage listing

Comment below is provided on the responses that objected to the proposed changes to the Heritage List and Local Heritage Survey. The full results of the consultation are presented in Attachment 1.

OFFICER COMMENT

General

Where no objection has been received, recommended changes to the Heritage List and Local Heritage Survey have been included in the Officer Recommendation. For further detail on these recommendations refer to Attachment 3.

166 Hampton Road, Beaconsfield

This house is one of a pair built next to St Paul's Church in the Post War Era. At the 12 November 2025 Planning Services Committee, it was resolved to demolish this place for the construction of a 3-storey Residential Building (DA0239/25). The proposed Residential Building, referred to as "Charis House" in the planning report included as additional information, will provide self-contained low cost accommodation for people with limited financial resources. The building is proposed to be managed by St Paul's Beyond Inc., a not for profit charity linked to St Paul's Church.

The proposed listing will not affect the recently approved DA0239/25 which is valid for four years. If the application is acted upon and the building demolished,



the place record can later be removed. If the application lapses or the applicant seeks an extension of time for the application, a heritage listing would impact future assessments and affirm that the place should not be demolished.

Deferral to next Annual Update

House (Demolished) 16 Banister Street and House 64B Attfield, 64C Attfield and 1-5/ 47 Wray Avenue were constructed in the 1980s by the Architect Brian Klopper and are potentially significant to Fremantle as an example of the 1980s redevelopment of Fremantle and the work of an influential Fremantle architect. Consideration of the heritage value of these places has been deferred to allow for further research and consultation to be undertaken.

Comments on objections to proposed listings

Revised heritage assessments for places discussed below are included in Attachment 2. All other heritage assessments are included in Attachment 3.

House, 28 Blinco Street, Fremantle

The owner provided a detailed response that did not support the recommendation to add this place to the Heritage List and Local Heritage Survey as a Management Category Level 3 place because the house was constructed in the Post War Era and because it has been altered since construction.

Following the owner's questions regarding the construction date of 1915 – 1947, and its description as an Inter-War Era house, further research was undertaken and the construction date was found to be close to 1947 making it an early example of a Post War Era house not an Inter-War Era House.

Photographs of the house in the early 2000s were found on an archival property file. These photos confirm that while 28 Blinco Street is largely intact, it has undergone some alterations. The hipped tile roof and brick chimney are original, but the half weatherboard and half fibrous cement sheet wall cladding has been replaced with full height weatherboard cladding. The timber front veranda with a tiled skillion roof that is continuous with the main roof is original, but some decorative timber fretwork has been added below the verandah beam, and the balustrade, which may have been an original element, has been removed. The casement sash windows with horizontal glazing bars to the front elevation are original as are other timber windows with matching horizontal glazing bars but the leadlight window on the south wall is a recent addition and the leadlight front door may be as well.

While it has undergone some modification, 28 Blinco Street is still largely intact and is a good example of a timber framed house from the Early Post War Era which demonstrates the eastward expansion of Fremantle in the Post War Era.



This house contributes to the historic character of Fremantle and has sufficient heritage value to be included on the Heritage List.

Recommendation – Add to Heritage List. Management Category Level 3

House, 34 Blinco Street, Fremantle

The owner has provided a detailed response that did not support the recommendation to add this place to the Heritage List and Local Heritage Survey as a Management Category Level 3 place because the house has been modified and because of the small size of the block which limits future development. The owner provided further information on the physical condition of this house. Below the render finish the original external walls are of limestone construction with brick quoins.

The windows to the façade of the house, which are concealed by the verandah enclosure, have been modified from vertical format double hung sashes to horizontal format casement sashes.

The modifications that have been made to 34 Blinco Street are typical of alterations undertaken to 'modernise' Victorian Georgian style houses in the Inter-War and Post War eras and are common in heritage listed places in Fremantle. These changes include rendering of masonry, modification of window openings to the façade, modification of the verandah roof and enclosure of the front verandah. There are many examples in Fremantle where these types of Post War modification have been removed and the original form successfully reinstated, including the removal of cement render from limestone and the reconstruction of vertical format double hung sash windows.

The brick and limestone foundation additions to the side of the house are typical of Post-War construction. These additions can be retained or removed and replaced with a new larger addition that complies with Local Planning Policy 3.6: Heritage-protected Places Built Form and Land Use.

The alterations to 34 Blinco Street have not reduced the value of the place below the threshold for inclusion on the Heritage List, and through renovation and restoration these heritage values can be further enhanced. The lack of rural context does not decrease the value of this heritage house, instead it demonstrates the layers of history in this area by illustrating its early semi-rural development and the later Post-War expansion of suburban development in Fremantle.

Recommendation – Add to Heritage List. Management Category Level 3



Dyson Woolstores, 7 Price Street, Fremantle

Two responses were received, one objecting and one supporting the proposal to retain this place on the Heritage List and change the management category from Historic/Archaeological site to Level 3. No detail was provided to support these responses.

The gable roofed facades of this former industrial building and other surviving elements contribute to Fremantle's distinctive built heritage character and rich history as a working port city. The 1990s building fabric has little significance. Protecting the remnants of this warehouse retains the mixed residential and industrial character of the area.

Recommendation – Add to Heritage List. Management Category Level 3

Mills & Ware Factory, 330 South Terrace, South Fremantle

Several responses were received from property owners questioning why this heritage listing needs to be updated given that the building is already protected as a Contributory Place

While this former factory complex already has some protection, the historic, social and aesthetic cultural heritage value of this place to Fremantle clearly warrants a greater level of protection to retain and conserve the values of this place and significant heritage fabric including elements that are not visible from the street.

Note: There are several heritage listings for places associated with the historic Mills and Ware Factory which covered a large area in South Fremantle before it was subdivided and redeveloped in the 1990s. It is likely that the original listing for the main factory was confused with the administration building at 11 Wardie when the site was subdivided.

Recommendation – Add to Heritage List. Management Category Level 2

3 Trafford Street, South Fremantle

The owner did not support the recommendation to add this place to the Heritage List and Local Heritage Survey as a Management Category Level 3 place because the house has been modified from its original form.

In the past 3 Trafford Street has undergone some changes including the replacement of the original fibrous cement wall cladding with a faux brick sheeting



which was then rendered and the replacement of the timber window sashes with aluminum sliders. Recently the tile roof has been replaced with corrugated steel sheeting and during the consultation period for the Annual Update, Council granted approval for the removal of the front porch and replacement with a timber verandah. While these changes may have cumulatively reduced its authenticity and aesthetic value, 3 Trafford Street will continue to contribute to the character of the Heritage Area because it retains its original form, setting and sitting.

Recommendation – Do NOT add to Heritage List. Identify as a Contributory Place in the South Fremantle Heritage Area.

Robert Jowitt & Sons Warehouse, 2 James Street, Fremantle

The owner did not support the recommendation to add this place to the Heritage List and Local Heritage Survey as a Management Category Level 3 place because retaining this building will adversely affect development potential of site.

There are many examples of historic warehouses in Fremantle that have been adapted for new uses including residential and mixed uses and recently several large developments have been approved including 49 Phillimore Street and the Elders Wool Stores and Heirloom. In these projects the retention and integration of some heritage fabric into the development has been leveraged into creating a unique, authentic identity for the development which has benefited the project as well as contributing to the regeneration and revitalization of Fremantle through greater residential density.

Recommendation – Add to Heritage List. Management Category Level 2

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Council



OFFICER'S RECOMMENDATION

Moved: Mayor Ben Lawver

Seconded: Cr Melanie Clark

Council:

- 1. Note the submissions received in relation to the 2026 Annual Update of the Heritage List and Local Heritage Survey, as outlined in Attachment 1.**
- 2. Endorse the following modifications to the Local Heritage Survey (LHS) and Heritage List in accordance with regulation 8 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Attachment 2 and 3)**
 - a. Retain on Heritage List but modify the name, LHS management category and other information to reflect inclusion on State Heritage Register:**
 - i. Fremantle Fishing Boat Harbour**
 - b. Add to Heritage List and update LHS accordingly:**
 - i. House, 28 Blinco Street, Fremantle**
 - ii. House, 34 Blinco Street, Fremantle**
 - iii. Christian Science Church, 3 Canning Highway, Fremantle**
 - iv. House, 166 Hampton Road, Beaconsfield**
 - v. Shop, 228 High Street, Fremantle**
 - vi. House, 5/18 John Street, North Fremantle**
 - vii. House, 6/18 John Street, North Fremantle**
 - viii. Joyce Brothers Factory, 8 Josephson Street, Fremantle**
 - ix. House, 11 Louisa Street, South Fremantle**
 - x. Robert Jowitt & Sons Warehouse, 2 James Street, Fremantle**
 - xi. House, 16 Scott Street, South Fremantle**
 - xii. Shop And House, 114 South Street, Fremantle**
 - xiii. Mills and Ware Biscuit Factory, 330 South Terrace, South Fremantle**
 - c. Retain on Heritage List but modify LHS Management Category**



- i. Balding Nurses Quarters (Demolished), 7 Alma Street**
- ii. House 3 Barnett, (Demolished), Fremantle**
- iii. House, 8 Coral Street, South Fremantle**
- iv. Duplex (Demolished), 9 Essex Street, Fremantle**
- v. Duplex (Demolished), 11 Essex Street, Fremantle**
- vi. House, 28 Hulbert Street, South Fremantle**
- vii. House, 12 Mardie Street, South Fremantle**
- viii. Princess Chambers, 21-27 Market Street, Fremantle**
- ix. Princess Theatre, 29 – 33 Market Street, Fremantle**
- x. Commercial Building, 99 Market Street, Fremantle**
- xi. Site of Dave Johnson Motor Factory, Fremantle**
- xii. Commercial Building (Demolished), 49 Pakenham Street, Fremantle**
- xiii. Dyson Wools Building (Demolished) 7 Price Street, Fremantle**
- xiv. House, 5 Skinner Street, Fremantle**
- xv. House, 8 Staples Street, North Fremantle**
- xvi. Mills & Ware Administration Building Façade, 10 Wardie Street, South Fremantle**
- xvii. Mills & Ware Flour Loft, 11 Wardie Street, South Fremantle**
- xviii. House (Demolished), 47 Wray Avenue, Fremantle**
- xix. Limestone Feature(S), 54 Wray Avenue, Fremantle**
- xx. Duplex, 58 Wray Avenue, Fremantle**
- xxi. Duplex 60 Wray Avenue, Fremantle**
- d. Remove from Heritage List and update LHS accordingly:**
 - i. Prospect House (Demolished), 33 Adelaide Street, Fremantle**
 - ii. House (Demolished), 13 Blinco Street, Fremantle**
 - iii. House (Demolished) 23 Chamberlain Street, O'Connor**



- iv. Warehouse (Demolished), 3 Collie Street, Fremantle**
- v. Workshop (Demolished), 17 Collie Street, Fremantle**
- vi. Former Public Works Department Depot (Demolished), 15
Corkhill Street, North Fremantle**
- vii. Warehouse (Demolished), 13 Essex Street**
- viii. Shop & House (Demolished), 12-14 Essex Street**
- ix. House (Demolished), 17 Hampton Road, Fremantle**
- x. House (Demolished), 19 Hampton Road, Fremantle**
- xi. Timber Framed Houses (Duplex (Demolished), 74-76
Hampton Road), Fremantle**
- xii. House, 12 Hickory Street, South Fremantle**
- xiii. House (Demolished), 166 High Street, Fremantle**
- xiv. House (Demolished), 168 High Street, Fremantle**
- xv. House (Demolished), 170 High Street, Fremantle**
- xvi. House (Demolished), 8 Jarvis Street, O'Connor**
- xvii. Site of St Paul Lutheran Church, 2 Josephson, Fremantle**
- xviii. Site Of Joyce Brothers Factory, 3-5 Josephson, Fremantle**
- xix. Duplex (Demolished), 12 Josephson Street, Fremantle**
- xx. House (Demolished), 4 Letitia Road, North Fremantle**
- xxi. Houses (Demolished), 93-95 Market Street, Fremantle**
- xxii. Terrace (Demolished), 5 Norfolk Street, Fremantle**
- xxiii. Terrace (Demolished), 6 Norfolk Street, Fremantle**
- xxiv. Terrace (Demolished), 11 Norfolk Street, Fremantle**
- xxv. Terrace (Demolished), 13 Norfolk Street, Fremantle**
- xxvi. Building, 16 Norfolk Street, Fremantle**
- xxvii. Limestone Features, 38 Norfolk Street, Fremantle**
- xxviii. House Demolished 19 Solomon Street, Fremantle**
- xxix. Matrons Quarters-Fremantle Hospital (Demolished), 75
Solomon Street, Fremantle**



- xxx. Sunny West Factory (Demolished), 118 Solomon Street, Fremantle**
- xxxi. House & Stables (Demolished), 122 Solomon Street, Fremantle**
- xxxii. Commercial Building (Demolished) & Stables, 122 Solomon Street, Fremantle**
- xxxiii. Duplex (Demolished), 44 South Street, Fremantle**
- xxxiv. Commercial Building (Demolished), 55 South Terrace, Fremantle**
- xxxv. Caretaker's House (Demolished), 90 South Terrace, Fremantle**
- xxxvi. House (Demolished), 102 Stirling Highway, North Fremantle**
- xxxvii. Antiques Shop, 109 Stirling Highway, North Fremantle**
- xxxviii. House (Demolished), 209 Stirling Highway, North Fremantle**
- xxxix. House, 65 Tuckfield Street (Demolished) (Simla), Fremantle**
- xl. Site Of Former Mills & Ware Factory-Shed, 5 Wardie, St South Fremantle**
- xli. House (Demolished), 1 Yilgarn Street, Fremantle**
- e. Identify as a Contributory Place in the South Fremantle Heritage Area:**
 - i. House, 3 Trafford Street, South Fremantle**
- f. Change name and address, and/ or management category (not on HL)**
 - i. House (Demolished), 16 Alfred Road, North Fremantle**
 - ii. House (Demolished), 26 Ainslie Road, North Fremantle**
 - iii. House (Demolished), 28 Ainslie Road, North Fremantle**
 - iv. House (Demolished), 30 Ainslie Road, North Fremantle**
 - v. Duplex (Demolished), 18 John Street, North Fremantle**



vi. Duplex (Demolished), 20 John Street, North Fremantle

2. Defer to a future annual update:

- i. House (Demolished) 16 Banister Street**
- ii. House 64B Attfield, 64C Attfield and 1-5/ 47 Wray Avenue**

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

AMENDMENT

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

To amend the officer's recommendation to delete part 2 (b) (x) such that 2 James Street is not added to the heritage list.

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:

The building is of comparatively unsophisticated construction from a relatively late period of warehouse development (c.1934) and is the only older building in the street block. The warehouse has been significantly modified over the years and what remains is now in poor condition. The remainder of the street block is set on a different alignment along Beach Street such that the building effectively projects 15m metres into the modern-day alignment of the Beach Street road reserve making retention unrealistic. As the street name suggests, the levels along Beach Street are very low at 2.0m AHD adjacent to the building. The building essentially sits directly on the water table and the area is prone to inundation which will be exacerbated as sea levels rise. Retention of the building in a high water table and inundation prone environment is unrealistic. The public realm around the building will, in time, need to be significantly modified to deal with these unsustainable ground levels and to accommodate medium to long term transport planning needs in the area. In particular, the configuration of both James and Beach streets immediately adjacent to the building will need to be modified in a manner that makes retention of the building facades impracticable. The specified building setback along James Street listed in LPS4 is a minimum of 2.0 metres and while this doesn't apply to the existing warehouse building, its retention would disrupt the urban design intent for the area. These setbacks will need to be reviewed in



LPS5, or a structure plan for the street block, with reference to the *Future of Fremantle* vision which elevates the strategic importance of James Street because of the potential for a future river crossing on this alignment. Under normal circumstances and if located in a cohesive heritage precinct or street block, the warehouse may just qualify for a Category 3 listing. However, on balance, the warehouse is isolated in an extremely awkward and precarious environment where any significance it may have had has been so substantially eroded that its significance is diminished below the required threshold for listing. The place can be seen to have once formed a part of Fremantle's rich cultural heritage but that has been so compromised that it should not be included on the Heritage List. The City of Fremantle should identify and record this place as being of interest for historical reasons only.

COMMITTEE RECOMMENDATION ITEM PSC2610-11
(Officer's recommendation, as amended)

Moved: Mayor Ben Lawver

Seconded: Cr Melanie Clark

Council:

- 1. Note the submissions received in relation to the 2026 Annual Update of the Heritage List and Local Heritage Survey, as outlined in Attachment 1.**
- 2. Endorse the following modifications to the Local Heritage Survey (LHS) and Heritage List in accordance with regulation 8 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Attachment 2 and 3)**
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- xii. Mills and Ware Biscuit Factory, 330 South Terrace, South Fremantle**
- c. Retain on Heritage List but modify LHS Management Category**
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xxi. Duplex 60 Wray Avenue, Fremantle

d. Remove from Heritage List and update LHS accordingly:

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- v. Workshop (Demolished), 17 Collie Street, Fremantle**
- vi. Former Public Works Department Depot (Demolished), 15 Corkhill Street, North Fremantle**
- vii. Warehouse (Demolished), 13 Essex Street**
- viii. Shop & House (Demolished), 12-14 Essex Street**
- ix. House (Demolished), 17 Hampton Road, Fremantle**
- x. House (Demolished), 19 Hampton Road, Fremantle**
- xi. Timber Framed Houses (Duplex (Demolished), 74-76 Hampton Road), Fremantle**
- xii. House, 12 Hickory Street, South Fremantle**
- xiii. House (Demolished), 166 High Street, Fremantle**
- xiv. House (Demolished), 168 High Street, Fremantle**
- xv. House (Demolished), 170 High Street, Fremantle**
- xvi. House (Demolished), 8 Jarvis Street, O'Connor**
- xvii. Site of St Paul Lutheran Church, 2 Josephson, Fremantle**
- xviii. Site Of Joyce Brothers Factory, 3-5 Josephson, Fremantle**
- xix. Duplex (Demolished), 12 Josephson Street, Fremantle**
- xx. House (Demolished), 4 Letitia Road, North Fremantle**
- xxi. Houses (Demolished), 93-95 Market Street, Fremantle**
- xxii. Terrace (Demolished), 5 Norfolk Street, Fremantle**
- xxiii. Terrace (Demolished), 6 Norfolk Street, Fremantle**



- xxiv. Terrace (Demolished), 11 Norfolk Street, Fremantle**
- xxv. Terrace (Demolished), 13 Norfolk Street, Fremantle**
- xxvi. Building, 16 Norfolk Street, Fremantle**
- xxvii. Limestone Features, 38 Norfolk Street, Fremantle**
- xxviii. House Demolished 19 Solomon Street, Fremantle**
- xxix. Matrons Quarters-Fremantle Hospital (Demolished), 75 Solomon Street, Fremantle**
- xxx. Sunny West Factory (Demolished), 118 Solomon Street, Fremantle**
- xxxi. House & Stables (Demolished), 122 Solomon Street, Fremantle**
- xxxii. Commercial Building (Demolished) & Stables, 122 Solomon Street, Fremantle**
- xxxiii. Duplex (Demolished), 44 South Street, Fremantle**
- xxxiv. Commercial Building (Demolished), 55 South Terrace, Fremantle**
- xxxv. Caretaker's House (Demolished), 90 South Terrace, Fremantle**
- xxxvi. House (Demolished), 102 Stirling Highway, North Fremantle**
- xxxvii. Antiques Shop, 109 Stirling Highway, North Fremantle**
- xxxviii. House (Demolished), 209 Stirling Highway, North Fremantle**
- xxxix. House, 65 Tuckfield Street (Demolished) (Simla), Fremantle**
- xl. Site Of Former Mills & Ware Factory-Shed, 5 Wardie, St South Fremantle**
- xli. House (Demolished), 1 Yilgarn Street, Fremantle**
- e. Identify as a Contributory Place in the South Fremantle Heritage Area:**
 - i. House, 3 Trafford Street, South Fremantle**



f. Change name and address, and/ or management category (not on HL)

- i. House (Demolished), 16 Alfred Road, North Fremantle**
- ii. House (Demolished), 26 Ainslie Road, North Fremantle**
- iii. House (Demolished), 28 Ainslie Road, North Fremantle**
- iv. House (Demolished), 30 Ainslie Road, North Fremantle**
- v. Duplex (Demolished), 18 John Street, North Fremantle**
- vi. Duplex (Demolished), 20 John Street, North Fremantle**

2. Defer to a future annual update:

- i. House (Demolished) 16 Banister Street**
- ii. House 64B Attfield, 64C Attfield and 1-5/ 47 Wray Avenue**

Carried: 5/0

For:

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

Against:

Nil

Additional Officer's Comment:

Following the publication of the Agenda and Attachments for Planning Committee Meeting on 7 October 2026 it was drawn to the City's attention that the address for 34 Blinco Street had been incorrectly recorded as 38 Blinco street in several places.

There was one error on page 141 of the meeting agenda in the table summarising the results of public consultation, although the information was correct in the Officer Comment and Officer Recommendation.

There were also four errors spread across the three attachments for the Annual Update 2026 Item which have now been corrected from 38 Blinco Street to 34 Blinco Street. These corrections include:

- Attachment 1
 - o property address in the table summarising the results of consultation
- Attachment 2
 - o property address on the cover page
 - o property address in the statement of significance



- Attachment 3
 - property address in the statement of significance

In all cases, though the address was listed incorrectly, the correct house was assessed and the typo did not affect the recommendation.



**PFC2610-1 ENDORSEMENT FOR ADVERTISING OF DRAFT CITY OF
FREMANTLE LOCAL PLANNING SCHEME NO. 5**

Meeting date:	19 October 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Draft Local Planning Scheme No 5 (LPS 5) 2. Draft LPS 5 Map
Additional Information: <i>(Viewed electronically)</i>	3. Scheme Map Changes - Master List 4. LPS4 - Existing Text 5. Local Planning Scheme No. 4 (LPS4) - Existing Map

SUMMARY

The City of Fremantle (the City) is required to have a Local Planning Scheme to guide and control development within its boundaries. The City's existing scheme (Local Planning Scheme No. 4) was gazetted in 2007 and is due for renewal to ensure contemporary provisions for development assessment.

There are strict requirements set out in legislation as to how a new scheme is developed. As the first formal step required by the regulations, this report presents a proposed draft City of Fremantle Local Planning Scheme No. 5 (LPS5) to Council for it to submit to the Minister for Planning requesting it be advertised.

Detailed planning work and engagement has occurred to develop the draft, with the scheme building on the objectives of the City's Local Planning Strategy. The draft scheme proposes to:

- **Simplify the planning framework;**
- **Increase density in appropriate locations to support housing delivery and sustainable development goals;**
- **Maintain the City's high level of heritage protections;**
- **Strengthen the importance of the industrial zone to be able to continue to support logistics, construction and manufacturing; and**
- **Set the stage for further planning around the City Centre.**

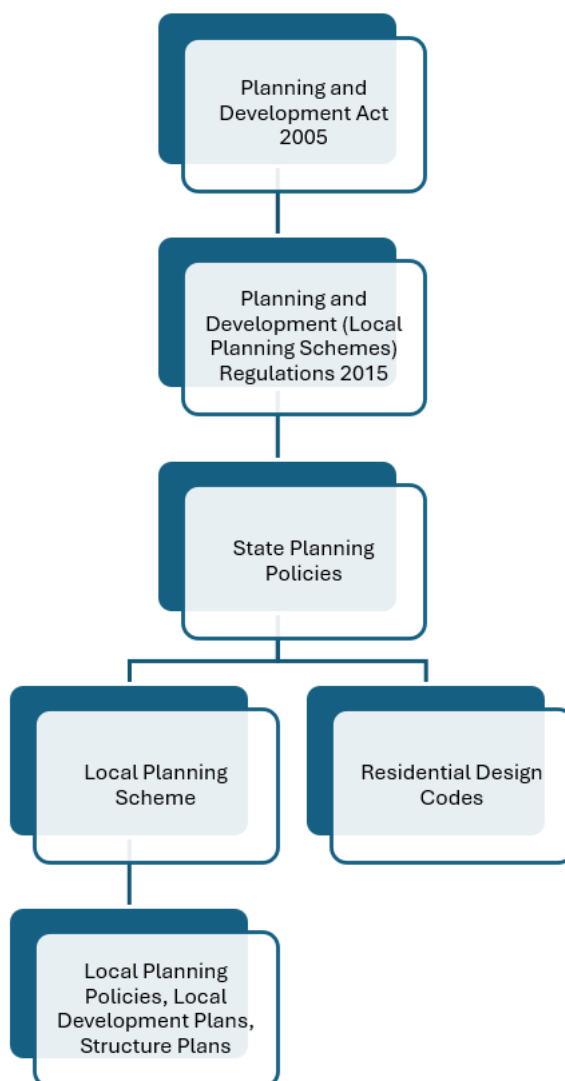
The draft ultimately aims to bring the City's planning framework into alignment with contemporary standards and be easier to understand to better assess and facilitate appropriate development.



As required by the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) this report recommends that Council refer the draft LPS5 to the Minister for Planning, via the Department of Planning Lands and Heritage (DPLH), to request permission to advertise.

BACKGROUND

The hierarchy of planning instruments within Western Australia is as follows:



The Local Planning Scheme is the City's primary document setting out land use, building form, density and zoning within the City. It is supplemented through Local Planning Policies, which provide more localised guidance and Local Development Plans and Structure Plans which set out built form and layouts for specific areas. The new scheme is derived from the vision set out within the Local



Planning Strategy, the City Plan: City Centre, and the Strategic Community Plan, all of which have been previously endorsed by Council. The Local Planning Scheme is the main instrument through which the above strategies are converted into statutory development and land use controls. The current scheme is included as Additional information 4, with the current map included as Additional information 5.

The new scheme has been drafted with consideration for the DPLH draft report on consistency in local planning schemes, which reviewed local government schemes and made recommendations about zone and reserve types and objectives, and land use definitions and permissibility. It also incorporates the Residential Design Codes (R-Codes) into the text, and proposes some variations to R-Codes criteria. There are some elements which do not align, but officers suggest are justifiable to provide a locally responsive scheme. These elements are discussed throughout the report below.

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

As a tool for decision making, it is important to ensure that the Scheme is as up to date as possible and consistent with other legislation. The level of regard afforded to schemes may decrease as it ages and become inconsistent with Regulations and other state planning policies, so to ensure development within the City is aligned with the strategic objectives it has set out, the framework should be updated as soon as possible. Development models and demands also change over time, so regularly reviewing and updating schemes is best practice to set modern expectations and guidance for development.

In early 2026, the WAPC also endorsed the City of Fremantle Local Planning Strategy. The Strategy sets out the intended direction of the new scheme, and incorporates the City Plan: City Centre, endorsed by Council in 2025.

At the 25 February 2026 Ordinary Council Meeting, Council resolved to establish a Planning Framework Committee to provide elected members with an ability to get closer to the understanding of how the planning system works and to support the



planning of the updated planning framework. Two public meetings have been held to review detailed reports of analysis on key planning issues and ongoing engagement with stakeholders and the community, alongside supporting internal workshops to explore the development of the draft scheme.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

The procedure for adopting a local planning scheme is set out in Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

In general terms, Council endorses a scheme for advertising and refers it to the Department of Planning, Lands and Heritage (DPLH) for review. DPLH Officers liaise with the City on any changes they may propose before presenting it to the Western Australian Planning Commission (WAPC). At the WAPC, it will be treated as a confidential item and neither the report recommendation nor the decision will be public. The WAPC recommendation will be referred to the Minister for Planning, who will endorse for approval, refusal, or approval with modifications for advertising.

Only once endorsed for advertising by the Minister, can the City advertise the new scheme. This may mean that the version the City is directed to advertise does not match the version it endorses (i.e. the Minister may direct modifications be made).

Advertising will occur for 90 days before returning it to Council to enable the consideration of submissions and make any final changes before a final recommendation to the WAPC. The WAPC will make a recommendation to the Minister, and then the Minister can either approve the scheme without modifications, refuse the scheme, or require the scheme to be modified in order to be approved. At this point, any modifications required by the Minister cannot be refused and amending the scheme becomes a basic administrative matter.

There is no set time for this process, however the experience shared by other local governments is that the process is likely to take at least two years, and potentially more.



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.

Liveable City - Sustainably designed and optimised urban and natural environments

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

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

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

Thriving City - Attraction and retention of diversified investment and talent

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

Thriving City - A thriving and supportive ecosystem for start-ups and small businesses

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

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

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

The draft LPS5 addresses a number of planning outcomes identified within the Local Planning Strategy and the City Plan: City Centre as follows:

Local Planning Strategy

Location	Item	LPS5 Response
Table 2	b. Consider whether structure plans for the following areas should be extended, amended, or allowed to lapse, with any areas of full buildup normalised into the	DA18 (McCabe) is to be completely rationalised, as all lots are constructed.



	scheme. In amending or creating new structure plans, consider addition of minimum yields and collaborate with adjoining local governments (where relevant) to coordinate planning objectives: • DA1 – Knutsford Street East, Fremantle • DA4 – Swanbourne Street, Fremantle • DA18 – 9-15 McCabe Street	DA1 (Knutsford) is to be partially rationalised where dwellings have been constructed, leaving the remainder still under the structure plan. DA3 (Fremantle Village) is to become a Special Use zone, which is a more appropriate instrument for the site. DA5 (Leighton) is to be fully rationalised with zoning and coding to match the existing developments. DA13 (100 Hampton Road) is to be zoned appropriately. DA18 (130 & 140 Stirling Highway) are to have the constructed grouped dwellings along McCabe Street rationalised.
	g. Ensure a mix of densities throughout the City, accommodating differing housing typologies, by primarily considering medium to high density residential development on redevelopment sites.	Targeted medium and high density increases are proposed.
	l. In collaboration with the Department of Communities (landowner), review the zoning of Lot 125 (No. 100) Hampton Road, Fremantle. Consider rezoning if redevelopment of the site is not being pursued.	100 Hampton Road proposed to be rezoned and coded.
	t. Investigate the suitability of utilising scheme provisions to support Design Review input into significant developments, including to review design principles and terminology to align with SPP 7.0.	LPS5 incorporates contemporary Design Review and SPP 7.0 criteria.



	w. Consider removal of historic residential density codes over Open Space reserves under the scheme.	All density codes removed from Reserves.
	y. Investigate zoning anomalies on the Scheme Maps and identify appropriate zones or reservations accordingly: i. Portion Lot 100, 45 Henderson, Street Fremantle ii. Portions Lot 72, 2 Barker Street, North Fremantle iii. Lot 26, 44 Tydeman Road, North Fremantle iv. Portions Lot 71, 50 Tydeman Road, North Fremantle (Railway Hotel Site) v. Lot 66, 74 Parry Street, Fremantle (ROW) vi. Lots 5 and 503, 92 South Terrace, Fremantle vii. vii. Lots 1850, 1851, 1852, 94 South Terrace	Zoning anomalies addressed.
	cc. Ensure alignment with planning regulations by updating Local Planning Scheme to further align with Planning regulations and statewide model scheme text.	The model scheme text was used as the basis for LPS5.
Table 3	j. In addition to the actions outlined in the Urban Corridor Planning Area under Part 4, review role and function of Mixed Use areas along Queen Victoria Street and South Terrace, with the aim of defining and strengthening the City's activity centre hierarchy by preventing linear and out of centre development.	Mixed Use areas have been reviewed, with some modifications recommended based on existing patterns of development.
	p. Review land use permissibility for all zones to ensure land use diversity, compatibility, and appropriate concentration of related uses.	Land use permissibility has been reviewed, with changes proposed.
	r. Review existing scheme provisions related to the O'Connor Industrial area to ensure they are effective and protect the objectives of the Industrial zone. This may include the O'Connor Industrial Interface Special Control Area and/or land use permissibility.	Numerous changes are proposed to the O'Connor Industrial area as discussed in this report, with a focus on supporting the objectives of the Industrial zone.
	s. Manage land use conflict by ensuring areas peripheral to industrial land act as a transitional buffer. This	Numerous changes are proposed to the O'Connor Industrial area as



	may include undertaking a review of existing zoning, reservations or land use permissibility.	discussed in this report, with a focus on managing land use conflict.
Table 4	j. Minimise impact of development on river water quality and reduce flood risk by considering need for Special Control Areas within the planning scheme to identify areas impacting and potentially impacted by proximity to the Swan River, and define any necessary mitigation responses.	A Special Control Area is proposed for areas within the Swan River floodplain.
	g. Ensure the local planning framework supports buffers around Fremantle Port to accord with operational needs, safety and amenity. This may include advocating for protection of existing special control areas and requirements under local planning policy or undertaking a review of these mechanisms to ensure the buffer functions (such as boundary and land use and built form restrictions) are commensurate with port operations.	The Port Buffer Area is modified to become a Special Control Area in line with the contemporary legislative framework, ensuring protections remain.
Planning Areas	Review the large areas of existing Mixed Use zones within the City (such as the South Terrace corridor, Hampton Road and land in proximity to Stirling Highway) to understand its function and determine whether updates are required to the local planning scheme to define Neighbourhood Centres or Local Centres in these locations.	Mixed Use areas have been reviewed with some changes proposed to the scheme map. New centres are not proposed.
	Investigate opportunities to increase residential densities in proximity to urban corridors such as Stirling Highway, Marmion Street, South Street and Hampton Road. This will include identifying suitable areas for intensified development and may result in the maintenance or consolidation of established nodes (centres).	Targeted medium and high density is proposed along transport corridors and the City Centre. Adjustments have also been made to Centre densities.

Draft LPS5 aligns with the City Plan: City Centre goal of having 10,000 residents in the City Centre by simplifying the planning framework and allowing greater height in key areas.



Actions	Response
Investigate opportunities to expand heritage area policy protections across different areas within the City Centre.	LPS5 expands and solidifies the existing heritage protection framework through contemporary legislation.
Ensure heritage-sensitive development outcomes through DAC and heritage reviews as part of Development Assessment process.	LPS5 updates the DAC criteria to match contemporary state planning policies and principles of good design.
Review Planning Scheme and Activity Centre Plan to better support and attract City Centre housing.	LPS5 reduces the complexity of the scheme to allow easier approval of higher density development for key areas.
Advocate for eight-storey development in key priority development areas.	Schedule 10 of LPS5 has identified lots throughout the City Centre that would be appropriate for greater heights.
Support zero-parking developments to promote affordable, transit-oriented housing.	LPS5 gives the City the ability to create a parking policy that varies the R-Codes and allows for zero-parking developments.
Explore special planning control zones for development areas at risk of inundation.	New control area introduced for Swan River floodplain based on state government data. This will be refined through the City's own Coastal Hazard Risk Management and Adaption Plan, which recently received grant funding.
Support long-term mid-tier transport planning or bus priority for key routes to improve transport links to Fremantle.	The draft changes to density within LPS5 are incentive-based to encourage removal of direct access to South Street, which is the City's preferred mid-tier transit corridor and which aligns with Department of Transport and Major Infrastructure strategy. The changes create nodes of higher density development along the corridor within Neighbourhood Centres.

CONSULTATION

Local Planning Strategy

The development of the draft LPS5, follows the direction set by the City's Local Planning Strategy and City Plan: City Centre.

The Local Planning Strategy was endorsed for advertising by Council on 7 September 2022. It was referred to the Department for Planning, Lands and Heritage where, after a number of changes, it was endorsed for advertising by the WAPC on 22 June 2025. The Strategy was advertised to the public and referred to



State agencies for 21 days in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), with only four submissions received from the public, in addition to comments from State agencies. The full report is available in the minutes of the 27 August 2025 Ordinary Council Meeting, where it was endorsed by Council.

The City Plan: City Centre was not a formal strategic planning document under the Regulations and, therefore, did not have the same limitations and strict timelines regarding consultation as did the Local Planning Strategy. This project was able to have much more extensive engagement, including focus groups, workshops, working groups, surveys, online tools, face-to-face meetings, public events and exhibitions, as well as feedback and submission forms. The engagement took place in two phases and also included a Council working group.

The first phase of community engagement for the City Plan: City Centre took place over a three-month period in mid-2024. During this time, the City received over 250 contributions through six community workshops, online surveys, and interactive mapping tools. Around 1,350 individuals participated in the engagement process. The second phase of engagement involved exhibition events and online MySay submissions. The final product was endorsed by Council in 27 August 2025, with sections incorporated into the Local Planning Strategy.

Local Planning Scheme

Formal advertising of the draft LPS5 cannot occur until endorsed by the Minister. Once that occurs, the scheme will be advertised for 90 days before being returned to Council for a final endorsement, with or without changes as a result of community feedback. In preparation, City Officers will develop a comprehensive community engagement plan to reach as many stakeholders as possible for feedback, in addition to seeking feedback from state agencies and departments. It will go beyond a simple online or newspaper notice and may include pop up stalls at city events, talk-to-a-planner sessions, precinct group presentations, and more. The team will work to ensure different ways for the community to engage and review information, using tools available (such as our online mapping and 3d modelling software), and internal expertise across engagement and design teams to make the draft document as accessible as possible. Regulations and the City's engagement policies set clear baselines for engagement, however the team will be working on a bespoke plan for this engagement project noting its significance and value to be gained from substantial engagement.

Despite no need for formal advertising at this stage within the Regulations, in recognition of the importance of this document and the time between the engagement undertaken for the strategy and City Plan, City officers checked in



with the community, development industry, government agencies and other stakeholders to ensure the key priorities of those documents remained before translating them into the draft presented as this first step.

Informal consultation on the key themes and objectives of the draft scheme was carried out via:

- Internal workshops with public stakeholders, including developers, community organisations, and planning consultants with experience navigating a variety of local planning schemes;
- Monthly Planning Framework Committee workshops to discuss specific issues with Elected Members;
- Quarterly Public Planning Framework Committee meetings to discuss the results of major items from the internal planning scheme review;
- Discussion with the City's Design Advisory Committee;
- Conversations with other nearby local governments currently going through the same process;
- Conversations with officers from the Department of Planning, Lands and Heritage (DPLH); and
- Community consultation (fact finding) via MySay.

For a detailed discussion of the engagement undertaken, please refer to item PFC2607-1 from the 13 July 2026 Planning Framework Committee meeting.

The below table summarises some common themes from the workshops and engagement, and a response as to the City's actions, including whether it is something that can be addressed through the scheme or through some other City initiative:

Issue	City Response
Heritage protection: • Retention & heritage outcomes balanced against commercial reality • Protection of West End Heritage Area • Adaptability of heritage places	Draft LPS5 protects heritage by: • Retaining the existing clause that requires key heritage assessments prior to allowing demolition of heritage fabric. This clause has served the City well in protecting heritage, and ties this clause into the Regulations to further strengthen it. • The height controls for the West End Heritage Area remain. • Modifications are proposed to the model scheme text to add heritage as a consideration when considering variations to scheme criteria.



	• Model zone objectives have been modified to include heritage protection. • Schedule 10: City Centre includes specific controls aimed to minimise impact to heritage properties.
Neighbourhood character & City identity	Advice from the DPLH is that built form and character controls should generally be placed in local planning policies rather than the scheme. Criteria to enforce building form controls to retain neighbourhood character can therefore be considered as a new local planning policy. This is further discussed in the report. Density uplift in targeted areas will necessarily change the character of a neighbourhood, though Officers will consider local planning policy controls to ensure new development fits into the existing streetscape as much as practicable.
Tree canopy & urban greening	The City's Tree Retention planning policy is the primary local government instrument responsible for retaining mature trees on private lots. Additionally, the R-Codes include specific provisions for tree planting and landscaping. The City's policy allows site and development requirements to be varied to retain a mature tree where the variations meet the design principles of the R-Codes. Other City departments are responsible for City-managed trees but they all generally have the same strategies of retaining or increasing tree canopy in line with Council's directions.
Climate resilience	LPS5 includes a Special Control Area for lots within the floodplain of the Swan River and this will be tied to a local planning policy setting out development criteria to respond to potential flooding.
Walkability & cycling	LPS5 only addresses this in as much as it proposes targeted density increases to create a critical mass of population



	in certain areas that should naturally bring new businesses to the area and encourage local visitations. Increased density in areas where there is potential for future mid-tier transport is also proposed. The City Design Team is currently working on amending the Integrated Transport Strategy and the Bike Plan to determine where improvements can be made. Carrying out the actual work of these strategies will be based on City funding and program of works determined by the City's Infrastructure Services and Council, with guidance by the strategy and advice of Main Roads and the Department of Transport and Major Infrastructure (DTMI).
Car parking	The car parking ratios will be removed from the scheme and placed in a local planning policy in line with contemporary practice. This will give an opportunity to review and update the ratios, potentially making them more flexible and responsive, as well as the ability to consider adding car charging requirements or other criteria. The scheme also introduces the ability for the City to introduce zero parking development requirements within a policy that override the R-Codes.
Consistency and certainty in the application of planning controls	LPS5 is based on the Model Scheme Text that all local governments are required to use by the Regulations. Though it includes height controls and density controls, the model text allows variations more easily than the current scheme. The current scheme requires development to achieve specific criteria before it can even apply for additional height, whereas the model scheme has a more general ability to



	vary development controls, provided they meet specific objectives. Where areas are more sensitive, for example heritage properties, the draft scheme seeks to provide clear, strong controls to set the expectation.
Simplicity	The new scheme will be vastly simplified in line with the Model Scheme Text and guidance from the DPLH.
Active streets and vibrant centres	LPS5 includes targeted density increases around Neighbourhood Centres and transport corridors that aim to increase the resident population. This will naturally bring in other businesses and improve the viability and liveliness of these neighbourhoods. LPS5 also includes a targeted height and density increase around the City Centre intended to increase the vibrancy and activate streets with a resident population.
Vacant and underutilised sites	LPS5 has no power to require changes to vacant or underutilised sites. All it can do is offer incentives for greater development, leaving it up to the owner whether to take these up. The simplified controls within the new scheme may encourage vacant and underutilised sites to grow to their full potential through the removal of red tape.
Climate change adaptation	LPS5 includes a Special Control Area intended to guide development that is in the Swan River floodplain to ensure it is appropriate for the area. The draft Scheme also retains the split density coding, with the higher density awarded for a statutorily binding commitment to higher energy efficiency housing. It is noted, however, that Department Officers have provided preliminary advice that they are unlikely to support split coding for any reason.



	Outside of the scheme, the City has established a new Climate Action Framework and devised some Community Emission Reduction Actions as part of the Sustainability Steering Group works. This group will continue to meet and progress actions. Additionally, the City is now funded to commence work on a new Coastal Hazard Risk Management and Adaptation Plan (CHRMAP). Once this plan is finalised, if responses are required within the Scheme and to the Scheme map, amendments can be made.
Threshold requirements for the R60 density "bonus"	The R60 density bonus is proposed to be removed from the scheme. See below for further discussion.
Existing height bonuses are too complex and not economically viable for developers, so have not eventuated	The new scheme will be vastly simplified in line with the Model Scheme Text and guidance from the DPLH and removes height bonuses in favour of setting maximum heights and requirements. This provides more certainty for community and the developers. Maximum heights, particularly in the City Centre, are based on built form modelling to guide appropriate development outcomes on a site-by-site bases. The Residential Design Codes allow variations. Placing height maximums sets out the City's expectations, and reduces the variations that may be otherwise considered under a base Residential Design Codes assessment. Initiatives such as specific requirements for affordable housing have been removed as they are not being delivered even in large projects in other local government areas. Any affordable or social housing requirements need to be addressed at the state government level, otherwise they will not be taken up, or



	developers will choose to develop in local government areas without such restrictions. The scheme deals indirectly with affordable housing by pushing for housing diversity in larger developments, increasing density in specified areas, and requiring apartment buildings (rather than single houses and grouped dwellings) on high density sites in order to maximise yield.
Tiny homes and unique infill opportunities	LPS5 does not specifically address tiny homes, but does include an increase in density in some areas that would facilitate smaller houses. Similarly, unique infill opportunities are not addressed in this first version of the scheme as such initiatives require a dedicated project team, resources, and time that would delay implementation of a new scheme. These unique opportunities are proposed to be investigated in the future and the scheme and/or policy framework amended.
Public open space prioritisation	Public open space is guided by the local planning strategy, the City's Public Open Space Strategy, and State guidelines on developer contributions for public open space. The planning scheme is not the proper instrument to set out public open space requirements. Reserve types are to be combined and reduced in type, in line with the DPLH's report on consistent planning schemes. However, these are technical changes only with no impact to the use or development of reserves. Work is ongoing with improvements and updates to Public Open Space consistent with strategies and initiatives approved by Council.



The core of the city needs to be densified with more people living locally	This is a main planning action of the City's Local Planning Strategy and a key component of LPS5. LPS5 intends to increase density in an expanded City Centre outside of the West End Heritage Area. The future structure plan will include more bespoke controls guiding building form and appearance. As the structure plan process will be initiated in 2027 and is likely to take up to 2 years, development controls are included in Schedule 10 of the draft scheme to guide development in the interim.
Be specific on where change is wanted	In accordance with the Local Planning Strategy, LPS5 proposes targeted density and height increases within the City Centre, along the South Street transport corridor, and within Neighbourhood and District Centres.
Reward land assembly to encourage better, higher density developments	Draft LPS5 includes incentives to increase density via land assembly within the South Street corridor between Hines Road and Wiluna Avenue. Though the purpose of the vehicle access restriction is to gradually remove direct vehicle access to South Street, it acts as a land assembly incentive as it requires lots facing South Street to amalgamate or work with adjoining lots in order to gain access to another road. The majority of affected lots are also currently too small to take full advantage of the new density codes without amalgamating. The general density increases throughout should also reward land assembly, as most lots will be unable to reach the full potential for building height due to their small sizes unless they amalgamate with adjoining lots.
Improvements in built form quality	LPS5 includes some built form guidelines, but State advice is that these types of built form criteria are better suited to a local planning policy. The City will continue to require



	significant developments to submit their applications to the Design Review Panel for an assessment of the design merits of their proposal, and the new Scheme includes such design review consideration as one of the 'Matters to be considered' when assessing applications. See below for discussion on future local planning policies.
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OFFICER COMMENT

The new scheme is required to adhere to the model scheme text format within the Regulations. The City has also been advised to consider the Department of Planning, Lands and Heritage (DPLH) report and recommendations on consistent planning schemes, which seeks to standardise all local government schemes. The DPLH report particularly discusses zoning, land uses, and land use permissibility.

There are no proposed variations to the land use definitions within draft LPS5 from the Regulations, except some of those noted in the DPLH consistent schemes report as being recommended, which include:

- Shop – small
- Shop – large
- Food outlet with drive through facility (*NB: Already in existing scheme as Drive-through Food Outlet*)

The following general definitions have been added:

- Sensitive uses: means land uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include, but are not limited to, dwellings, short stay accommodation, tourist and visitor accommodation, hospitals, educational establishments, child care centres, corrective institutions and places of worship.

This use is used to set out prohibitions within the Fremantle Port Buffer Area (SCA1) and land which is contaminated.

- District distributor A or B road: means a road defined in the Main Roads hierarchy as a Distributor A or B road.

This use is referenced when prohibiting access off South Street and limiting new access from other major roads.



- Visible from the street: will be based on an assumed line of sight measured at a perpendicular angle to the boundary of the development site and the street or public open space, at an assumed point of 1 metre less than the street width and 1.6 metres above ground level. An area of public open space will be considered to have an assumed street width of 20 metres for the purpose of this definition.

This is a long-standing definition within the scheme, and is critical in setting out heights for heritage-protected places, particularly places within the State Registered West End Heritage Area. The objective is to maintain the streetscape view from pedestrian level, and retain the historic views of the West End and other areas. Large buildings intruding into the street vista detrimentally impact the heritage significance of the place, particularly the West End. As each heritage building is different, setting a standard setback for upper floors so that they will not be visible from the street is impractical, and will result in varying outcomes, some of which may, in fact, be visible from street level. Using this definition for upper floor setbacks instead, developers can be assured of the specific setback required for each unique development via a simple calculation.

The format change will see the new scheme significantly different in form than the current scheme, with most of the City's unique development criteria included in Clause 26 and the various Schedules. These are explained below:

Clause/Schedule	Includes:
Clause 26 – Modification of R-Codes	Any allowable variations to density or other R-Codes criteria that apply across the City.
Schedule A - Supplemental provisions to the deemed provisions	Modifications to the Regulations generally comprising technical additions and clarity to assessment provisions.
Schedule 1 – Specified additional uses for land in local reserves in Scheme area	Land uses allowed on specific Local Reserves within the City.
Schedule 2 – Additional uses for zoned land in Scheme area	Varies the zoning table by allowing uses on certain lots which are different from the use class set out in the zone in which the lot is located.
Schedule 3 – Restricted uses for land in Scheme area	Varies the zoning table by limiting the uses allowed on certain lots to only specified uses.
Schedule 4 – Special use zones in Scheme area	Areas which need their own land use permissibility and considerations which do not fit into the general zones. Fremantle Village fits into this category.



Schedule 5 – Environmental conditions that apply to land in Scheme area	Any environmental conditions imposed by the Environmental Protection Authority upon review of the scheme.
Schedule 6 – Additional site and development requirements that apply to land in the Scheme area	Varies scheme criteria for specified lots. The bulk of unique City criteria sit within this schedule.
Schedule 7 – Additional requirements that apply to land covered by structure plan or local development plan	Any additional requirements that need to be imposed within a structure plan area that are not covered within the structure plan. No additional requirements are currently proposed.
Schedule 8 – Special control areas in Scheme area	Areas within the City that require special consideration, such as the Fremantle Port Buffer and lots within the Swan River floodplain.
Schedule 9 – Development Contribution Plans	The City currently has no development contribution plans.
Schedule 10 – City Centre	This schedule is proposed by City Officers to provide development criteria within the City Centre until such time as a City Centre structure plan can be completed.

Proposed scheme criteria are set out below.

Heritage

The heritage protection clause within LPS4 is being carried over into LPS5 and inserted into Schedule A, which modifies the Regulations.

The clause prohibits development from being approved where it involves demolition of a building or structure that has at least 'some' heritage significance and/or if the place makes a significant contribution to the broader cultural significance of the area. These protections have been instrumental in preserving the heritage fabric within the City and are critical to protecting the City's character. It has allowed the City to negotiate improved outcomes with proponents and preserve significant buildings. The existing wording does not prevent development because, if City Officers recommend not granting approval for heritage reasons, a decision maker could opt to defer to a professional heritage assessment submitted by a project proponent if it makes the opposite case.

In order to further strengthen this protection, the clause is being embedded into Schedule A of draft LPS5, which links it to a class of development within the Deemed provisions that also cannot be approved (i.e.: X uses). It is placed in this Schedule rather than in Schedule 6 because the model scheme text allows



Schedule 6 criteria to be varied for reasons other than heritage protection. It would defeat the purpose of the heritage clause were it to be varied for any reason other than its impact to heritage fabric. The proposed clause and location in Schedule A allows it to be specific enough to protect heritage fabric, while allowing evidence-based variations from a decision maker that must still have regard to heritage.

Similarly, it is proposed to vary the model scheme text in one minor but important way to include specific consideration for heritage when varying Schedule 6 criteria. The new clause 34(5) will read (changes in bold):

- 34(5) The local government may only approve an application for development approval under this clause if the local government is satisfied that -
- i. approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67(2) of the deemed provisions; and
 - ii. the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, **the heritage significance of the place**, the inhabitants of the locality or the likely future development of the locality.

Amending the clause as above will elevate heritage significance to the same degree of consideration as consideration of adverse effect on the occupiers, inhabitants and future development. It is noted that the DPLH and the Minister are generally adverse to modifying the model scheme text, however, the City has the most heritage protected properties in the state, and heritage is fundamental to the City's identity and character. Heritage is consistently rated as something of which residents are most proud, provides a significant tourist draw, is a development asset, supports sustainable development goals by retaining existing building fabric and sets the City apart from many other destinations. It is therefore appropriate that heritage matters should have an elevated degree of consideration.

Clause 67 of the deemed provisions includes a consideration of built heritage conservation and cultural heritage significance (clauses 67(k) and (l)). However, this is only one of many criteria used as a basis for an assessment. Adding heritage significance to clause 34(5)(ii) of the new scheme elevates the importance of heritage to a level appropriate for the City in a similar way that the existing criteria (i.e.: adverse effect on occupiers or users; the inhabitants of the locality; and future development) elevates elements that are already considered



under clause 67, these elements being (n) the amenity of the locality and (x) the impact of the development on the community as a whole.

Reserves and Zones

In accordance with the DPLH's report on consistent planning schemes, the number of different Reserve types will be amalgamated to a total of 5 Reserves as shown below:

New Reserves	Existing Reserves
Civic and Community	- Community facilities: Aged persons - Community facilities: Community facilities - Community facilities: Private hospital - Community facilities: Private hospital/aged persons
Drainage / Waterway	Drainage / Waterway
Infrastructure Services	Public Utilities
Public Open Space	Open Space
Public Purpose	- Community facilities: High school - Community facilities: Kindergarten - Community facilities: Primary school

The objectives for each reserve have also been taken from the recommendations within the DPLH's report on consistent planning schemes.

The objectives of each zone are generally taken from the model scheme text, the City's current scheme, and other recent local government schemes to ensure consistency. However, modifications or additions to objectives have been made as shown below:

Zones	Additional Objectives	Justification
Residential	To conserve and enhance places of heritage significance.	Embed heritage protection in the objectives.
Light Industry (new zone)	- To complement the O'Connor General Industry zone and protect it from incompatible development. - To ensure that the impact of development does not detract from the nearby residential streetscapes in respect to noise, traffic, bulk, and safety. - To ensure that where any development adjoins zoned or developed residential	Customise the zone objectives to better reflect the main purpose of preserving the O'Connor industrial area from encroachment of residential uses, and protecting nearby residential amenity from encroachment of industrial uses.



	properties, the development is suitably set back, landscaped , screened or otherwise treated so as not to detract from the residential safety and amenity .	• Adding additional criteria of landscaping and safety to provide a better interface to nearby residential lots.
General Industry (formerly 'Industry')	• Maintain a sufficient mix of small, medium and large lot sizes and configurations capable of accommodating a range of scale of industry use.	• To back up the subdivision limitations for the area (see O'Connor – Subdivision below)
Local Centre	• N/A – Zone does not exist in model scheme text, though other recent local government schemes have included it and it is recommended as a zone in the DPLH's report on consistent planning schemes - Provisions copied from existing scheme	• It is necessary to maintain this zone to guide development within the City and continue the use of existing zones. Other contemporary local government schemes include this zone.
Neighbourhood Centre	• N/A – Zone does not exist in model scheme text - Provisions copied from existing scheme	• It is necessary to maintain this zone to guide development within the City and continue the use of existing zones. Other recent local government schemes have included this zone, and it is recommended as a zone in the DPLH's report on consistent planning schemes. Designations are consistent with State Planning Requirements for identifying Neighbourhood Centres.
City Centre	• To provide for a full range of shopping, office, administrative, social, recreation, entertainment, community services, social services, and residential uses consistent with the region-serving role of the centre. • To support a vibrant, creative and multicultural arts and music-friendly city centre, while	• The model scheme text only contains a single objective that does not sufficiently cover the intent of the City Centre zone. • Point 1 has been carried over from the existing scheme and is still relevant.



	managing development to protect the amenity of, and increase the numbers of, residents and visitors. To conserve and enhance places of heritage significance.	- Point 2 comes out of the City's investigation and workshops into noise and vibrancy within the City Centre area. - Embed heritage protection in the objectives.
Mixed Use	To conserve and enhance places of heritage significance.	Embed heritage protection in the objectives.
Service Commercial (formerly 'Commercial')	To conserve and enhance places of heritage significance.	Embed heritage protection in the objectives.
Special Use	No additional	N/A
Urban Development (Formerly Development Area)	- To provide for population growth that is considerably designed and well catered by public open space, public transport, and essential services. - To conserve and enhance places of heritage significance.	- Set objectives for future structure plans. - Embed heritage protection in the objectives.

Criteria affecting all suburbs

The following criteria affect a number of suburbs throughout the City:

Criteria	Purpose	Justification
Clause 26(1)	To allow development that exceeds the density code on the map to be rebuilt to a scale equivalent to the existing form.	Copies recently gazetted Scheme Amendment 86 into LPS5 and allows existing approved nonconforming dwellings to be redeveloped. This would, for example, allow the apartment building at 31 East Street (coded R30 for single houses) to be reconstructed to the same scale in the event of a fire or when the building reaches the end of its life.
Clause 26(3)	Where R20/25 or R20/30 split coding is shown on the map, allows the higher code to be used subject to one of the following criteria being met:	Copies existing split density provisions into the new scheme, with expanded split density coded areas shown on the map. These provisions have worked exceptionally well primarily to



	(a) a building of cultural heritage significance is retained on the lot; (b) provision of "low income housing"; (c) buildings designed in accordance with the energy efficiency and sustainability schedule within a local planning policy; or (d) removal of a non-conforming use.	improve energy efficiency and sustainability outcomes. There is a small impact to initial building prices, but this is easily recouped over the life of the development due to lower running costs and improved interior quality of life. It has become a standard requirement within the City that proponents accept, with a relatively low bar for clearance in order to subdivide at the higher density. As an incentive-based approach, it is up to the proponents as to whether they want to pursue the higher density, or be subject to the base coding.
Clause 26(4) & (5)	Allows an additional house to be developed where a lot has frontage to two different main streets and is not a corner lot.	Carries over the existing provision to allow grouped dwellings on certain lots. There are only a limited number of lots where this would apply, but these are low risk developments with their own frontage to different streets on lots that are not otherwise subdivisible. It improves the potential for housing affordability and alternative, smaller forms of housing. As the houses would still need to be meet the R-Codes, there would be minimal impact to adjoining lots.
Clause 26(7)	Allows variation to density subject to specific criteria in Schedule 6 (only applies to lots specified in Schedule 6)	Ties additional site and development requirements to density. This clause only creates the ability to consider density changes based on additional requirements. The requirements themselves are included as specific clauses within Schedule 6.
Clause 26(8)	Allows the City to create a parking policy setting different minimum and maximum parking requirements from the R-Codes.	To allow a future planning policy promoting zero parking developments and limiting parking, particularly within the City Centre in line with the City's



		Local Planning Strategy and City Plan: City Centre.
Clause 26(9)	Modifies the R-Codes to fix the discrepancy with how overshadowing is assessed on grouped dwelling developments as compared to single houses.	Currently, deemed-to-comply overshadowing to grouped dwellings is assessed against the parent lot. This can result in one house of the grouped dwellings being vastly overshadowed (but within the deemed-to-comply) to an extent that would not be acceptable were it to be a single house. Often, the only difference between a single house and a grouped dwelling is a shared driveway. It is inequitable and unfair to assess a grouped dwelling in a different manner when it effectively has the form and function of a single house.
Clause 26(10) & (11)	Modifies the deemed-to-comply of the R-Codes for dwelling diversity by lowering the trigger where diversity of unit size (i.e.: bedroom numbers per unit) is enforced from 10 units to 5 units.	To increase diversity of dwelling types and avoid situations where a large multiple dwelling development is comprised mostly of luxury apartments, usually each taking up an entire floor. Given the contemporary housing issues, significant development sites should provide for a range of housing types and living situations, not simply cater to the high end of the market.
Schedule A, No. 1	All 'small secondary dwellings' approved under Amendment 46 of Local Planning Scheme No. 4 are deemed to be 'ancillary dwellings' as defined in the Residential Design Codes.	To clarify how these dwellings would be assessed under the current planning framework, as the land use 'small secondary dwelling' no longer exists but some have been constructed.
Schedule A, No. 2	Allows creation of a Significant Tree Register	Retains the ability for the City to create a significant tree register if it so chooses. Wording is based on recently adopted local planning schemes, which states that the landowner of the lot in which the tree is located is the only person who can nominate a tree for the register.
Schedule A, No. 3 & 5	Formally embeds the Design Review Panel into	Requires design review panel consideration (where relevant)



	the planning assessment process.	as something that must be specifically considered when assessing an application. Wording is in line with recently adopted local planning schemes.
Schedule A, No. 6	Transitional arrangements to ensure all planning instruments carry over into LPS5.	To ensure all planning policies, structure plans, etc. started or approved under LPS4 are carried over into LPS5.
Schedule 6, NA1	Ensures all non-residential development on land with a density code is assessed against the R-Codes for that density.	To capture non-residential development across the City and ensure the built form fits in with the density onsite. Otherwise, it would be unclear how to assess non-residential development.
Schedule 6, NA2	Prohibits sensitive uses (residential, short stay, etc.) on the ground floor of specified major streets (South Street, Queen Victoria Street, Hampton Road) within Neighbourhood Centre zones.	To ensure the Neighbourhood Centre zones continue to fulfill their zone objectives and provide ground floor activation and a mix of uses. This also provides some protection against land use conflicts and encourages commercial activity facing the major street.
Schedule 6, NA4	Requires any lot abutting a primary regional road or district distributor to take access off another road where available, and requires no net increase to the number of crossovers to a primary regional road or district distributor.	In line with typical Main Roads advice, this limits additional crossovers to primary regional roads and district distributors wherever possible. The intention is to reduce conflict points where vehicles enter and exit directly onto main roads for the purposes of improved driver safety, and to minimise or reduce crossovers in the expectation of future mid-tier transport opportunities along the South Street transport corridor. Lots on South Street will still be capable of redevelopment by assembling lots and/or means of vehicle access over lots with alternate road frontage.
Schedule 6, NA5	Specifies that approvals for Home Occupations and Home Businesses run with the owner, not the land.	Carries over the existing scheme provisions so that any new owner will need to submit a new application for a Home Occupation or Home Business.



Schedule 8, SCA1-3	Special Control Area for the Fremantle Port Buffer zone.	Carries over the existing port buffer requirements into a contemporary planning instrument. Refers to a local planning policy for further details.
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The land use table has been modified to include a new Light Industry zone. A comparison of the existing and proposed land use permissibility is below. Where permissibility is proposed to change, the cell is highlighted in orange and the existing permissibility is included on the left, while the proposed permissibility is included on the right (Note this table also takes into account the current amendment to make 'Convenience Stores' an 'A' use in all zones):

USE AND DEVELOPMENT CLASS	ZONES								
	Residential	City Centre	Neighbourhood Centre	Local Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Special Use
Animal establishment	X	X	X	X	X	A	D	D	Refer to clause 21(1)
Betting agency	X	P/D	P/D	D/X	D	D	X	D/X	
Beverage production facility	X	A	A	X	A	A	D	D	
Bulky goods showroom	X	P/D	D	X	A/D	P	I	P/X	
Car park	X	A	A	A	A	A	A	A	
Caretaker's dwelling	X	A	X	X	X	A	I	D	
Child care premises	A	A/P	A	A	A	X	X	X	
Cinema/theatre	X	P	A	A	A	A	X	X	
Civic use	A	P	P	P	P	D	D	P/D	
Club premises	X	P	P	D	P	A	A	P/X	
Commercial vehicle parking	X	A/X	D/X	D/X	A	D	P	P	
Community purpose	A	P	P	P	P	D	D	P/X	
Consulting rooms	X	P	P	D/P	P	P	D	P/X	
Convenience store	X	A	A	A	A	A	A	A/X	
Educational establishment	A	D	D	D	P	A	A	D/A	
Exhibition centre	X	P	D	D	D	D	A	D/X	
Family day care	A	A	A	A	A	X	X	X	
Food outlet	X	D/P	A/D	A/D	X/D	A	A	X/A	
Food outlet with drive through facility	X	X	X	X	X	A	X	X	
Fuel depot	X	X	X	X	X	X	X	P	
Funeral parlour	A/X	A	X	X	X	D	A	D/X	
Garden centre	X	D	D	D	P/D	P	D	D	Refer to clause 18(6)
Grouped dwelling	P	D/X(1)	A	A/D	A/D	X	X	X	



USE AND DEVELOPMENT CLASS	ZONES								
	Residential	City Centre	Neighbourhood Centre	Local Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Special Use
Home business	A	P	A	A	A	X	X	X	
Home occupation	D	P	A/D	A/D	A/D	X	X	X	
Home office	P	P	P	P	P	X	X	X	
Home store	D	D	D	P	A	X	X	X	
Hospital	X	D	D	X	D	A	X	A/X	
Hosted short-term rental accommodation	P	P	P	P	P	X	X	X	
Hotel	X	A	A	X	A	X	X	A/X	
Independent living complex	P	D	A	A	D	X	X	X	
Industry	X	X	X	X	X	X	X	P	
Industry – cottage	A	D	A	D	D	X	D	P	
Industry – licenced	X	X	X	X	X	X	X	D	
Industry – light	X	X	X	X	A	D	P	P	
Industry – service	X	A	A	X	D	D	P	P	
Liquor store – large	X	A	A	X	X/D	A	A	A/X	
Liquor store – small	A	A	A	A	A/D	A	X	A/X	
Market	X	P	P	A	A	D	X	X	
Medical centre	X	P	P	A	P	D	D	D/X	
Motor vehicle, boat or caravan sales	X	D/A	A	X	A	P	A	P/X	
Motor vehicle repair	X	A	X	X	A/X(2)	A	X	P	
Motor vehicle wash	X	D/I	A	X	A/X(2)	P	D	P/D	
Motor vehicle wrecking	X	X	X	X	X	X	X	D	Refer to clause 21(1)
Multiple dwelling	D/P	D	A/D	A	A/D	X	X	X	
Nightclub	X	A	X	X	X	X	X	X	
Office	X	P	P	D	P	P	D	P/I	
Place of worship	A	P	D	D	P	D	A	D/X	
Public amusement	X	D	D	X	A	A	D	P/X	
Reception centre	X	P	D	A	D	D	D	D/X	
Recreation – private	X	D/A	D	A	D/A	P	P	D/X	
Residential aged care facility	P	D	A	A	D	X	X	X	
Residential building	A	D	A	A	A	A	X	X	
Resource recovery centre	X	X	X	X	X	X	X	D/P	
Restaurant / café	A	D	A/D	A	A/D	D	I	A/X	
Restricted premises	X	A	X	X	A	A	X	A/X	
Service station	X	A	D/A	A/X	A	D	X	P/D	
Shop – large	X	P	D	D/X	A/D	D	X	X	
Shop – small	X	P	D/P	D/P	A/P	X	X	X	
Single house	P	D/X(1)	A	A	A/D	X	X	X	



USE AND DEVELOPMENT CLASS	ZONES								
	Residential	City Centre	Neighbourhood Centre	Local Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Special Use Urban Development
Small bar	X	A	A	X/A	A	X	X	A/X	
Tavern	X	A	A	X	A	X	X	A/X	
Telecommunications infrastructure	X	A	X	X	A	A	A	A	
Tourist and visitor accommodation	A	D	A	A	A	X	X	X	
Trade display	X	A	A	A	A	D	P	P	
Trade supplies	X	X	X	X	X	A	D	P	
Transport depot	X	X	X	X	X	X	X	P	
Unhosted short-term rental accommodation	A	A	D	D	D	X	X	X	
Veterinary centre	X	A	A	A	A	A	A	P/X	
Warehouse / storage	X	D	D	X	P	P	P	P	
Waste storage facility	X	X	X	X	X	X	A	D/P	

X(1) - Single houses and grouped dwellings are an 'X' use in the City Centre except where set out in an adopted structure plan or, in the absence of a structure plan, Schedule 10 of this scheme.

X(2) - Motor vehicle repair and Motor vehicle wash are 'X' uses along South Terrace in South Fremantle. 'A' uses elsewhere.

Some changes that have occurred with the adoption of the model scheme text and the DPLH's report on consistent planning schemes include:

- 'Shop' separated into 'Shop - Small' for those with a floor area up to 1500 sqm, and 'Shop - Large' for those with a floor area greater than 1500 sqm. This allows more fine grain controls to ensure that shops are sized appropriately for the size and importance of the zones.
- 'Beverage production facility' replaces Brewery and the definition now includes production of beer, cider and spirits.
- 'Fast Food Outlet' has been deleted and replaced with 'Food outlet' and 'Food outlet with drive through facility'. The definitions remain unchanged from 'Fast food outlet' and 'drive-through outlet' respectively, and includes any small premises serving predominantly takeaway food.

North Fremantle

Criteria	Purpose	Justification
Schedule 2, A3	Allow consideration of additional use of Shop,	To match the existing approved development and provide a



	Consulting Rooms and Restaurant/Café for development on the ground floor of 19-21 McCabe Street.	degree of flexibility for this predominantly residential development. This is necessary as the development currently sits within a Development Area zone with discretion for these land uses via the Structure Plan, but is proposed to change to a Residential Zone, which prohibits them.
Schedule 2, A5	Allow consideration for Nos. 2-8 Harvest Road, North Fremantle for additional uses of: Consulting Rooms – D Medical Centre – D Office – D Restaurant/cafe – D Shop – D Small Bar – A Recreation – private – D	To match the existing scheme amendment recently endorsed by Council to allow non-residential development only in the instance where the lots amalgamate and redevelop at a higher density than shown on the scheme map.
Schedule 3, R1	Restricts consideration of uses within the Leighton Beach area to the following: Consulting rooms – D Food outlet – P Grouped dwelling – X Home office – P Home occupation – D Hosted short-term rental accommodation – P Hotel – A Liquor store – Small – A Multiple dwelling – P Office – D Restaurant/cafe – P Shop – P Single house – X Tourist and visitor accommodation – A Unhosted short-term rental accommodation – A	To allow consideration for limited non-residential uses on the ground floor that will enhance the precinct while leaving it predominantly residential. This is necessary as the development currently sits within a Development Area zone with discretion for these land uses, but is proposed to change to a Residential Zone, which prohibits them. Also prohibits single houses and grouped dwellings in order to prevent underdevelopment and encourage density as these are strategically important lots with large lot sizes and located directly adjacent to a train line. North Fremantle is currently limited by existing small lots and heritage protections, so the few sites where greater density can be achieved need to be preserved for high density development in order to meet the City's density targets. The



		City has already received enquires for smaller grouped dwelling developments on this site.
Schedule 6, ASD4	Allows multiple dwellings at a density of R160 subject to specified criteria including amalgamation of lots and use of the rear accessway for 2-8 Harvest Road, North Fremantle	To match the existing scheme amendment recently endorsed by Council to allow consideration of higher density development on these lots subject to criteria, including requiring upgrade and use of the rear accessway.
Schedule 6, ASD7	Includes guidance for 130 & 140 Stirling Highway structure plans	To provide provisions in the event the existing structure plans lapse without development proceeding and to set out the City's priorities for the site to ensure future developers are aware of the City's expectations.
Schedule 8, SCA5	Creates a Special Control Area guiding development within the Swan River floodplain	To ensure development is appropriately developed with consideration given to the potential for riverine flooding.

Additional information 3 identifies specifically where the draft of the scheme map for LPS5, which sets out land coding and density, differs from current LPS4. The final version of the map is included as Attachment 2. The major changes can be summarised as follows:

- Development areas around McCabe Street, where development has been completed, are rationalised to be coded and zoned Residential R160 or R80 to match the scale of the existing constructed developments based on the height and plot ratio within the Residential Design Codes.
- Development areas around Leighton Beach have been rationalised to be coded Residential R80 or R160 to match the existing constructed development and, for the vacant lots, maintain the same scale of development as provided in the existing scheme based on the height and plot ratio within the Residential Design Codes .
- Increasing density between Coventry Parade and Pamment Street from R25 to R80 to provide a gradation down from the targeted high density development of 130 Stirling Highway.
- Increasing density on the block bound by Leslie Road, Thompson Road, Alfred Road and Stirling Highway from R25 to R40 and R100.
- Amending the Neighbourhood Centre zone at Alfred Road and Stirling Highway down to Local Centre so it does not detract from the primary Neighbourhood Centre on Queen Victoria Street and dilute the primacy of



the North Fremantle Centre. This zone will also be increased in density from R35 to R160, and some of the surrounding residential lots from R35 to R80. These lots are selected due to their proximity to the newly upcoded Local Centre, and where there is room for further development without impacting the heritage significance of local places or areas.

- Increasing density within the North Fremantle District Centre and the lots fronting Tydeman Road and Queen Victoria Street.
- Increasing density to the lots on the south side of Harvest Road between Stirling Highway and Turton Street.
- Deleting the split density R35/R40 code to the lots north of Jackson Street and reverting to R40.
- Making the minimum code R30 throughout, except in the Special Control Area, where the minimum remains R25 given the potential for flooding. Given the existing small lot sizes and the existing minimum density of R25, this change is unlikely to result in substantially increased subdivision potential.

Fremantle

Criteria	Purpose	Justification
Schedule 2, A1	To allow the land use of 'Office' in the Residential zone in the block bounded by Chalmers Street, Amherst Street, Blinco Street and Knutsford Street subject to conditions limiting its size.	To maintain the existing land uses able to be considered under LPS4 without altering the coding of the land, which allow an Office as long as it is kept to a maximum size so as not to impact the amenity of the residential lots.
Schedule 2, A2	To allow consideration of Veterinary Centre, Consulting Rooms and Medical Centre at 59 Ellen Street, Fremantle.	To carry over the existing additional uses able to be considered for the site in LPS4. Veterinary Centre is currently in operation on the site.
Schedule 6, ASD1	To require a vehicle and pedestrian access be provided linking William Street to Paddy Troy Mall.	Currently, the sole vehicle access to Paddy Troy Mall (which is a gazetted road) is through a private lot. This provision requires any future development to maintain public access in perpetuity to allow servicing businesses from the laneway of Paddy Troy Mall.
Schedule 6, ASD2	To require pedestrian access linking Newman Court through to South Terrace.	To maintain the existing pedestrian thoroughfares. These currently traverse through private lots and are critical to



		maintaining walkability and permeability through this section of the city, bringing vibrancy and street activation.
Schedule 6, ASD3	Creates criteria governing development in the City Centre prior to implementation of a structure plan, and places this criteria within Schedule 10 of the scheme.	To provide criteria for development while a structure plan for the City Centre is developed, and to provide guidance should the eventual structure plan lapse. See below in the report for further discussion of Schedule 10 and the City Centre structure plan.
Schedule 6, ASD5	Requires ceding of land for specific sites along the west side of Hampton Road near the intersection of Wray Avenue within the Neighbourhood Centre zone.	The private lot boundaries were never modified after the City resumed the land for footpaths. The lots currently protrude over the existing footpath, which has been maintained by the City for many years. This clause requires the footpath to be ceded to the City upon redevelopment, thereby formally handing over ownership. It does not impact the existing lots as existing development is all built within the future allowable footprint and outside of the ceded area, except for the awnings. Awnings are typically permitted and, in fact, encouraged to overhang footpaths to provide weather protection.
Schedule 6, ASD8	To provide density and coding advice in the absence of a structure plan for the Urban Development coded lots bounded by Swanbourne Street, Knutsford Street and Amherst Street. (Knutsford Street West)	A valid structure plan is currently in place, but under the Regulations a local government can still consider development even without a structure plan. This criteria would guide consideration of development in the event the structure plan lapses.
Schedule 6, ASD9	To provide density and coding advice in the absence of a structure plan for the Urban Development coded lots bounded by Amherst Street, Blinco Street, Montreal Street and	A valid structure plan is currently in place, but under the Regulations a local government can still consider development even without a structure plan. This criteria would guide consideration of development in



	Stack Street. (Knutsford Street East)	the event the structure plan lapses.
Schedule 6, ASD10	To require consideration for building height that is compatible with surrounding lower density development.	To guide development height for 100 Hampton Road in the event of redevelopment. This is needed because the lot is being rezoned from Development Area (which requires a structure plan) to Residential zone (which usually only needs development approval).
Schedule 6, ASD15	Limits height in the heritage-listed West End to 3 storeys, or 4 storeys if the fourth storey is not visible from the street.	To limit development height to protect the heritage significance of the West End and its streetscapes. This is a copy of the existing scheme provision, with further study to be undertaken during the structure plan process that may be more bespoke and site/street specific.
Schedule 6, ASD16	Requires ceding of land for sites on the north of High Street between Queen Street and Parry Street.	The private lot boundaries were never modified after the road widening, and they currently protrude over the existing footpath, which has been maintained by the City. This clause requires the footpath to be ceded to the City, thereby formally handing over ownership. It does not impact the existing lots as they are all built within the future allowable footprint and outside of the ceded area, except for the awnings. Awnings are typically permitted and, in fact, encouraged to overhang footpaths to provide weather protection.
Schedule 6, ASD17	Requires ceding of land for 25 Adelaide Street.	The private lot boundaries were never modified after the road widening, and they currently protrude over the existing footpath, which has been maintained by the City. This clause requires the footpath to be ceded to the City, thereby formally handing over ownership. It does not impact the existing lots as they are all built within



		the future allowable footprint and outside of the ceded area, except for the awnings. Awnings are typically permitted and, in fact, encouraged to overhang footpaths to provide weather protection.
Schedule 6, ASD18	Requires ceding of 10 metres of land on 12 Cantonment Street.	Ceding of land allows the road to be widened for increased bus transport and to allow for the potential relocation of the Fremantle Bus Depot, which forms part of Department of Transport and Major Infrastructure's masterplan for the area.
Schedule 6, ASD21	Requires ceding of land on Queen Victoria Street between Burt Street and James Street	Creates a larger road reserve in anticipation of eventually creating an entrance boulevard to the City. A larger road reserve is particularly necessary in light of the increased heights allowed to either side of Queen Victoria Street. Wider street reserves will be more proportional to the allowable heights and preserve an appropriate scale at ground level compared to a narrower street surrounded by taller buildings.
Schedule 10	A new schedule guiding development in the City Centre in the absence of a structure plan.	To provide criteria for development while a structure plan for the City Centre is developed, and to provide guidance should the eventual structure plan lapse. See below in the report for further discussion of the City Centre structure plan.

Additional information 3 identifies specifically where the draft of the scheme map for LPS5, which sets out land coding and density, differs from current LPS4. The final version of the map is included as Attachment 2. The major changes can be summarised as follows:

- City Centre zone expanded and coded R-AC0 in preparation for a structure plan. In the R-Codes, a R-AC0 zone means that plot ratio, building height and setback controls are determined by the scheme or other precinct



controls. Interim controls are to be included in Schedule 10 while City Officers begin work on a Precinct Structure Plan (See further discussion on the City Centre structure plan below).

- The Neighbourhood Centre at the intersection of Wray Avenue and Hampton Road has been expanded, with a density of R80 applied across the entire zone.
- Developed lots within the Knutsford Street East Structure Plan have been rationalised into the scheme to match the approved coding and density.
- No. 100 Hampton Road changed from Development Area to Residential R100.
- Local Centre zoning around Wray Avenue and South Terrace modified from Mixed Use.
- Minimum density throughout changed to R30. Given the existing small lot sizes and the existing minimum density of R25, this change is unlikely to result in substantially increased subdivision potential.

South Fremantle

Criteria	Purpose	Justification
Clause 26(6)	Allows development up to R60 (3 storeys) along Marine Terrace between Norfolk Street and Scott Street, excluding single houses or grouped dwellings, and where there is not net increase in the number of vehicle access points.	To continue the encouragement of medium scale development (3 storeys) fronting the harbour as currently permitted in LPS4 due to the fact that Marine Terrace functions as a gateway to the City Centre.
Schedule 3, R2	To restrict uses and make Single houses and Grouped dwellings 'X' uses to lots around the Neighbourhood Centre at the intersection of Douro Road and Hampton Road.	Prohibits single houses and grouped dwellings for the newly upcoded lots in order to prevent underdevelopment and encourage density as these are strategically important lots with large lot sizes, located directly adjacent to major bus routes, and in an area identified in the Local Planning Strategy as a possible future district centre. South Fremantle is currently constrained elsewhere by existing small lots and heritage protections, so the few sites where greater density can be achieved need to be preserved



		for high density development in order to meet our density targets. The area is currently constrained by a lack of services infrastructure, so major development is not expected in the short to medium term.
Schedule 4, SU1	To create a Special Use zone for Fremantle Village.	Carries over and formalises the existing development controls within LPS4 for the area, while maintaining its use as a Caravan Park, Park home park, Tourist and Visitor Accommodation, Cabins or Chalets.
Schedule 6, ASD11	Replaces the requirements for a structure plan with a simpler requirement of providing pedestrian and/or vehicle access east-west through the Sealanes site roughly matching the existing road network.	The area is proposed to be changed from Development Area to Mixed Use R100, thereby simplifying the development controls. The main outcome desired by the City is to continue the east-west connections through the site established by the streets intersecting South Terrace on the east. Given the lots are owned by a single owner, and the planning framework includes sufficient requirements to guide quality development, a structure plan is considered to be an unnecessary obstacle for development on this site.
Schedule 6, ASD12	Identifies that a structure plan should have regard to bushfire management, and Aboriginal and early colonial heritage.	Identifies site contamination, bushfire management, aboriginal heritage, and colonial heritage as items to consider when proposing development. It is noted that these sites may comprise parts of the Southwest Native Title Settlement and so no change to planning framework is proposed at this time so as not to prejudice any future decisions.
Schedule 6, ASD13	Identifies that a structure plan is needed and should address contamination issues. Also allows the existing three developments on the east of Daly Street to	Identifies site contamination as a major issue that needs to be resolved as part of any development. Provides assessment criteria for continuation of existing



	continue under a Mixed Use zone but with any sensitive uses (ex: Residential, Child Care) being an 'X' use until remediation is addressed.	developments while including prohibition on sensitive uses until remediation is addressed.
Schedule 6, ASD19	To require coordinated and shared access to lots fronting Hampton Road between Lloyd Street and Clontarf Road.	To reduce the amount of direct vehicle access to the main road of Hampton Road. Carried over from existing LPS4 provisions.

Additional information 3 identifies specifically where the draft of the scheme map for LPS5, which sets out land coding and density, differs from current LPS4. The final version of the map is included as Attachment 2. The major changes can be summarised as follows:

- Neighbourhood Centre bound by Scott Street, Hampton Road, Lloyd Street and Daly Street (Peaches shopping centre) changed from Neighbourhood Centre with a density of R25 to Local Centre with a density of R100. This Centre is separated from other residential development by roads, allowing more density and height without significant impact to adjoining residences. The site is located along a key transport corridor and existing development provides daily shopping opportunities, mitigating the need for excessive car use. Altogether, it provides a key opportunity for density that will not impact heritage significance and have minimal impact to amenity of nearby residential zones.
- Properties within the Mixed Use zone around Strang Court and along Hampton Road changed to a density of R100, R160 or R-AC3. This reflects the existing scheme density when the incentives are applied. The incentives relate to vehicle access, which are proposed to become a requirement rather than an incentive.
- Properties within the Mixed Use zone south of the Neighbourhood Centre at the corner of Douro Road and Hampton Road upcoded from R25 to R160 or R100 to match the proposed density across the street. This has the potential to gradually expand the area into District Centre significance as set out in the City's Local Planning Strategy. More research may be needed to guide this area in the future. However, development is not expected to eventuate in the short term due to the lack of critical infrastructure, such as adequate sewerage, to support higher density residential use.
- Urban Development (Development Area) zone near Clontarf Hill extended to cover the Residential lots along Healy Road at the Cockburn border.
- Mixed Use lots along South Terrace increased to a density of R60 to encourage more residential development and to compensate for the removal of the general R60 density bonus clause (see below).



- Minimum density throughout changed to R30. Given the existing small lot sizes and the existing minimum density of R25, this change is unlikely to result in substantially increased subdivision potential but may provide some opportunity for additional housing.

White Gum Valley

No specific additional criteria are proposed specifically for White Gum Valley. Please refer to the general changes affecting all suburbs.

Additional information 3 identifies specifically where the draft of the scheme map for LPS5, which sets out land coding and density, differs from current LPS4. The final version of the map is included as Attachment 2. The major changes can be summarised as follows:

- Density along South Street between Wiluna Avenue and Hines Road, and along the Carrington Street "spine" to be upcoded to R60, R80 or R160. The lots fronting South Street and Carrington Street will have access restrictions requiring coordination between landowners so that any development that increases the number of vehicle trips per day must not have direct vehicle access from South Street and Carrington Street. The lots behind those fronting the two streets will also have these restrictions. Providing vehicle access from an alternate street may be done either through amalgamation or a legal agreement with an adjoining landowner providing access. The existing small size of the lots means that development to the full extent of the density potential is unlikely unless lots are amalgamated anyway.

The City's Local Planning Strategy maintains a long-term goal of implementing mid-tier transport down the South Street corridor, so removing vehicle access will assist with the feasibility of future infrastructure improvements. The transport nodes are intended to be located within the Neighbourhood Centres, which have also been increased in density.

- Split density coding changed from R20/R25 to R20/R30 to provide the minimum density as per the Minister's announcement but retaining the condition that energy efficiency measures be a condition of the higher density. A review of the area history reveals that an estimated 13% of all subdivided lots have been done through the higher density code utilising the energy efficiency pathway requiring new dwellings to achieve a star rating one star greater than the current building code requirements.
- Otherwise, minimum density throughout changed to R30. Given the existing small lot sizes and the existing minimum density of R25, this change is



unlikely to result in substantially increased subdivision potential while still maintaining the City's energy efficiency incentives.

Beaconsfield

Criteria	Purpose	Justification
Schedule 2, A4	Additional uses of Office and Medical Centre able to be considered at 188 Hampton Road.	The lot is proposed to change from Mixed Use to Residential R30. A structure plan is unnecessary for the site given that is owned entirely by the Department of Education for use as an office and is on the State Heritage List. The change to coding and additional uses allows the building to continue to operate with the existing use while being adaptable in the future to be consistent with the surroundings.
Schedule 2, A6	Additional uses of Restaurant/café and Community purpose able to be considered at No. 31 Observation Drive (on the former TAFE site opposite Fremantle College).	Additional uses included to match the approved structure plan for the lot.

Additional information 3 identifies specifically where the draft of the scheme map for LPS5, which sets out land coding and density, differs from current LPS4. The final version of the map is included as Attachment 2. The major changes can be summarised as follows:

- Density along South Street between Wiluna Avenue and Hines Road, and along the Carrington Street "spine" to be upcoded to R60, R80 or R160. The lots fronting South Street and Carrington Street will have access restrictions requiring coordination between landowners so that any development that increases the number of vehicle trips per day must remove direct vehicle access from South Street and Carrington Street. The lots behind those fronting the two streets will also have these restrictions. Closing direct vehicle access may be done either through amalgamation or a legal agreement with an adjoining landowner providing access. The existing small size of the lots means that development to the full extent is unlikely unless lots are amalgamated anyway.



The City's Local Planning Strategy maintains a long-term goal of implementing mid-tier transport down this corridor, so removing vehicle access will assist with the feasibility of future infrastructure improvements. The transport nodes are intended to be located within the Neighbourhood Centres, which have also been increased in density.

- Structure plans of the TAFE site rationalised into the scheme to match the approved structure plan coding and zoning.
- Properties within the Mixed Use zone around Strang Court and along Hampton Road changed to a density of R100, R160 or R-AC3. This reflects the existing scheme density when the incentives are applied. The incentives relate to vehicle access, which are proposed to become a requirement rather than an incentive.
- Minimum density throughout changed to R30 except for the split density coding of R20/R25, which changes to R20/R30. A review of the area history reveals that an estimated 10% of all subdivided lots have been done through the higher density code utilising the energy efficiency pathway requiring new dwellings to achieve a star rating one star greater than the current building code requirements. Given the existing small lot sizes and the existing minimum density of R25, the change to the minimums is unlikely to result in substantially increased subdivision potential but will provide some opportunity for additional housing in the suburb. The City's local planning strategy seeks density increases in key redevelopment areas and seeks to still maintain housing diversity. Maintaining some lower density areas is important to achieving these objectives.

O'Connor

Criteria	Purpose	Justification
Table 3: Zoning Table	Land use permissibility has been tightened up to focus the O'Connor industrial area on uses that align more closely with industry. This means changing things currently able to be considered, like Recreation – Private and Restaurant/Café, to 'X' uses, meaning they will no longer be permitted.	To maintain O'Connor as a viable industrial centre that meets the manufacturing, warehousing, logistics, production and delivery needs of businesses across the City. Over time, non-industrial uses have increasingly established in the area, creating parking, safety and other amenity impacts. When located near heavy industry, these uses can also create land-use conflicts that may constrain essential industrial operations. Under the current land use framework, there is potential for non-industrial uses to gradually push



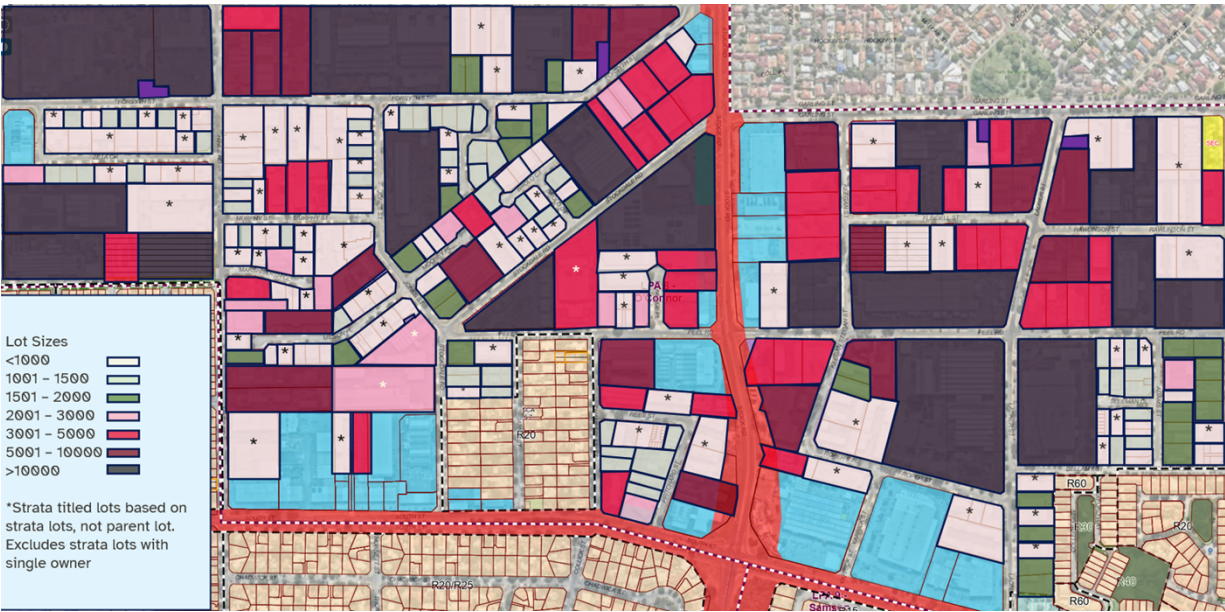
		out the industry uses, which causes flow-on effects to undermine businesses throughout the area that depend on O'Connor for their manufacturing, warehousing and logistics. Changes are consistent with the Central sub-regional Planning Framework of the Perth and Peel @ 3.5 Million Strategy, as well as the City's Local Planning Strategy. Further justification is included in 'Subdivision' below.
Schedule 6, NA3	Limits subdivisions in O'Connor as follows: a) for lots greater than 10,000 square metres, no subdivision resulting in a lot less than 10,000 square metres will be supported by the local government; b) For lots from 4,001 to 10,000 square metres, no subdivision resulting in a lot less than 4,000 square metres will be supported by the local government; c) For lots between 3,000 square metres and 4,000 square metres, no subdivision will be supported by the local government.	To maintain the viability of the O'Connor area as an industrial centre serving the manufacturing, warehousing, logistics, production and delivery needs of businesses throughout the City. See further discussion below.
Schedule 8, SCA4	Special Control Area to replace the O'Connor buffer zone.	The existing buffer zone is replaced with a contemporary scheme instrument known as a Special Control Area (SCA). The SCA covers lots or portions of lots abutting or directly across from residential zones and is intended to ensure the amenity of residential zones and prevent encroachment of industrial uses that would detrimentally impact residential lots. Areas within the SCA are assessed against the objectives and land use



		permissibility of the Light Industry zone.
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- Subdivision

The limitation on subdivisions is proposed in order to protect the integrity of the O'Connor industrial area as an area that is critical to supporting Fremantle businesses, particularly in regards to logistics, manufacturing and transport. The City has observed a trend of gradual erosion of large lots into smaller parcels of land, including strata lots, of around 1,000 square metres or less. Once subdivided and sold to separate owners, these parcels of land are rarely amalgamated again. The long term risk is that all large parcels of land capable of providing manufacturing, warehousing, logistics, production and delivery services to local businesses are gradually eroded. The map below shows the current lot sizes in the area based on the City's records.



Such a limitation on subdivision is consistent with the Central sub-regional Planning Framework of the Perth and Peel @ 3.5 Million Strategy, as well as the City's Local Planning Strategy to maintain O'Connor as an industrial area with sufficient land for a variety of industrial activities, and avoid encroachment of residential and retail uses.

The limitation on subdivision and the range of intended lot sizes is derived from a variety of sources:

- Perth NRM is a natural resources management (NRM) organisation which is the approved supplier for federal NRM services in the Perth region. In 2010,



they released a set of Guidelines for Industrial Development which advised on objectives for design of industrial estates, some of which may be appropriately applied to O'Connor. Specifically, they recommend industrial estates "Ensure a variety of lot sizes to maximise the efficient use of the land and encourage diversity of uses (which may provide an opportunity for synergies and partnerships)".

- In 2021, Development WA released a 10-year Industrial Land Strategy, with an Introduction and Background that includes sections that are worth quoting at length, as they provide an overview of lot size need and function:

"Following consultation with industry bodies and private sector land owners, most land demand was from two distinct areas: 1. International and national firms seeking large warehouses (more than 4000 m²) and land areas (above 2-3 ha). 2. Small scale local businesses seeking warehouse space less than 1000 m².

.....

Historical trends have shown a strong demand for land parcels of 4000 sqm or less which account for 78 per cent of total industrial sales over this same period. However, a recent survey of key industry stakeholders have shown that with the increase of transport and logistic oriented industry activities, lot sizes of 4000 sqm and more, will continue to be in greatest demand.

.....

Increasingly there has been a move away from manufacturing operations towards transportation logistics and storage, warehousing and distribution centres. This emerging trend has resulted in an increased demand for larger lot sizes and the development of estates that can respond to and capably accommodate these larger scale uses. Access to large scale onsite hardstand space and co-located office premises will also increase the land requirements of industrial land users.

.....

The provision of a range of lot sizes to allow land uses to move up or down in an estate is viewed as highly desirable by the end users, as is the ability to amalgamate smaller lots to larger landholdings.

.....



Many shortages of industrial land that generate the most publicity are those involving large firms. While these are small in number, very substantial parcels of land with highly specific requirements are involved. The challenge facing WA is to strike a balance between having a ready supply of smaller lots for the majority of small-to-medium sized firms, and keeping sufficient large lots for the major players."

Some of the supply challenges and issues identified in the strategy included:

- *Highly fragmented ownership of existing estates making the amalgamation of sites difficult;*
- *Industrial land being eroded by higher end uses (i.e. commercial office and residential);*
- *Land use conflicts as residential areas impact on industrial activities, resulting in the relocation or cessation of industries.*
- *Industrial estates not catering to all industry sectors, with larger lots usually not planned into the estates and inadequate protection of larger lots from being subdivided into smaller lots.*

The strategy identified a trend of subdivision resulting in small lots to maximise returns. However, this has resulted in "a tendency to encourage development of nonindustrial uses due to higher land values". This is reflected in O'Connor, where ongoing trends have seen large lots subdivided into small parcels and used for private recreation uses and small warehouses used primarily for personal storage.

- The draft 2009 Industrial Land Strategy for the Perth and Peel Region identified historical trends reflected in O'Connor:
 - *"Historical trends in the past 15 years have shown a strong demand for lots of 5000 m² or less, which account for 78 per cent of total industrial sales over this same period. However, recent surveys of key industry stakeholders have shown that consistent with the trend towards more transport and logistics oriented industry activity, the lot sizes in greatest demand are between 2000 m² and 5000 m², and 1 ha and above. With the erosion of industrial land for higher end uses, such as retail and commercial, larger lots are scarce as they have been subdivided into smaller size lots to make them more affordable. This has been the case particularly in the past decade."*
- A few private companies have also publicly released market research with conclusions as follows:
 - *"1,500–3,000m² lots often appeal to local service providers, while 5,000–10,000m² suits logistics and manufacturing"*
(<https://commercialpropertymarketing.com.au/subdividing-commercial-and-industrial-land-lots/>, May 2025)



- *"There continues to be a shortage of industrial accommodation (both for lease and sale) within the core and secondary markets, particularly for properties with lot sizes in excess of 4,000sqm. Transport, Logistics and Manufacturing facilities are still keenly sought."* ([Perth Commercial & Industrial Property Market Review - March 2025 — Industrial Commercial Partners](#) , March 2025)
- *"Perth continues to stand apart from the rest of the country. Recent analysis shows Perth's industrial market has the lowest vacancy among capital cities, with metro rates around 2% and some northern precincts near 1%, leaving very little space available...Demand is anchored by logistics, resource-related services, and local manufacturing, which tend to remain stable through market cycles."* (<https://builtink.com/perth-industrial-property-market-outlook-2026/>, 2026)

For the reasons set out above, it is necessary to limit industrial subdivision in order to preserve a range of lot sizes, including those over 10,000 square metres, and those between 4,000 and 10,000 square metres. This will help ensure that O'Connor remains a strong industrial base with a range of lot sizes capable of accommodating a range of facilities.

Additional information 3 identifies specifically where the draft of the scheme map for LPS5, which sets out land coding and density, differs from current LPS4. The final version of the map is included as Attachment 2. The major changes can be summarised as follows:

- New Light Industry zone introduced to lots abutting Residential zoned land.
- Lots within the Neighbourhood Centre zone east of Ladner Street have been recoded from R80 to R-AC3 to encourage more substantial built form and development of a true neighbourhood centre. This change also aligns with creating density nodes along South Street to support the long-term vision of a mid-tier transport corridor within the Local Planning Strategy.
- Lots at the Stock Road and Garling Street intersection currently taken up by Showrooms have been recoded from General Industry to Service Commercial to reflect their existing use.
- Minimum density throughout changed to R30. Given the existing small lot sizes and the existing minimum density of R25, this change is unlikely to result in substantially increased subdivision potential.

The City wants to keep the five existing types of industrial use (i.e.: Industry, Industry – cottage, Industry – licenced, Industry – light and Industry – service) instead of reducing them to the State's two standard categories (Industry and Industry – Light). This gives the City more precise control over which activities



are allowed in O'Connor. The additional terms allow for better consideration of compatibility of new land uses with existing land uses and with nearby residential and commercial areas.

Hilton

Criteria	Purpose	Justification
Schedule 1, AR1	To allow consideration of Residential aged care facility, Independent living complex, and Hospital to be considered within the Foley Village Reserve subject to conditions.	To allow the existing uses to continue and put a general assessment framework in place with which to assess future development applications. Any hospital use is limited to care only for residents onsite.

Additional information 3 identifies specifically where the draft of the scheme map for LPS5, which sets out land coding and density, differs from current LPS4. The final version of the map is included as Attachment 2. The major changes can be summarised as follows:

- Density along the Carrington Street "spine" and outside of the Hilton Heritage Area to be upcoded to R60. The lots fronting South Street and Carrington Street will have access restrictions requiring coordination between landowners so that any development that increases the number of vehicle trips per day must remove direct vehicle access from South Street and Carrington Street. The lots behind those fronting the two streets will also have these restrictions. Closing direct vehicle access may be done either through amalgamation or a legal agreement with an adjoining landowner providing access. The existing small size of the lots means that development to the full extent is unlikely unless lots are amalgamated anyway. The City's Local Planning Strategy maintains a long-term goal of implementing mid-tier transport down this corridor, so removing vehicle access will assist with the feasibility of future infrastructure improvements. The transport nodes are intended to be located within the Neighbourhood Centres, which have also been increased in density.
- Density within the Neighbourhood Centre at the intersection of Carrington and South Street changed to R-AC3 on the north and R100 on the south to reflect the intended importance of the centre. The lower density on the south is to mitigate potential overshadowing to adjoining residential lots further to the south.
- Density code of R80 added to the Foley Village Reserve at the corner of Winterfold Road and Stock Road. The density code roughly matches the site area of the existing lots.



- Density code of R30 added to Frederick Wright Memorial Homes Site adjacent to Hilton Primary School. The proposed density and assessment as 'Aged and dependent persons dwellings' under the R-Codes generally reflects the existing lot sizes and use.

The split density code of R20/R25 is proposed to remain. A review of the area history reveals that an estimated 21% of all subdivided lots have been done through the higher density code utilising the energy efficiency pathway requiring new dwellings to achieve a star rating one star greater than the current building code requirements. The remaining R20 area is also proposed to remain as is.

These lower density areas are part of the Hilton Garden Suburb Heritage Area. The cultural significance stems from the form and style of housing, as well as the setting in a tree-filled suburb. Increasing density erodes the significance of the garden suburb by creating smaller lots which are filled with houses and necessitate a removal or thinning of the tree canopy. Erosion of tree canopy also increases the heat island effect with the impact of each individual tree removal collectively affecting the entire suburb. This is already occurring at the existing density and increasing the density will only exacerbate the issue.

Samson

No specific additional criteria is proposed specifically for Samson. Please refer to the general changes affecting all suburbs.

Additional information 3 identifies specifically where the draft of the scheme map for LPS5, which sets out land coding and density, differs from current LPS4. The final version of the map is included as Attachment 2. The major changes can be summarised as follows:

- Density for majority of Samson increased from R15 to R30 in line with announcement from Minister for Planning setting the expectation that the minimum density in new schemes is R30. Unlike in Hilton, there is very little mature tree canopy in Samson to retain. The lots are large, with houses tending to be located in the centre of each lot.
- Density along South Street increased to R60, as it is along the desired future mid-tier transport corridor.
- Density along Winterfold Road and around the college increased to R40 in recognition of the availability of transport and amenity of the area.



City Centre Structure Plan

Draft LPS5 proposes that the City Centre be expanded and coded as R-AC0, meaning that a precinct structure plan needs to be put in place for the area. This is consistent with the planning actions for the area set out in the City's Local Planning Strategy.

State Planning Policy 4.2: Activity Centres (SPP 4.2) identifies the City of Fremantle as a Strategic Centre and defines such centres as:

Strategic centres are the main regional and sub-regional activity centres. They are multi-purpose centres that provide a diversity of uses and are the main focus for housing and employment growth outside the Capital City. These centres provide the full range of economic and community services necessary for the communities in their catchments and wider region. These centres are expected to service substantial populations, providing health, community and social services, be well-served by public transport and provide opportunities for business agglomeration.

SPP 4.2 states that a precinct structure plan is to be prepared for Strategic Centres to guide development and land use. The structure plan can provide more granular detail than the scheme and map. The structure plan is intended to broadly match the height and density within Schedule 10 while providing further detail and development controls.

Precinct structure plans require a range of background documents and research to inform their actions. It is anticipated that the process of researching, drafting and endorsing a precinct structure plan may take 2 years, and so may not line up with gazettal of the City's LPS5. Because of this, and to guide development in the event that the precinct structure plan lapses, Schedule 10 has been introduced into the scheme to provide interim built form and land use guidance while noting that a structure plan would supersede this schedule.

Schedule 10 includes the following provisions:

- Maps height and density within the City Centre, with greater heights anticipated to be along Queen Victoria Street north of Parry Street, and a node created at the James Street and Queen Victoria intersection. These lots are large and have fewer heritage restrictions, thereby making them capable of more intense development. Individual strategic sites have also been identified closer to Walyalup Kourt. Sites with potential for greater development align with City Plan: City Centre objectives and their heights are subject to demonstrating minimal impact on any heritage significance. The goal is to achieve the City's



density targets and increase residential capacity within the City Centre without impacting the heritage significance of the West End.

- Reinforces the importance of heritage and makes clear that the maximum heights may not be acceptable where they would impact heritage significance of onsite or adjoining heritage places.
- Introduces a height buffer around the West End Heritage Area to require upper floors to be set back where they are opposite the area.
- Makes Single houses and Grouped dwellings as 'X' uses except in specified lots and existing heritage-protected places to prevent underdevelopment of sites within the centre.
- Protects the shopping and entertainment corridor by preventing ground floor residential units directly facing High Street and Market Street.
- Requires awnings or other forms of continuous weather protection along specified streets consistent with existing LPS4 requirements.
- Identifies various setbacks for upper floors to either preserve the open feel from the street or to reflect the historic sense of bulk, depending on location.
- Requires large towers on Queen Victoria Street sites to be set back closer to Beach Street and the harbour, while preferring multiple slender towers over a single bulky tower.
- Requires 3.3m of land along Queen Victoria Street to be ceded for road widening in order to make this section of Queen Victoria Street a more attractive entrance boulevard and upgrade the footpaths to a contemporary standard while providing for a sense of appropriate scale at pedestrian level given the anticipated height of new buildings.

Criteria Removed from the Scheme

Clause	Text	Justification
4.2.4	Except in the Residential Development zone, where there is no Residential Design Code density applicable to land within the Scheme area, the RAC3 provisions of the Residential Design Codes shall be applied as relevant.	Quarry Road, Hollis Park and Clontarf Hill are the only remaining development areas without a structure plan setting out density. All other land has been coded. In the event that a lot is uncoded, there is still ability to approve development. Deleting this clause will allow the context and setting of a site to guide appropriate form and density, rather than setting a blanket coding for all non-coded areas.
4.2.5	Notwithstanding the requirements of clause 4.2.3 residential density in the Local Centre,	The intent of this clause was to facilitate non-residential development in the 3 identified zones. The City has carried out a



	Neighbourhood Centre and Mixed Use zones may be increased up to R60, where residential development is part of a mixed use development, where, in the opinion of Council the proposal is not detrimental to the amenity of the area.	review of Mixed Use areas and determined the need for the draft LPS5 map to reduce their number, particularly in North Fremantle. These condensed Mixed Use areas do not need these incentives, as the land use and density has been set at an appropriate level for the areas. Mixed Use areas in South Fremantle along South Terrace and Marine Terrace have been increased to at least an R60 density, and all Neighbourhood Centres are proposed to be upcoded beyond R60, mitigating the need for this bonus in these areas.
4.3.3	Provisions relating to Areas subject to Local Area Policies	The deemed provisions allow local governments to create local planning policies. This clause is no longer needed.
4.4.5	Multiple dwelling diversity	Clause removed as it is now in the R-Codes and proposed to be further modified in the new scheme to lower the threshold that triggers dwelling diversity requirements.
4.7.1 – 4.7.6 4.15	Vehicle parking ratios, bicycle facilities, cash payments, joint facilities, end of trip facilities, etc.	All car parking, bicycle and end of trip facilities provisions are removed from the scheme consistent with the Model Scheme Text. The requirements will be reviewed and updated for placement in a local planning policy.
4.8	Variations to height and other development requirements. The height variations can only be “triggered” by having a nearby building that already exceeds the heights set out within the schedules of LPS4.	The model scheme text allows variations to the criteria within Schedule 6, which is where most of the built form criteria will sit within LPS5. Clause 34 of LPS5 sets out that variations to Schedule 6 are to be advertised to adjoining properties and assessed against the deemed provisions. Variations should only be approved where the local government considers them appropriate and they will not have a significant adverse effect on occupiers or users, the inhabitants of the locality, or future development. Unlike LPS4, there is no requirement that existing buildings exceed the



		scheme height, nor that the proposed height graduates the height of other development within the area, nor the limitation on minor projection height or percentage of roof coverage area. The City also proposes to add heritage significance as a consideration for any variations. (See the Heritage section above)
4.10	Extinguishes restrictive covenants where they restrict density to a lower density than that shown on the new map, and extinguishes restrictive covenants on former industrial land.	Part of this provision is now included in the Deemed provisions of the Regulations and therefore applies to all planning schemes. The other part relates to industrial covenants. The LPS4 clause extinguished them upon gazettal of LPS4 and this provision no longer needs to be carried over.
4.12	Controls on Licensed Premises	Licensed Premises are covered under the Liquor Control Act 1988 and are now controlled by the Department of Local Government, Industry Regulation and Safety.
4.12	Telecommunications infrastructure must demonstrate it is not detrimental to the character of an area.	This provision is in an existing local planning policy, which guides discretion.
5.3	Development contribution areas	Incorporated into the standard Model Scheme Text with reference to the State Planning Policy.
Sch 7 Sub Area 1.3.2 City Centre (a)(iii)	A minimum of 15% of the net lettable area within all new development on sites with a development site area greater than 3000sqm shall be provided for Office use.	Since this amendment was gazetted, and partly as a result of COVID changes, demand for A grade office space has significantly decreased. The new structure plan for the City Centre will carry out a review to determine whether a requirement for this office space is still necessary, and whether there is sufficient demand.
Sch 7 Sub Area 1.3.2 City Centre (f)	Incentive-based criteria around: design excellence, sustainability, general mid-block connections, affordable housing, nil car	All incentive-based heights have been removed in favour of setting specified heights in Schedule 10, and building form requirements.



	bays for a percentage of the development.	Design excellence is now encoded into the scheme as a Matter to be considered under the Regulations. Sustainability for residential development is governed by the R-Codes. Variations to the R-Codes sustainability criteria are better placed in a local planning policy to provide more discretion. Further research is also needed as to the most effective sustainability criteria to impose. Mid-block connections around Paddy Troy Mall are being encoded into the scheme as requirements to maintain existing access. Affordable housing has not been delivered recently in private developments without government assistance. Such an approach needs to be led by the state government. Other City departments are investigating provision of alternate social/affordable housing options, such as partnering with private or social organisations. The City's new local planning policy on parking will contemplate nil car parking developments in the City Centre.
Sch 7 Sub Area 1.3.2 (g) City Centre	Requires all ground floor levels to be no greater than 600mm above the footpath level, and the first floor level to be at least 4.5m above the footpath level.	This criteria will be considered as part of a local planning policy, as it is an issue that may require more discretion depending on the circumstances of any particular site.
Sch. 7 2.3.1.1	Prohibits residential uses at ground floor in various places around Queen Victoria Street between Parry Street and Burt Street.	Non-residential uses require a critical mass of residents and visitors in order to be financially viable. The complex at 51 Queen Victoria Street is a case in point, as the ground floor non-residential units facing Queen Victoria Street have been vacant for years. Criteria around



		non-residential development will be considered in a structure plan for the area, with the likely result to be a loosening of the strict controls in favour of the potential for adaptable reuse, at least until such time as more residential developments are constructed in the area.
Sch. 7 2.3.1.1 (d)	Requires all ground floor levels to be no greater than 600mm above the footpath level, and the first floor level to be at least 4.5m above the footpath level.	This criteria will be considered as part of a local planning policy, as it is an issue that may require more discretion depending on the circumstances of any particular site.
Sch. 7 2.3.2 Queens Square	Street setbacks, boundary walls, vehicle parking location, ground level activation	All criteria revert to the R-Codes, with further study to occur during the structure plan process.
Sch. 7 2.3.3 James Street	4m street setback	Setback reverts to the R-Codes. Only affects 3 lots on James Street, which are heritage listed.
Sch. 7 2.3.5 Burt Street	Specified heights, street setbacks, car parking, vehicle access, landscaping and site considerations	Simplification and standardisation, as built form controls are mostly moved into local planning policies. Half of the site has already been approved for construction. The remainder of the site is to be assessed against the R-Codes and the City's Local Planning Policy for the site.
LPA3 – North Fremantle	Building heights	Simplification and standardisation. Building heights will revert to the R-Codes and the Local Planning Policy. Heritage protections will also prevent major streetscape impacts, as higher additions will be required to be set back behind the heritage place.
LPA4 South Fremantle 4.1, 4.2, 4.3.1-4.3.4	Building heights	Simplification and standardisation. Building heights will revert to the R-Codes.
LPA4 South Fremantle 4.3.5	Development around Strang Court area setting out access arrangements, height, footpath design and open space.	Area 4 incentives are no longer relevant, as construction of Grouped dwellings has been approved and is in progress. Density incentives removed, with vehicle access incentives turned into requirements,



		and incentive height provided as base density on the map. Additional land use specifications for Fast Food, Convenience Stores and Consulting Rooms removed. Street setbacks reverting to the R-Codes to provide more adaptability.
LPA4 South Fremantle 4.3.6 Hampton Road & South Street	Lot boundary setbacks. Ground floor levels no more than 600mm above a footpath.	Simplification. Road widening criteria are now requirements. Overshadowing protections to lots outside the area are embedded in cl. 25 of the new scheme to apply to the whole City as the issue of calculating overshadowing to grouped dwellings is not unique to this location.
LPA5 Beaconsfield 5.1-5.3	Building heights. Sub area specifying minimum lot size for height, frontage, vehicle access, boundary walls, open space	Simplification. Important controls, such as vehicle access, are retained as requirements. Incentive height and density is coded as base density on the scheme map. All other controls are assessed under the R-Codes.
LPA6 White Gum Valley 6.1-6.3.1	Building heights. Sub area specifying minimum lot size for height, frontage, vehicle access, boundary walls, open space	Simplification. Important controls, such as vehicle access, are retained as requirements. Incentive height and density is coded as base density on the scheme map. All other controls are assessed under the R-Codes.
LPA6 White Gum Valley 6.3.2	Housing diversity. Building controls	Area is covered by a Local Development Plan guiding built form, and the development is fully constructed.
LPA7 Hilton 7.1-7.2	Building heights	Simplification. Heights revert to the R-Codes.
LPA7 Hilton 7.3.1 Carrington & South Street	Incentives for height and density, street setbacks, landscaping, land use controls for a large shop	Simplification. Vehicle access incentives are to become requirements. Land use controls for a 'Shop' were intended for the site which has now fully redeveloped as a Coles and are therefore no longer necessary. Contemporary R-Codes now provide identical landscaping requirements.
LPA7 Hilton 7.3.2	Increased density for corner lots	Simplification and to reduce conflicts with nearby industrial zone due to increased density.



Hines Road & South Street		
LPA8 O'Connor	Building heights	Simplification. Height controls to move into local planning policy.
LPA9 Samson	Building heights	Simplification. Height reverts to the R-Codes.
Sch 9	Development Area Plans for South Beach Village and Leighton Beach	Simplification and rationalisation. Both areas have been predominantly developed, with any remaining controls inserted into a Local Planning Policy. Base density codes are proposed on the draft map to match the surrounding built form, and land use controls incorporated into the Restricted Use table of LPS5. All other controls governed by the R-Codes based on the scheme map density.
Sch 9	Development Plan 20 - Sealanes	Simplification. LPS4 controls for this area are outdated. Lots are proposed to be zoned on the scheme map, with controls governed by the R-Codes.
Schedule A	Archaeological Investigation, Temporary Approvals, Reference Committees, Site Notification	These controls now exist within the Regulations and are no longer needed in the scheme. The Design Advisory Committee requirements are deleted and revert to the State Planning Policy 7.0 in line with contemporary practice. The planning policy will be updated accordingly.

Local Planning Policies

The current suite of local planning policies has had substantial review in 2026 to ensure their validity, alignment and relevance to planning assessment. Many of these do not rely on existing scheme provisions and will remain valid throughout the process and into the new scheme. Similarly, existing structure plans and local development plans will remain in place into the new scheme, with the exception of some structure plan areas that are proposed to be rationalised into standard density and coding.

The existing suite of planning policies will remain valid through any new scheme, and have been recently updated so as to be current without reference to specific clauses in LPS4. This will ensure easy continuity for LPS5.



However, the new scheme, as drafted and noting that changes could be imposed prior to receiving permission to advertise, will require some new local planning policies to guide assessment. Given that the process of receiving permission to advertise is likely to take at least a year and probably longer, Officers have identified a potential list of local planning policies that will need to be drafted during that time with the intent to advertise them concurrently with the new scheme. These policies include:

- Vehicle Parking (Non-Residential)

Vehicle parking requirements are being removed from the scheme in keeping with contemporary practice. A new parking policy will include updated parking ratios for non-residential development, and may include requirement for car charging infrastructure to facilitate electric vehicles.

- Special Control Area 5 (SCA5) Controls

SCA5 covers land near the Swan River that may be subject to flooding. The City has recently successfully applied for a grant to carry out a CHRMAP study, and the results will inform the policy requirements applicable to development in order to mitigate flood risk. This could include requiring minimum floor area heights above natural ground level, a prohibition on some land uses, changes to the SCA5 scheme boundaries, etc. Land use and boundary changes would require a concurrent scheme amendment.

- Development Controls for Commercial, Light Industry and Industry Zones

A new policy will be formulated to guide basic building footprints, height, landscaping and other design elements for developments in these three zones.

- Neighbourhood Centre Policy

A policy applying to Neighbourhood Centres that will cover things such as ground floor activation, active street fronts, ground floor adaptable re-use, maximum, etc. Some of these requirements are criteria which have been removed from the current scheme but which will be reassessed to see if they are necessary to maintain in a policy setting.

- Neighbourhood character policies

Certain neighbourhoods and centres, such as the area of South Terrace near Douro Road or Hampton Road in South Fremantle, should be better defined in relation to future desired character to guide assessment of land use. Also, the suburb of Samson is proposed to be increased in density, which may impact the character of the area. Officers will investigate whether such policies would assist in identifying and preserving character and, if so, where they may be required.



- Various height limits

A few areas throughout the City Centre were limited to a single storey plus loft in the scheme for heritage and streetscape purposes. This requirement has been removed as per the Department's guidance on standardisation and will be replaced with a local planning policy that results in the same criteria. Officers will consider permitting taller development to the rear of these sites where it is not visible from the street. The existing heritage fabric on the majority of affected sites will mean that very few developments would be proposed (or supported) close to the street in any event.

Another policy may be needed to control heights and setbacks where a medium or high density lot abuts a low density lot.

- Amendments to the Local Planning Policy: Residential

Currently, the City's Residential Streetscapes policy applies to all residential development, and includes large setbacks for medium density lots under Volume 1 of the R-Codes. Historically, the number of medium density lots within the City affected by this policy has been negligible. However, the new scheme is likely to introduce a significant density increase in certain parts of the City that may necessitate a new policy guiding streetscape presentation in order to transition between densities and reflect the character of existing neighbourhoods.

- Amendments to Port Buffer Policy

Due to the new Special Control Areas to be introduced to replace the Fremantle Port Buffer Area, the Port Buffer Policy will need to be amended to reflect its new status, with exemptions from the need to obtain development approval added to the City's exemption policy as appropriate.

- Noise in the City Centre Policy

This policy is currently under development and is necessitated by the need to balance maintaining a vibrant nightlife within the City Centre versus maintaining amenity for residential uses. The draft policy will be informed by a measurement of existing noise levels and will replace DBU6 – Late Night Entertainment Venues Serving Alcohol, and LPP 2.18 – New Residential Developments in the City Centre Zone – Noise from and Existing Source.

Discussions with the City of Perth have revealed some flaws with the implementation of their Special Entertainment Precinct for Northbridge, which City Officers were considering as a possible approach to the City Centre. There are also significant differences around land use distribution between Northbridge and the Fremantle City Centre which may mean that their approach will not be directly transferrable to the City of Fremantle. Further research is needed before this could be implemented into the planning scheme.



The above policies are intended to be developed while awaiting endorsement from the Minister for Planning to advertise the draft scheme.

STATE PLANNING REFORMS

Recently, the Minister for Planning announced upcoming changes to the Residential Design Codes (R-Codes). These changes have not been publicly released and City Officers do not know what they will entail. LPS5 relies on the lot size and built form criteria of the R-Codes, including height, plot ratio, setbacks, etc. Significant changes to the R-Codes may require modifications to the scheme text and/or map so that the intended building form outcomes are not altered.

However, one change that has been publicly flagged and reinforced by officers from the Department of Planning is to set a minimum density of R30 in every urban local government area. This has been incorporated into the draft LPS5 scheme map except for the 3 lots of residential land abutting Cantonment Hill. These lots contain low level housing that are on the State Register of Historic Places, and any potential density increases are likely to impact on the curtilage of the heritage places.

Further, the experience of other local governments and DPLH Officers is that split density codes will not be supported, and that the higher of the two codes should be used to establish density. The City will try to make an argument for split density in the Hilton Heritage Area and Beaconsfield.

The DPLH has also issued a report on consistent planning schemes across local governments. The new scheme has been drafted in light of the items raised in the report, in anticipation that the DPLH report will be endorsed by the Minister.

CONCLUSION

The new scheme will streamline the planning framework, enable increased density in appropriate locations, maintain the City's strong heritage protections, reinforce the industrial zone's role in supporting logistics and manufacturing, and provide a foundation for further planning of the City Centre. By aligning the planning framework with contemporary standards and making it clearer and easier to navigate, the scheme will better support appropriate development.

The scheme can be amended over time, and it is not intended that this first draft be comprehensive. The primary intent is to bring it into alignment with contemporary practice and legislation while updating and modernising requirements but without adding significant new changes. The biggest change is to the City Centre, where interim controls are proposed pending the



implementation of a Precinct Structure Plan for the area. Density changes are proposed to Neighbourhood Centre zones and along transport corridors, as set out in the City's Local Planning Strategy.

The majority of the changes stem from a review of the current scheme to place it into the model scheme text format, and a determination as to whether existing scheme criteria are still valid and should be retained, need to be amended, or can be removed from the scheme without detrimental impact to their ultimate purpose.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Council

OFFICER'S RECOMMENDATION

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Council:

- 1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*.**
- 2. Refer the City of Fremantle Local Planning Scheme No. 5 text and map to the Environmental Protection Authority for review under Section 81 of the *Planning and Development Act 2005*.**
- 3. Authorises the Chief Executive Officer to update the draft Local Planning Scheme No. 5 text and map to accord with required modifications by the Western Australian Planning Commission or Minister for Planning for the purposes of public advertising.**
- 4. Instructs the Chief Executive Officer to undertake public advertising and invite submissions on the draft Scheme text and map for a period not less than 90 days, following approval from the Minister for Planning to advertise the draft Local Planning Scheme No. 5, under Regulation 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**



5. Authorises the Mayor and Chief Executive Officer to sign and place the City's seal on any documentation required to enact the above resolutions.

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

AMENDMENT 1

Moved: Cr Jemima Williamson-Wong Seconded: Cr Melanie Clark

Add an additional part 6 to the Officer's Recommendation, to read as follows:

- 6. *Request additional information related to whether local governments can request land be ceded free of charge as part of future developments and whether this will trigger requirements for compensation to be paid to the affected landowner.***

Amendment Carried: 5/0

For:

**Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark**

Against:

Nil

Reason for amendment:

While obtaining the identified portions of land is supported, the potential risk of such a requirement should be understood before a scheme is adopted.



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

AMENDMENT 2

Moved: Cr Jemima Williamson-Wong Seconded: Cr Andrew Sullivan

Amend part 1 of the Officer's Recommendation to read as follows:

- 1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendment:**
 - (a) Amend clause 16, table 2 'Zone Objectives' as follows:**
 - i. Local centre: amend the first dot point to read 'to provide for a range of small to medium scale retail, hospitality and service uses';**
 - ii. Neighbourhood centre: replace the words 'without car dependency' to 'for pedestrians and cyclists' (to match the wording of local centre).**

Amendment Carried: 5/0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark

Against:

Nil

Reason for amendment:

To ensure the objectives are cohesive and accurately describe the centres.



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

AMENDMENT 3

Moved: Cr Jemima Williamson-Wong Seconded: Cr Melanie Clark

Amend part 1 of the Officer's Recommendation to read as follows:

- 1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendment:**
 - (a) Amend clause 38 (definition of 'commercial vehicle parking') to read 'means premises used for parking of 1 or more commercial vehicles..'**

Amendment Carried: 5/0

For:

**Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark**

Against:

Nil

Reason for amendment:

It does not appear correct that commercial vehicle parking would be limited to 1 or 2 vehicles.



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 4

Moved: Cr Melanie Clark

Seconded: Cr Andrew Sullivan

Amend part 1 of the Officer's Recommendation to read as follows:

1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendment:
 - (a) Add the following to Schedule 6 and the Scheme Map, with the appropriate ASD#:

No.	Type of development requirement	Description of land	Requirement
<i>ASD#</i>	<i>Specific Sites</i>	• Lot 427 (No. 23) • Strata Plan 4988 (Nos. 19-21) <i>each of Harvest Road, North Fremantle</i>	<i>All storeys above 3 storeys are to be set back an additional 5 metres from the primary and secondary streets.</i>

Amendment Carried: 5/0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark

Against:

Nil

Reason for amendment:

To graduate the heights between the new buildings and the lower density heritage area buildings along the street and reduce incongruity with the existing streetscape.



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

AMENDMENT 5

Moved: Cr Andrew Sullivan Seconded: Cr Jemima Williamson-Wong

Amend part 1 of the Officer's Recommendation to read as follows:

- 1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendment:**
(a) Add all lots fronting Jackson Street, North Fremantle into the Mixed-Use zone.

Amendment Carried: 5/0

For:

**Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark**

Against:

Nil

Reason for amendment:

To allow for transitional land uses that support Jackson Street as a primary pedestrian linkage between the North Fremantle Neighbourhood Centre and the North Fremantle Urban Precinct.



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

AMENDMENT 6

Moved: Cr Andrew Sullivan

Seconded: Cr Pip Slaughter

Amend part 1 of the Officer's Recommendation to read as follows:

- 1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendments:**
 - (a) Replace the R60 density coded area fronting South Street, Hilton and bounded by Hines Road, Noel Street and the ROW with an R160 density coded area, make Single and Grouped Dwellings X uses in this area by adding the relevant lots to Schedule 3 and renumber the scheme text and map appropriately; and vehicle access not permitted from South Street through the implementation of a future policy.**
 - (b) Establish a R100 density coded area across 307, 309, 311, 313, 315, and 317 South Street, Hilton; and 2, 2a Lee Avenue, Hilton; and 45 Hines Road, Hilton, make Single and Grouped Dwellings X uses in this area by adding the relevant properties to Schedule 3 and renumber scheme text and map appropriately; and vehicle access not permitted from South Street, and satisfying R20 criteria in relation to impacts to adjoining properties to the south through the implementation of a future policy.**

Amendment Carried: 5/0

For:

**Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark**

Against:

Nil

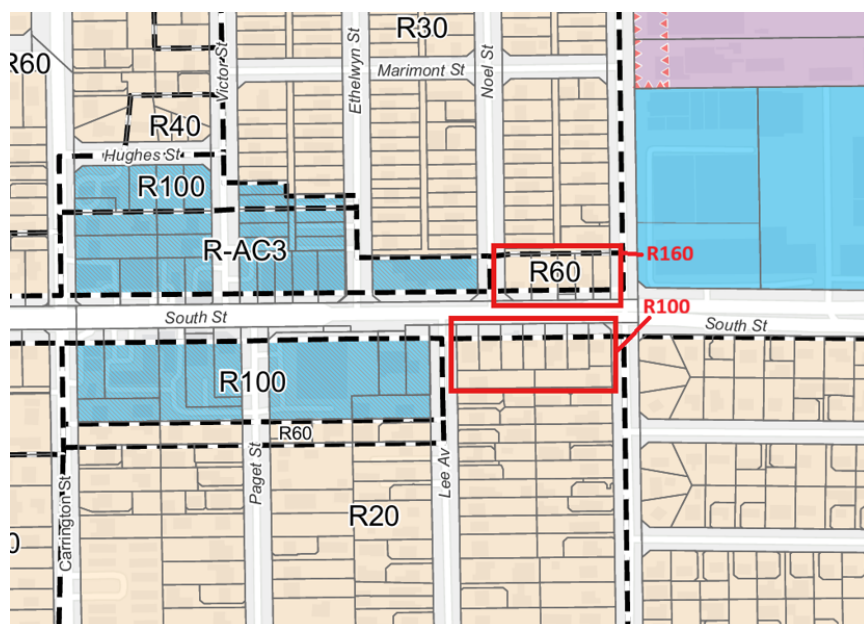
Reason for amendment:

To establish additional higher density residential development adjacent to the Hilton Neighbourhood Centre in locations where the MRS Regional Road reserve blights the existing single residential properties and lower density subdivision. To increase density along the identified transit corridor and to encourage development that supports and compliments the neighbourhood centre. The intent



is that the density coding be increased to provide greater incentive to amalgamate lots for redevelopment. The higher density in the scheme should be accompanied by future policy provisions that precludes access to new development from South Street requiring the inclusion and/or retention of ROW's at the rear.

R#	• Lot 1 (No. 324) • Lot 2 (No. 326) • Lot 178 (No. 328) • Lot 179 (No. 330) • Lot 180 (No. 332) each of South Street, Hilton	The uses are as per Table 3 – Zoning of this scheme relating to the zoning of the land on the scheme map except for: Single house – X Grouped Dwelling – X	Nil
R#	• Lot 4 (No. 307) • Lot 5 (No. 309) • Lot 6 (No. 311) • Lot 7 (No. 313) • Lot 81 (No. 315) • Lot 80 (No. 317) each of South Street, Hilton; and • Lot 3 (No. 2A) • Lot 29 (no. 2) each of Lee Avenue, Hilton; and • Lot 500 (No. 45) Hines Road, Hilton.	The uses are as per Table 3 – Zoning of this scheme relating to the zoning of the land on the scheme map except for: Single house – X Grouped Dwelling – X	Nil





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 7

Moved: Cr Andrew Sullivan

Seconded: Cr Pip Slaughter

Amend part 1 of the Officer's Recommendation to read as follows:

1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, *with the following amendments:*
 - (a) Amend the R30 and R40 coded areas in the street blocks west of Victor Street, Hilton to be included in the R60 coded area.
 - (b) Amend the R60 coded area across 1, 1a and 1b Clarke Street; 150, 152, 154, 156, 158, 162, 164, 166, 168, 168a, 168b, 170, 170a, and 176 Carrington Street; 2 Hughes Street; and 1 and 2 Gallop Street to an R-AC0 coded area to require further planning associated with Carrington Street.
 - (c) Include the areas coded R100 and R-AC3 south of Hughes Street into a R-AC0 coded area to require further planning associated with Carrington Street.
 - (d) Add the lots described in 3, 4 and 5 into Schedule 6 as ASD# and set as a condition that "the owner of land shall be required to, at the time of developing or subdividing the land, cede the portion of land within 12 metres of Carrington Street free of charge to the local government for the purpose of road widening" and that access to the site not be permitted from Carrington Street where access is available from an alternative road reserve or ROW".
 - (e) Renumber the scheme text and map appropriately.

The above amendment was WITHDRAWN by Cr Andrew Sullivan, prior to a vote, to allow for officer's to provide further clarification on matters raised at the meeting, and to revise the amendment prior to Council consideration.



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 8

Moved: Cr Andrew Sullivan

Seconded: Mayor Ben Lawver

Amend part 1 of the Officer's Recommendation to read as follows:

1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendments:
 - (a) Establish a R100 density coded area across 23, 25 and 27 Jarvis Street, O'Connor and 70 and 74 Stockdale Road, O'Connor.
 - (b) Add the following to Schedule 2 and Schedule 6 and renumber the scheme text and map appropriately:

No.	Description of land	Additional use	Conditions
A#	Lot 3 (No. 74) Stockdale Road; Lot 2 (No. 370) South Street; and ; Lot 31 (No. 29) Jarvis Street each of O'Connor.	Multiple Dwelling – A	i. A minimum site area of 2,000m ² . ii. Development to be assessed or approved under the Additional site and development requirements of ASD# of this scheme.
ASD#	Specific Sites	Lot 3 (No. 74) Stockdale Road; Lot 2 (No. 370) South Street; and ; Lot 31 (No. 29) Jarvis Street each of O'Connor.	Development of Multiple Dwelling to be assessed an approved as if it was coded R100 on the scheme map.

The above amendment was **WITHDRAWN** by Cr Andrew Sullivan, prior to a vote, to allow officers to provide further clarification on matters raised at the meeting, including changing these sites from "service commercial" to "mixed-use", and to revise the amendment prior to Council consideration.



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 9

Moved: Cr Andrew Sullivan

Seconded: Cr Jemima Williamson-Wong

Amend part 1 of the Officer's Recommendation to read as follows:

- 1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendment:**
 - (a) Amend Schedule 8, SCA4, 'Additional provisions' to replace the instance of 'SCA2' with 'SCA4'.**

Amendment Carried: 5/0

For:

**Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark**

Against:

Nil

Reason for amendment:

The text 'SCA2' in this context is a typo, as the area is supposed to relate to SCA4, the O'Connor buffer.



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

AMENDMENT 10

Moved: Cr Andrew Sullivan

Seconded: Cr Jemima Williamson-Wong

Amend part 1 of the Officer's Recommendation to read as follows:

1. **Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendments:**
 - (a) ***Remove the following properties from the Mixed Use zone and add them to a Residential zone coded R60: 276, 278, 280, 298, 300, 304, 326, 340, 342, 350, 352, 354, 356, 358, 360, 362, 364, 374, 376 and 378 South Terrace (east side); 193, 241, 243, 245, 259, 261, 263, 265, 267, and 269 South Terrace (west side); and 1 Wardie Street.***
 - (b) ***Remove the following from the Mixed Use zone and add them to the adjoining Residential Zone: strata units at 111 South Terrace, Fremantle; 2 Ada Street; 128a Marine Terrace; and 14-20 Little Lefroy Road.***
 - (c) ***Remove the following from the Residential Zone and add them to the adjoining Mixed Use Zone: 129 South Terrace, Fremantle; 132a Marine Terrace, South Fremantle; and 2, 4, 6, and 8 King William Street, South Fremantle.***

Amendment Carried: 5/0

For:

**Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark**

Against:

Nil

Reason for amendment:

The properties listed in 10 are existing residences and include a large number of heritage listed residences that are not suitable for significant redevelopment. These small individual properties are not considered suitable for development at the higher coding and incorporating non-residential land uses would not be possible without having significant detrimental impact on the locality specifically in relation to the inability to provide additional parking on site in an area already heavily constrained by parking pressures. The proposal, as described at 11 and

12, adjusts sites that either should have or shouldn't have been included as mixed use on the basis of the existing development on site.



Figure 1: Red is Mixed Use to Residential as per point A. Yellow is Mixed Use to Residential as per point B. Orange is Residential to Mixed Use as per point C.



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 11

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Amend part 1 of the Officer's Recommendation to read as follows:

1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendments:
 - (a) Extend the R100 coded area to the Mixed Use zone bounded by South Terrace, Douro Road and Harbour Road.
 - (b) Add No. 1 Douro Road, South Fremantle to the Mixed Use zone, coded R100.

Amendment Carried: 5/0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark

Against:

Nil

Reason for amendment:

The sites form part of the gateway to South Beach and Wilson Park and the developments thereon offer a low utilisation of this well positioned land that is also served by a bus route. The R100 coding would be consistent with the area immediately to the west bounded by South Terrace, Marine Terrace and Douro Road. Adding the very tired and underutilised block of flats at 1 Douro Road to the mixed use zone and providing a R100 coding would encourage redevelopment of that site in a more commercially focused way that could also incorporate the 15 small residential/short stay units.

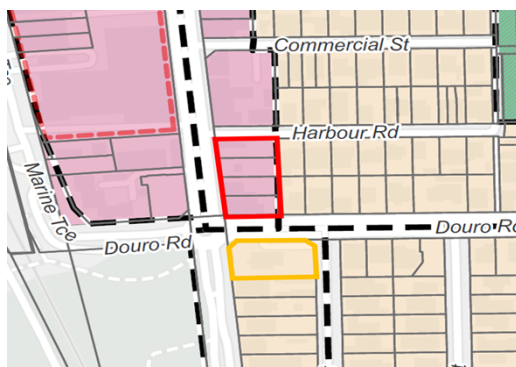


Figure 2: Upcode to R100 outlined in solid red. Upcode and change to Mixed Use in orange.



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 12

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Amend part 1 of the Officer's Recommendation to read as follows:

1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, **with the following amendment:**
 - (a) Amend the 'Requirement' wording for ASD12 to: "A structure plan is to be adopted to guide subdivision and development, having regard to bushfire management, **and** Aboriginal and early colonial heritage, **the protection of ecologically significant vegetation associated with Clontarf Hill, and the establishment of the Nature Links/Green Links required to connect Clontarf Hill and Hollis Park consistent with the Greening Fremantle – Strategy 2020.**"

Amendment Carried: 5/0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark

Against:

Nil

Reason for amendment:

The majority of the land in the area defined is in State control and formed part of the now obsolete Roe Highway – section 9 land requirements. The structure plan for the area should incorporate the long standing strategic goal to establish a 'NatureLink' and/or green links between Clontarf Hill and Hollis Park.



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 13

Moved: Cr Andrew Sullivan

Seconded: Mayor Ben Lawver

Amend part 1 of the Officer's Recommendation to read as follows:

1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendment:
 - (a) Amend the 'Requirement' wording for ASD14 to add a new part (c): *"the establishment of the Nature Links/Green Links required to connect Clontarf Hill to Bruce Lee Oval consistent with the Greening Fremantle – Strategy 2020, and to Salentina Ridge Public Open Space via the PAW at Lot 247 (No. 45a) Longford Road, Beaconsfield."*

Amendment Carried: 5/0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark

Against:

Nil

Reason for amendment:

To emphasise the importance of establishing 'NatureLinks' and/or green links between Clontarf Hill, and Bruce Lee Oval, and Salentina Ridge Public Open Space.



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 14

Moved: Cr Andrew Sullivan

Seconded: Cr Pip Slaughter

Amend part 1 of the Officer's Recommendation to read as follows:

1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendments:
 - (a) Add new Additional Site and Development Requirements, appropriately numbered, to Schedule 6 as follows and adjust the Scheme Map accordingly:

No.	Type of development required	Description of land	Requirement
ASD#	Specific Sites	Lots 1-5 (No. 2) James Street, Fremantle [NB: Also known as 64 Queen Victoria Street, north of James Street]	The owner of land shall be required to, at the time of developing or subdividing the land, cede the portion of land consisting of a 3.3 metre width of land fronting Queen Victoria Street, the portion of land consisting of a 2.0 metre width of land fronting James Street, and the portion of land consisting of a 14.5 metre width of land fronting Beach Street free of charge to the local government for the purposes of road widening and footpaths.
ASD#	Specific Sites	• Lots 1 & 2 (No. 65), • Lot 140 (No. 63), Lots 141-	The owner of land shall be required to, at the time of developing or subdividing the land, cede the portion of land consisting of a 3.3



		143 (Nos. 59-61) each of Queen Victoria Street, Fremantle; and, Lot 3 (Nos. 4-6), James Street, Fremantle;	<i>metre width of land fronting Queen Victoria Street, and the portion of land consisting of 2.0 metre width of land fronting James Street, free of charge to the local government for the purposes of road widening and footpaths.</i>
<i>ASD#</i>	<i>Specific Sites</i>	Lots 6, 7, 770, (No. 60) Queen Victoria Street, Fremantle. [NB: Known as 64 Queen Victoria Street, located south of James Street]	<i>The owner of land shall be required to, at the time of developing or subdividing the land, cede the rectangular portion of land consisting of a 1.2 metre width of land at the southern side boundary tapering to nil at the eastern side boundary fronting Queen Victoria Street free of charge to the local government for the purposes of road widening and footpaths.</i>

(b) Remove reference to 64 Queen Victoria Street lots in ASD21, and adjust the Scheme Map accordingly.

The above amendment was WITHDRAWN by Cr Andrew Sullivan, prior to a vote, to allow further review and consideration of the areas along James Street and Queen Victoria Street to be ceded, and to revise the amendment prior to Council consideration.



PROCEDURAL MOTION

At 9:07pm the following motion was moved, in accordance with clause 4.7 of the [Meeting Procedures Policy](#):

COMMITTEE DECISION

Moved: Mayor Ben Lawver

Seconded: Cr Pip Slaughter

That the meeting be continued beyond 3 hours.

Carried: 5/0

For:

Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong, Cr Pip Slaughter
and Cr Melanie Clark

Against:

Nil

Cr Pip Slaughter left the meeting at 9:10pm and returned at 9:12pm prior to the vote on the following amendment.



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 15

Moved: Cr Andrew Sullivan

Seconded: Cr Jemima Williamson-Wong

Amend part 1 of the Officer's Recommendation to read as follows:

1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendment:
 - (a) Modify the heights shown on Figure 1 in Schedule 10 as per the figure below:

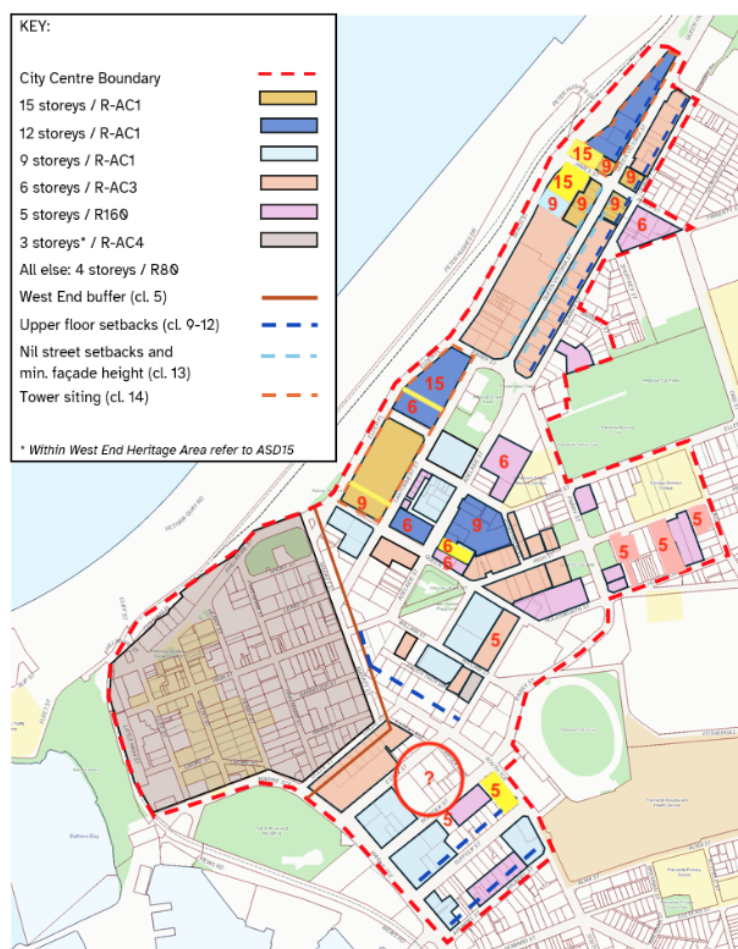


Figure 1: Height and Density



Amendment Carried: 5/0

For:

**Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark**

Against:

Nil

Reason for amendment:

- The modified version is closer to community expectations.
- Reduces heights down to 9 storeys at the corner of James and Queen Vic, but allows 15 storeys where James meets Beach Street to compensate for the land grab. The Beach Street corner properties are really difficult sites because the existing floor levels of those buildings are unsustainable and we should expect that existing structures will either be lost or treated as relics.
- Increased the Leisure Centre from 5 to 6 storey.
- Split Sirona's Wool Store site so that the main heritage building is 6 storeys and the rest is 15.
- Split the Silverleaf site so that the section facing Queen Street and the rail station forecourt is 9 (similar to the Gas and Coke site) but the rest remains at 15
- Drops Target back to 6 because it forms part of the town square edge.
- Pushed the 9 storey along Adelaide further away from WK as well.
- Added properties opposite CBC in the High Street area into the 5 storey bracket, including some with existing houses with little, some, or more heritage with the assumption they can be developed around if necessary.
- Included the Norfolk Hotel and surrounding lots through to Arundel into the 5 storey area.
- Questioned whether we want additional height on the south side of Essex where a number of buildings could be redeveloped with modest heritage adaptations.



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

AMENDMENT 16

Moved: Cr Andrew Sullivan

Seconded: Cr Jemima Williamson-Wong

Amend part 1 of the Officer's Recommendation to read as follows:

- 1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendment:**
 - (a) *Extend the Neighbourhood Centre zone on the north side of South Street to all lots located to the west and fronting South Street up to the Nannine Ave intersection.***

Amendment Carried: 5/0

For:

**Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark**

Against:

Nil

Reason for amendment:

The area is identified for redevelopment with an R Code of R160 and is directly opposite similar proposed development in the Davis Park precinct. An MRS road reserve widening will negatively impact the existing residences and they are likely to be redeveloped in time. The Davis Park structure plan indicates commercial development is focused on the Nanine Street alignment and that this will be a significant pedestrian crossing point along South Terrace. Extending the Neighbourhood Centre zoning on the north side will assist in connecting the node point to the existing commercial activity to the east on that north side of South Street.



COMMITTEE RECOMMENDATION ITEM PFC2610-1
(Officer's recommendation, as amended)

Moved: Cr Andrew Sullivan

Seconded: Cr Melanie Clark

Council:

- 1. Endorse the City of Fremantle Local Planning Scheme No. 5 as set out in Attachment 1 (Scheme Text) and Attachment 2 (Scheme Map) for advertising and proceed to seek approval to advertise the scheme under regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 83A of the *Planning and Development Act 2005*, with the following amendments:**

a. Amend clause 16, table 2 'Zone Objectives' as follows:

- i. Local centre: amend the first dot point to read 'to provide for a range of small to medium scale retail, hospitality and service uses';**
- ii. Neighbourhood centre: replace the words 'without car dependency' to 'for pedestrians and cyclists' (to match the wording of local centre)**

b. Amend clause 38 (definition of 'commercial vehicle parking') to read 'means premises used for parking of 1 or more commercial vehicles..'

c. Add the following to Schedule 6 and the Scheme Map, with the appropriate ASD#:

No.	Type of development requirement	Description of land	Requirement
ASD#	Specific Sites	• Lot 427 (No. 23) • Strata Plan 4988 (Nos. 19-21) each of Harvest Road, North Fremantle	All storeys above 3 storeys are to be set back an additional 5 metres from the primary and secondary streets.

d. Add all lots fronting Jackson Street, North Fremantle into the Mixed-Use zone.



- e. Replace the R60 density coded area fronting South Street, Hilton and bounded by Hines Road, Noel Street and the ROW with an R160 density coded area, make Single and Grouped Dwellings X uses in this area by adding the relevant lots to Schedule 3 and renumber the scheme text and map appropriately; and vehicle access not permitted from South Street through the implementation of a future policy.**
- f. Establish a R100 density coded area across 307, 309, 311, 313, 315, and 317 South Street, Hilton; and 2, 2a Lee Avenue, Hilton; and 45 Hines Road, Hilton, make Single and Grouped Dwellings X uses in this area by adding the relevant properties to Schedule 3 and renumber scheme text and map appropriately; and vehicle access not permitted from South Street, and satisfying R20 criteria in relation to impacts to adjoining properties to the south through the implementation of a future policy.**
- g. Amend Schedule 8, SCA4, 'Additional provisions' to replace the instance of 'SCA2' with 'SCA4'.**
- h. Remove the following properties from the Mixed Use zone and add them to a Residential zone coded R60: 276, 278, 280, 298, 300, 304, 326, 340, 342, 350, 352, 354, 356, 358, 360, 362, 364, 374, 376 and 378 South Terrace (east side); 193, 241, 243, 245, 259, 261, 263, 265, 267, and 269 South Terrace (west side); and 1 Wardie Street.**
- i. Remove the following from the Mixed Use zone and add them to the adjoining Residential Zone: strata units at 111 South Terrace, Fremantle; 2 Ada Street; 128a Marine Terrace; and 14-20 Little Lefroy Road.**
- j. Remove the following from the Residential Zone and add them to the adjoining Mixed Use Zone: 129 South Terrace, Fremantle; 132a Marine Terrace, South Fremantle; and 2, 4, 6, and 8 King William Street, South Fremantle.**
- k. Extend the R100 coded area to the Mixed Use zone bounded by South Terrace, Douro Road and Harbour Road.**
- l. Add No. 1 Douro Road, South Fremantle to the Mixed Use zone, coded R100.**
- m. Amend the 'Requirement' wording for ASD12 to: "A structure plan is to be adopted to guide subdivision and development, having regard to bushfire management, Aboriginal and early colonial heritage, the protection of ecologically significant vegetation associated with Clontarf Hill, and the establishment of the Nature Links/Green Links required to connect Clontarf**

Hill and Hollis Park consistent with the Greening Fremantle – Strategy 2020.”

- n. Amend the 'Requirement' wording for ASD14 to add a new part (c): "the establishment of the Nature Links/Green Links required to connect Clontarf Hill to Bruce Lee Oval consistent with the Greening Fremantle – Strategy 2020, and to Salentina Ridge Public Open Space via the PAW at Lot 247 (No. 45a) Longford Road, Beaconsfield."***
- o. Modify the heights shown on Figure 1 in Schedule 10 as per the figure below:***

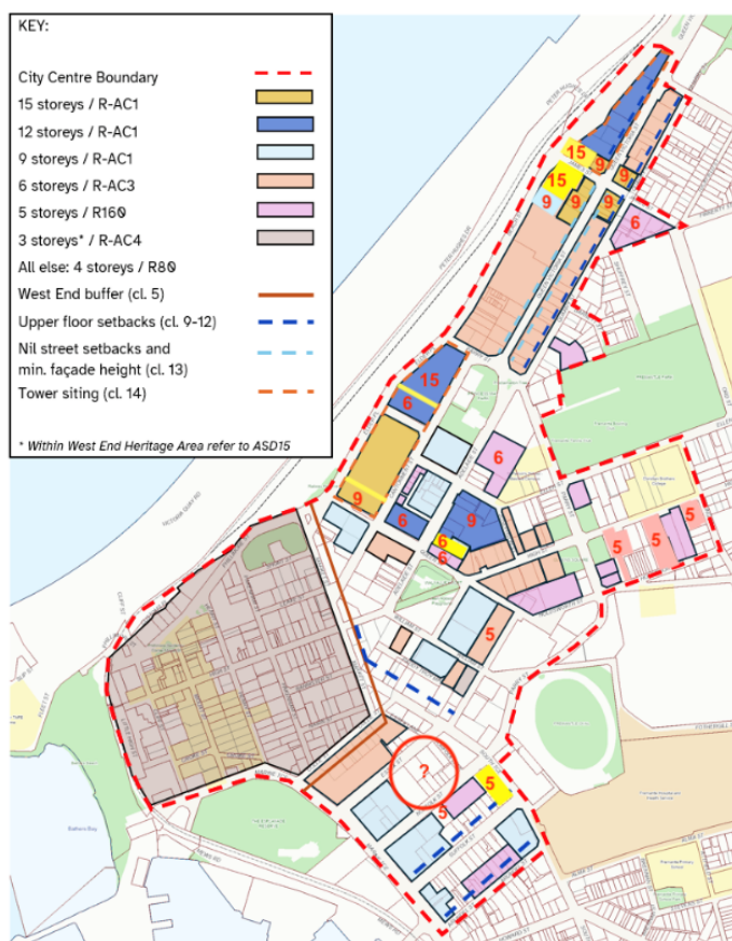


Figure 1: Height and Density

- p. Extend the Neighbourhood Centre zone on the north side of South Street to all lots located to the west and fronting South Street up to the Nannine Ave intersection.***



- 2. Refer the City of Fremantle Local Planning Scheme No. 5 text and map to the Environmental Protection Authority for review under Section 81 of the *Planning and Development Act 2005*.**
- 3. Authorises the Chief Executive Officer to update the draft Local Planning Scheme No. 5 text and map to accord with required modifications by the Western Australian Planning Commission or Minister for Planning for the purposes of public advertising.**
- 4. Instructs the Chief Executive Officer to undertake public advertising and invite submissions on the draft Scheme text and map for a period not less than 90 days, following approval from the Minister for Planning to advertise the draft Local Planning Scheme No. 5, under Regulation 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- 5. Authorises the Mayor and Chief Executive Officer to sign and place the City's seal on any documentation required to enact the above resolutions.**
- 6. *Request additional information related to whether local governments can request land be ceded free of charge as part of future developments and whether this will trigger requirements for compensation to be paid to the affected landowner.***

Carried: 5/0

For:

**Mayor Ben Lawver, Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Pip Slaughter and Cr Melanie Clark**

Against:

Nil



SGSC2610-8 ADOPTION OF COMMUNITY HEALTH AND WELLBEING (PUBLIC HEALTH) PLAN 2026-2031

Meeting date:	Wednesday 14 October 2026
Responsible officer:	Manager Regulatory Services
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Community Engagement Report - Phase 1 2. Community Engagement Report - Phase 2 3. Community Health and Wellbeing (Public Health) Plan 2026-2031

SUMMARY

At the Strategic and General Services Committee Meeting on 8 July 2026, Committee endorsed the draft Community Health and Wellbeing (Public Health) Plan 2026-2031 for advertising.

As well as being consistent with the WA State Public Health Plan 2025-2030, the draft plan integrates with the City's Strategic Community Plan and supporting strategies. It demonstrates the City's commitment to creating a liveable environment where it is easy for people to lead safe, happy and healthy lives. The plan reflects a whole-of-Council commitment to ensuring Fremantle remains a healthy, inclusive and liveable city.

This report recommends that Council consider the community submissions received and adopt the Community Health and Wellbeing (Public Health) Plan 2026-2031, as provided in Attachment 3.

BACKGROUND

All WA local governments are required, under the *Public Health Act 2016*, to prepare and publish a Public Health Plan for their municipality, by 4 June 2026. Prepared in accordance with the *Public Health Act 2016*, this Plan aligns with the WA State Public Health Plan 2025 to 2030 and integrates with the City's Strategic Community Plan and supporting strategies. It reflects a whole-of-Council commitment to ensuring Fremantle remains a healthy, inclusive and liveable city.

Local health data demonstrates that while Fremantle residents experience high overall wellbeing, several significant challenges require coordinated action. These include lower-than-target immunisation rates, elevated suicide and self-harm



rates, high levels of alcohol-related risk, visible homelessness and housing stress, and ongoing environmental health pressures.

The Plan has been shaped by community engagement and evidence-based analysis. Over 600 community interactions and formal submissions informed the identification of six priority areas:

1. Creating a sense of belonging for all members of the community
2. Minimising harm from alcohol, drugs and tobacco including vaping
3. Addressing homelessness and housing access
4. Making it safe and easy for people to access community spaces and the local environment
5. Promoting and supporting physically active lifestyles and access to affordable food
6. Protecting the community from public and environmental health risks

The City will deliver this plan through five guiding principles: Promote, Protect, Prevent, People Focused and Partner. Actions are organised across three domains: Information, Service Delivery and Advocacy.

Implementation will occur through the Corporate Business Plan with annual reporting to Council. A mid-term review will be undertaken in 2027, with a final evaluation in 2029 to measure progress against health indicators and strategic objectives.

Through collaboration with community, government and service partners, this plan seeks to strengthen social connection, reduce preventable harm and support every person in Fremantle to achieve optimal quality of life.

The Plan was endorsed by the Strategic and General Services Committee, on 8 July 2026, for the purposes of advertising, along with additional actions proposed by Council on 22 April 2026.

Feedback from the community and agency stakeholders has now been received and the Phase 2 Engagement Report is attached. Following receipt of feedback, the Plan has been modified to incorporate the additional actions proposed by Council and in consideration of the feedback.

The final draft is now being presented for final review by the Strategic and General Services Committee and later endorsement by Council.



FINANCIAL IMPLICATIONS

Funding allocation will be considered through the project planning and annual budget process with the plan providing direction on the priority works to be scoped and considered through this process. State and Federal government grants will also be pursued.

LEGAL IMPLICATIONS

Part 5 of the *Public Health Act 2016* was enacted on 4 June 2024 which requires all local governments to prepare and publish their local Public Health Plan by 4 June 2026. An extension till 31 July 2026 has been applied for and approved by the Chief Health Officer.

STRATEGIC IMPLICATIONS

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

Liveable City - Liveable and socially connected neighbourhoods

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

Liveable City - Connected city

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

Liveable City - Sustainably designed and optimised urban and natural environments

- The community can access and enjoy natural areas and green spaces for passive and active recreation.
- An increasing tree canopy that enhances biodiversity and helps cool our urban environments.

Liveable City - Functional and inclusive recreational facilities

- The community can participate in a diverse and affordable range of sporting and recreational pursuits.

Resilient City – An educated and empowered community that seeks to mitigate the causes and effects of climate change

- A community that drives the greening of the city and neighbourhoods which increases the tree canopy.



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

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

Resilient City – Availability of services and support for the most vulnerable members of the community

- Access to programs that connect vulnerable community members to services and support.
- Strong partnerships with relevant State Government agencies and service providers.
- A caring community supports, protects and accepts those who are most vulnerable.

Inclusive City – A safe and accessible community for all abilities

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

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

- Enable the City to maintain legislative compliance and accountability for organisational decision making.
- Enable and empower our people to achieve organisational outcomes.

CONSULTATION

Pre-Council endorsement

The Community Health and Wellbeing (Public Health) Plan was developed in line with the City's Community Engagement Policy. A public engagement plan designed around the IAP2 Spectrum of Public Participation Framework, was developed and aimed to:

- Involve people who live, work, or play in the City of Fremantle to contribute feedback and experiences in the development of a new public health plan.
- Educate the public on the benefits and uses of a public health plan.
- Develop a public health plan that meets the needs of the Fremantle community and aligns with State government obligations.

Community consultation strategies included an online survey on My Say Freo, which is the City's existing engagement platform; links to the survey on the City's social media sites and newsletter, direct email to over 3000 residents registered



on the City's engagement network and a review of the Let's Talk Freo data generated in 2024.

Stakeholder consultation was conducted via an online survey with relevant people in the City, links to the survey in the City's This Is Business (TIB) newsletter program that reaches local businesses in the City Centre and through local media.

Both surveys asked a series of questions that examined social connection and the positive aspects of living in Fremantle; issues and concerns affecting wellbeing, as well as satisfaction levels with the existing facilities, programs, infrastructure, public amenity and services offered in Fremantle that enhance or support health and wellbeing.

The public engagement program reached 633 people through face-to-face conversations and online visits to the City's MySay portal. The City also received 49 formal submissions via its public engagement program.

In late August 2025, a priority setting workshop was held, which aimed to gain consensus on the top five issues to be included in the City's Public Health Plan. A total of 21 people attended the workshop and included Elected Members, interest holders, City staff members and community members. This workshop presented the top 10 issues identified in the consultation (there were 13 issues presented as 3 issues were allocated the same score) and participants were able to discuss these issues, combine any and pitch for inclusion of any issues that were not included in the top 13. A nominal group process was used to identify the top six priorities, and these issues were further ratified by the Council.

The draft public health plan was presented for comment at an Informal Elected Members Meeting on 9 March 2026. Some recommendations were made for the formatting of the document, which have now been included.

Also suggested, was a proposal to advocate for a supervised drug use facility in Fremantle, to mitigate health risk from drug use and inadequate disposal of used syringes and other paraphernalia. This proposal was considered but has not been included in the current document as there are currently no sanctioned supervised drug consumption facilities operating anywhere in Western Australia, and the state government has indicated it does not intend to pursue this model. Any facility of this type would require amendments to state drug legislation, making this firmly a State Government matter rather than one within local government's remit, although advocacy in this area could be pursued if deemed a priority.



The state centres its current approach to harm reduction on needle and syringe programs, take-home naloxone, sobering-up centres, and peer-based outreach services.

Post-Council endorsement

The City of Fremantle opened public engagement on this project on 17 July 2026 and collected submissions until close-of-business on 14 August 2026.

Below is a summary of key takeaways from the engagement program. A full engagement report has been provided as part of meeting attachments to this agenda item.

- The engagement reached more than **450 people** through online interactions, MySay survey responses, and direct email. City officers received **13 formal submissions** of feedback for the project.
- Participation was received from three City suburbs, with Fremantle (Central) (25%) and South Fremantle (25%) the most represented.
- **42%** of respondents were from outside the Fremantle LGA.
- **60% of online respondents were new participants** who had not contributed to the first round of engagement, while 40% had previously participated in the Public Health Plan 2026-31 consultation.
- Respondents indicated the following levels of support for the draft Public Health Plan 2026-2031:
 - **23%** support the draft Plan.
 - **77%** somewhat support the draft Plan.
- Respondents indicated the following levels of support for the proposed actions and priorities outlined in the draft Public Health Action Plan 2026-2031:
 - **43%** support the draft Action Plan
 - **57%** somewhat support the draft Action Plan.
- Respondent feedback demonstrated broad support for the overall direction and six priorities identified in the Action Plan, with qualified support primarily reflecting suggestions to strengthen or expand areas rather than opposition to the Plan.
- Respondents indicated the following levels of support for the **Council Proposed Amendments and Additions** to the Public Health Action Plan 2026-2031:
 - **71%** support the Council Proposed Amendments and Additions.



- **29%** somewhat support the Council Proposed Amendments and Additions.
- Respondents asked City officers and Elected Members to consider the following in determining any changes or additions to the draft Public Health Plan and Action Plan 2026-2031:

Feedback (summarised into themes)
--

Partnerships and coordinated delivery
--

Greater use of existing health providers, community organisations, sporting clubs, businesses and service networks, with clearer roles across delivery partners.

Officer Response:

As a high level strategic document, the Plan provides more generally worded priorities and actions, such as "to partner with statewide campaigns", "to promote mental health services available", "work with partners" and "Promote local [...] services available. This is not intended to restrict partnerships or negate the good work being completed by existing health providers, community organisations, sporting clubs, businesses and service networks. Of necessity however, the Plan cannot direct the operation of and is not the correct forum to define the roles/relationship between the City and outside organisations.
--

Monitoring, evaluation and legislative compliance
--

Clearer indicators, annual review and outcome-based reporting on the Public Health Plan, including ensuring monitoring and review requirements reflect the Public Health Act 2016.

Officer Response:

The Plan has been amended to better reflect the requirements of the Public Health Act 2016.
--

Community safety, homelessness and public amenity
--

More coordinated responses recognising the interconnected impacts of homelessness, antisocial behaviour, perceptions of safety and public amenity.

Officer Response:

The relatedness of mental health, homelessness, antisocial behaviour, perception of safety and public amenity is acknowledged. The City's actions in response to the various aspects of these issues are divided between the health actions in this plan and the anti-social behaviour and safety actions that are in the Community Safety and Crime Prevention Plan, currently being updated.

Environmental health and climate resilience
--

Greater consideration of urban heat, shade and cool spaces, indoor and outdoor air quality, PM2.5 and microplastics.



Officer Response:

The actions contained in this Plan are restricted to the highest priorities identified during public health surveys and consultation. Some response to heat are currently being considered as part of Priority 4 - Making it safe and easy for people to access community spaces and the local environment, but it is not yet a priority in its own right. It is recognised that a heating environment is leading to worsening health outcomes however, and future focus is likely in this area.

Active transport and healthy streets

Greater prioritisation of walking and cycling, including suggestions for lower local street speeds and adoption of a Healthy Streets approach.

Officer Response:

A number of actions involve the prioritisation of enabling/encouraging exercise and active transport. Further exploration of the Healthy Streets model is required to see how it might work in Fremantle.

Community infrastructure, recreation and connection

Sport, recreation, accessible facilities and green spaces recognised as key factors supporting physical activity, belonging, healthy ageing and social connection.

Officer Response:

Agreed. The Plan is intended to strengthen these facilities and spaces.

Aboriginal health, equity and inclusion

Greater visibility of Aboriginal health and wellbeing, equity and culturally responsive approaches was sought, alongside broader consideration of accessibility and inclusive service delivery.

Officer Response:

While the priorities of the Plan remain unchanged, a commitment to applying an equity-focused approach across all priorities and actions, with an aim to partner with and improve outcomes for Aboriginal people, has been included.

Injury prevention and healthy ageing

Greater recognition of injury prevention, particularly falls, including consideration of evidence-based prevention actions and partnerships.

Officer Response:

Injury prevention has now been included as an action within Priority Area 5 - Promote and support physically active lifestyles and access to affordable and healthy food.

Business and worker wellbeing



Greater recognition of businesses, workers and the private sector as contributors to public health, including workplace wellbeing, community safety and active commercial precincts.

Officer Response:

The business community has not been seen as separate from the community in general in the formation of the Plan. Unavoidably, the Plan's main aim is to improve the health of its residents; however, nothing in the Plan is intended to restrict partnerships or negate the contribution to health by the business community. The City values the contribution of the business community to the fabric of the overall community and its impact on health.

Broader determinants of health

Greater recognition of the social and commercial factors influencing health was recommended, including housing, employment, social inclusion, transport, access to services and exposure to unhealthy-product marketing.

Officer Response:

The Plan has now included an explanation of the socio-economic health determinants. In practice, these determinants were acknowledged throughout the Plan as the bulk of the Plan's actions involve improvements to these determinants. Some actions to restrict unhealthy-product marketing on City infrastructure have also been considered.

OFFICER COMMENT

The Community Health and Wellbeing Plan sets a foundation to demonstrate the public health actions that the City is already taking as part of normal business, as well as reviewing the effectiveness and extent of those activities, in line with the wishes of the community and the health data available. It sets the scene for a movement from the prescriptive and outdated requirements of the *Health Act 1911* to the more flexible, evidence and risk-based approach facilitated by the *Public Health Act 2016*.

Opportunities exist to use the plan as a platform to:

1. inform and enable the community to safeguard and improve their own health,
2. advocate for state and federal government action to address mental health, homelessness and other priority issues,
3. collaborate with government and non-government agency health promotion, exercise and sport, drug prevention and other initiatives,
4. apply for grant funding to facilitate action on public health priorities and
5. plan for City services and projects that enhance the liveability and resilience of the whole community.



When the Plan was presented to Council on 22 April, elected members proposed amendments including additional actions to be included with the action plan portion of the Plan. Of particular interest was to provide additional measures to:

- Protect the public from the harmful effects, on mental health, of gambling;
- Encourage and support the greening of the City;
- Minimising harms from the use of illicit drugs;
- Protecting the public from passive smoking;
- Provide supported housing and crisis accommodation;
- Develop affordable housing options;
- Enable healthy food initiatives;
- Enable safe community access to facilities and open space;
- Improving access to and incentivising physical activity opportunities.

Elected members, on 6 May at a workshop, determined that:

- the actions in the public health action plan would be prioritised; and
- additional actions that elected members proposed for the public health action plan would be held in a separate document to present to the public, along with the Public Health Plan, for their comment during the advertising phase.

The actions in the action plan have now been prioritised by distinguishing actions classified as 'high value' from actions that are not considered to have the same level of impact and importance. Further to this, amendments/additions proposed by elected members have been reworded and presented as actions and are contained in another document.

The plan and additional proposed actions were released and advertised for final public comment.

Community and agency stakeholder feedback has now been received and, while only 23% fully supported the draft plan, with 43% supporting the draft action plan, respondent feedback demonstrated broad support for the overall direction and six priorities identified in the Action Plan, with qualified support primarily reflecting suggestions to strengthen or expand areas rather than opposition to the Plan. Of importance to recognise was the high level of support for the amendments and additions to the draft plan, proposed by Council, with 71% of respondents supporting the Council's Proposed Amendments and Additions. Please see the below table with the amendments and additions proposed by Council, with comments on their inclusion in the final Plan. The proposed additions have been almost fully incorporated into the final Plan. Please see the proposed additions below with officer response:



Council's Proposed Amendments and Additions

Action:

Investigate feasible initiatives to reduce harm from gambling, including placing restrictions on gambling advertising on City land and at cultural and sporting events.

Officer Response:

This action has been included in the plan, given the apparent link between problem gambling and mental health, and the interest shown in public feedback regarding the issue.

Action:

Develop initiatives to support and assist residents to grow and establish new community gardens/verge planting.

Officer Response:

Supported, as the initiatives would assist in the provision of nutritious food and encourage community involvement in mentally healthy activity.

Action:

Survey the local community to gauge support for farmers/budget markets in North Fremantle and Samson Park.

Officer Response:

Although not generally considered to be 'low socio-economic' locations, the current pressure on the cost of living may well benefit from gauging the need/desire for farmer/budget markets in these areas.

Action:

Approach South Metropolitan Health Service, community groups and schools, in the lower average socio-economic areas of the City, to encourage provision of accessible and healthy food initiatives.

Officer Response:

Supported. Schools and other organisations can be approached to determine what activities, such as breakfast clubs and after-school-hours-care (with food), are already being provided, and to determine what additional actions would be required to improve access to healthy food within the community.

Action:

Advocate and petition the Government of Western Australia to review that harm-minimisation benefits that could be provided by a supervised drug use facility in Fremantle.

Officer Response:

Supported. An action to advocate for the Government of Western Australia to review that harm-minimisation benefits that could be provided by a supervised drug use facility in Fremantle has been added.



Action:

Advocate and petition the Government of Western Australia to reconsider the WA Legislative Council Select Committee recommendation that the Department of Health and Mental Health Commission consult on demand for a Drug Consumption Room in Perth and Fremantle.

Officer Response:

Supported. An action to advocate for the Government of Western Australia to reconsider the WA Legislative Council Select Committee recommendation that the Department of Health and Mental Health Commission consult on demand for a Drug Consumption Room in Perth and Fremantle has been added.

Action:

Continue to investigate sites and opportunities for crisis accommodation and supported housing options in Fremantle.

Officer Response:

Supported. Housing options will continue to be very needed, even following the provision of the proposed respite centre on Parry Street.

Action:

Advocate for the development of additional affordable rental accommodation options in the City, such as community land trust (CLT) estates, modular/pre-fabricated dwellings, tiny houses and granny flats.

Officer Response:

Supported.

Action:

Provide CCTV rebates for residents/businesses in the City where new CCTV systems have been installed.

Officer Response:

The Health and Wellbeing Plan does not appear to be the best fit for this action. Rather, it is supported to be included in the updated Community Safety and Crime Prevention Plan.

Action:

Prioritise the establishment of tree planting along pedestrian/cycle access corridors to provide residents with shaded access to neighbourhood centres, community facilities/open space and coastal areas.

Officer Response:

Supported.

Action:

Expedite and upgrade the Strategic Bike Network in the development of an updated Bike Plan.



Officer Response:

Supported.

Action:

Regularly inspect and maintain City parks and recreation areas so that they are kept in good repair and to the appropriate standard.

Officer Response:

Supported.

Action:

Review and compare the physical/mental health and economic benefits of increasing the pedestrianisation of the City centre to propose a well-considered approach to pedestrian friendly areas.

Officer Response:

Supported. Increasing pedestrian access and areas would benefit health but also needs to be balanced with the economic sustainability of the City centre and keeping the centre vital and socially uplifting.

Action:

Promote existing smoking laws and vaping recommendations within the Fremantle community, particularly with dining and hospitality venues, so both the public and businesses are easily capable of being well informed about the subject.

Officer Response:

Supported.

Action:

Install appropriate 'no smoking/no vaping' signage at high use playgrounds in the City.

Officer Response:

Supported.
 The City is currently rolling out updated signage.

Action:

Develop local laws prohibiting smoking/vaping on strategic areas of City land, such as pedestrian malls and Walyalup Kort.

Officer Response:

Supported.
 The City will also address this through the proposed Local Government Property and Public Places Local Law with a smoke-free area determination, pending Council endorsement and adoption.

Action:

Prioritise the regulation/enforcement of:



- Smoking in outdoor dining areas; and
- Smoking within 10 metres of a playground.

Officer Response:
Supported.

Following receipt of community and agency stakeholder feedback, the Plan has been modified to:

- Incorporate the additional actions proposed by Council;
- Reflect the role of socio-economic health determinants on health outcomes;
- Commit to applying an equity-focused approach across all priorities and actions, with an aim to partner with and improve outcomes for Aboriginal people;
- Include injury prevention as an action within Priority Area 5 - Promote and support physically active lifestyles and access to affordable and healthy food; and
- Improve review of the Plan and reporting on its actions.

The final draft is now being presented for final review by the Strategic and General Services Committee and later endorsement by Council.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Council

OFFICER'S RECOMMENDATION

Moved: Cr Jemima Williamson-Wong Seconded: Cr Pip Slaughter

Council:

- 1. Receive the Community Engagement Reports, provided in Attachment 1 and 2.**
- 2. Adopt the Community Health and Wellbeing (Public Health) Plan 2026-2031, as provided in Attachment 3, which includes the additional actions endorsed by Council on 22 April 2026.**



In accordance with clause 9.7 of the [Meeting Procedures Policy](#), Cr Jemima Williamson-Wong moved the following amendment, as provided in the additional documents with further amendments:

AMENDMENT

Moved: Cr Jemima Williamson-Wong Seconded: Mayor Ben Lawver

Add a part 3 and 4 to the Officer's Recommendation, to read as follows:

Council:

- 1. Receive the Community Engagement Reports, provided in Attachment 1 and 2.**
- 2. Adopt the Community Health and Wellbeing (Public Health) Plan 2026-2031, as provided in Attachment 3, which includes the additional actions endorsed by Council on 22 April 2026.**
- 3. *Requests the Chief Executive Officer to bring a report to Council prior to the 2027 mid-term review that:***
 - a. identifies options for a wellbeing index or measurement tool and options for using or adding to existing data sources such as the Health and Wellbeing Profile and Let's Talk Freo;***
 - b. recommends the indicators, frequency and method of reporting; and***
 - c. outlines resourcing and partnership opportunities.***
- 4. *Notes that any funding required will be considered through the annual budget process.***

Amendment Carried: 5/0

For:

**Mayor Ben Lawver, Cr Frank Mofflin, Cr Pip Slaughter,
Cr Jemima Williamson-Wong and Cr Andrew Sullivan**

Against:

Nil

Reason for amendment:

The current Plan provides that wellbeing will be monitored through "surveys, reports, indicators, and dashboards," but names no tool or indicators, and no action provides for measuring wellbeing. Community feedback sought clearer indicators, yet none were added.



Current data shows health outcomes, not how residents experience wellbeing over time. Without a baseline and consistent measure, Council cannot judge whether the Plan is improving wellbeing at the 2027 mid-term review and 2029 evaluation.

This amendment adds a wellbeing measurement action and requests a report on options, indicators and costs, with funding subject to the budget process.

COMMITTEE RECOMMENDATION ITEM SGSC2610-8
(Officer's recommendation, as amended)

Moved: Cr Jemima Williamson-Wong Seconded: Cr Pip Slaughter

Council:

- 1. Receive the Community Engagement Reports, provided in Attachment 1 and 2.**
- 2. Adopt the Community Health and Wellbeing (Public Health) Plan 2026-2031, as provided in Attachment 3, which includes the additional actions endorsed by Council on 22 April 2026.**
- 3. *Requests the Chief Executive Officer to bring a report to Council prior to the 2027 mid-term review that:***
 - a. identifies options for a wellbeing index or measurement tool and options for using or adding to existing data sources such as the Health and Wellbeing Profile and Let's Talk Freo;***
 - b. recommends the indicators, frequency and method of reporting; and***
 - c. outlines resourcing and partnership opportunities.***
- 4. Notes that any funding required will be considered through the annual budget process.**

Carried: 5/0

For:

**Mayor Ben Lawver, Cr Frank Mofflin, Cr Pip Slaughter,
Cr Jemima Williamson-Wong and Cr Andrew Sullivan**

Against:

Nil



SGSC2610-9 BOOYEEMBARA PARK NORTH LANDSCAPE CONCEPT PLAN 2026

Meeting date:	Wednesday 14 October 2026
Responsible officer:	Manager Parks and Landscape
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Booyeembara Park North Concept Report 2. Engagement Report 3. Petition - Opposition to Booyeembara Funding Deferral 4. Petition - Booyeembara Park Funding Allocation Request

SUMMARY

The Booyeembara Park North Landscape Concept 2026 is a considered, community-backed plan that builds on the plan endorsed by Council in 2021. It will help realise the objectives of the park, integrate the Fremantle Public Golf Course, Clubhouse and Launchpad Golf Facility, renew existing infrastructure, improve accessibility, and deliver social and ecological benefits to a growing community.

This report recommends, that Council:

- 1. Note the two petitions received in relation to the funding forecast for Booyeembara Park projects in the City's Long-Term Financial Plan.**
- 2. Receive the Booyeembara Park Northern Stages Engagement Report, as provided in Attachment 1.**
- 3. Endorse the Booyeembara Park North Landscape Concept Plan 2026, provided in Attachment 2, noting:**
 - a. Officers will consider community feedback, works packages and staging, and the City's capacity to deliver the works to inform potential updates to the Long-Term Financial Plan for Council consideration as part of the annual budget process.**
 - b. The amphitheatre brief, scope and design is subject to further development following consultant advice on structural condition and remediation options.**
 - c. Officers will work with the proponents of the Fremantle Public Golf Course, Clubhouse and LaunchPad Golf Facility to implement the in-kind landscaping contribution outside of the lease boundary within Booyeembara Park.**



BACKGROUND

Booyeembara Park spans approximately 16.7 hectares and is located around 1.5 km east of Fremantle city centre, at the intersection of Stevens and Montreal Streets, adjoining White Gum Valley. While located within the Coastal Ward, it also directly adjoins the East and North Wards, giving it a broader cross-city catchment.

Under the City's Public Open Space Strategy 2024–2034, Booyeembara Park is classified as Regional in hierarchy and Recreation in function and is one of only three regional parks identified within the City of Fremantle. The Strategy identifies increasing pressure on the City's open-space network as the population grows. Without a significant increase in public open space, total POS provision is forecast to decline from 39.77 m² per person in 2021 to 29.92 m² per person by 2036, while regional open space provision is forecast to fall from 13.15 m² to 9.90 m² per person over the same period.

This reinforces Booyeembara Park's role as a high-quality regional destination, providing a diverse range of opportunities for play, physical activity, social interaction, relaxation and connection with nature. Its regional function requires appropriate infrastructure and drawcards that support higher visitation and longer stays.

The City's Community Infrastructure Provision Policy supports this role through a tiered framework of Basic, Standard and Extended provision based on a reserve's function, catchment and service role. Extended provision applies to high-demand, broad-catchment facilities such as district and regional reserves like Booyeembara Park and may include enhanced accessibility, destination play and specialist recreation facilities.

Future works should also respond to Booyeembara Park's distinctive landscape character and the ecological bushland adjoining the golf courses, which contribute important habitat, biodiversity and environmental value. The Greening Fremantle Strategy 2020 identifies Green Links as an important mechanism for increasing vegetation, strengthening habitat and improving ecological connectivity across the city. Recreation and infrastructure improvements should therefore reinforce both the park's regional recreation role and its ecological and place values.

Booyeembara Park has a rich history shaped through long term collaboration between community, Council and consultants. For over 30 years, this collective effort has transformed the site from its former life as a limestone quarry and municipal tip into a place where nature, recreation, culture and community combine. The park has an established design including three axial narratives (Recycling, Geomorphological, and Community). These values define the place, shape and guide work, and lead and drive what is done there.

The City most recently updated the concept plan for Booyeembara Park in 2021. This reflected changes in the surrounding area including new residential developments in White Gum Valley and Knutsford Precinct, an upgrade to the



Fremantle Public Golf Course, Clubhouse and Community Facility as a result of the Main Roads WA High Street upgrade and the development of a Council endorsed Mountain Bike Trail Concept Plan. Since 2021, an alternate development for the Fremantle Public Golf Course, Clubhouse and Community Facility was approved, initiating a review and update of the plan.

Two petitions related to Booyeembara Park were received at the Ordinary Meeting of Council on 26 August 2026 in relation to the funding of Booyeembara Park projects. Cr Melanie Clark presented a petition, signed by 4 residents, requesting the following:

That the Council addresses the detrimental loss of funding to Booyeembara Park's unfinished 'northern landscapes' by allocating the \$400,000.00 cash-in-lieu from the Knutsford Street development to Booyeembara Park, focusing on the unfinished projects over the two financial years including 2026-27. I refer to item SGSC2608-7 Adoption of the Long Term Financial Plan 2026-2036.

Cr Melanie Clark presented another petition signed by 25 residents, requesting the following:

That the Council reject the 10-year budget changes proposed for Booyeembara Park, which would delay projects by 5-6 years. I refer to item SGSC2608-7 Adoption of the Long term Financial Plan 2026-2036.

At the same Ordinary Meeting of Council on 26 August 2026 the Long Term Financial Plan 2026-2036 was adopted by Council, noting that the plan is updated and re-presented to Council annually for consideration following the adoption of the annual budget for each respective year. In relation to Booyeembara Park, Cr Melanie Clark moved an Amendment in response to the petitions, with the following reason:

Various community members involved in the park's direction and creation over many years were happy with recent engagement processes and discussions however the changes in timing of funds being provided and to which projects, need to be further discussed with the community.

Council considered the amendment and made the following decision:

- 1. Adopt the City of Fremantle Long Term Financial Plan 2026 – 2036, as provided in attachment 1.*
- 2. Note that the priority and timing of allocations associated with Booyeembara Park projects may be subject to change pending updates to the Booyeembara Park Masterplan.*

This report provides an update on the outcomes of the engagement process, how the Booyeembara Park North Landscape Concept Plan has been developed to reflect this engagement, and addresses the petitions and recent Council decision on the Long Term Financial Plan 2026-2036.



FINANCIAL IMPLICATIONS

The budgets adopted for the Booyeembara Park projects in the 2026/27 Long Term Financial Plan (LTFP) are as follows:

Capital Projects	Total Project Budget	27/28	28/29	29/30	30/31	31/32	32/33
Program Irrigation - Booyeembara Park Inground	500,000	500,000					
Program Playground - Booyeembara Park Upgrade	800,000	800,000					
Program Playground - Booyeembara Park Skate Park Upgrade	640,000		640,000				
Booyeembara Park - Amphitheatre	700,000				700,000		
Booyeembara Park - Olive Grove Upgrade	1,050,000				500,000	550,000	
Booyeembara Park - Storytelling Circle Upgrade	250,000						250,000
Booyeembara Park - Wetland New	150,000						150,000

At the Strategic Planning and Transport Committee on 27 March 2019, Council accepted a cash in lieu payment from LandCorp for a value of \$404,075 ex GST for the subdivision of land at Lot 1819 Blinco St Fremantle and supported the expenditure of the payment to public open space work at Booyeembara Park. This budget has been approved for use within Booyeembara Park by the Western Australian Planning Commission and can be allocated towards the delivery of Booyeembara Park public open space projects presented in this report by Council.

Upon adoption of the Booyeembara Park North Landscape Concept Plan, officers will review the project staging, budget allocations and funding years, and proposed adjustments through the annual budget process to reflect engagement feedback, logical works packages and stages, and the City's financial capacity to deliver the works.

Suitable grant and external funding opportunities will also be sought to support project delivery.



LEGAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Liveable City - Sustainable growth in city centre population

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

Liveable City - Sustainably designed and optimised urban and natural environments

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

Liveable City - Functional and inclusive recreational facilities

- Recreational facilities are contemporary, functional and can be accessed by all members of the community.

Resilient City – A future-proofed asset base that remains functional and accessible to the community

- The City's facilities are functional and fit for purpose and contribute to improving community well-being.

Inclusive City – A safe and accessible community for all abilities

- Public places and spaces are accessible for all.

CONSULTATION

To develop the updated Concept Plan, Officers and consultants worked with the Booyeembara Park Reference Group (BPRG) across a number of workshops. The objective was to scope the project and set a long-term vision for the park to enable delivery of the works packages in a logical and sequenced way. A call for new members for the BPRG was undertaken ahead of the project, and the updated membership included:

- 3 Elected Members
- 3 Whadjuk Elders
- 5 incumbent community members
- 11 new community members
- 2 local skate representatives

The BPRG attended a number of workshops to inform and guide the development of the Concept Plan presented in this report. Officers also undertook community engagement seeking feedback on the Concept Plan in June 2026 on the platform



of MySay Freo and at a Community Drop in Session. The City also held direct engagement meetings with key stakeholders. This process has been a crucial component of helping to refine and focus the design of the concept document. The various engagement events undertaken are shown below:

Date	Event	Results
4 June 2025	ChangeMakers Session 1	Suggestions collected. 9 members.
13 June 2025	Booyeembara Park Reference Group: Meeting to Scope the Project	Principles, Scoping the 11 Parts, Priorities (suggestions only).
19 June 2025	1:1 Meeting: LaunchPad Golf	Discussion, Scoping Responsibilities.
26 February 2026 24 March 2026 23 April 2026	Booyeembara Park Reference Group: Three (3) design workshops	Discussion, Opportunities, Balances, Palettes, Design, Direction, Bundling the 11 Part Projects into 4 Programs.
8 May 2026	1:1 Meeting: Fremantle Public Golf Course (LaunchPad Golf and Belgravia Leisure)	Design Support, Minor Design Modifications.
8 May 2026	Royal Fremantle Golf Course	Design support and concerns raised. Formal submission received. Design Modifications.
26 May 2026	ChangeMakers Session 2 (different group of members to Session 1)	Design Support. 9 Members.
11 May to 22 June and 6 June 2026	MySay Freo Online Survey and Community Drop In Day Session on 6 June 2026 (Concurrent with MySay Survey) All advertised in Social Media, ENews, Local Paper, Onsite Posters, Precinct Groups. Offer of 1:1 Meetings as well as Written Submissions Receival (email or post)	MySay Visitors (landing page): 1340. MySay Aware Participants: 939. MySay Contributors (commentors): 62. Formal Submissions: 68 (in total including MySay commentors and email submissions). Drop In Visitors/Participants: 35 (All comments and voices were captured in the Engagement Report).
16 June 2026	1:1 Meeting: Olive Grove community representatives	Minor Design Modifications.
18 June 2026	1:1 Meeting: Amphitheatre community representatives	Minor Design Modifications.

The following are a summary of the key engagement takeaways:

Suburban Reach: Participants were mostly from White Gum Valley, followed by Fremantle. Majority identified as residents and ratepayers of the City. There was some reach from more eastern suburbs, indicating people outside the Fremantle



region have an interest in shaping Booyeembara Park in keeping with its regional classification.

Park Use: Activities of enjoying nature, followed by play, exercise, socialising, followed by dog walking all identified as reasons people use the space. Lower participation ratings applied to bush care, and cultural activities. Highly engaged park users shaped the engagement; more than 78% of respondents visit the park at least weekly. This data being over 75% demonstrates frequent park use and informed end-user community consultation contributions.

Principles/Themes: There were three guiding principles or themes put forward; Community, Environment, and Narrative. The strongest of these identified by respondents was "A People's Park Created by Community" (57%), followed by "Respect and Regenerate the Environment" (38%). Community connection emerged as the highest individual priority in much of the qualitative feedback.

Designs Strongly Supported: The concept designs received strong positive support for their reflection of Place Character and Community Needs and Desires. On the Likert scale (1-5) across all Bundles, selection of a rating that was neutral to positive (3-5) received an average of 83.7% by respondents.

Strong Interests: The project engagement was approached realistically by Bundling the Projects into 4 groups. Some of the projects or items have existing funding allocations in the Long Term Financial Plan and are planned to proceed. Others do not yet have funding and will need to be included in the budget process for consideration in the Long Term Financial Plan. Officers surmise that the following are popular interests among the community. This was generally supported by feedback from the Booyeembara Park Reference Group (BPRG) meetings.

Parts / Elements – Strong Interests for Community
Wren Sanctuary / Wetland (Capital Project - New) in Bundle 3
Playground (City Program - Upgrade & Extension) in Bundle 2
Olive Grove (City Project - Upgrade) in Bundle 1
Future Toilets renewal (City Program - Renewal) in Bundle 4
Storytelling Circle (City Project - Upgrade) in Bundle 1

Other Supported Projects: Officers consider that the following project elements attracted comparatively less emphasis through the engagement process. This was generally reflected in feedback from the Booyeembara Park Reference Group (BPRG) meetings. These elements remain supported components of the broader park vision and may still be important to the park's function, character, connectivity and future development.

Parts / Elements – Other supported projects
Future Paths and Trails (City Project – New & Upgrades) in Bundle 4
Amphitheatre (City Project - Upgrade) in Bundle 3
Park Entrance (City Project - Upgrade) in Bundle 1



Lookout and Access Trail (City Project - New) in Bundle 4
Skatepark (City Program - Upgrade & Extension) in Bundle 2
Multicourt (City Project - New) in Bundle 2

BPRG, community and stakeholder feedback will continue to be considered and included as appropriate as project stages are designed and delivered.

OFFICER COMMENT

The current Booyeembara Park Concept Plan was endorsed by Council in 2021 and centred around an alternative design for the Fremantle Public Golf Course Clubhouse, which included a community facility within Booyeembara Park. Since 2021, the City undertook a process to find a tenant for the upgraded Fremantle Public Golf Course. The successful proponent proposed an alternate facility design, which removed the community facility within Booyeembara Park, and included a LaunchPad golf driving range facility and café outlet adjacent to Booyeembara Park. This proposal required a design revision to the northwestern corner of the 2021 Concept Plan to integrate the facility, initiating this updated design. At the same time, the City tested the 2021 Concept Plan design to ensure it was still aligned with the community, site and City's financial capacity.

The resulting Booyeembara Park North Landscape Concept 2026 therefore represents the next stage in the park's long-term planning and development, building on previous master planning, community input and stewardship while responding to increased use and surrounding development.

The Concept Plan

The project components for engagement were developed in related bundles and included the following:

Bundle 1

Park Entrance: Upgrade of the existing entrance to create a more welcoming, accessible and legible arrival to the park, including improved integration with the adjoining LaunchPad Golf development. Designed to be safe, accessible, and visually distinctive, this space balances movement with opportunities to pause and connect.

Olive Grove: Upgrade proposal for an existing site. A key destination within the park, the Olive Grove is envisioned as a vibrant, flexible space where forced perspective plays an important role in shaping the spatial experience, supporting community gatherings, events, and productive use.

Storytelling Circle: Upgrade to existing community project piece. A culturally significant and educational space set to be further designed in collaboration with Whadjuk people, providing a place for gathering, learning, and reflection.



Bundle 2:

Playground: Upgrade and extension proposal to an existing asset as part of the City's asset renewal program. A nature-inspired playground that welcomes all ages and abilities, encouraging creativity, exploration, and a strong connection to the surrounding park.

Multicourt: New asset proposal. A flexible, informal all ages recreation space designed for a variety of sports and social use, encouraging participation rather than competition.

Skatepark: Upgrade and extension to existing asset as part of the City's asset renewal program. An upgrade that keeps the existing skatepark's popularity, embracing its nostalgia while improving safety, comfort, and connection to the wider park.

Bundle 3:

Wren Sanctuary (Ephemeral Wetland): New asset proposal. A quiet, nature-focused area dedicated to supporting local wildlife and biodiversity, with minimal human impact.

Amphitheatre: Upgrade proposal to existing community project piece. A modest, low-key flexible performance space designed for small community gatherings, informal events, and for the community to pass through more often.

Bundle 4

Future Potential Lookout with Track Access: New asset of a combined simple, nature-based lookout experience that celebrates the landscape and its significance as a Whadjuk site, while maintaining the feel of a bushwalk adventure.

Future Potential Paths and Trails: New and Upgraded assets for potential proposal. A network of low-key paths that enhance access while preserving the park's natural character and sense of exploration. There is strong potential to create a looped trail network that could become one of Fremantle's best walking, jogging, and nature experiences.

Future Potential Public Toilets (with Shade Structure): Renewal of asset for potential proposal as part of the City's asset renewal program. Small, practical facilities designed to support park users while blending into the natural surroundings.

The City considered the feedback following the engagement on the draft plans and notes the strong level of support for the document, as mentioned in the Consultation section of this report and the attached Engagement Report, as provided in Attachment 1.



Post Engagement Concept Plan Revisions

The Engagement Report included Next Steps to include acceptable minor changes to the Concept Plan based on feedback, to summarise:

Olive Grove:

The City met with olive harvesting focus group representatives who raised logistical concerns with proposed concept plan layout, and the waiting for the completion of the space. The path has been adjusted to allow safe ladder use, mat use, and vehicular access. Fixed long format park furniture has been retained in concept while shade structures (arbours) have been removed.

The City's intention is for this space to be a multifunctional area that supports community events, recreation as well as the annual olive harvesting.

Amphitheatre:

The City met with arts/cultural community representatives who were involved in the community project originally, who raised concerns about contamination, the ongoing closure of the community-built piece, defining use of the space, investment level for the space, surveillance, and upkeep. The City has identified potential safety concerns with the amphitheatre due to its poor structural condition and requirements of the Site Management Plan.

The City has commissioned a consultant engineer to undertake a structural assessment to guide further management, decision making and design of the amphitheatre area. This work will continue to develop beyond the Concept Plan phase.

Lookout:

The City engaged with the Royal Fremantle Golf Course on the proposed lookout and formalised walking trail which traverses part of their leased area. Royal Fremantle Golf Course raised concerns regarding impacts on golf playability, public safety, risk and potential antisocial behaviour. The lookout and formalised walking trail have been removed from the concept plan for Council endorsement.

The City will survey the lease boundary and investigate if a revised lookout (or similar smaller hilltop acknowledgement idea) and walking trail can be accommodated within the Booyeembara Park area and work harmoniously with the Golf Course. This project is currently not funded in the City's adopted 10 year Long Term Financial Plan.

Playground:

To make the expanded playground more accessible, the City are adding additional path/s connecting the play areas to the broader path network. The concept plan for the play zone sets the early layout, and adjustments will be developed out into more detailed plans during ensuing design phases.



Toilets:

The existing toilets on site will eventually reach end of life and will require asset amenities renewal. The Concept Plan identifies a future location for these to better service the users of Booyeembara Park.

Dog Exercise:

Requests were received for an off-leash dog exercise area. The City has recently updated the Dog Exercise and Prohibited Areas Policy following extensive community engagement. No changes were adopted for dog exercise within Booyeembara Park.

These design changes have been included in the Booyeembara Park North Landscape Concept 2026 presented in this report.

Management Plan

As the Concept Plan progresses into implementation, an update to the Booyeembara Park Bushland Management Plan (2000) is proposed to provide an overarching framework for the ongoing management, maintenance and coordinated development of Booyeembara Park.

The updated Management Plan would address matters that extend beyond individual capital projects and require a consistent, whole-of-park approach. This would include strengthening the park's landscape character and ecological values, establishing a coordinated design language for materials, pathways, furniture, wayfinding, signage and accessibility, and identifying management priorities and actions to guide future improvements across the park. The framework would help ensure future upgrades are consistent with the character of Booyeembara Park, support biodiversity and environmental management objectives, and provide a clear basis for project planning, asset renewal, support community events and future funding and grant applications.

The scope of the Management Plan will be further defined prior to commencement and will respond to the operational, environmental, cultural and asset management requirements of the park.

Preparation of the Management Plan is proposed for 2027/28, subject to confirmation of scope, resourcing and budget through the annual budget process.

Project Key Interfaces

The Fremantle Public Golf Course, Clubhouse and LaunchPad Golf Facility was approved through the Western Australian Planning Commission (WAPC). In relation to Booyeembara Park, the WAPC approval included the following condition:

3. In regard to Condition 10, the City of Fremantle (the City) advises that:

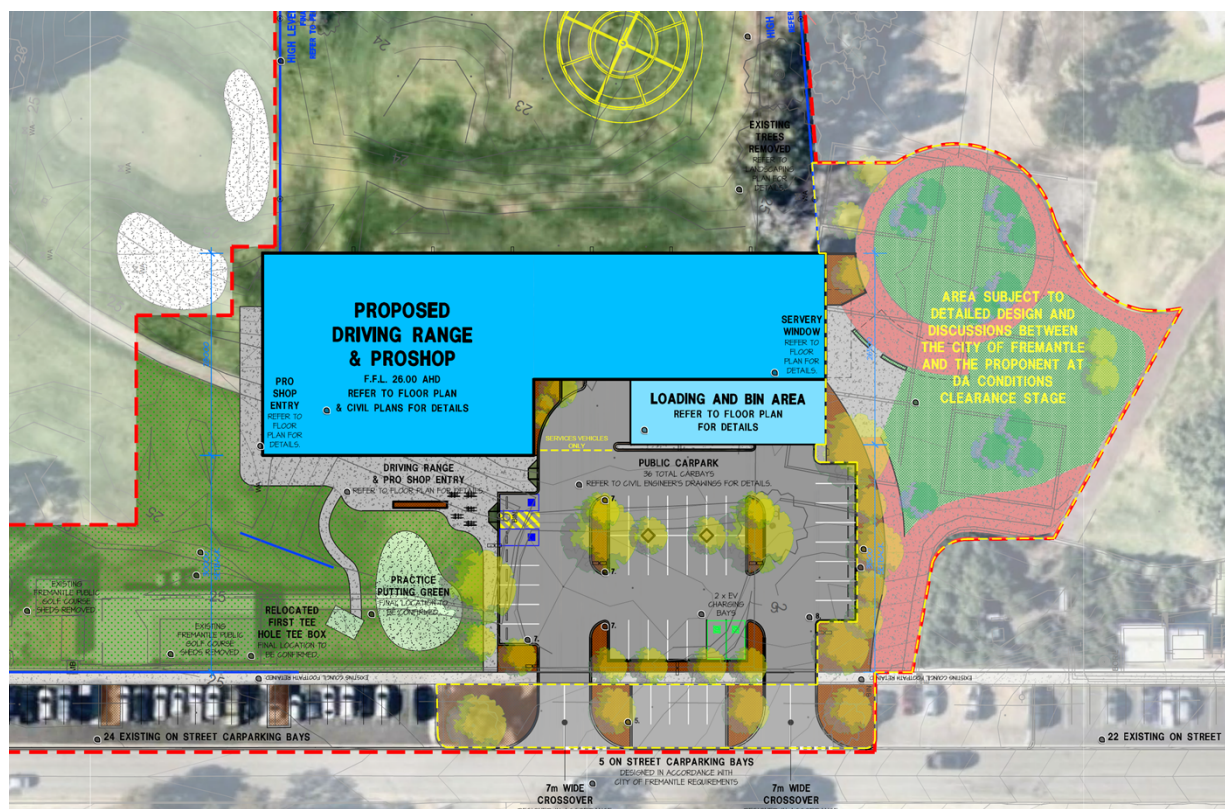
b) the applicant should commence detailed design work with the City for the in-kind landscaping contribution outside of the lease boundary in

Booyeembara Park. All works will be required to be to the City's specification and at the cost of the applicant. Considerations will include:

- i. seamless integration with Booyeembara Park and the Olive Grove;*
- ii. detailed plans for pedestrian pathways, signage, art, lighting, material and landscaping that provided a unified experience across the Launchpad Golf site and park;*
- iii. details of the footings for the netting in the adjoining lease area and any impact on trees;*
- iv. reference to, and compliance with, the Fremantle Public Golf Course Site Management Plan (GHD 27 January 2022); and*
- v. detailed design for the interface between the kiosk and Booyeembara Park, that is inclusive of seating and shading to create a welcoming environment for customers; and*

c) all new trees are to be planted prior to occupation of the development.

The approved drawings included the following nominal area and design. This has been updated through the current planning process to better integrate the new facility design with Booyeembara Park.



Should Council endorse the Concept Plan, officers will continue to work with the proponents of the Fremantle Public Golf Course, Clubhouse and LaunchPad Golf Facility, to implement the in-kind landscaping contribution outside of the lease boundary within Booyeembara Park. The subject area shown above will be revised

to a logical implementation boundary aligned with the Concept Plan, nominally within the area shown below.



Long Term Financial Plan

Projects within the Booyeembara Park North Landscape Concept are included in the City's Long Term Financial Plan at varying levels of funding and timing. The updated Concept Plan and cost estimates provide an opportunity to review these allocations against the current project scopes and work packages. The concept estimates are preliminary and will be refined through detailed design, site investigations, contamination and remediation requirements, approvals, escalation and procurement.



Community feedback has informed project priorities and staging; however, the delivery sequence also needs to consider:

- The park's regional role and the level of infrastructure supported by the Community Infrastructure Provision Policy.
- Asset condition and renewal needs.
- Project dependencies and opportunities to coordinate works.
- Available funding and external or in-kind contributions.
- Site constraints, approvals and constructability.
- The City's capacity to plan, resource, procure and deliver the works.

Accordingly, some highly supported projects may be delivered later where further investigation, funding or prerequisite works are required, while others may proceed earlier due to asset condition or project dependencies. Project timing will continue to be reviewed through detailed design, annual budget development and future Long Term Financial Plan reviews.

The comparison of current LTFP budget and year allocations, and officer proposed changes (for 2027/28 Council/budget consideration) are provided below.

Project Package	Current LTFP Budget	Current LTFP Year	Proposed LTFP Year Change
Program Irrigation - Booyeembara Park Inground	\$500,000	27/28	To be split into works packages to align with projects below
Program Playground - Booyeembara Park Upgrade	\$800,000	27/28	28/29 aligned with Olive Grove
Program Playground - Booyeembara Park Skate Park Upgrade	\$640,000	27/28	31/32 and include Multicourt (not currently in the LTFP)
Booyeembara Park - Amphitheatre	\$700,000	30/31	30/31 subject to outcomes of further structural investigation
Booyeembara Park - Olive Grove Upgrade	\$1,050,000	30/31 and 31/32	27/28 and 28/29 aligned with Wetland (Wren Sanctuary)
Booyeembara Park - Storytelling Circle Upgrade	\$250,000	32/33	29/30 or 30/31
Booyeembara Park - Wetland (Wren Sanctuary)	\$150,000	32/33	28/29 aligned with Olive Grove
Booyeembara Park Management Plan	Not currently in the LTFP		27/28 as a precursor to further works
Booyeembara Park - Toilets Renewal	Not currently in the LTFP		Aligned with building renewal program at end of asset life
Booyeembara Park - Paths and Trails	Not currently in the LTFP		Include in renewal Program – Park Infrastructure

Following endorsement of the Concept Plan, officers will review project timing, scope and funding having regard to community priorities, asset condition, project dependencies, available funding, external or in-kind contributions, constructability and delivery capacity. Changes will be proposed for consideration through the 2027/28 annual budget and Long Term Financial Plan process.



The \$404,075 cash-in-lieu contribution previously received for public open space improvements at Booyeembara Park will also be considered as part of this review.

Key Risks and Dependencies

Key risks and dependencies that may influence project scope, timing and delivery include:

- Funding and cost escalation current LTFP allocations do not fully align with concept estimates for all projects.
- Site contamination and remediation future works may require further investigation, management or remediation.
- Asset condition renewal requirements for the irrigation, playground, skatepark, amphitheatre and toilets may influence timing.
- Project sequencing works will need to be coordinated to avoid duplication or abortive works.
- Fremantle Public Golf Course, Clubhouse and LaunchPad Golf Facility interface delivery is dependent on coordination with the proponent and the required in-kind landscaping contribution.
- Approvals and stakeholder interfaces of some projects will require further investigations, approvals and stakeholder coordination.
- Delivery capacity timing will depend on the City's capacity to design, procure and deliver the program.

These matters will continue to be considered through detailed design, annual budget development and future LTFP reviews.

Conclusion

The updated Booyeembara Park North Landscape Concept 2026, as provided in Attachment 2, is recommended for adoption by Council.

Following adoption of the Concept Plan, officers will propose changes to the Long-Term Financial Plan through the annual budget process to reflect engagement feedback, logical works packages and stages, and the City's financial capacity to deliver the works. The project packages will be further refined to clarify scope and budgets to support this process.

Officers will also continue to work with the proponents of the Fremantle Public Golf Course, Clubhouse and LaunchPad Golf Facility to implement the in-kind landscaping contribution outside of the lease boundary within Booyeembara Park.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Council



COMMITTEE RECOMMENDATION ITEM SGSC2610-9
(Officer's recommendation)

Moved: Cr Frank Mofflin

Seconded: Cr Jemima Williamson-Wong

Council:

- 1. Note the two petitions received in relation to the funding forecast for Booyeembara Park projects in the City's Long-Term Financial Plan.**
- 2. Receive the Booyeembara Park Northern Stages Engagement Report, as provided in Attachment 1.**
- 3. Endorse the Booyeembara Park North Landscape Concept Plan 2026, provided in Attachment 2, noting:**
 - a. Officers will consider community feedback, works packages and staging, and the City's capacity to deliver the works to inform potential updates to the Long-Term Financial Plan for Council consideration as part of the annual budget process.**
 - b. The amphitheatre brief, scope and design is subject to further development following consultant advice on structural condition and remediation options.**
 - c. Officers will work with the proponents of the Fremantle Public Golf Course, Clubhouse and LaunchPad Golf Facility to implement the in-kind landscaping contribution outside of the lease boundary within Booyeembara Park.**

Carried: 5/0

For:

**Mayor Ben Lawver, Cr Frank Mofflin, Cr Pip Slaughter,
Cr Jemima Williamson-Wong and Cr Andrew Sullivan**

Against:

Nil



SGSC2610-10 ADOPTION OF DRAFT WASTE LOCAL LAW 2026

Meeting date:	Wednesday 14 October 2026
Responsible officer:	Manager Waste and Fleet
Voting requirements:	Absolute Majority Required
Decision making authority:	Council
Attachments:	1. Community Engagement Report 2. Draft City of Fremantle Waste Local Law 2026 3. Health Local Laws 1997 Repeal Clauses 4. Consent to proceed - Department of Water and Environmental Regulation

SUMMARY

At its meeting of the 27 of May 2026, Council approved to give local public notice of the City's intention to make the City of Fremantle Waste Local Law 2026 (C2605-21).

The purpose of the proposed City of Fremantle Waste Local Law 2026 is to establish a comprehensive regulatory framework for the management, collection, disposal and enforcement of modern waste services across the City.

The proposed Waste Local Law 2026 was developed using the template and content supplied by the Western Australian Local Government Association (WALGA).

This report presents the feedback received on the proposed local law (Attachment 1) and seeks Council approval to make the City of Fremantle Waste Local Law 2026 (Attachment 2).

BACKGROUND

The City does not have a Waste Local Law and relies on limited waste-related provisions contained in the City's *Health Local Law 1997* to administer and manage waste services in the City.

The waste-related provisions in the City's *Health Local Law 1997, Division 2 – Disposal of Refuse* were developed under powers contained within the *Health Act 1911*. These provisions are no longer an effective mechanism for regulating waste services.



Section 61 of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act) provides local governments the power to make local laws so that it can perform its functions under the WARR Act.

The proposed City of Fremantle Waste Local Law, is based on the current WALGA template and provides a strengthened regulatory framework for the management, collection, disposal and enforcement of waste services across the City.

To address duplication between the *Health Local Law 1997* and the proposed Waste Local Law 2026, it is recommended that selected waste-related provisions within the *Health Local Law 1997* be repealed.

The City commenced a 6-week community consultation process following Council's approval on 27 May 2026 to give local public notice of its intention to make the City of Fremantle Waste Local Law 2026. Copies of both the proposed Waste Local Law and the sections to be repealed from the Health Local Laws were made available for consideration.

Council:

- 1. Endorse the WALGA Model Waste Local Law, without modification, as the proposed City of Fremantle Waste Local Law 2026, provided in Attachment 1.**
- 2. Approve local public notice to be given, in accordance with section 3.12(3) of the *Local Government Act 1995*, of its intention to make the City of Fremantle Waste Local Law 2026 (Attachment 1), the purpose and effect of which is as follows:**

Purpose:	To assist the City of Fremantle in administering waste and recycling services to maintain consistent, cost effective and functional waste management practices.
Effect:	Establish the requirements with which any owner or occupier of premises using local government waste services, including the use of receptacles for the deposit and collection of waste within the district.
- 3. Note that a further report will be brought back to Council after the public submission period, for final consideration.**



FINANCIAL IMPLICATIONS

All costs associated with the adoption of new local laws are included in the adopted budget.

LEGAL IMPLICATIONS

Local laws made by a local government under the WARR Act may be enforced under the *Local Government Act 1995* (LG Act) as if the Local Laws were made by the local government under that Act.

Local Laws must not contravene any State or Federal Act or Regulation, and in the event of any inconsistency, the Act or Regulation will override the Local Law to the extent of the inconsistency.

Section 3.5 of the *Local Government Act 1995* (the Act) provides the power for local governments to make local laws to help perform their functions. Section 3.12 of the Act prescribes the procedure for making local laws, which is the same procedure to amend or repeal a local law.

STRATEGIC IMPLICATIONS

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

Resilient City – An educated and empowered community that seeks to mitigate the causes and effects of climate change

- Contemporary outcomes in waste management support and encourage community participation in a circular economy.

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

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

CONSULTATION

Section 3.12 (3) of the *Local Government Act 1995* allows the Council to adopt a model of local law, wholly and without modification, with a public notice period of not less than 3 weeks.

The proposed City of Fremantle draft Waste Local Law 2026 is based on WALGA's model local law template.



At the 27 May 2026 Ordinary Meeting of Council, officers recommended to provide 6 weeks' notice to the community rather than 3, to ensure if changes are made by Council the correct provision is followed by default, and to give the community adequate time to provide their feedback.

The City of Fremantle opened public engagement on this project on 3 June 2026 and collected submissions until close-of-business on 26 July 2026.

Below is a summary of key takeaways from the engagement program. A full engagement report has been provided as part of meeting attachments to this agenda item.

- The public engagement program reached more than **550 people** through online and face-to-face interactions. City officers received **49 formal submissions** of feedback for the project, via MySay survey responses and direct email submissions.
- This resulted in more than **350 individual pieces of data** collected through the engagement period.
- Participation was received from across the City, with Fremantle (Central) (34%), Beaconsfield (25%) and Hilton (14%) as the most represented suburbs.
- **50%** of participants identified as residents and **41%** as ratepayers.
- Respondents indicated the following levels of support for the draft Waste Local Law:
 - **59%** did not support the draft Waste Local Law
 - **25%** somewhat supported the draft Waste Local Law
 - **16%** showed full support for the draft Waste Local Law
- Feedback showed stronger concern with how the proposed law would be implemented and enforced than with the need for effective waste management.
- **Responsibility for bin contamination** and the **fairness of enforcement** were the dominant concerns.
- Respondents raised the difficulty of controlling what is placed in bins once they are on the verge, particularly where bins are accessible to passers-by or shared across strata and apartment developments.
- Penalties for minor, accidental or third-party contamination were considered difficult to apply fairly.
- **Respondents noted education and clearer guidance were consistently preferred alongside, or ahead of, financial penalties.**



- Suggestions included:
 - warnings before enforcement
 - clearer information about correct waste sorting
 - simple bin stickers and educational material in community languages.
- Feedback also extended beyond the Local Law to the operation of existing waste services. Key suggestions included:
 - weekly red-bin collection,
 - larger red bins,
 - improved verge collections and reuse opportunities,
 - clearer disposal pathways,
 - alternative waste processing approaches
 - greater investment in waste education and street cleanliness.
- Respondents also raised practical issues regarding the the draft Waste Local Law in relation to properties without suitable verge space, bin damage during collection, and the removal of recyclable containers or reusable items from bins and verge collections.

OFFICER COMMENT

Purpose of the Waste Local Law

The development of a Waste Local Law is identified as a future action in the City's, 2025–2030 Waste Management Action Plan. The Local Law will support the City in implementing the State Government's Waste Strategy and assist in achieving established waste targets, as outlined below.

OBJECTIVES	Avoid <i>Western Australians generate less waste.</i>	Recover <i>Western Australians recover more value and resources from waste.</i>	Protect <i>Western Australians protect the environment by managing waste responsibly.</i>
TARGETS	📍 2025 – 10% reduction in waste generation per capita 📍 2030 – 20% reduction in waste generation per capita	📍 2025 – Increase material recovery to 70% 📍 2030 – Increase material recovery to 75% 📍 From 2020 – Recover energy only from residual waste	📍 2030 – No more than 15% of waste generated in Perth and Peel regions is landfilled. 📍 2030 – All waste is managed and/or disposed to better practice facilities

The purpose of the proposed Waste Local Law are as follows:

1. Regulate the Provision and use of Local Law Government Waste Services

- Establishes the City's authority to provide, manage, and regulate waste services within the municipality



- Sets clear rules for the supply, use, placement, and care of waste receptacles (general waste, recycling and FOGO)
- Ensures waste services operate in a consistent, safe and efficient manner

2. Support Waste Avoidance, Recycling, and Resource Recovery

- Gives effect to the WARR Act at a local government level
- Mandates waste separation at the source, including recycling and FOGO diversion
- Reduces contamination by clearly defining what waste may and may not be placed in each receptacle
- Supports higher order waste hierarchy outcomes

3. Protect Public health, Safety and Amenity

- Ensure reasonable steps are taken to prevent practices that may cause;
 - Nuisance
 - Offensive odours
 - Pest and vermin attraction
 - Obstruction to streets and public places
- Regulates
 - Receptacle placement and storage
 - Verge collections
 - Waste handling at premises (FRC and CFC) and public places
- Controls inappropriate and unsafe behavior at waste facilities e.g. Fremantle Recycling Centre.

4. Provides Clear duties and Responsibilities

- Clearly assigns duties to owners and occupiers or premises regarding
 - Waste containment
 - Receptacle care and hygiene
 - Compliance with collection and placement requirements
- Defines the powers of the City and authorised persons to:
 - Issue directions
 - Grant exemptions
 - Enforce Compliance

5. Enable Effective Operations and Protection of Waste Facilities

- Regulate control, access and conduct at City operated facilities (FRC & CFC)
- Controls
 - What waste may be deposited
 - Where and how it is deposited
 - Prohibited activities (e.g. removal of waste, hazardous materials, abusive behaviour)
 - Enables the City to impose fees and charges



- These regulatory controls will complement our FRC license and associated conditions imposed by the Department of Water and Environmental Regulation (DWER).

6. Establish a Clear and Enforceable Compliance Framework

- The City will always aim to educate residents; however, the Waste Local Law creates offences for non-compliance.
- This provides for:
 - Prescribed offences and modified penalties
 - Infringement notices
- Infringements would be issued by the Community Safety and or Waste Services team in accordance with their delegated powers
- Ensures decisions under the local law are subject to objection and appeal rights under the LG Act.

The proposed Waste Local Law will complement Local Planning Policy 2.24 - Waste Management Plans enabling effective planning outcomes, operational efficiency and compliance as urban development and density increase across the City.

7. Rates, Fees and Charges

- Provides local governments the power to impose rates, fees and charges in relation to waste services as set out in sections 66 and 68 of the WARR Act and sections 6.16 and 6.17 of the *Local Government Act 1995*. It allows Local Governments to recover unpaid fees and charges.

8. Overlap with the City of Fremantle *Health Local Laws 1997*

The *Health Local Laws 1997* contain several provisions that cover the management of general waste across residential, commercial, and some industrial contexts, primarily focusing on waste handling, sanitation, and nuisance prevention.

To resolve overlaps or conflicts between the *Health Local Laws 1997* and the proposed Waste Local Law, the following clauses of the Health Local Laws are recommended to be repealed. This is to ensure that waste management practices are streamlined, avoiding redundancy and potential regulatory confusion for both residents and businesses.

Recommended clauses to repeal in the *Health Local Laws 1997*:

- Clause 41** - Receptacles
- Clause 42** - Exemption
- Clause 43** - Use of Receptacles



- Clause 44** - Damage to Receptacles
- Clause 45** - Use of Other Containers
- Clause 46** - Suitable Enclosures
- Clause 48** - Removal of Rubbish from Premises or Receptacle
- Clause 50** - Rubbish Removal Vehicles
- Clause 51** - Method of Removal of Rubbish

Repealing the above clauses would centralise waste management practices under the Waste Local Law, simplifying compliance, clarifying responsibilities, and removing redundant requirements. This will ensure the Waste Local Law serves as the primary guide for waste collection, receptacle use, public area cleanliness, and enforcement. Specific health-related waste issues, such as infectious waste and pest control, will remain under the Health Local Laws where necessary to address unique public health concerns.

The remaining clause 47 'Deposit of Refuse' is proposed to remain in the Health Local Law, for further review at a later stage.

The City has reviewed the feedback provided by the community and Elected Members during the engagement period and provides the following responses to the key themes identified in the engagement and proposed changes in response to this feedback. The full engagement report is provided in Attachment 1.

Community Engagement Feedback

Respondents that fully supported the proposed local law (16%) agreed with the benefits previously highlighted by officer's, including:

- Introduction of a dedicated Waste Local Law will provide a clearer framework for waste management.
- There is a benefit to align the City's legislation with the WALGA model Local Law.
- The proposed law provides an appropriate mechanism to address ongoing waste management issues.
- Penalties for repeated or deliberate contamination of waste, recycling and FOGO bins.
- Enforcement focuses on persistent non-compliance rather than isolated incidents.
- Education to accompany enforcement to improve correct waste sorting.
- Existing waste and recycling facilities were recognised as valuable community services.



Respondents that some-what supported the proposed local law (25%) and did not support the proposed local law (59%) raised the following concerns and questions:

Feedback (summarised into themes)

Proposed Enforcement and Penalties

- a. Concern that residents may be held responsible for waste placed in their bins by passers-by, visitors or other members of the public.
- b. Concern raised that penalties may be excessive for minor or unintentional breaches.
- c. Residents cannot control what other people place in bins once they are on the verge for collection.
- d. Responsibility for bin contamination caused by passers-by, visitors, neighbours or shared bin users was considered unfair.
- e. The proposed offences viewed as difficult or impossible to enforce fairly.
- f. Financial penalties considered disproportionate for genuine mistakes or minor breaches.
- g. Education and warnings were preferred over fines.
- h. Concern that penalties would increase financial pressure during the current cost of living.
- i. Concern that inspecting household bins would be intrusive.
- j. Concern that compliance activities would create conflict between residents and the City.
- k. Practicality of inspecting and proving offences was questioned.
- l. Clarification requested on how compliance will be assessed when bins are left on the verge for collection.
- m. Support was expressed for a graduated enforcement approach, allowing education or warnings before penalties are applied.
- n. Greater clarity was requested on how the Local Law will be monitored and enforced.
- o. Greater emphasis on behaviour change rather than punishment.

Officer response:

The City does not have a Waste Local Law and relies on limited waste-related provisions contained in the City's Health Local Laws 1997 to administer and manage waste services in the City. These provisions are no longer an effective mechanism for regulating waste services.

The majority of residents do the right thing, and the City's approach is always education before enforcement. A comprehensive education and engagement process would be undertaken before any infringement is considered.

Infringements are a last resort and would only be used for ongoing, deliberate non-compliance after all reasonable efforts to educate and assist the resident have been exhausted.



Repeat contamination of recycling and FOGO receptacles can increase processing costs and result in non-conforming loads, ultimately impacting the broader community and residents who are using the service correctly.

Infringements would not be issued for minor contamination, genuine mistakes, or accidental misuse of bins.

The City has an extensive waste education program to support residents, including printed educational materials, online resources, community workshops, festival and event engagement, school incursions, and direct engagement with strata managers and residents. This approach is designed to inform, educate and assist residents to correctly separate and dispose of their waste.

Current Education Available & Use of Resources

- a. Existing issues with bins being permanently stored on verges.
- b. Greater enforcement of bin storage and collection requirements.
- c. Better education needed on correct waste sorting.
- d. Clearer information on what can and cannot be recycled or placed in FOGO bins.
- e. Additional guidance on acceptable FOGO materials was requested, including clearer labelling on bin lids.
- f. Clearer guidance on disposal options for items that cannot be placed in kerbside bins.
- g. Council resources should focus on improving existing waste services rather than enforcing fines.
- h. Greater investment in street cleanliness, public bins and community education.
- i. Concern that administering the Local Law would require unnecessary additional resources.

Officer response:

The proposed Waste Local Law contains provisions to ensure waste receptacles are stored in appropriate locations, behind street alignments, and do not obstruct footpaths, cycle paths or road carriageways.

The City recognises that there is a diverse range of property types and will work collaboratively with property owners to determine appropriate waste collection and storage locations.

The Local Law will complement Local Planning Policy 2.24 – Waste Management Plans by supporting effective planning outcomes, operational efficiency and community safety as urban development and residential density continue to increase across the City.

The City operates a dedicated Waste Collection Team responsible for servicing public bins across parks, reserves, foreshores and coastal areas. In addition, the City Cleaner Team undertakes litter collection and cleansing activities



throughout the West End and CBD, helping to maintain the amenity, cleanliness and presentation of key public spaces.

Residents can contact the City to discuss their waste requirements and to obtain resources e.g. bin stickers.

No additional City resources or personnel are required for the administration of the waste local law.

Please also refer to the above for waste education initiatives.

Considerations for the local law

- a. Prohibition on removing waste from bins may impact people collecting eligible containers for container refund schemes.
- b. Greater consideration for apartment buildings, strata developments and shared waste facilities.
- c. Additional provisions to address bins being placed on neighbouring verges.
- d. Greater flexibility sought for disposing of certain contaminated or packaged organic waste in the general waste bin.
- e. Additional flexibility for residents with constrained properties or unique circumstances.
- f. More consideration of practical implementation before adoption.
- g. Clarification of undefined terms and drafting improvements recommended to improve consistency and fairness.
- h. Concern that some provisions provide overly broad discretionary powers.
- i. Concern that the draft Local Law should not proceed until supporting waste management strategies have been updated.
- j. Positive incentives would be more effective than punitive measures.
- k. Bin placement requirements may not account for properties without a verge or adequate space between the property boundary and carriageway.
- l. Footpath placement may be unavoidable for some properties.

Officer response:

Please refer to above comments.

Considerations for the City generally

- a. Simple "Do and Don't" bin stickers should be provided on all household bins.
- b. Educational material should be available in community languages.
- c. Weekly collection of the general waste (red) bin was preferred.
- d. Larger red bins should be reinstated.
- e. Green bins should be optional for households that do not require them.
- f. Bin collection practices should minimise damage to bins and obstruction of footpaths.
- g. Alternative waste management approaches, including waste-to-energy, should be explored.
- h. Greater enforcement of waste management on building sites.



- i. Better management of litter and packaging escaping from construction sites.
- j. Reuse of unwanted items during verge collections reduces waste and discourages illegal dumping.
- k. Antisocial behaviour and illegal dumping should be prioritised over household waste enforcement.
- l. Tree canopy management should balance green infrastructure with public safety and street lighting.
- m. Investment in waste sorting technology to reduce reliance on households correctly separating waste streams.
- n. Preference for a simplified collection system where waste can be sorted after collection rather than through multiple household bins.

Officer response:

To ensure consistency in service delivery, all residential properties are provided with the three-bin FOGO system. Residents also have the option to upgrade their bin sizes for an applicable fee.

All public and residential general waste is currently sent to waste-to-energy facilities, improving resource recovery outcomes.

Residents correctly separating their waste forms part of a holistic approach that complements recovery facilities and helps achieve the highest possible rates of recycling and resource recovery.

The City maintains a strong focus on addressing illegal dumping and regularly collects and removes illegally dumped waste.

The management of waste from building sites is overseen by the City's Compliance team.

Please also refer to above comments.

Next steps

Officers maintain the original recommendation to Council to consider adopting the WALGA Model Waste Local Law, as discussed in the responses above.

If Council approve to make the draft City of Fremantle Waste Local Law 2026, a final determination will be made which will result in:

- The local law publication in the *Government Gazette*.
- Notification to the relevant Departments and Ministers.
- Further public notice.
- Notification to the Joint Standing Committee of Delegated Legislation (JSCDL).
- Roll out of education material and enforcement (where required).



If Council decide to make significant amendments to the draft local law, further public notice will be required before a final determination can be made. Amendments to the model local law will be subject to the JSCDL's consideration.

VOTING AND OTHER REQUIREMENTS

Absolute Majority Required

DECISION MAKING AUTHORITY

Council

COMMITTEE RECOMMENDATION ITEM SGSC2610-10 **(Officer's recommendation)**

Moved: Cr Pip Slaughter

Seconded: Cr Jemima Williamson-Wong

Council:

- 1. Note the submissions received during the consultation period provided in Attachment 1, in accordance with section 3.12 of the *Local Government Act 1995*.**
- 2. Approve to make the City of Fremantle Waste Local Law 2026 provided in Attachment 2, which is the WALGA Model Waste Local Law without modification, the purpose and effect of which is as follows:**

Purpose:	To assist the City of Fremantle in administering waste and recycling services to maintain consistent, cost effective and functional waste management practices.
Effect:	Establish the requirements with which any owner or occupier of premises using local government waste services, including the use of receptacles for the deposit and collection of waste within the district.
- 3. Note that the local law repeals clauses 41, 42, 43, 44, 45, 46, 48, 50, and 51 (inclusive) of the City of Fremantle Health Local Laws 1997, published in the Government Gazette on 30 April 1998.**
- 4. Note that the City of Fremantle Waste Local Law 2026 comes into operation on the 14th day after the day on which it is published in the *Gazette*, and that the required public notice will be given.**

Carried: 5/0

For:



**Mayor Ben Lawver, Cr Frank Mofflin, Cr Pip Slaughter,
Cr Jemima Williamson-Wong and Cr Andrew Sullivan**

Against:
Nil



C2610-1 WORKING GROUP INFORMATION REPORT

1. COASTAL HAZARD RISK MANAGEMENT AND ADAPTION PLAN WORKING GROUP

WG meeting date:	7 th September 2026
WG Chair:	Cr Melanie Clark
Responsible officer:	Manager City Design
Attachments:	1. Minutes - CHRMAP Working Group Meeting – 7 September 2026

In accordance with the CHRMAP funding agreement, a Working Group has been established. Members include three City of Fremantle Elected Members as community representatives, City staff, as well as representatives of the Department of Planning, Lands and Heritage, Department of Transport and Major Infrastructure (Coastal Engineering), Department of Biodiversity, Conservation and Attractions, and the Fremantle Port Authority.

At its first meeting, the Working Group confirmed Cr Melanie Clark as Chair, reviewed its Terms of Reference, and reviewed the consultant's draft scope of work, which staff will develop further. The Group asked staff to let them know when the scope is finalised and the Tender is ready to advertise.

The Working Group also discussed the opportunity for the Town of Mosman Park to join the project as a partner and co-funder, extending the CHRMAP project boundary to include the coastal and estuarine reserves within the Town of Mosman Park local government area. Staff have since consulted with the Town of Mosman Park and Department of Planning Lands and Heritage (project funders), and the Town's partnership in the CHRMAP project has been confirmed.

2. NORTH FREMANTLE PLAN WORKING GROUP

WG meeting date:	16 th September 2026
WG Chair:	Cr Ingrid van Dorssen
Responsible officer:	Manager City Design
Attachments:	1. Minutes – North Fremantle Working Group Meeting – 16 September 2026

Phase 3 Community Consultation Approach

Following engagement with State Government, private developers and transport consultants, the project is moving closer to finalisation. City officers shared a draft presentation outlining an approach for a third round of community consultation, proposed for late October / early November.



The purpose of this consultation is to inform the community about the key issues under consideration, explain the various challenges and seek feedback on potential approaches.

The consultation material presents scenarios for both the short term (0–15 years) and long term (15–30 years). It explains how different scenarios perform against key considerations, including ongoing port operations, railway and station movements, regional transport, future urban development, completion of the Principal Shared Path (PSP) cycling network and improved east–west pedestrian connections.

The material also includes prompts around built form, building heights and scale, particularly the appropriate built form for the Bracks Street Precinct.

A single preferred approach, developed by the City Design team, is also presented for community feedback.

Feedback from the Working Group was positive. Discussions included how coastal setbacks and coastal planning were represented in the diagrams, as well as a suggestion to include an option showing Curtin Avenue extending in a straight alignment beneath the existing freight railway line before connecting with Tydemans Road.

The City Design team acknowledged this feedback and agreed to update the drawings. The revised material will also be shared with State Government stakeholders and developers for comment before being released for community consultation.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Council

OFFICER'S RECOMMENDATION

Council receive the following working group updates for October 2026:

- 1. COASTAL HAZARD RISK MANAGEMENT AND ADAPTION PLAN WORKING GROUP**
- 2. NORTH FREMANTLE PLAN WORKING GROUP**



General reports

C2610-2 SAT RECONSIDERATION - EAST STREET, NO. 39/31, FREMANTLE - CHANGE OF USE TO UNHOSTED SHORT TERM RENTAL ACCOMODATION (ED DA0153/26)

Meeting date:	Wednesday 28 October 2026
Responsible officer:	Manager City Planning
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Development Plans 2. Management Plan 3. CONFIDENTIAL – Owner and Applicant Details
Additional Information: (Viewed electronically)	4. Strata Approval 5. Site Photos 6. Applicant Response to Submissions

SUMMARY

Approval is sought for a change of use to Unhosted short-term rental accommodation at No. 39/31 East Street, Fremantle.

At its meeting held on 22 July 2026, the Council considered the application and against the Officers recommendation to conditionally approve the application, resolved to:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Change of Use to Unhosted Short-Term Rental Accommodation at No. 39/31 East Street, Fremantle, as shown on the plans dated 23 April 2026, for the following reasons:

- 1. By virtue of the location of the proposed use within a multiple dwelling (50 apartment) development predominantly occupied by long term residents, and the potential amenity impact upon these residents due to the nature of the use, including temporary visitors to the site and the activities/behaviour of these visitors, as highlighted in submissions on the application, the proposal is considered to have a detrimental impact on the amenity and established character of the Residential zone generally and the multiple dwelling development setting in which it sits, thereby contravening Clause 67 (2) (n) & (m) of the Planning and Development (Local Planning Schemes) Regulations 2015 and the policy objectives of Local Planning Policy 2.27 Unhosted Short Term Rental Accommodation.***



Reason for alternative motion:

Due to the significant level of objection from permanent residents of the apartment complex, notwithstanding that the Strata Manager provided a letter of support in compliance with 8.1 of the policy.

On 17 August 2022, the applicant submitted an application for review of the decision to the State Administrative Tribunal (SAT). Subsequent to mediation between the parties, the applicant has submitted an Amended Management Plan (Attachment 2) on 2 October 2026 and has advised they would be accepting of a condition limiting the approval to a temporary 12 month period to be able to demonstrate they can operate without impact upon adjoining residential dwellings.

The City has been invited by SAT to reconsider the application based on the amended materials and a time-limited (temporary) approval.

The amended application is, on balance, recommended for approval, subject to appropriate conditions.

PROPOSAL

Detail

Approval is sought for a change of use of an existing Multiple dwelling (apartment) to Unhosted short-term rental accommodation at No. 39/31 Adelaide Street, Fremantle. No works are proposed to the existing building or dwelling as part of this application.

At its meeting on 22 July 2026, Council refused the application. The applicant has since submitted an application for review of the decision, and following mediation, the SAT has ordered that Council reconsider its decision. The applicant has provided a revised management plan that elaborates on measures to mitigate potential impacts and a request from the applicant for a temporary approval (12 months).

Development plans are included as Attachment 1 and the Amended Management Plan can be found at Attachment 2.

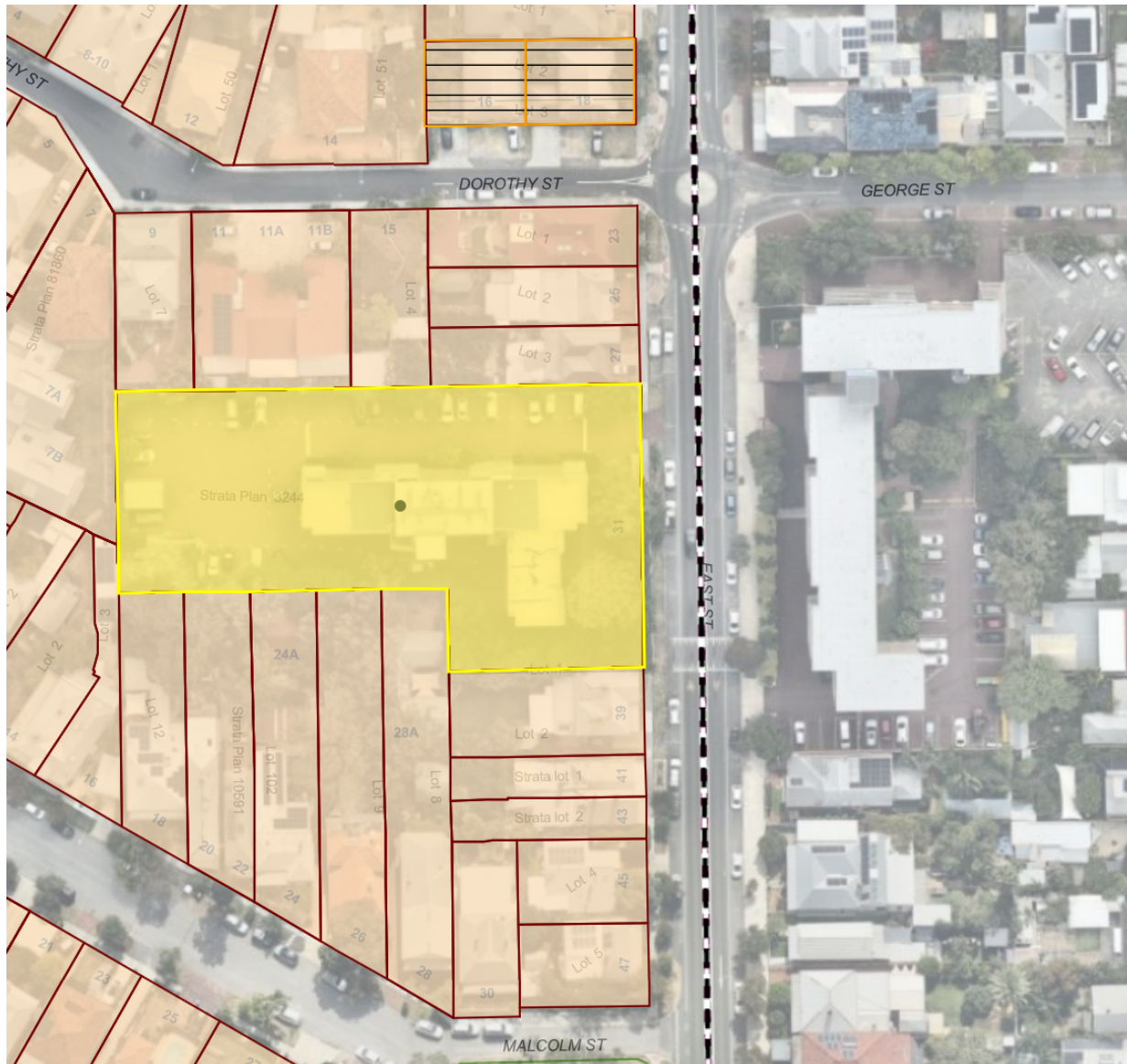
Site/application information

Date received:	24 April 2026
Scheme:	Residential (R25)
Heritage listing:	Not Listed

City of Fremantle
Ordinary Meeting of Council - Agenda **OFFICIAL**
28 October 2026



Existing land use: Multiple Dwelling
Use class: Unhosted Short Term Rental Accommodation
Use permissibility: Discretionary (A)



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 25 May 2026, and thirteen (13) submissions were received, all objecting to the proposal. The application has not been readvertised as part of the review process. The following issues were raised (summarised) with officer comment:

Submitter Comment	Officer Comment
Concerns the guests use the premises for parties, create excessive noise and disturbance throughout the night including anti-social behaviour.	It is the responsibility of the owner/manager of the unit to ensure that the STRA is managed in accordance with, and guests adhere to the Code of Conduct stipulated within, the Management Plan provided with the application at Attachment 2 to mitigate any amenity impacts and/or disturbance of adjoining residents and take necessary steps where/if issues arise. Any issues of non-compliance or other concerns should also be reported to the strata management of the complex to action as deemed appropriate by the strata.
Concerns over disruptive and disrespectful behaviour by guests and inefficient guest screening and inadequate incident mitigation and/or response times by the operator – several incidents have already occurred, one being violent which required police attendance.	As above.
Short term renters are using communal spaces (including the roof-top) for parties without any oversight, causing disturbance, anti-social behaviour and creating risk for other occupiers.	As above.
Security is compromised as the access codes are given to guests which can then be shared with anyone and/or accessed after the stay is over.	As above.
A majority of the other apartments (90%) are owner-occupied or have	It is noted that only six (6) of the 50 dwellings (12%) within the apartment



long-term tenants, short term rental units are not compatible with other occupiers in the complex	complex, including the subject dwelling, are registered as 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.
STRA is not a residential use, it introduces transient occupancy, reduces long term housing availability, and disrupts neighbourhood cohesion. In an area already saturated with STRA, the proposal is inconsistent with the objectives of the Residential Zone and the amenity considerations under Clause 67 and approving additional unhosted STRA would be inconsistent with the intent and objectives of the State's STRA reforms which aim to restrict STRA where housing pressure is severe or high concentrations of STRA already exist - Fremantle is listed among the highest-pressure metropolitan areas with respect to housing availability and concentration of STRA in lieu of permanent residents or long-term rentals.	As above.

In response to the above, the applicant provided detailed responses to each of the summarised submissions in the Additional Information attachments to this report.

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 – Unhosted Short-Term Rental Accommodation

The above matters are discussed below.



Background

The subject site is located on the western side of East Street in Fremantle and comprises a six-storey multiple dwelling (strata) development with 50 dwellings/units on a site with an overall area of approximately 3,400sqm, known as the *Swan River Apartments* (refer site photos in Additional Information).

The dwelling subject of this change of use application has 2 bedrooms, a floor area of approximately 60sqm and is allocated 1 car bay within the ground floor car park for the complex.

The site is zoned Residential and has a density coding of R25. The site is not individually heritage listed nor located within a Heritage Area.

The surrounding area is characterised by a 9 storey multiple dwelling development to the east of the subject site and otherwise surrounded by 1-2 storey single houses and grouped dwellings to the north, south and west of the site.

A search of the property file has revealed there is no relevant history for the dwelling subject of this change of use application, but the following previous applications for the complex overall:

- DA0252/12 - Additions, Alterations and Maintenance works to existing (50 Unit) Multiple Dwelling Building
- DA0310/14 - New Roof on Lift Shaft of Existing Multiple Dwelling building

Data from the State's Short Term Rental Accommodation (STRA) Register indicates that six (6) of the 50 units (representing 12% overall) within the Swan River Apartments complex are registered as STRA units, including the subject dwelling.

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 two bedrooms (limited to a maximum of four 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 (included within Attachment 2).
- It is noted that while the subject site is located in the residential zone and outside of any formal centre, the subject site location is considered appropriate for short term / tourist accommodation as the site is located a



short distance from attractions like the George Street Local Centre (50m – multiple café/restaurant, small bar and retail options), the Swan River (360m), Fremantle Art Centre (385m) and the Fremantle City Centre (1km) all of which are considered readily accessible from the property via walking, cycling, public transport (multiple bus routes servicing wider metro available from Canning Highway or Marmion Street nearby) and/or other alternative transport modes by guests of the property.

- It is noted that only six (6) of the 50 dwellings (12%) within the apartment complex, including the subject dwelling, are registered as 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.
- 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 0.5m 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 per the policy.
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 two-bedroom unit for dedicated use. As the dwelling is only two-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	The subject dwelling is two-bedroom dwelling. A maximum of four (4) persons



bedroom, excluding persons under 16, to a maximum of six 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 two bedrooms are lawful bedrooms and there is no proposal to convert others.
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.	As part of the SAT reconsideration the applicant has offered to accept a 12 month temporary approval to demonstrate they can operate without impact upon neighbours – this is recommended to be secured by condition.
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	Compliance with this provision will be secured via a recommended condition of approval.



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 Company Manager is included as 'Additional Information' to this report and includes consent from the strata management and the Council of Owners for the STRA use of the unit.
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 site plan provided in Attachment 1 which indicates the allocated parking bay for the unit.
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.	An updated, more considered Management Plan has been submitted as part of the SAT S31 reconsideration, found at Attachment 2. Compliance with this Management Plan will be secured via a recommended condition of approval.



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.

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 six (6) of the 50 dwellings (12%) within the apartment complex, including the subject dwelling, are registered as 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, that 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.

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. 39/31 East Street, 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 of the overall number of dwellings within the apartment complex 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:

Liveable City - Liveable and socially connected neighbourhoods

- 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

Council

OFFICER RECOMMENDATION

Council, pursuant to Section 31 (2) (c) of the *State Administrative Tribunal Act 2004*, SETS ASIDE its decision of 10 June 2026 and SUBSTITUTES the following decision:

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. 39/31 East Street, Fremantle, subject to the following condition(s):

- 1. This approval relates only to the development as indicated on the approved plans, dated 23 April 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 3) and for a temporary period of 12 months from the date of this approval. If the land owner ceases to be the landowner of the site or the 12 month period is reached, the unhosted short-term rental accommodation hereby approved will expire, unless otherwise approved by the City.**
- 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 dated 2 October 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 operation of the Unhosted short term rental accommodation, a Code of Conduct shall be approved by 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.**
- 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 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.

- 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. 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. Should the applicant wish to continue to operate the land use after the expiry of the approval, further approval must be obtained. An application is recommended to be lodged at least 90 days ahead of this expiry to ensure timely consideration of the application.**



Statutory reports

C2610-3 MONTHLY FINANCIAL REPORT SEPTEMBER 2026

Meeting date:	28 October 2026
Responsible officer:	Director City Business
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Monthly Financial Report September 2026

SUMMARY

The monthly financial report for the period ending 30 September 2026 has been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

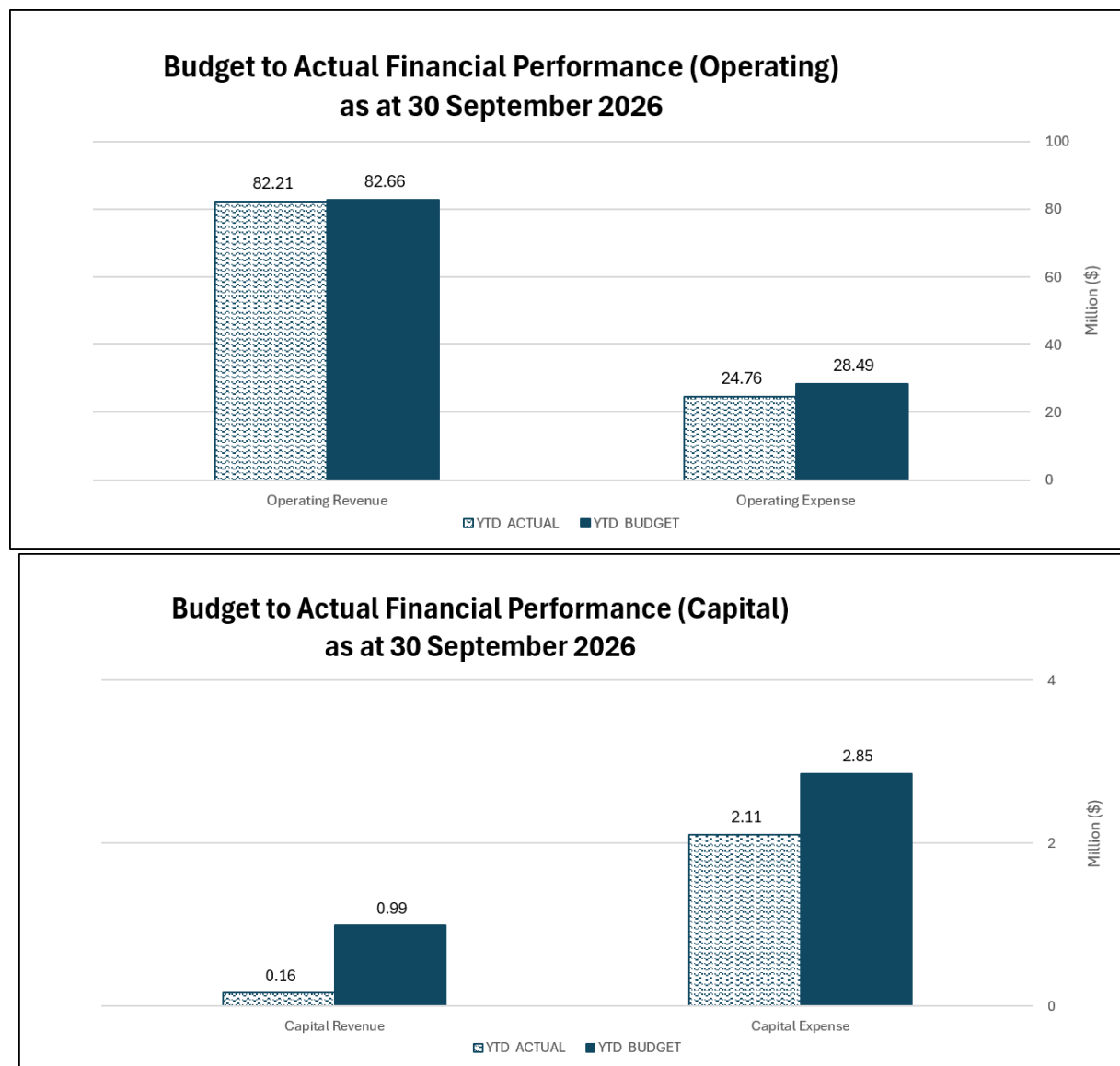
This report provides an analysis of financial performance up to September 2026 based on the following statements:

- **Statement of Comprehensive Income by Nature;**
- **Statement of Financial Activity by Nature and by Directorate; and**
- **Statement of Financial Position with Net Current Assets.**

Please note figures contained in this report are as at the reporting date and subject to change with 2025/26 end-of-year process to be completed.

BACKGROUND

The following charts and table provide a high-level summary of the Council's year to date financial performance as at 30 September 2026.



STATEMENT OF FINANCIAL ACTIVITY – BY NATURE FOR THE PERIOD TO 30 SEPTEMBER 2026

The table provides a variance summary of the operating revenue and expenses for the Statement of Financial Activity by Nature, to 30 September 2026. The detailed Statement can be found in the attached Monthly Financial Report.

Description	Adopted Budget YTD \$	Actual YTD \$	Variance YTD \$	Variance YTD %
Operating Revenue				
Rates	70,771,616	70,766,203	(5,413)	(0.01%)



Service Charges	1,803,804	1,821,014	17,210	0.95%
Grants, Subsidies & Contributions	1,865,828	1,154,930	(710,898)	(38.10%)
Fees and Charges	6,773,215	6,817,969	44,754	0.66%
Interest Earnings	950,000	1,119,654	169,654	17.86%
Other Income	499,368	526,699	27,331	5.47%
Total	82,663,831	82,206,469	(457,362)	(0.55%)
Operating Expenditure				
Employee Costs	(12,941,070)	(12,034,396)	906,674	7.01%
Materials and Contracts	(9,239,150)	(6,530,573)	2,708,577	29.32%
Depreciation	(5,018,187)	(5,025,645)	(7,458)	(0.15%)
Finance Costs	(92,665)	(97,452)	(4,787)	(5.17%)
Utility Charges	(602,216)	(510,805)	91,411	15.18%
Insurance Expenses	(312,661)	(292,121)	20,540	6.57%
Other Expenditure	(283,856)	(272,786)	11,070	3.90%
Total	(28,489,805)	(24,763,778)	3,726,026	13.08%

Further explanation of material variances can be found within the Officer's Comment section of this report.

STATEMENT OF FINANCIAL POSITION - FOR THE PERIOD TO 30 SEPTEMBER 2026

Further explanation of material variances can be found within the Officer's Comment section of this report.

FINANCIAL IMPLICATIONS

This report is provided to enable Council to assess how revenue and expenditure are tracking against budget, and to identify any material variances of which the Council should be informed.

LEGAL IMPLICATIONS

Local Government (Financial Management) Regulation 34 requires a monthly financial activity statement and an explanation of any material variances to be prepared and presented to an Ordinary Council meeting within 2 months after the end of the relevant month.



Local Government (Financial Management) Regulation 35 requires a monthly statement of financial position to be prepared and presented to an Ordinary Council meeting within 2 months after the end of the previous month.

STRATEGIC IMPLICATIONS

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

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

- Support the City through financial, procurement and revenue functions whilst ensuring legislative compliance and providing excellent customer service.

CONSULTATION

Nil.

OFFICER COMMENT

Summary of financial performance

As at the end of September 2026, the City demonstrated strong financial performance with a closing funding position of \$70.11m.

In summary, as at the end of September 2026, the current closing position exceeds the YTD amended budget by \$9.29m.

This is mainly due to favourable variances against the year-to-date budget across the following areas:

- Interest earnings of \$0.17m;
- Employee costs of \$0.90m;
- Materials and Contracts of \$2.71m;
- Utility charges \$0.91m;
- Capital expenditure of \$0.74m;
- Increased carry forward funds from the 2025/26 financial year of \$6.08m compared to the adopted budget*;

These favourable variances are offset by:

- Grants, subsidies and contributions of \$0.71m;
- Capital Grants, subsidies and contributions of \$0.83m;



*It should be noted that 2025/26 FY figures are unaudited and subject to change. The figures remain draft until such time as the end of year processes have been completed.

Explanation of Material Variances & YTD Performance

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality, Council adopted the level to be used in Statements of Financial Activity by Nature in the 2026-27 financial year for reporting material variances as 10% together with the minimum value of \$100,000 (Refer Item SC2507-1 from Council meeting on 8 July 2026).

The material variance thresholds are adopted annually by Council and indicate whether actual expenditure or revenue varies materially from the year-to-date budget. The following is an explanation of significant operating and capital variances to budget as identified in the Statements of Financial Activity by Nature.

Building on the favourable opening net position for the year, the following items explain the City's major variances in operating performance for this financial year, as highlighted in the year-to-date Financial Activity Statement:

Description	Variance \$	Comment
Grants, subsidies and contributions	(710,898)	(38.10)% Under budget
Major Variances:		
Booyembara Park Golf Course/Community Centre	(244,082)	Grant received; revenue to be allocated in line with expenditure.
Provide legal aid - Baseline	(225,548)	Grant received; revenue to be allocated in line with expenditure.
Operate Creative Learning Hub	(63,182)	\$60K received for 26/27. revenue to be allocated in line with expenditure.
Conduct Fremantle festival	(70,000)	Funding yet to be confirmed for the 2027 Fremantle Festival.
Interest earnings	169,654	17.86% Over budget
Major Variances:		
Interest bank and term desposits	137,215	Favourable investment interest rates have resulted in higher than expected interest earnings.



Materials and Contracts	2,708,577	29.32% Under budget
Major Variances:		
Booyembara Park Golf Course/Community Centre	971,809	Timing; project has been delayed by 3 months due to site contamination/ remediation works.
Building Maintenance	314,518	Timing of invoices and timing of works; will be expended.
Waste and cleansing	248,875	Timing; awaiting receipt of September invoices for collection and disposal across (general waste, FOGO, and recycling)
Fremantle Arts centre	181,318	Timing; Fremantle Festival invoices pending and South lawn events to commence end of October.
Commercial parking	142,651	Lease payments relating to June have been accrued back to 25-26.
Resource Recovery	113,335	Bulk Verge - awaiting September invoice, mattress volumes slightly down.
Parking compliance	60,323	No FER lodgements to date.
Grand final activation	50,119	Timing; Invoices being processed.
Capital Grants, Subsidies and Contributions	(829,617)	(83.58)% Under budget
Major Variances:		
Design and construct - Arts Centre Creative Hub	(400,000)	Milestone Report submitted; awaiting response from Department of Infrastructure.
Program - MRRG Works 26-27	(185,679)	Claim for MRRG program made in October.
Booyembara Park Golf Course/Community Centre	(105,680)	Delay in works; revenue to be allocated in line with expenditure.
Hilton Park Master Plan - Northern Projects	(100,000)	Claim not submitted; based on delay of works due to further requested community consultation for Hilton Park North.
Payment for Construction of Infrastructure	647,392	32.68% Under budget



Major Variances:		
Program - MRRG Works 26-27	172,295	Awaiting invoice to be processed.
Program - R2R Works 26-27	129,923	Allocated projects completed. Savings have been achieved by combining and delivering allocated projects concurrently. Additional projects will be included in the program.
Booyembara Park Golf Course/Community Centre	105,680	Project delivery has been delayed by 3 months due to site contamination/remediation works.
Program - Drainage	91,754	Project delivery has been delayed due to the redesign of the CBD tree pits.
Program - Irrigation	81,065	Invoice timing variance; Works underway.
Net position at the start of the financial year	6,075,852	85.07% Over budget
Major Variances:		
Carry forward funds from the 2025-26 financial year	6,075,852	The End of the financial year process is still underway. The final closing balance will be reported to Council once the annual audit is complete.

Accounting methods

The City manages its finances in line with the requirements of the *Local Government Act 1995*, associated regulations and Australian accounting standards.

The City carries out accounting on both an accrual basis and a cash basis.

Accrual accounting requires accounting transactions to be recognised and recorded when they occur, regardless of whether payment/receipt has been made at that time, in accordance with the Australian Accounting standards.

The City accounts for Rates, Service Charges, Interest income on term deposits, Insurance expenses and Interest expenses on borrowings (loans) & leases on an accrual basis.

The remainder of income and expenditure items are recognised and recorded at the period they are encountered.

VOTING AND OTHER REQUIREMENTS



Simple Majority Required

DECISION MAKING AUTHORITY

Council

OFFICER'S RECOMMENDATION

Council receive the Monthly Financial Reports, as provided in Attachment 1, including the Statement of Comprehensive Income, Statement of Financial Activity, Statement of Financial Position and Statement of Net Current Assets, for the period ended 30 September 2026.



C2610-4 STATEMENT OF INVESTMENTS SEPTEMBER 2026

Meeting date:	28 October 2026
Responsible officer:	Director City Business
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Investment Report 30 September 2026

SUMMARY

This report outlines the investment of surplus funds for the month ending 30 September 2026 and provides information on these investments for Council consideration.

This report recommends that Council receive the Investment Report for the month ended 30 September 2026, as provided in Attachment 1.

The investment report provides a snapshot of the City's investment portfolio and includes information as at 30 September 2026 in relation to:

- **Portfolio details;**
- **Portfolio credit framework;**
- **Portfolio liquidity;**
- **Portfolio fossil fuel summary;**
- **Interest income; and**
- **Investing activities.**

BACKGROUND

In accordance with the Investment Policy adopted by Council, the City of Fremantle invests its surplus funds, long term cash, current assets and other funds in authorised investments as outlined in the policy.

Due to timing differences between receiving revenue and the expenditure of funds, surplus funds may be held by the City for a period of time. To maximise returns and maintain a low level of credit risk, the City invests these funds into appropriately rated and liquid investments, until the City requires the money for operational expenditure.

The City's investment policy seeks to limit investments in financial institutions which support, either directly or indirectly, fossil fuel companies, while balancing compliance with the Investment Policy, and achieving a suitable return on those investments.



FINANCIAL IMPLICATIONS

Investment interest earned year to date is \$647,215 against a full year budget of \$2,040,000. Interest earnings year to date are higher than YTD budget by \$137,215 with \$282,336 being earned in September 2026. The strong investment performance is due to the attractive interest rates in the current market.

The Reserve Bank of Australia (RBA) increased the cash rate by 25 basis points to 4.60% at its Monetary Policy Board meeting on 29 September 2026, following three 25-basis-point increases earlier in the year and a period of unchanged rates in June and August. This brings the cash rate to its highest level since 2011. Inflationary pressures have strengthened. The latest Consumer Price Index (CPI) data showed headline inflation rising to 4.0% in August 2026, up from 3.5% in July and well above the RBA's 2-3% target range. Housing and transport were the largest contributors to the increase in annual inflation. The Board indicated that further tightening remains possible if inflationary pressures persist, although future decisions will depend on incoming economic data and the evolving outlook.

Given the continued uncertainty surrounding the interest rate outlook, cash and term deposit returns are expected to remain relatively attractive in the near term. Council will continue to monitor market conditions and investment opportunities in accordance with its Investment Policy and applicable legislation.

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 5.20% for the month of September 2026. The City's actual portfolio return in the last 12 months is 4.03%, comparing on par with the benchmark Bloomberg AusBond Bill Index reference rate of 4.06% (refer to Attachment 1 point 8).

LEGAL IMPLICATIONS

The following legislation is relevant to this report:

Local Government (Financial Management) Regulations 1996 Regulation 19 – Management of Investments; and
Trustee Act 1962 (Part 3)

Authorised Deposit-taking Institutions are authorised under the Banking Act 1959 and are subject to Prudential Standards which are overviewed by the Australian Prudential Regulation Authority (APRA).



STRATEGIC IMPLICATIONS

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

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

- Support the City through financial, procurement and revenue functions whilst ensuring legislative compliance and providing excellent customer service.

CONSULTATION

Nil.

OFFICER COMMENT

The City's Investment Portfolio Manager has provided comprehensive Investment Reports for the months ending September 2026 which can be viewed in the Attachments. A summary of the investment reports is provided below

Portfolio Details

As at 30 September 2026 the City's investment portfolio totalled \$73.55m. The market value of this investment was \$74.12m at that time, which takes into account accrued interest.

The investment portfolio is made up of:

Cash Investments (<= 3 months)	\$ 8.25m
Term Deposits (> 3 months)	\$65.30m
TOTAL	\$73.55m

Of which:

Unrestricted cash	\$50.18m
Restricted cash (Reserve Funds)	\$23.37m
TOTAL	\$73.55m

The current amount of \$50.18m held as unrestricted cash represents 44.52% of the total adopted budget for operating revenue \$112.72m.



Portfolio Credit Framework

The City's Investment policy determines the maximum amount to be invested in any one tier, or any one financial institution within a tier, based on the credit rating of the financial institution. Council adopted amendments to this policy at its Ordinary Council Meeting held on 25 November 2020, and the current adopted Counterparty Credit Framework is noted below.

Portfolio Credit Framework limits

The Portfolio Credit Framework limits prescribe the limit of investments that may be made within any tier of financial institutions. The maximum allocation to be invested in each tier, and the City's actual investment allocation in those tiers as at 30 September 2026 shows that the distribution of the City's investments across the four tiers is compliant with the City's investment policy.

Tier	Allocation	Allocation %	Maximum Allocation %	% Used of Maximum Allocation	% Available of Maximum Allocation	% Exceeded of Maximum Allocation
Tier 1	30,254,250.38	41.13%	100.00%	41.13%	58.87%	0.00%
Tier 2	24,000,000.00	32.63%	60.00%	54.38%	45.62%	0.00%
Tier 3	19,300,000.00	26.24%	35.00%	74.97%	25.03%	0.00%
Tier 4	0.00	0.00%	15.00%	0.00%	100.00%	0.00%
73,554,250.38						

Values used in the above calculations exclude interest for term deposits and other simple interest securities.

Within each tier, the Counterparty Credit Framework limits prescribe the limit of investments that may be made with any one financial institution. The maximum percentage of investments to be held with any one financial institution, within a given tier, are outlined below.

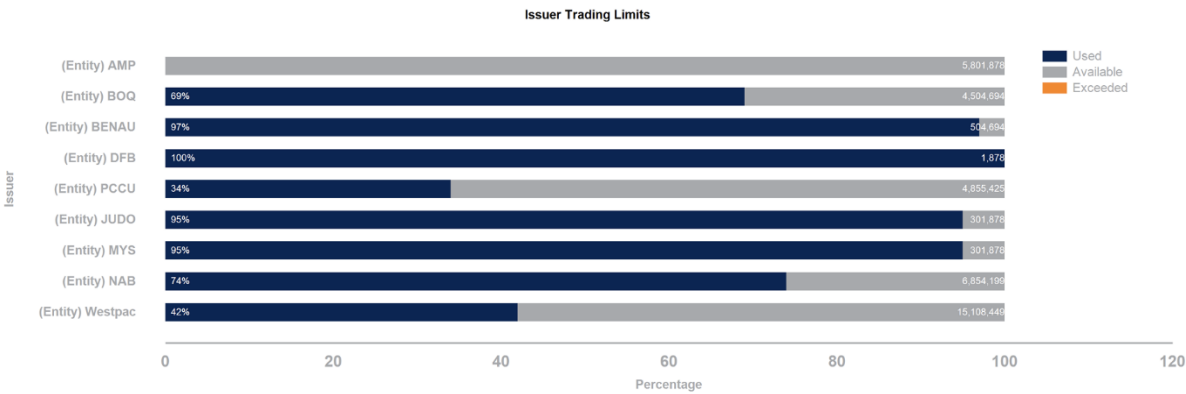
Counterparty credit framework

Investments are not to exceed the following percentages of average annual funds invested with any one financial institution and consideration should be given to the relationship between credit rating and interest rate.

Credit quality	Maximum % of total investments
Tier 1 (excl. AAA government) AAA to AA-	45%
Tier 2 A+ to A-	25%
Tier 3 BBB+ to BBB-	10%
Tier 4 Unrated	(\$1m)



The City’s funds invested as at 30 September 2026 relative to the Counterparty Credit Framework limits were as follows:



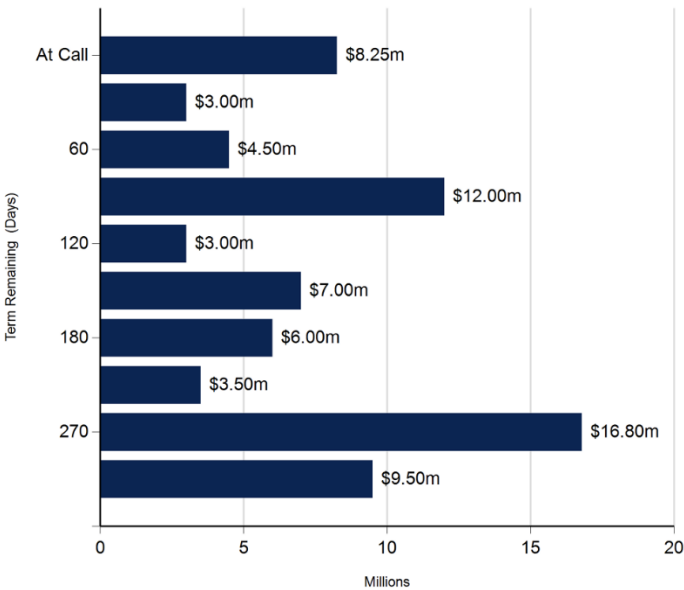
As shown in the above graph, the portfolio was compliant with the issuer trading limit.

Portfolio Liquidity Indicator

The City’s investments are to be made in a manner to ensure sufficient liquidity to meet all reasonably anticipated cash flow requirements, without incurring significant costs due to the unanticipated sale of an investment.

The below graph provides details on the maturity timing of the City’s investment portfolio as at 30 September 2026. Currently, all investments will mature in one year or less.

Face Value by Term Remaining





Portfolio Summary by Fossil Fuels Lending Authorised Deposit-Taking Institutions (ADIs)

To support the City's ability to undertake greater fossil fuel divestment, a review of the Investment Policy was presented and adopted by Council on 25 November 2020 which incorporated a minor change to the investment framework to increase the percentages allocated to Tier 3 and Tier 4 categories, allowing greater flexibility.

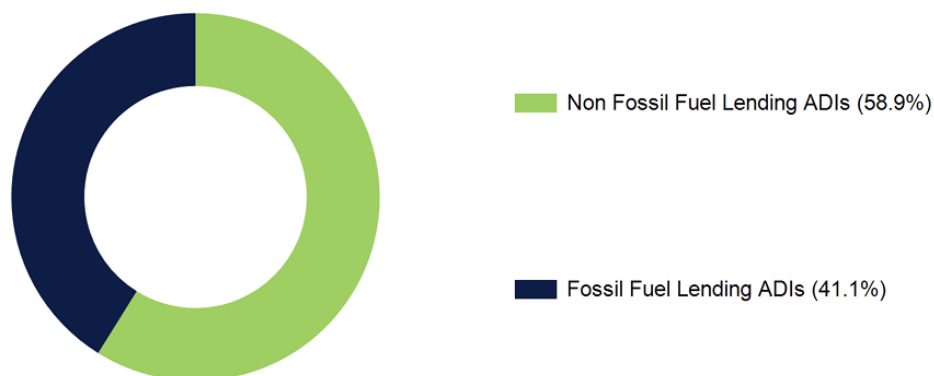
Since December 2020 investments have been made in accordance with the revised policy to increase the percentage invested in "Green Investments"; being ADIs that do not lend to industries engaged in the exploration for, or production of, fossil fuels (Non-Fossil Fuel Lending ADIs).

As at 30 September 2026, Green Investments totalled \$43.3 million, representing 58.9% of the City's investment portfolio, down from 70.1% the previous month. This remains above the City's 50% green investment target.

This decrease reflects a significant increase in the City's overall cash balance, from \$52.81 million to \$73.55 million, driven in part by the RBA's fourth cash rate increase this year. The City has been directing surplus funds toward higher-yielding investment options to capitalise on the improved rate environment.

The City's investment decisions are guided by its 50% Green Investment target, with funds placed in the highest-yielding ADIs, green-rated or otherwise, according to whether that target is currently being met. As the green proportion remained above target throughout the month, a greater share of new investments went to the highest-yielding ADIs generally, rather than green-rated institutions specifically. Further to this, the limited remaining trading capacity at green banks contributed to the lower overall green proportion.

**Fossil Fuel vs
Non Fossil Fuel
Lending ADI**



Refer to Attachment 1 (Note 7) for details on which financial institutions these investments are held in.



Management of Financial Stability Risks

The City regularly reviews risks associated with the financial stability of the Australian and global financial system. Based on the current assessment the City implements the following investment strategies:

Diversify investment portfolio across different banks - continue to prioritise higher rated banks (Tier 1 & 2) when it comes to investment activity. If a non-fossil fuel lender is providing competitive rates that will generate a suitable return, and fall within a tier 1 or 2 category, these lenders will be prioritised.

Implement risk management strategies to protect the investment portfolio against downside risks - The City will prioritise low risk investment activity across higher tier banks in order to limit the City's exposure to the risk being faced across the sector.

Regular review and rebalance of investment portfolio to ensure alignment with the investment goals, risk tolerance and market conditions.

Interest Income for Matured Investments

Per Attachment 1 (Note 9), interest income earned during September 2026 from matured investments was \$98k.

Investing Activities

There were 11 new term deposits totalling \$26.3M. Full details of the Institutions invested in, interest rates, number of days and maturity date for investments held as at 30 September 2026 are provided in Attachment 1 (Note 10).

DECISION MAKING AUTHORITY

Council

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Council receive the Investment Report for the month ending 30 September 2026 as provided in Attachment 1.



C2610-5 SCHEDULE OF PAYMENTS SEPTEMBER 2026

Meeting date:	28 October 2026
Responsible officer:	Director City Business
Voting requirements:	Simple Majority Required
Decision making authority:	Council
Attachments:	1. Schedule of Payment and Listings - September 2026 2. Purchase Card Transactions - September 2026 3. BP Plus Fuel Card Transactions - August 2026 4. Schedule of All Payments and Listings Summary - September 2026

SUMMARY

The purpose of this report is to present to Council a list of accounts paid by the Chief Executive Officer under delegated authority for the month ending 30 September 2026 as required by the *Local Government (Financial Management) Regulations 1996*.

This report recommends that Council accept the list of payments made under delegated authority and accept the detailed transaction listing of Purchase Card expenditure.

BACKGROUND

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's municipal or trust fund. In accordance with regulation 13 of the Local Government (Financial Management) Regulations 1996, a list of accounts paid under delegation for the month of September 2026 is provided in *Attachments 1 and 2*. Purchase Card transactions are provided in *Attachments 3 and 4*.

Regulation 13 of the Local Government (Financial Management) Regulations 1996 requires a list of accounts paid under this delegation to be prepared each month. The list must show the payee's name, the amount and date of each payment, and sufficient information to identify the transaction.

Regulation 13A, effective from 1 September 2023 following reforms gazetted on 30 June 2023, extends this requirement to transactions made on purchase cards.



FINANCIAL IMPLICATIONS

A total of \$12,600,814.52 in payments were made in the month of September 2026, from the City's municipal and trust fund accounts. A breakdown by payment type is provided in the Officer Comment section.

LEGAL IMPLICATIONS

This report is prepared to meet the requirements of regulations 13 and 13A of the *Local Government (Financial Management) Regulations 1996*. The list of payments must be presented to Council at its next ordinary meeting and recorded in the minutes.

STRATEGIC IMPLICATIONS

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

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

- Support the City through financial, procurement and revenue functions whilst ensuring legislative compliance and providing excellent customer service.

CONSULTATION

Nil.

OFFICER COMMENT

The following table summarises the payments for the month ending 30 September 2026, by payment type:

Payment Type	Amount (\$)
Salary / Wages / Superannuation – <i>Attachment 1</i>	3,183,563.18
International Payments – <i>Attachment 1</i>	11,547.28
Cheque / EFT / Direct Debit Payments (including BP Plus Fuel Card) – <i>Attachment 2</i>	9,354,450.43
Corporate Credit Cards – <i>Attachment 3</i>	51,253.63
Total Payments	12,600,814.52

Attachment 1 summarises all payments made in September 2026 and reconciles to the total of \$12,600,814.52. *Attachments 2 and 3* provide the transaction listings for creditor payments and corporate credit cards respectively.



The Department of Local Government, Sport and Cultural Industries has provided guidance that the purchase cards to be reported are those using an approved line of credit, including business or corporate credit cards, debit cards, store cards, fuel cards and taxi cards.

The City has reviewed its purchase cards and holds one type of store card, the BP Plus Fuel Card. Usage during August 2026 (paid in September 2026) totalled \$8,235.25 across 33 cards, with the transaction listing provided in *Attachment 4*. This amount is included in the Cheque / EFT / Direct Debit Payments in the table above.

As part of continuous improvements to reporting methods, the final stage of changes to information made available in the attachment will be implemented in the February 2027 round of meetings.

VOTING AND OTHER REQUIREMENTS

Simple Majority Required

DECISION MAKING AUTHORITY

Council

OFFICER'S RECOMMENDATION

Council:

- 1. Accept the list of payments made under delegated authority for the month ending 30 September 2026, being Cheque / EFT/ Direct Debits payments totalling \$9,354,450.43 as contained within Attachment 1, and International Payments totalling \$11,547.28 as contained within Attachment 1.**
- 2. Accept the detailed transaction listing of Corporate Credit Card expenditure totalling \$51,253.63 for the month ending 30 September 2026, as detailed in Attachment 2.**
- 3. Accept the detailed transaction listing of BP Plus Fuel Cards for August 2026, totalling \$8,235.25 and paid in September 2026, as contained within Attachment 3 (included in recommendation 1).**



- 4. Accept the Salary / Wages / Superannuation payments made under delegated authority, totalling \$3,183,563.18 for the month ending 30 September 2026 as contained within Attachment 4.**



Motion of which previous notice has been given

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

Nil.

Urgent business

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

Late items

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

Confidential business

Nil.

Closure