



MINUTES

Council Meeting

Tuesday, 11 December 2018 at 6.35pm

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MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY EAST FREMANTLE ON TUESDAY, 11 DECEMBER 2018.

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 6.35pm

2. ACKNOWLEDGEMENT OF COUNTRY

"On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place."

3. RECORD OF ATTENDANCE

3.1 Attendance

The following members were in attendance:

Mayor J O'Neill	Presiding Member
Cr J Harrington	
Cr M Collinson	
Cr A McPhail	
Cr D Nardi	
Cr A Natale	
Cr T Watkins	

The following staff were in attendance:

Mr G Tuffin	Chief Executive Officer
Mr P Kocian	Executive Manager Corporate Services
Mr A Malone	Executive Manager Regulatory Services
Ms J May	Minute Secretary

There were eight members of the public in attendance.

3.2 Apologies

Cr White
Cr M McPhail

3.3 Approved

Nil.

4. DISCLOSURES OF INTEREST

4.1 Financial

Nil.

4.2 Proximity

Nil.

4.3 Impartiality

Nil.

5. PUBLIC QUESTION TIME

5.1 Responses to previous questions from members of the public taken on notice

Nil.

5.2 Public Question Time
Nil.

6. PRESENTATIONS/DEPUTATIONS

6.1 Presentations
Nil.

6.2 Deputations

6.2.1 12.1.3 No 79 (Lot 255) Sewell Street

Ms Nora Brown (representing owner) addressed the meeting in support of the change of use renewal.

6.2.2 12.1.4 No 14 (Lots 631 & 633) Bedford Street

Mr Brent DePledge and Mr Jeff Smith (representing the owners) addressed the meeting in support of the application and the officer's recommendation.

6.2.3 12.2.4 Leeuwin Carpark – Boat Ramp Parking Permits for East Fremantle Ratepayers

Mrs Susan Ferguson (13/45 Preston Point Road) and Mr Barry Biddiscombe (37B Gill Street) addressed the meeting requesting Council reintroduce subsidised parking at the boat ramp for East Fremantle ratepayers as soon as possible.

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Meeting of Council (20 November 2018)

8.1 OFFICER RECOMMENDATION

Moved Cr Harrington, seconded Cr Natale

That the minutes of the Ordinary meeting of Council held on Tuesday, 20 November 2018 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Mayor O'Neill thanked elected members and staff for working so cohesively during the past year. He advised it was pleasing there were no divisions amongst elected members or between elected members and staff, allowing everyone to work well together.

He wished everyone a safe and happy Festive Season.

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

11. REPORTS AND RECOMMENDATIONS OF COMMITTEES

Nil.

PROCEDURAL MOTION

Moved Cr Natale, seconded Cr Nardi

That the Order of Business be changed to allow members of the gallery to be present during consideration of the following items.

(CARRIED UNANIMOUSLY)

12.1 PLANNING REPORTS

12.1.3 No. 79 (Lot 255) Sewell Street, East Fremantle – Renewal of Approval for Change of Use - Dwelling to Short Term Accommodation

Applicant/Owner	D Nelson
File reference	P/SEW79, P026/18
Prepared by	Christine Catchpole, Senior Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	4 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil.

Purpose

For Council to consider an application to renew an approval for a change of use from single dwelling to short term accommodation at No. 79 Sewell Street, East Fremantle.

Executive Summary

An application for renewal of an approval for short term accommodation (four bedrooms) at the subject site is proposed following the approval of the accommodation use 6 months ago. The owner advises the property continues to be managed by a nearby resident.

The following issues are relevant to the consideration of this use for a further approval period of 12 months now that the 6 month temporary approval period has lapsed:

- impact on residential amenity;
- number of people accommodated and number of bedrooms for accommodation purposes;
- adequacy of available car parking;
- management of the property;
- BCA requirements and compliance; and
- length of temporary planning approval.

Following advertising to the same surrounding land owners as with the previous application no submissions were received and there have been no complaints about the use of the site for short term accommodation in the preceding 6 months. The application is therefore recommended for conditional temporary approval for 12 months. If there are no issues arising from the use of the property, to the satisfaction of the Chief Executive Officer, in the 12 month approval period then the applicant will be requested to make another application for a 12 month temporary approval so that commercial uses of this nature can continue to be monitored in residential areas.

Background

Zoning: Residential R20

Site area: 508m²

The use of the site for short term accommodation was brought to the Town's attention approximately 7 months ago. As the Town's records indicated no approval had been sought by the owner, the owner was requested to submit a development application for a 'subsequent approval' for the change of use.

The applicant provided a letter in support of the application dated 17 April 2018 which is repeated in part below:

"I entered into the ABNB arrangement for the following reasons: I thought having guests staying in my home would make it more secure, it would provide economic value to the local community on George Street and it would also provide a source of income to me that would cover maintenance and utility bills.

Since setting up ABNB I have tried to ensure that the impact on others in the neighborhood is minimal. On the ABNB property listing I have advised that the property is in a quiet residential area and that parties are not permitted. In addition, I have also identified after 10pm noise has to be reduced as I have neighbours with children.

When I accept a booking, prior to arrival I provide the following information: that if the guest has a car it has to be parked directly in front of the house or at the side of the property, (there is off-street parking for one car), that rubbish bins are at the right hand side of the house and that guests use only the bin allocated to the property.

If there are any concerns with regards to guests these can be addressed immediately. I have recently asked my property manager to introduce herself to the neighbours to engender positive relationships and ensure that they have confidence that somebody is readily available.

I believe the property is providing a positive contribution to the community and that it is managed in a responsible manner."

The owner was not aware that a development approval was required to be obtained from the Town but when requested submitted an application and has now submitted an application for renewal of the approval as required.

Consultation

Advertising

The new development application was advertised to surrounding land owners from 13 to 27 November 2018. No submissions were received. The Town has not recorded any further complaints during the past 6 months. The short term accommodation appears to be operating without incident.

The applicant has also submitted correspondence supporting the fresh application (email dated 12 November 2018). It states as follows:

"I am writing to advise that I wish to continue using my property for Air BnB and seek approval to do so. I have, since approval was given, done the following:

- a) acted on and abided by all requests that the Council has made; and*
- b) given neighbours on either side the phone number of my property manager.*

No concerns have been expressed by either party regarding guests using my house.

I wish to reapply and would like consideration to be given with regards to the granting of 12 months temporary approval."

Community Design Advisory Committee

The application was not referred to the Advisory Committee as the proposed short term accommodation is considered to have no impact on the streetscape or the heritage elements of the site.

Statutory Environment

Planning and Development Act 2005

Town of East Fremantle Local Planning Scheme No. 3

LPS No. 3 - Heritage List

Policy Implications

Municipal Heritage Inventory – Category B

Note:

No local planning policy applies, however, the Western Australian Planning Commission (WAPC) has published 'Holiday Homes Guidelines – Short Stay Use of Residential Dwellings' (September 2009) which can be used as a guide in the assessment of short term accommodation applications.

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

- 3.1 Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 Plan for a mix of inclusive diversified housing options.*
- 3.2 Maintaining and enhancing the Town's character.*
 - 3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 Continue to improve asset management practices.*
 - 3.3.2 Optimal management of assets within resource capabilities.*
 - 3.3.3 Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 Plan for improved streetscapes parks and reserves.*

4.2 *Enhance environmental values and sustainable natural resource use.*

4.2.1 *Reduce waste through sustainable waste management practices.*

4.3 *Acknowledge the change in our climate and understand the impact of those changes.*

4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

November 2018

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the WAPC Holiday Homes Guidelines.

Use for short term accommodation

The applicant seeks a renewal of the approval for a change of use from residential to short term accommodation. No change to the original proposal is planned.

The accommodation will be provided in the existing dwelling which comprises four bedrooms, two bathrooms, other amenities and a pool. In recent years the dwelling has undergone renovation and extension. The accommodation is currently listed on a short term accommodation Website and guests have been staying at the property. As indicated above, the owner has a property manager who is living close by and is in contact with the neighbours.

The property manager attended to the guest management issues previously raised with the Town. To date these matters appear to have been one-off occurrences and have been rectified with no further complaints or follow-up required by the Town since the initiation of the 6 month approval period. The immediate neighbour has not reported any further issues.

As noted in the previous Officer report the Council does not have any specific policies or local laws that regulate short term accommodation. The WAPC, however, formulated Guidelines in 2009 for the short term use of residential dwellings. This document identifies the issues or matters to be considered on submission of a development (planning) application. It also makes recommendations in respect to how a local government authority may deal with such applications. The Guidelines provide advice in regard to the following planning considerations:

- requirement to lodge an application;
- advertising and invitation to comment;
- location – potential for conflict between land uses;
- amenity;
- building standards;
- form of approval;
- type of dwelling;
- management of property;
- fire and emergency response plans;
- approval period;
- holiday homes register;
- non-compliance and cancellation of approval; and
- voluntary accreditation.

Notwithstanding the application has been assessed with regard to the relevant sections of the Guidelines for this application, LPS No. 3 provisions, residential amenity and the impact the use could have on surrounding neighbours and conditions imposed accordingly, it is considered prudent for Council to be cautious when considering applications for the commercial use of properties in Residential zoned areas.

For this reason it is considered necessary to grant approval for a 12 month period only in which time the change of use can be monitored in respect to the manner in which it operates and managed and if any negative impacts for residents in the area eventuate. This is not considered unreasonable given this property is within a Residential zone and it is a reasonable expectation of residents that the protection of residential amenity should be a priority. At the expiry of the 12 months, if the applicant wishes to continue the use it will be necessary for a fresh application for development approval to be submitted for the Council's consideration. At that time the application will be readvertised inviting comment from surrounding residents.

Car parking

Car parking is an important consideration and should be monitored during the continuing approval period to determine there is no adverse impact on resident parking, on-street parking or residential amenity. In this case the owner can provide one parking bay on-site and parking is available in the street directly outside the property. This is considered acceptable in respect to parking provision, given visitors to Perth travelling are either unlikely to have a vehicle or would have no more than one car, two at the most which would be equivalent to, or less than that of a family or person(s) occupying the residential property. However, this will also be monitored over the 12 month period to determine if this is sufficient and there are no additional pressures on parking in the street eventuating. This is considered necessary because during the 6 month period, whilst there have been no complaints, there may not have been continual or constant periods of time where the property was rented. The number of people permitted to be accommodated will also continue to be addressed through a condition of planning approval, which will also limit parking demand. This is discussed below in regard to the number of bedrooms and people able to stay at the property.

Accommodation

The property has four bedrooms and the Web site states up to 8 guests. To safeguard residential amenity it is considered necessary to impose the same condition of approval which limits the number of people that can be accommodated to 6 adults or 2 adults and 4 children with the maximum number of bedrooms not exceeding 4. This is considered to be more in keeping with the likely number of occupants with residential use of the property (i.e. the R-Codes definition states that a *dwelling* is no more than 6 persons who do not comprise a single family). This number of people (and bedrooms) will be reviewed after a 12 month period and therefore approval is recommended for 12 months only so that the level of activity associated with the accommodation can be monitored. This will be applied as a condition of planning approval and is the same renewal period applied to all short term accommodation approvals in the precinct.

Management plan

A management plan is always required to be submitted as part of the conditions of approval. This is recommended as a condition of planning approval to safeguard amenity in the 12 month period in which the use will be monitored. The Management Plan is to include the following details:

- the owner's contact details (during and after business hours);
- details of how nuisance issues such as noise and anti-social behaviour would be addressed by the owner;

- a fire and emergency response plan;
- car parking;
- the number of people occupying the premises and the number of bedrooms; and
- maximum period of stay.

Conclusion

It is considered that the application for renewal of the temporary approval can be approved subject to the same conditions. The most significant being another temporary term of approval, this time for 12 months and the requirement for renewal of the approval on a 12 monthly basis. This is to ensure the use of the property is not having a detrimental impact on the surrounding residential properties. It is noted the owner has complied with all conditions of approval as requested by Council, including the provision of all contact details and a comprehensive management plan. Other conditions restricting the scale of the accommodation (i.e. limiting the maximum number of guests to 6 adults or 2 adults and 4 children), with only four bedrooms to be used for accommodation purposes are also considered necessary to minimise the potential for issues relating to car parking and noise arising.

In summary, it is considered the applicant has provided suitable compliance with all conditions of approval and clarification with regard to the use to ensure there is no impact on the surrounding residents. However, a 12 month approval period is considered warranted so that the change of use can be closely monitored for any continuing negative impacts, particularly given there has been complaints from neighbours.

Uses of this nature within residential areas which are already subject to parking and traffic pressures and have dwellings located in close proximity should be considered with cautiousness and therefore renewals are required every 12 months rather than being granted on a permanent basis. This is considered necessary to ensure monitoring of the use occurs and the expectations of residents in respect to their amenity can be met. It also allows Council to receive feedback on the operation of the business on a regular basis. A number of other conditions in respect to parking, management and signage are also recommended to be reinstated with this approval.

12.1.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 011218

Moved Cr Collinson, seconded Cr Nardi

That Council exercise its discretion in regard to granting temporary approval (12 months) for a change of use from residential to short term accommodation at No. 79 (Lot 255) Sewell Street, East Fremantle for the premises indicated on plans date stamped 21 December 2012 and supporting information date stamped received 17 April and 12 November 2018 subject to the following conditions:

- (1) Approval is for a temporary period of 12 months only from the date of this development approval.**
- (2) Continuation of the short stay accommodation use after the 12 month approval period has expired will require the submission of a new development approval application for Council's consideration.**
- (3) Maximum accommodation is for 6 adults or 2 adults and 4 children based on 4 bedrooms only being provided for guest/occupant accommodation. This is not to be exceeded on any occasion.**
- (4) No more than four (4) bedrooms to be used for accommodation purposes. This is not to be exceeded on any occasion.**

- (5) No occupants' vehicles are to be parked on the Council verge, in or across crossovers due to inadequate or unavailable parking on-site or in the street.
- (6) No on-site signage is permitted with respect to the application.
- (7) The approval may be revoked by Council, if any adverse impacts involving noise, anti-social behaviour, breaches of length of stay or the management plan, waste removal, security, parking or privacy control measures for adjoining neighbours are unable to be controlled by the applicant/owner in a timely and effective manner which is to satisfaction of the Chief Executive Officer.
- (8) The approval is valid for a period of 12 months only from the date of the "Approval to Commence Development" and the applicant is required to seek a renewal thereafter to enable the continuance of the short term accommodation use. During the review of the renewal process, assessment of car parking, noise, vehicle movements, number of occupants, any reports of anti-social behaviour and general management of the property will be undertaken.

Footnote:

The following is not a condition but a note of advice to the applicant/owner:

- (i) *A fresh development (planning) approval application is to be made for Council's consideration at the expiry of the twelve (12) month temporary approval period should the applicant wish to continue the use;*
- (ii) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site;*
- (iii) *A copy of the approved plans as stamped by Council are attached and the use is to conform with the approved plans unless otherwise approved by Council; and*
- (iv) *Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".*

(CARRIED UNANIMOUSLY)

12.1.4 Bedford Street No. 14 (Lots 631 & 633) Bedford Street – Two Storey Grouped Dwelling and Alterations and Additions to Existing Heritage Dwelling, Including Double Carport

Owner	P & N Jones
Applicant	dePledge Design
File ref	P/BED14
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting date	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil.

Purpose

For Council to consider a development approval application for a two storey grouped dwelling and alterations and additions to the existing heritage dwelling and including a double carport at No. 14 Bedford Street, East Fremantle.

Executive Summary

The application involves an application for a two storey grouped dwelling and alterations and additions to the existing heritage dwelling and including a double carport. The existing dwelling (Canning Highway) is to be retained and a new carport is to be constructed. A separate two storey dwelling is proposed to the rear of the lot.

The following issues are relevant to the determination of this application:

- Building height - over height wall height;
- Lot boundary setbacks – reduced on the northern and southern elevations;
- Open space – 45% required, 43.7% provided;
- Garage width;
- Street Surveillance;
- Front fencing;
- Sight lines;
- Visual privacy setbacks; and
- Overshadowing

One submissions was received, which is outlined below. The above variations are a result of the development of the lot to the rear of an existing dwelling and it is considered the variations can be supported subject to appropriate conditions, therefore, the application is recommended for conditional approval.

Background

Nil in regard to this application.

Consultation

Advertising

The proposed application was advertised to surrounding land owners from 12 to 29 October 2018. One (1) submission was received. The submission is outlined below in italics.

Submission

"We are writing to object to this development application and specifically to the subdivision and development of the new 2 storey dwelling (Proposed Lot B). All further comments are directed at the Lot B of the development application.

Our main concerns relate to the bulk and scale of the development and its impact on our property, our living environment and our quality of life.

The 2 storey dwelling appears to be approximately 12.4M long and approximately 5.6M high, (not including the roof) directly facing the side of our house and our living area. Lot B is significantly taller than both the existing residence at 14 Bedford Street and also our house. It is offset off the boundary by only 1.6M. The situation of the new dwelling is on our northern boundary and is directly adjacent to the part of our house where we spend most of our living time. The scale and bulk of the development from our property is imposing.

In State Planning Policy 3.1 Residential Design Codes we note that as part of the site analysis plan, plans should indicate adjoining buildings including levels and position of habitable room windows and outdoor living areas. In the plan that we sighted at Council this information was not included in the plans which makes a full assessment of the impact of the development very difficult

There are a number of concerns around the bulk and scale of this development

- *The visual impact*
- *Overshadowing and loss of sunlight*
- *Loss of privacy*
- *Noise*

The proposal is to build a wall 12.4M long and 5.6M high, 1.6M off the boundary. Visually this will be an extremely imposing structure and will dwarf both the proposed house on Lot A of 14 Bedford Street and our house. As we spend a lot of time along this side of our house, it will make a significant imposition on our ability to enjoy our property as it will be visually oppressive.

The area of our property that is adjacent to this proposed development is where we get most of our sunlight and where we spend a large proportion of our living time. It is also an important source of light to the front bedroom, lounge room and study. For the past 45 years that we have lived in this house, the verandah has been central to our family life. We eat at least one meal each day on the verandah and it is where we congregate as a family. This is due to the amount of sunlight we get here, the sea breeze and the visual outlook.

Our concern with the proposed development is that it will block out most (if not all) of the sunlight on the verandah, casting it in shade and significantly reducing not just the amenity of the verandah but also our quality of life. In addition, it will reduce sunlight entering our front bedroom, our lounge room and study.

Along our northern boundary we have a row of mature citrus trees and flowerbeds. We are concerned that the overshadowing and loss of sunlight will ultimately affect the health of our garden. It should also be noted that we have existing solar panels and a solar hot water system that will be adversely impacted by the overshadowing particularly during the winter months.

We also have concerns that building so close to the boundary will affect our privacy. The ground floor has large glass doors that face directly at our house and is noted to be part of the main living area of the proposed property. As the doors will only be 1.6M off the boundary we are concerned that this will

be a heavily utilised part of the property and that it will impact us both from a loss of privacy but also potentially from noise. The ground floor also has 2 large glass windows facing our property – which also concern us regarding loss of privacy.

The proposed development also features a balcony (1220x3620mm) that has a side facing our property, which is someone was to stand at this side they would be able to see onto part of our verandah, which will impact our privacy.

In reviewing State Planning Policy – Residential Design Codes for buildings zoned R40 or above (14 Bedford St appears to be zoned both R20 and R40) we would question whether the proposed development complies or not. Specifically:

6.1.2 Building Height “Building height that causes no adverse impact on the amenity of adjoining properties.”

6.1.4 Lot Boundary Setbacks. “Buildings set back from boundaries.....

- moderate the visual impact of building bulk on a neighbouring property*
- ensure access to daylight and direct sun for adjoining properties*
- assist with the protection of privacy between adjoining properties”*

C4.1 notes that the setback should comply with tables 2A and 2B in the State Planning Policy – Residential Design Codes. As the wall adjacent to our property appears to contain 3 major openings (Glass doors 2410mm wide and windows 1970 and 1940mm wide), we believe that the setback should be consistent with table 2B. For a wall height of 5.6M and length of 12.4M, the table suggests the setback should be 3.5M rather than the 1.6M currently proposed

6.4.2 Solar access for adjoining sites.

P2.2 “Development designed to protect solar access for neighbouring properties taking account the potential to overshadow existing:

- outdoor living areas*
- roof mounted solar collectors”*

Based on our assessment of the plans that proposed development does not comply with these sections of the State Planning Policy – Residential Design Codes, specifically with regard to setback and the impact of bulk and scale.

We have also reviewed “Town of East Fremantle Local Planning Policy: Residential Design Guidelines” and raise the following concerns:

3.7.6 Construction of New Buildings. Note 2 New development should reflect traditional setbacks, scale and bulk

3.7.7.2(ii) “New developments are to be constructed with front and side setbacks to match the traditional setbacks of the streetscape”

3.7.7.2 A3 which references the State Planning Policy – Residential Design Codes with regards to the setback of walls along an adjoining residential boundary

3.7.15.4 Building Height, Form, Scale and Bulk A1.3(i) “Second storey is setback so that the roof line is below the line of sight of a person standing on the opposite side of the primary street”

In summary, we object to this development, specifically plans for Lot B on the grounds of bulk and scale and the setback. The bulk and scale of building a 2 storey building with small offset along our boundary we believe will severely impact our light, sun, outlook and privacy along an area of our house that is used heavily and is the part of our house that we provides us with the most enjoyment.

We would suggest that the bulk and scale of the proposed development be reduced significantly and that it be set back a minimum of 3.5M from the boundary. A further suggestion would be to relocate the proposed development to face towards Canning Highway as the dimensions in the proposed subdivision would accommodate this."

Community Design Advisory Committee (CDAC)

This application was referred to the CDAC meeting of 22 October 2018. The Committee's comments were recorded as follows. As a result of the CDAC's comments the applicant has addressed the matters raised in the response provided below in italics following the Committee's comments:

(a) The overall built form merits;

- The Committee deem that the development has limited built form merits in regards to the following
- The existing front fence increases the bulk and scale of the proposal to the streetscape. The Panel recommend that the existing front fence to be opened up to facilitate reduced bulk.
- The garage does not integrate into the new dwelling. The Panel question the functionality of the garage and its design relating to the new dwelling.
- The Committee recommend the design of the new dwelling be reviewed to better integrate the garage and the house into an integrated building.
 - a. *In regards to the existing front fence of proposed Lot B the owners will increase the openings between the piers from 343mm to 514mm in height therefore considerably reducing bulk of the existing brick front fence.*
 - b. *The garage external finish and colours can be altered to match the new two storey residence. This can be done by replacing the roof tiles on the garage with a metal roof, altering the gable feature of the garage to match the same weatherboard cladding and colouring the external walls of the garage to match the new two storey residence. We believe by completing these alterations the existing garage will integrate with the new two storey residence.*
 - c. *Due to the existing levels, position of the existing garage and limited site cover allowance for the new residence it is not practical to integrate the garage and house into an integrated building.*

(b) The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.

- The Committee does not support the carport to the front heritage dwelling as the carport is located within the front setback, increasing the bulk and scale of the built form to Bedford Street.
 - a. *The proposed carport is not in the front setback area. It is located 12.864m from the front boundary and therefore is not located in the front setback. The proposed carport is gaining its access from Bedford Street which is the secondary street. The existing*

residence front facade and front doors face Canning Highway therefore Canning Highway is the primary street when considering front setback requirements.

- b. We have designed the carport with minimum height and an open style garage door to minimize any impact regarding bulk and scale of the build form to Bedford Street.*
- c. We believe our proposal would have little more impact regarding bulk and scale to Bedford Street than what already exists with the current fence.*

(c) The relationship with and impact on the broader public realm and streetscape;

- The Committee consider the proposal does not make a positive contribution to the street resulting in a poor outcome. The existing fence, retention of existing garage and proposed carport also contributes to the overall bulk and scale to Bedford Street. This bulk should be reduced to Bedford Street.

We believe our proposal does make a positive contribution to the streetscape due to the following reasons;

- a. The owners are prepared to open up the existing solid brick fence of proposed Lot B facing Bedford Street therefore reducing the existing bulk.*
- b. The existing garage roof tiles and gable facade will be replaced with the same materials as the proposed two storey residence and therefore integrate with the proposed building.*
- c. The existing garage wall colour, roof colour and gable colour will match the proposed two storey residence and therefore integrate with the proposed building.*
- d. The proposed carport location and height has little more impact than what already exists, in fact we believe it will be more open when viewed from Bedford Street than what exists at the moment.*
- e. The new double carport reduces the need for cars parking on Bedford Street which has to be a positive contribution to enhancing the streetscape.*

(d) The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;

- No comment.

(e) The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;

- No comment.

(f) The demonstration of other qualities of best practice urban design including "Crime Prevention" Through Environmental Design performance, protection of important view corridors and lively civic places;

- No comment.

Amended Plans

The applicant has provided additional information and amended plans (19 November 2018) which has also been presented to the CDAC at its meeting of 19 November 2018. The following comments were made:

- The Committee considers the applicant has responded to their comments. The proposal is considered a slight improvement on the original referral.

Referral to Main Roads WA

The applicant was referred to Main Roads WA and the following comments were made:

'In response to your correspondence on the 15 October 2018. Main Roads has no objections. Would you please forward a copy of the City's final determination on this proposal quoting file reference 18/9746 (D18#974287).'

The Town has raised concerns with the applicant regarding sight lines from access/ egress of the carport. The applicant has provided the following comment:

We can provide sightlines as per Figure Series 9 – Sight Lines, Figure 9a of the R-Codes being a 1500mm x1500mm visual truncation from the driveway. This will involve moving the proposed carport back a from 500mm to 1500mm from Bedford Street which will further improve the streetscape.

This is considered a suitable design outcome and has been conditioned as such.

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016

Financial Implications

Nil.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town's character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 *Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*
 - 3.3.2 *Optimal management of assets within resource capabilities.*
 - 3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 *Conserve, maintain and enhance the Town's open spaces.*
 4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 4.1.2 *Plan for improved streetscapes parks and reserves.*
 4.2 *Enhance environmental values and sustainable natural resource use.*
 4.2.1 *Reduce waste through sustainable waste management practices.*
 4.3 *Acknowledge the change in our climate and understand the impact of those changes.*
 4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

July and November 2018.

Comment

LPS 3 Zoning: Residential R20/40

Site area: 794m²

Heritage List: Category B

Port Buffer Zone: Area 3

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	4.0m	4.2m	A
Lot Boundary Setback			
North			
GF:	1.5m	1.2 – 1.6m	D
UF:	3.8m	1.2 – 1.6m	D
South			
GF	1.5m	1.6m	A
UF:	1.8m	1.6m	D
Open Space	45%	43.7% (applicant's calculations)	D
Car Parking	2	2	A
Visual privacy setback (floor level >500mm above NGL)	7.5m balcony	3.3m	D
Overshadowing	25%	14.9%	A
Drainage	On-site	On-site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	A
3.7.5 Demolition	A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	D
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	A
3.7.18.3 Garages, Carports and Outbuildings	D
3.7.15-20 Precinct Requirements	D

Building Height Requirement	Required	Proposed	Status
Building Height			
Overall Height	9.0m	8.4m	A
Wall Height	6.0m	6.4m	D

Density

The subject lot is able to be subdivided (proposed development) and does comply with Clause 5.3.2 of the TPS3, which states:

- 5.3.2 Highway frontage dual coding: In the case of those sites with frontage on to Canning Highway and which are designated with a dual density coding, development above the lower density coding is subject to the following requirements:*
- (a) Sole vehicular access to the site is to be via a street other than Canning Highway;*
 - (b) Noise attenuation measures are to be included in all dwellings, which will in the opinion of the local government, reduce traffic noise to an acceptable level within all habitable rooms;*
 - (c) Development is to be designed to face the frontage to Canning Highway, and any other street to which the site has frontage; and*
 - (d) The heritage value of any place included on the heritage list under clause 7.1 of the Scheme, is to be maintained, to the satisfaction of the local government.*

The proposed development is located to the rear of an existing B listed heritage dwelling which does adequately address/ front Canning Highway. The proposed development (rear lot) has been designed to front Bedford Street. The proposed lot area/ density does comply with the site area requirements for minimum and average site areas as set out in Table 1 of the R-Codes for an R40 lot. The proposed development and any potential associated subdivision of the parent lot does meet the requirements of clause 5.3.2 of Town Planning Scheme No 3, which is necessary for consideration of development density above the 12.5 R-Coding.

Accordingly, the proposed development can be assessed against the R40 density requirements of the R-Codes and Residential Design Guidelines. As such the proposed development has been assessed against the R40 density development provisions.

Boundary Setbacks

The proposed carport to the existing dwelling is conditioned as per the applicant's response above to be set back 1.5 metres from the side boundary and therefore will be compliant to the 'Deemed to Comply' requirements of the R-Codes.

The proposed retention of the garage to the new dwelling has not been assessed as being part of this development proposal, as the garage is existing. The garage is constructed on the front (western) boundary.

The proposed variations to the 'Deemed to Comply' provisions of the R-Codes are outlined in the above table.

Notwithstanding the above, the LPP RDG Element 3.7.7 provides performance criteria by which to assess proposed variations to setback requirements. This is summarised below.

P1.1 The primary street setback of new developments or additions to non-contributory buildings is to match the traditional setback of the immediate locality.

The proposed dwelling is set back 4.2 metres from the front boundary (3.0 metres with minor incursions). The garage is located on the front boundary. The garage under the RDG is generally required for new dwellings to be located 1.2 metres behind the building line (Element 3.7.18 of the Residential Design Guidelines). The garage in this instance is existing on the western boundary and therefore cannot comply with Element 3.7.18. Whilst on the boundary the garage is considered to articulate the proposed dwelling and acts as a visual separator of the proposed development and the heritage dwelling (design of the garage will be modified to be sympathetic to the new dwelling). Notwithstanding the garage location (constructed on the front and northern boundary), the proposed development (excluding the existing garage) complies with Element 5.1.2 Street setback of the R-Codes.

It is considered the dwelling will have minimal negative impact on the streetscape as the proposed bulk of the built form is setback so as to transition from the secondary street setback of the parent lot to the setback of the adjoining neighbouring lot to the south. The proposed dwelling is considered not to dominate the street.

A new carport is proposed to the heritage dwelling. The applicant has made the following statement:

We can provide sightlines as per Figure Series 9 – Sight Lines, Figure 9a of the R-Codes being a 1500mm x 1500mm visual truncation from the driveway. This will involve moving the proposed carport back a from 500mm to 1500mm from Bedford Street which will further improve the streetscape.

The proposed setback of the carport at 1.5 metres from the street complies with the 'Deemed to Comply' provisions of the R-Codes and therefore provides articulation to the street, but also provides additional sight lines for vehicles egressing the garage.

P1.2 Additions to existing contributory buildings shall be setback so as to not adversely affect its visual presence.

The parent lot is listed on the Town's Heritage List, however, as a subdivision (separate lot is proposed) the parent lot and the proposed development are considered separate and assessed on their own merits.

It is considered the proposed development does not adversely affect the visual presence of the streetscape or adjoining neighbours. The addition (carport) to the front property is setback from the streetscape. The carport is also sunken to the street, whilst the heritage dwelling is elevated above the street, therefore the carport is considered not to have an impact on the heritage character of the dwelling.

The proposed new dwelling has been designed to be distinct from the heritage dwelling. The existing garage will be modified to provide a visual separation between the heritage dwelling and the proposed dwelling.

P1.3 Developments are to have side setbacks complementary with the predominant streetscape.

The new dwelling is proposing two side setback variations, one to the north and the other to the south.

The proposed setback to the north is between 1.0 and 1.6 metres for the ground floor and first floor. These setbacks are to the existing heritage dwelling and therefore are considered internal setbacks at this point until such time as the new lot is created. The proposed setbacks provide a separation between the heritage dwelling and the new dwelling. The variations in height also differentiate the structures. The proposed setbacks do not significantly impact on the adjoining northern property and as such can be supported. The dwelling does not overlook the northern neighbour, therefore will not impact on the privacy of the neighbour. The proposed dwelling has been designed to mitigate any adverse impact with regard to scale or bulk of the dwelling, as it has been designed to be articulated vertically and horizontally. The proposed side variation will not impact on the streetscape.

The setback to the southern boundary is 1.6 metres for both the ground floor and first floor. The ground floor complies with the 'Deemed to Comply' required setback of 1.5 metres. The first floor is required to be setback 1.8 metres, therefore there is a 0.2 metre variation to the 'Deemed to Comply' requirements of the R-Codes. The overlooking impacts have been addressed through design modifications and are discussed below. The property to the south has objected to the proposal as noted in the comment section of this report. The property to the south is overshadowed by 14.7% (primarily over an existing driveway) and therefore the proposed dwelling complies with the 'Deemed to Comply' requirements of the R-Codes for overshadowing. The impact of the two storey dwelling is considered to have a bulk and scale which is consistent with the residential nature of adjoining land and is considered will have a minimal impact to the adjoining neighbour to the south.

In conclusion, the existing garage is not compliant for a structure located on the front boundary, however this garage is existing and from a design perspective is not considered to significantly impact on the streetscape. The Panel's and applicant's comments are noted. The proposed front setback of 4.2 metres to the new dwelling is considered not to impact negatively on the streetscape. The proposed development also complies with Element 5.1.2 Street setback of the R-Codes as discussed above. The side setback variation to the southern neighbour (0.2 metres) is considered to have no significant impact to adjoining neighbours relating to overshadowing (compliant) A 0.2 metre setback variation to the upper floor will not cause significant additional bulk and scale issues. Whilst the neighbour has raised concerns regarding bulk and scale, the proposal is consistent with the built form

in the winder area. The northern setbacks have been designed to have minimal impacts to the existing heritage dwelling.

The proposal does not significantly negatively impact on the streetscape or adjoining neighbours and therefore it is considered that the reduced front and side setback can be supported by Council.

Building height

The R-Code provisions require:

- 9.0 metres to the top of a pitched roof; and
- 6.0 metres to the top of an external wall

The overall external wall height of the dwelling is not compliant (i.e. permitted 6.0m to the top of an external wall, 6.4 metres proposed). Non-compliance with the external wall height limit is 0.4 metres.

As such, the proposed development will be assessed under the Design Provisions of the R-Codes. It is further noted that the overall height of the dwelling is 0.6 metres under the maximum height requires at 8.4 metres (9 metres permitted) and therefore the overall impact to the adjoining property is considered reduced.

The surrounding area has a range of building heights, scale and built forms. Whilst the area is characterised by older style housing, there are two storey dwellings and additions in the area, notably a similar style development was constructed across the road from this proposal recently.

The applicant has undertaken design modifications, and included design measures to minimise the impact of the building on the streetscape and minimising overlooking and to improve passive surveillance of the street.

Based on the assessment of overshadowing, the development is compliant on the southern boundary. The proposed wall height is non-compliant, however the overall building height is compliant with the R-Codes. The additional wall height does not significantly increase the bulk and scale of the building. Existing street vegetation will also screen the dwelling from the street. The overall height of the structure at 0.6 metres below the overall height requirements reduces overall bulk and scale. The height of the dwelling is considered to address the performance provisions of the R-Codes. Accordingly, the design of the dwelling and proposed height can be supported by Council.

Open Space

The new dwelling is proposed to occupy 56.3% of the lot (43.7% open space). The requirement is for 45% open space, therefore there is a 1.3% variation on the 'Deemed to Comply' requirements of the R-Codes (or 2.7m² of lot area). The proposed variation to the 'Deemed to Comply' provisions is considered minor. The application provides suitable courtyard and balcony space which are open to habitable spaces (facilitated by full sliding doors) enabling ready access from internal and external living areas. The proposed open space is considered to comply with the Design provisions for open space in the R-Codes.

Garage Width

The new lot (proposed) has a lot area of approximately 185m². The minimal lot area for R40 is 180m². The total lot frontage is 14.32 metres. The existing garage is 6.0 metres in width, which is 41.8% of the lot. The required width for the rear lot is 30%. Whilst this is a significant portion of the street frontage the garage is existing. The garage will be modified to integrate with the design of the proposed new dwelling. The front fence will be modified to open it further to the streetscape. The visual impact to

the frontage is considered to be consistent with the existing and therefore given the design intent will remain the same, the garage width can be supported.

Street Surveillance

The entry to the new dwelling does not front the street, therefore the proposal does not comply with the 'Deemed to Comply' provisions of the R-Codes. The design intent for the front fence/ garage will remain the same. There are habitable rooms that face the street including living/ meals area and the master bedroom/ balcony. It is considered the proposed development will improve the street surveillance, albeit without the front door facing the street.

Street Fencing

The design and intent for the front fence will remain the same, however the applicant has opened up the front fence further. The existing retained site level is proposed to be maintained. Therefore, the height of the retaining wall and front fence is currently 2.85 metres. Both retaining wall heights and front fence heights are proposed to be retained. A condition has been included in the Officers Recommendation to ensure the front fence where identified is to be permeable. New visually permeable panels are proposed to be cut into the existing wall, opening up sightlines to the dwelling and minimising the bulk of the retaining wall and fence. Due to the open space/ courtyard fronting Bedford Street, the applicant has requested some privacy is able to be retaining by maintaining existing fence heights. This is reasonable request. The extent of permeable panels will minimise the existing street bulk, therefore the retaining wall and fencing (intent to remain similar as existing) can be supported.

Sight lines

A new carport is proposed to the heritage dwelling. The applicant has made the following statement:

We can provide sightlines as per Figure Series 9 – Sight Lines, Figure 9a of the R-Codes being a 1500mm x1500mm visual truncation from the driveway. This will involve moving the proposed carport back a from 500mm to 1500mm from Bedford Street which will further improve the streetscape.

The new carport will comply with the 'Deemed to Comply' requirements for a 1.5 metre truncation to be provided (as conditioned). The existing garage cannot provide additional sightlines, however the garage is existing and limited in its potential to comply with the sight line requirements. Both garages are recommended for approval.

Overshadowing

The proposed development complies with the 'Deemed to Comply' requirements for overshadowing the neighbour's lot. 14.9% of the adjoining lot is overshadowed on 21 June. The adjoining neighbour has raised significant concern regarding loss of sunlight and impact on residential amenity, however whilst it is acknowledged there will be some impact above the existing overshadowing, the overshadowing does comply with the 'Deemed to Comply' R-Code provisions.

Further, it is acknowledged there may be an impact to the solar collectors on the neighbours roof, however the impact is considered supportable on the basis that, the overall shadowing does comply with the 'Deemed to Comply' R-Code provisions, the panels are not fully in shade and assessment is based on the mid-winter sun, the worst case solar scenario.

Privacy Requirements

The front balcony exceeds the 'Deemed to Comply' provisions of the R-Codes. The proposal incorporates a variation to the privacy setback requirements of the R-Codes along the eastern boundary.

The adjoining neighbour has raised concern regarding the southerly windows on the ground floor elevation, however a 1.8 metre boundary fence currently screens these windows and are compliant with the 'Deemed to Comply' overlooking provisions of the R-Codes.

The 'Deemed to comply' provisions for Element 5.4.1 Visual Privacy of the R-Codes requires major openings which have their floor level more than 0.5 metre above natural ground level, and positioned so as to overlook any part of any other residential property behind its street setback line, to comply with the following:

- 4.5 metres in the case of bedrooms and studies;
- 6.0 metres in the case of habitable rooms, other than bedrooms and studies; and
- 7.5 metres in the case of unenclosed outdoor active habitable spaces.

The proposed western balcony at 7.5 metres extends over the front setback area of the southern neighbours boundary.

The 'Design Provisions' of 5.4.1 of the R-Codes allows for:

- 1 *Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:*
 - *building layout, location;*
 - *design of major openings;*
 - *landscape screening of outdoor active habitable spaces; and/or*
 - *location of screening devices.*
- 2 *Maximum visual privacy to side and rear boundaries through measures such as:*
 - *offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;*
 - *building to the boundary where appropriate;*
 - *setting back the first floor from the side boundary;*
 - *providing higher or opaque and fixed windows; and/or*
 - *screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).*

Overlooking illustrations detailed on the upper floor plan demonstrates the extent of overlooking from the boundary. As discussed above it is considered the ground floor windows are compliant for overlooking. It is noted the viewing cone as illustrated from the balcony should be 7.5 metres. Screens to the balcony have been proposed to restrict the cone of vision limiting overlooking to the south. The viewing cones now fall over areas not deemed to be directly habitable areas (access leg/ car parking area) within the front set back area (an area readily visible from the street). The 'Design Provisions' as noted above, are considered to be adequately addressed, through the provision of oblique viewing angles. The proposed overlooking does not impact on the privacy of the neighbour. There are no adverse amenity issues. It is considered the proposed overlooking can be supported.

Conclusion

The height, scale and setback of the proposed dwelling as discussed above are sympathetic with the prevailing built form in the area. The proposed development does not significantly impact on the heritage status of the northern lot (original parent lot). The property based on being subdivided at R40 has been assessed as per those same requirements. The proposed development has been designed in conjunction with the adjoining neighbour (northern neighbour) to minimise any potential impacts to the heritage dwelling.

The dwelling has been designed to be articulated vertically and horizontally along the side and front boundaries. The proposed front set back has resulted from the prevailing secondary street set back to Bedford Street (northern neighbour). The design of the dwelling whilst contemporary in nature has been designed to protect the locality and the adjoining neighbours. The proposal is considered not to have a significantly negative impact on the streetscape or adjoining neighbour to the south (overlooking and overshadowing compliant).

Whilst there are a number of discretions required these discretions are considered minor and an appropriate outcome for the adjoining neighbours and a sympathetic design for the locality. The applicant has had due regard to the Performance Criteria of the RDG and the Design Provisions of the R-Codes to provide a design that recognises the character of the area and the design requirements of the neighbours.

Based on the above, it is considered the proposal merits approval subject to appropriate conditions.

12.1.4 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 021218

Moved Cr Collinson, seconded Cr Nardi

That Council grant development approval and exercise its discretion in regard to the following:

- (a) Building height – over wall height (0.6 metre variation);**
- (b) Lot boundary setbacks – reduced setback on the northern and southern elevations;**
- (c) Open space (45% required, 43.7% provided);**
- (d) Garage width (30% required/ 41.8% provided);**
- (e) Street Surveillance;**
- (g) Front fencing;**
- (h) Sight lines from the existing garage; and**
- (i) Visual privacy setbacks of the Residential Design Codes (minor incursion into front setback area of the adjoining lot)**

for a two storey grouped dwelling and alterations and additions to the existing heritage building, including a double carport at No. 14 (Lots 631 & 633) Bedford Street, East Fremantle, in accordance with the plans date stamped received on 10 October, 19 November and 5 December 2018, subject to the following conditions:

- 1. Any new crossovers which are constructed under this approval are to comply with Council's crossover policy and specifications in consultation with the Operations Manager. The footpath (where one exists) is to continue uninterrupted across the width of the site and the crossover to be constructed in material and design to comply with Council's Residential Design Guidelines.**
- 2. The provision of adequate sight lines as per Figure Series 9 – Sight Lines, Figure 9a of the R-Codes being a 1500mm x 1500mm visual truncation from the driveway by setting back the proposed carport from 500mm to 1500mm from Bedford Street.**

3. Carport to be setback 1500mm from Bedford Street.
4. No further alterations (other than the carport) to the heritage dwelling are permitted unless a development application is submitted to and approved by Council.
5. Fencing to Bedford Street to be visually permeable through the provision of 600mm permeable infill grilles being included in the wall.
6. If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
7. The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
8. With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
9. All storm water is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
10. All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
11. Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
12. The proposed works are not to be commenced until approval from the Water Corporation has been obtained and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
13. This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*

- (iv) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (vi) under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document – “An Installers Guide to Air Conditioner Noise”.*

(CARRIED UNANIMOUSLY)

12.2 FINANCE REPORTS

12.2.4 Leeuwin Carpark - Boat Ramp Parking Permits for East Fremantle Ratepayers

Applicant	N/A
File ref	R/RSN1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Minute Extract 16 February 2016 2. Discontinued Policy – Leeuwin Carpark and Launching Ramp

Purpose

The purpose of this report is for Council to reconsider introducing free parking at the Leeuwin Carpark Boat Ramp for local ratepayers (boat users only), following a previous notice of motion given (Cr Natale) at the Ordinary Meeting of Council 2018. This report has been prepared in accordance to the notice of motion.

Executive Summary

Discontinued Council Policy 117 Leeuwin Carpark and Launching Ramp is presented for information.

A number of options are available for Council to consider, including but not limited to:

Option 1 – Uphold the decision from the Ordinary Meeting of 16 February 2016, and not support the re-introduction of a parking permit system for East Fremantle Ratepayers at the Leeuwin Carpark.

Option 2 – Defer the introduction of a parking permit scheme for Leeuwin Carpark until the Integrated Traffic Management and Movement Strategy has been finalised. This will allow the assessment of the use of technology to better facilitate parking management, including parking permits, paid parking, and the issuance of infringements.

Option 3 – Reinstate Policy 117 Leeuwin Carpark and Launching Ramp, with or without modification. Should Council resolve to reinstate this Policy, it is recommended that Council nominate a date for implementation (noting administrative and advertising requirements), as well as consideration of an administration fee.

Option 4 – Request that the CEO undertake a cost/revenue assessment of introducing free parking for all boat trailers, which would remove the cost of administering a ratepayer permit scheme, as well as other benefits such as the non-issuance of infringements and reputational gains.

Background

At the Ordinary Meeting of 20 November 2018, Council resolved:

“That Council reconsider introducing free parking at the boat ramp for local ratepayers (boat users only), and the CEO prepare a report on the matter for Council’s formal consideration.”

Council last considered the matter of Policy 117 Leeuwin Carpark and Launching Ramp – Parking for Ratepayers at its Ordinary Meeting of 16 February 2016 (see attachments). At this meeting, Council resolved to:

- issue a final non-renewable parking permit for 2 years duration
- amend Council Policy 117 for the Policy to cease in operation from 30 June 2018
- charge a fee of \$100 for the 2 year renewal of permits

Parking fees at the Leeuwin Carpark and Launching Ramp has been the subject of much debate, by Council and the community. A Council Report dating back to 1998 was sourced, where Council at its February meeting resolved:

- to investigate the feasibility of a pay by the hour option at the launching ramp carpark
- that the CEO undertake a survey of users to determine patterns of use with a view to achieving optimum price levels
- consideration be given to a ramp use only charge for those not requiring the use of parking facilities at the launching ramp
- that a reserve fund be established to manage funds derived from parking fees, to be directed towards improving the facilities on the river foreshore.

A firm strategic direction on parking fees and paid parking locations is required. This will be achieved by the completion of the Integrated Traffic Management and Movement Strategy, which will include a Parking Management Plan.

Consultation

Council Concept Forum October 2018

A Discussion Paper on Car Parking was presented to a Council Concept Forum earlier this year

Statutory Environment

Pursuant to section 2.7 of the *Local Government Act 1995*, one of Council's roles is to determine the policies of the local government.

Policy Implications

Policy 117 Leeuwin Carpark and Launching Ramp (Carpark No 1) – Parking for Ratepayers has been discontinued.

Financial Implications

The Town has derived circa \$1.8m in parking fees from the Leeuwin Carpark since 1998. This approximates to \$90k per year for the last 20 years.

The Town has budgeted for \$200,000 in parking fees in 2018/19, and as at the end of November has received circa \$49k in actual parking fees (with usage anticipated to increase over summer).

Since 1998, the Town has also issued 14,265 parking infringements at the 'Number 1 Parking Station' (Leeuwin Carpark and Launching Ramp), totaling circa \$960k.

As at 30 June 2018, the replacement cost of the Town's carpark infrastructure assets was circa \$3.7m, indicating that all revenue derived from parking fees/infringements has been invested into these services.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017-2027 states as follows:

Strategic Priority 3 – Built environment – Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open space.

3.1 Facilitate sustainable growth with housing options to meet future community needs

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town’s character

3.2.1 Continue to improve asset management practices

3.3 Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management practices

3.3.2 Optimal management of assets within resource capabilities

3.3.3 Plan and advocate for improved access and connectivity

Site Inspection

Not applicable.

Comment

Council has previously received a discussion paper, contemplating the introduction of further paid parking in the East Fremantle area, specifically along the Riverside Road area. This paper explores the principles of a user-pays system.

The Town has also commissioned an Integrated Traffic Management and Movement Strategy (the Strategy).

One of the key deliverables of the Strategy is to develop a Parking Management Plan, which will investigate parking management options. This will cover paid-parking locations, applications for parking technology, enforcement and infringements, parking at sporting and recreational facilities (including the Leeuwin Carpark), and the impact of the redevelopment of Leeuwin Barracks on parking.

It is proposed to provide a draft of the Strategy to Council in June 2019.

12.2.4 OFFICER RECOMMENDATION

Moved Cr Collinson, seconded Cr Nardi

That Council resolve to defer the introduction of any parking permit scheme for the Leeuwin Carpark until the Integrated Traffic Management and Movement Strategy has been finalised. This will allow the assessment of the use of technology to better facilitate parking management, including parking permits, paid parking, and the issuance of infringements.

(LOST 2:5)

Reason for Not Supporting Officer’s Recommendation

Allow ratepayers to enjoy subsidised parking at the launching ramp until the “Integrated Traffic Management and Movement Strategy” is completed.

COUNCIL RESOLUTION 031218

Moved Cr Natale, seconded Cr Harrington

That Council resolves:

- 1. to reinstate Policy 117 (Leeuwin Carpark and Launching Ramp) without change, until such time as the Traffic Management and Movement Strategy is endorsed by Council for implementation.**
- 2. Policy 117 be reinstated at the earliest possible date, subject undertaking the required administrative and advertising requirements.**
- 3. an administration fee of \$50 per permit for a 12 month term (financial year) or pro-rata from the 1st July each year.**

(CARRIED BY AN ABSOLUTE MAJORITY 5:2)

12.1 PLANNING REPORTS (CONTINUED)

12.1.1 No. 70 (Lot 500) Duke Street, East Fremantle – Short Term Accommodation Use within an Existing Dwelling

Applicant/Owner	J & L Harris
File ref	P/DUK70, P097/18
Prepared by	Christine Catchpole, Senior Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil.

Purpose

For Council to consider an application for a short term accommodation use within an existing dwelling at No. 70 Duke Street, East Fremantle.

Executive Summary

An application for short term accommodation (one bedroom) within the existing single dwelling is proposed.

The following issues are relevant to the determination of this application:

- impact on residential amenity;
- number of people accommodated and number of bedrooms for accommodation purposes;
- adequacy of available car parking (no on-site parking available for the accommodation use);
- management of the use; and
- length of planning approval.

It is considered the use can be trialled for a period of 12 months and the above matters satisfactorily addressed through conditions of a temporary development approval which include restricting the number of guests and the number of bedrooms to be used for accommodation purposes. The application is recommended for conditional 12 month approval with the requirement that a fresh application be submitted for Council's consideration after 12 months.

Background

Zoning: Residential R20

Site area: 508m²

The applicant has provided details in written correspondence to the Town as outlined below:

"We are residing at the property permanently.

We have two vehicles. One is parked off street in our driveway/car port, and one is on the street or frequently parked at a family property in another suburb.

We may consider air bnb for the guest house (proposed ancillary accommodation the subject of a separate development application) at some stage, however not immediately. The initial plan for the build is to invest in our own home (as we currently only have 3 bedrooms), and for personal use

(guest house for family/visitors). There is a strong possibility it will be used for that purpose if approved, but we would like to see how we go with the spare room. I submitted the change of use for the spare room as recommended in order to be compliant, as we wanted to trial hosting guests to see how we like Airbnb first... and then go from there."

Previous Decisions of Council and/or History of an Issue on Site

Nil in respect to this application.

Consultation

Advertising

The proposed application was advertised to surrounding land owners from 13 to 27 November 2018. No submissions have been received.

The application was referred to Main Roads WA (MRWA) as the lot abuts a Primary Regional Road reservation under the MRS. MRWA have no objections to the proposal subject to the following conditions and advice notes being included in the approval:

- (1) This noise sensitive development adjacent to an existing major transport corridor must implement measures to ameliorate the impact of transport noise in accordance with WAPC State Planning Policy 5.4 "Road and Rail Transport Noise and Freight Considerations in Land Use Planning" and implement Noise Insulation "Deemed to Comply" packages for this ancillary dwelling.*

Main Roads Advice:

- (i) This property abuts a Metropolitan Region Scheme Primary Regional Road Reservation as shown on the attached plan – LP01-1.3190-2 and PP01-9421-158.*
- (ii) The project for the upgrading/widening of Stirling Highway is not in the Main Roads current four year forward estimated construction program and all projects not listed are considered long term.*
- (iii) Please be aware that timing information is subject to change and that Main Roads assumes no liability for the information provided.*

Community Design Advisory Committee (CDAC)

The application was not referred to the CDAC as the proposed short term accommodation is considered to have no impact on the streetscape or the heritage value of the property.

Statutory Environment

Planning and Development Act 2005

Town of East Fremantle Local Planning Scheme No. 3

Policy Implications

Fremantle Port Buffer Zone - Area 2

Municipal Heritage Inventory – Category C

Note:

No local planning policy applies, however, the Western Australian Planning Commission (WAPC) has published Holiday Homes Guidelines – Short Stay Use of Residential Dwellings (September 2009) which can be used as a guide in the assessment of short term accommodation applications.

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town's character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 *Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*
 - 3.3.2 *Optimal management of assets within resource capabilities.*
 - 3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 *Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 *Plan for improved streetscapes parks and reserves.*
- 4.2 *Enhance environmental values and sustainable natural resource use.*
 - 4.2.1 *Reduce waste through sustainable waste management practices.*
- 4.3 *Acknowledge the change in our climate and understand the impact of those changes.*
 - 4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

November 2018

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3.

Use for short term accommodation

The applicant seeks development approval for a short term accommodation use within an existing dwelling which is owner occupied. The accommodation will be provided in a bedroom within the residence. The dwelling includes two other bedrooms and two bathrooms.

The proposed use for short term accommodation is an 'unlisted (discretionary) use' within a residential zone and accordingly is required to be advertised before determination. This application fulfils the advertising requirements of cl. 64 of the Deemed Provisions (formerly cl 9.4.3 (a)) of LPS No 3. No submissions were received.

Council does not have any specific policies or local laws that regulate short term accommodation. The WAPC, however, has formulated Guidelines in 2009 for the short term use of residential dwellings. This document identifies the issues or matters to be considered on submission of a development application. It also makes recommendations in respect to how a local government authority may deal with such applications:

- requirement to lodge an application;
- advertising and invitation to comment;
- location – potential for conflict between land uses;
- amenity;
- building standards;
- form of approval;
- type of dwelling;
- management of property;
- fire and emergency response plans;
- approval period;
- holiday homes register;
- non-compliance and cancellation of approval; and
- voluntary accreditation.

The application has been assessed with regard to the relevant sections of the Guidelines for this application, LPS No. 3 provisions, residential amenity and the impact the use could have on surrounding neighbours and conditions imposed accordingly.

Car parking

Car parking is also an important consideration in respect to this application because the applicants have two vehicles and it is quite likely that guests will also have a vehicle that will need to be parked in the street. This should be monitored during the initial approval period to determine if there is an impact on resident parking, on-street parking or residential amenity. In this case the owner cannot provide parking for the accommodation as there is only one space available on-site for this property. This is considered satisfactory in respect to parking provision for the single dwelling given the property is within 250 metres of a high frequency bus route on Marmion Street. Under the R-Codes, this location requires only one bay to be provided on-site. However, the car parking situation in regard to the short term accommodation will be monitored over the 12 month period to determine if this is sufficient. The number of people permitted to be accommodated will also be addressed through a condition of planning approval, which will also limit parking demand.

Management plan

A management plan detailing the following would also be required to be submitted prior to the use commencing as a condition of planning approval:

- the owner's contact details (during and after business hours);
- details of how nuisance issues such as noise and anti-social behaviour would be addressed by the owner;
- a fire and emergency response plan;
- car parking;
- the number of people occupying the premises and the number of bedrooms; and
- maximum period of stay for each guest.

It is considered that the application be approved subject to a number of conditions. The most significant being limiting the term of the initial approval to 12 months and the maximum number of guests to 2 adults or 1 adult and 1 child, with only one bedroom to be used for short stay

accommodation purposes to ensure there are no significant impacts to the surrounding residents or impact on the residential amenity of the area. A number of other conditions in respect to privacy for adjoining owners, management and safety standards at the property are also to be imposed.

Conclusion

It is considered the applicant has provided suitable justification and clarification with regard to the use to ensure the use does not have a detrimental impact on the locality. It is considered that the application should be recommended for approval subject to a number of conditions. The most significant being limiting the term of the initial approval to 12 months and the maximum number of guests to 2 adults or 1 adult and 1 child with a maximum of 1 bedroom for accommodation purposes to ensure there are no detrimental impacts to the surrounding locality or impacts on residential amenity. A number of other conditions in respect to management and safety standards at the property should also be imposed as discussed above.

12.1.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 041218

Moved Cr Collinson, seconded Cr Natale

That Council exercise discretion to grant temporary development approval for 12 months for a short term accommodation use within a residential dwelling at No. 70 (Lot 500) Duke Street, East Fremantle as indicated on plans date stamped 19 October 2018 subject to the following conditions:

- (1) There being no objection by Main Roads WA (MRWA) to the short term accommodation use within the existing dwelling and the owner(s) abiding by the conditions of development approval imposed by MRWA in respect to the development approval application:
 - (a) *This noise sensitive development adjacent to an existing major transport corridor must implement measures to ameliorate the impact of transport noise in accordance with WAPC State Planning Policy 5.4 "Road and Rail Transport Noise and Freight Considerations in Land Use Planning" and implement Noise Insulation "Deemed to Comply" packages for this ancillary dwelling.*
- (2) The 24 hour contact details of the owner being provided to Council for an emergency contact person prior to the use commencing. If this does not occur the approval will be revoked by Council.
- (3) Maximum accommodation is for 2 adults or 1 adult and 1 child based on 1 bedroom only being provided for guest/occupant accommodation.
- (4) The submission of a Management Plan to the satisfaction of the Chief Executive Officer, in consultation with relevant officers, and the Plan to be approved by the Town prior to the short term accommodation use commencing.
- (5) The approval may be revoked by Council, if any adverse impacts involving noise, anti-social behaviour, breaches of length of stay or the management plan, waste removal, security, parking or privacy control measures for adjoining neighbours are unable to be controlled by the applicant/owner in a timely and effective manner which is to Council's satisfaction.
- (6) No guest/occupant vehicle(s) are to be parked on the Council verge or in a crossover due to inadequate or unavailable parking on-site or in the street.
- (7) No on-site signage is permitted with respect to the application.
- (8) The approval is valid for a period of 12 months only from the date of the "Approval to Commence Development" and the applicant is required to seek a renewal thereafter to enable the continuance of the short term accommodation use. During the review of the renewal process, assessment of car parking, noise, vehicle movements, number of occupants,

any reports of anti-social behaviour and general management of the property will be undertaken.

Footnote:

The following is not a condition but a note of advice to the applicant/owner:

- (i) A fresh development (planning) approval application is to be made for Council's consideration prior to the expiry of the twelve (12) month temporary approval period should the applicant wish to continue the use;*
- (ii) The Management Plan referred to in condition 4 above is to include nomination of a manager/caretaker within the vicinity of the property should the owner(s) no longer reside at the site, details of how nuisance issues such as noise will be addressed by the manager, a fire and emergency response plan and other matters such as car parking provision, the number of people occupying the premises and maximum period of stay, as well as any other matters the Town may deem applicable.*
- (iii) This decision does not include acknowledgement or approval of any unauthorised development which may be on the site;*
- (iv) A copy of the approved plans as stamped by Council are attached and the use is to conform with the approved plans unless otherwise approved by Council; and*
- (v) Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".*

Main Roads Advice:

- (i) This property abuts a Metropolitan Region Scheme Primary Regional Road Reservation as shown on the attached plan – LP01-1.3190-2 and PP01-9421-158.*
- (ii) The project for the upgrading/widening of Stirling Highway is not in the Main Roads current four year forward estimated construction program and all projects not listed are considered long term.*
- (iii) Please be aware that timing information is subject to change and that Main Roads assumes no liability for the information provided.*

(CARRIED UNANIMOUSLY)

12.1.2 Petra Street No 151 (Lot 32) Ground floor residential extension

Owner	Zachary and Amanda Ribbans
Applicant	Rohan White
File ref	P094/2018; P/PET151
Prepared by	James Bannerman, Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	4 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil.

Purpose

For Council to consider a planning application for a ground floor residential extension at No. 151 Petra Street, East Fremantle.

Executive Summary

The additions and alterations that are the subject of this application are comprised of additional bedrooms, bathroom, laundry, kitchen, living and outdoor decking under a verandah and carport. The applicant is seeking Council approval for the following variations:

- (i) Carport width – 30% required – 41% provided
- (ii) Visual privacy – 7.5m cone of vision required – 6m provided- deck overlooks southern neighbour

It is considered the above variations can be supported subject to conditions of planning approval being imposed.

Background

Zoning: Residential R12.5

Site area: 911m²

Previous Decisions of Council and/or History of an Issue or Site

DA P046/17 - front fence 23 June 2017

Building Permit No 2863 – pool -22 September 1999

Consultation

Advertising

The application was advertised to surrounding land owners from 2 November to 16 November 2018. One (1) submission was received. The submission noted the following comments and the applicant and officer responses are provided below:

Submission

- The proposed development will be 1m from our boundary fence and entertaining area
- It will affect the airflow around residence which has been designed to utilise passive solar principles and the Fremantle Doctor to cool the house.
- We were forced to build 3m from the side boundary.
- We chose to live in East Fremantle for the large block sizes to ensure airflow and privacy.
- The proposed building must comply with current regulations.

Applicant's response

The applicant responded by modifying the original set of plans submitted to Council to ensure that the minimum required boundary setbacks of 1.5m on the northern boundary were achieved in accordance with the Residential Design Code.

Officer response

The objection letters and applicant's response are acknowledged and are addressed in the Comment section of this report. However, in the main the proposal is compliant with the R-Codes and the Residential Design Guidelines. No further changes to the plans are required.

Community Design Advisory Committee (CDAC)

This application was considered at the CDAC meeting of 19 November 2018 and the Committee made the following comments. The applicant's response is provided in italics below the Committee's comments.

(a) The overall built form merits;

- The Committee believe the proposal is not consistent with the current "California Bungalow" design of the dwelling due to the material change on the roof altering the heritage character of the dwelling.

The recommended best practice for extensions to residential buildings is for the extension not to ape the existing design too closely. This allows for a clear delineation between the heritage aspect of the build and the new works. In addition, the new build is set well behind the existing ridge-line of the property to the rear of the block. This is also in accordance with best practice in heritage extensions.

- The Committee recommend the retention of tile roofing.

The building is classed as heritage category C, and a change in roof cladding is well within the remit of this classification.

(b) The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.

- The Committee make the comment that the carport is too integrated in to the dwelling and should be re-designed to become clearly visually separated from the dwelling.

The client is seeking to make the carport a natural part of the streetscape. It is well set back on the site and behind the eaves of the existing roof-line.

(c) The relationship with and impact on the broader public realm and streetscape;

- The Committee determine the frontage, being the carport and garage, increases the overall bulk and scale of the building as viewed from the street. The Committee suggests the garage to be modified, to not present as a garage. Committee also want to see the removal of the second crossover.

The client is happy to condition the carport approval with the removal of the second crossover.

- (d) The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;

- No further comment at this time.

- (e) The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;

- The Committee do not support the usage of Scyon Linea cladding and recommend appropriate timber to be utilised as per the objectives of the Wood Encouragement Policy.

It's not true that fibre-cement cladding on a timber frame wall implies a higher embodied energy than an alternate system. The government advice on embodied energy (<http://www.yourhome.gov.au/materials/embodied-energy>) under the 'Embodied energy for assembled walls' table gives the lowest MJ/m2 rating (169) to a 'timber frame, fibre-cement weatherboard wall'. A timber frame, timber weatherboard wall is given a much higher rating of 377. This is opposed to clay brick (860) and rammed earth (405). The wall as shown is the most energy efficient of all the available options.

The wall is timber-framed, which is the fundamental recommendation for energy efficiency.

The cladding is to the rear of the property, not readily visible from the street.

- The Committee comment that the plans do not make reference to solar / passive northern light.

It should be noted that the design is located where it is to make the most of eastern light access to living areas and avoid overshadowing from the northern neighbour.

- The Committee consider there to be little cross-ventilation to the lot.

This is an issue more pertinent to the building than the planning stage.

- (f) The demonstration of other qualities of best practice urban design including "Crime Prevention" Through Environmental Design performance, protection of important view corridors and lively civic places;

- The Committee consider there to be no passive surveillance offered as all living areas are located towards the rear of the property.

It should be noted that all existing glazing to the street is retained and that the existing Lounge space at the front of the property is retained.

Officer's response

The CDAC comment and applicant's submissions are noted.

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

- 3.1 Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 Plan for a mix of inclusive diversified housing options.*
- 3.2 Maintaining and enhancing the Town's character.*
 - 3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 Continue to improve asset management practices.*
 - 3.3.2 Optimal management of assets within resource capabilities.*
 - 3.3.3 Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 Plan for improved streetscapes parks and reserves.*
- 4.2 Enhance environmental values and sustainable natural resource use.*
 - 4.2.1 Reduce waste through sustainable waste management practices.*
- 4.3 Acknowledge the change in our climate and understand the impact of those changes.*
 - 4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

N/A

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies as well as the Residential Design Code. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	-	-	N/A
Secondary Street Setback	-	-	N/A
Lot boundary setbacks			
<u>North</u>	1.5m	1.5m	A
<u>South</u>	0m	0.59m	A
<u>West</u>	6m	13.63m	A
Open Space	55%	70%	A
Car Parking	2	2	A
Site Works	Less than 500mm	Less than 500mm	A
Visual privacy setback			
South	7.5m	6m	D
Overshadowing	≤25%	8%	A
Drainage	On-site	To be conditioned	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings (extension to rear of dwelling)	A
3.7.7 Building Setbacks and Orientation	A
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	N/A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.17.3.3 Garages and Carports	D
3.7.17 Precinct Requirements	A

Carport width

The proposed development does not comply with the Acceptable Development requirements of the Residential Design Guidelines in terms of carport width (Clause 3.7.17.3.3). The proposed carport and the existing garage reach 41% of the lot width where 30% is the maximum. The proposed carport represents 26% of the lot width while the existing garage is 15% of lot width. The proposed carport is visually permeable and as such does not dominate the existing dwelling. The driveway along the side of the dwelling is already being used to park cars. There is already a second crossover in place between the property and the street so no additional crossovers are proposed. The applicant has agreed to relabel the existing garage as storage/shed. The additional carport width is therefore supported subject to the removal of the second crossover to the garage relabelled storage/shed and landscaping to be added in this crossover area to the satisfaction of the Town of East Fremantle and at the applicant's expense.

Visual privacy

The proposed development does not achieve the Deemed to Comply visual privacy provisions of the R Codes (Clause 5.4.1 C1.1). The deck is elevated more than 0.5m above natural ground level and breaches the 7.5m cone of vision that is required for the southern boundary (6m provided). No comments were received from the southern neighbouring property which is the subject of the overlooking. The reduction in the visual privacy setback is supported subject to a condition requiring the use of a permanent visual screen to a height of 1.6m above the finished floor level on top of the southern wall of the deck of the verandah.

Conclusion

The variations as stated above are considered acceptable and the development application is recommended for approval subject to conditions.

12.1.2 OFFICER RECOMMENDATION

That development approval is granted under delegated authority and discretion exercised in regard to the following:

- (i) Clause 3.7.17.3.3 – Residential Design Guidelines - Carport Width – 30% required, 41% provided; and
- (ii) Clause 5.4.1 – Residential Design Codes - Visual Privacy – outdoor deck overlooking southern neighbour – reduction from 7.5m to 6m

for ground floor residential extension to an existing single storey dwelling at No. 151 (Lot 32) Petra Street, East Fremantle, in accordance with the plans date stamped received 15 November 2018, subject to the following conditions:

1. No enclosure of the carport is permitted (by means of walls or garage doors) without the submission of a development application for Council's consideration.
2. The applicant is to comply with Clause 5.4.1 – Visual Privacy of the Residential Design Codes by attaching permanent visual screening to the top of the southern wall of the deck (to a height of 1.6m above finished floor level of the deck).
3. If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
4. The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
5. The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
6. With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
7. All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
8. All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.

9. The second crossover (that services the second garage relabelled store/shed on the approved plans date stamped 15 November 2018) is to be removed, edging to the adjoining property's crossover restored and the area to be landscaped to the satisfaction of the Town of East Fremantle with the cost to be borne by the applicant.
10. Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
11. This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) *A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform to the approved plans unless otherwise approved by Council.*
- (iii) *It is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (iv) *All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) *Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (vi) *Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document – "An Installers Guide to Air Conditioner Noise".*

Moved Cr Nardi, seconded Cr Natale

The adoption of the officer's recommendation.

Amendment

Moved Cr Collinson, seconded Cr Harrington

That the following additional condition be added to the recommendation:

- (12) *the terracotta roof remain including the finials.*

(LOST 2:5)

The substantive motion was put.

12.1.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 051218

Moved Cr Nardi, seconded Cr Natale

That development approval is granted under delegated authority and discretion exercised in regard to the following:

- (i) Clause 3.7.17.3.3 – Residential Design Guidelines - Carport Width – 30% required, 41% provided; and
- (ii) Clause 5.4.1 – Residential Design Codes - Visual Privacy – outdoor deck overlooking southern neighbour – reduction from 7.5m to 6m

for ground floor residential extension to an existing single storey dwelling at No. 151 (Lot 32) Petra Street, East Fremantle, in accordance with the plans date stamped received 15 November 2018, subject to the following conditions:

1. No enclosure of the carport is permitted (by means of walls or garage doors) without the submission of a development application for Council's consideration.
2. The applicant is to comply with Clause 5.4.1 – Visual Privacy of the Residential Design Codes by attaching permanent visual screening to the top of the southern wall of the deck (to a height of 1.6m above finished floor level of the deck).
3. If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
4. The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
5. The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
6. With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
7. All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
8. All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
9. The second crossover (that services the second garage relabelled store/shed on the approved plans date stamped 15 November 2018) is to be removed, edging to the adjoining property's crossover restored and the area to be landscaped to the satisfaction of the Town of East Fremantle with the cost to be borne by the applicant.
10. Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including,

without limitation any works associated with the proposal) which are required by another statutory or public authority.

11. This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform to the approved plans unless otherwise approved by Council.*
- (iii) It is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (iv) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (vi) Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document – "An Installers Guide to Air Conditioner Noise".*

(CARRIED 6:1)

12.1.5 Reserve 22365 Lot 15723 Wauhop Road East Fremantle- Alterations and Additions to East Fremantle Junior Football Clubhouse

Owner	Town of East Fremantle
Applicant	East Fremantle Junior Football Club
File ref	P093/18, R/RSB2
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	4 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil.

Purpose

For Council to consider supporting a planning application for alterations and additions to the existing East Fremantle Junior Football clubhouse located on Reserve 22365 Lot 15723 Wauhop Road, East Fremantle.

Council is a referral body only. The Department of Biodiversity, Conservation and Attractions is the determining authority for this development application. The Town is requested to comment on the works by the Department's Rivers and Estuaries Division which will also assess the application.

Executive Summary

The alterations and additions to the existing clubhouse include an extension to the front clubroom, an extension to the canteen, covered shelter and barbeque, conversion of existing open showers to enclosed toilet and shower cubicles that are female friendly.

The Town of East Fremantle is proposing to submit the application on behalf of the East Fremantle Junior Football Club to expedite the development application as quickly as possible. The Town is permitted to act as applicant for development applications like this where the proposed development is valued at less than \$500000.

It is considered that the proposed development can be supported subject to conditions of planning approval being imposed and Council endorsing the Town of East Fremantle to act as the applicant on behalf of East Fremantle Junior Football Club.

Background

MRS: MRS Reserve – Parks and Recreation
LPS 3: MRS Reserve – Parks and Recreation
Site area: 26928m² (reserve area)

Previous Decisions of Council and/or History of an Issue or Site

P25/12- flood lighting for Henry Jeffrey Oval- 11 August 2016
P93/18- shelter and additions (Cancelled)

Consultation

Advertising

The application was advertised via letter to surrounding land owners from 15 November to 30 November 2018. No submissions were received.

Plans also included on website under Community Consultation.

Community Design Advisory Committee (CDAC)

This application was not referred to CDAC as the Town is a referral body.

Statutory Environment

Planning and Development Act 2005

Swan and Canning Rivers Management Act 2006

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management practices.

3.3.2 Optimal management of assets within resource capabilities.

3.3.3 Plan and advocate for improved access and connectivity.

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

4.1 Conserve, maintain and enhance the Town's open spaces.

4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.

4.1.2 Plan for improved streetscapes parks and reserves.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices.

4.3 Acknowledge the change in our climate and understand the impact of those changes.

4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.

Site Inspection

N/A

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Assessment

Town Planning Scheme No 3 Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A
Foreshore Master Plan	
Recommendation 3	A

The proposed development includes;

- a new pathway leading from the car park to the club rooms
- upgraded toilets
- extension to the canteen
- extensions to the club room
- sheltered viewing platform with tiered seating
- sheltered barbeque area

The Town of East Fremantle is proposing to act as the applicant on behalf of the East Fremantle Junior Football Club for this application. The Town is seeking a permit from the Department of Biodiversity, Conservation and Attractions to gain approval for the proposed development. This is possible for proposed development valued at less than \$500000 and undertaken by local government and ensures that the application is expedited as quickly as possible.

MRS Reserve – Parks and Recreation

The subject land is reserved for Parks and Recreation under the Metropolitan Region Scheme and the LPS No. 3. Clause 3.2 Regional Reserves of LPS No. 3 is relevant, which states:

3.2.1 The land shown as 'Regional Reserves' on the Scheme Map are lands reserved under the Metropolitan Region Scheme and are shown on the Scheme Map for the purposes of the Planning and Development Act 2005. These lands are not reserved under the Scheme.

3.2.2 The approval of the local government under the Scheme is not required for the commencement or carrying out of any use or development on a Regional Reserve.

Note: The provisions of the Metropolitan Region Scheme continue to apply to such Reserves and approval is required under the Metropolitan Region Scheme from the Commission for the commencement or carrying out of any use or development on a Regional Reserve unless specifically excluded by the Region Scheme.

Council are a referral body only. The Department of Biodiversity, Conservation and Attractions is the determining authority for this development application for alterations and additions to the East Fremantle Junior Football clubhouse.

Matters to be Considered by Local Government

No specific development requirements under the Scheme or Council Policies relate to development of a non-residential nature on lands zoned Reserve, although it is relevant to consider any matters that may impact the amenity of the foreshore reserve.

As such the proposal has been assessed against the Deemed Provisions for local planning schemes (Clause 67). The proposal is considered to comply with the aims, objectives and orderly and proper planning of the area in relation to the matters to be considered under Clause 67 as outlined below:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme;*
- (g) any local planning policy for the Scheme area;*
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (m) the compatibility of the development with its setting including the relationship of the development to 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; and*
 - (iii) social impacts of the development;*

Car Parking

There will be no need for an increase in parking as there is no change in the function or the number of people using the facility as a result of the proposed development.

Signage

There is no signage in relation to this proposal.

Existing Vegetation

Vegetation (other than turf) will not have to be removed as a result of this proposal.

East Fremantle Foreshore Master Plan

Although the Foreshore Master Plan does not formally identify the subject lot as part of the Foreshore Master Plan it is adjacent to and complements the role that is played by the foreshore and was seen as a possible “event” location, as well as providing a venue for field sports like football, an informal exercise area and a dog exercise area. This proposal does not detract from these roles.

Compatibility with Surrounding Development

The proposal will not interfere with the surrounding developments. Views will not be significantly affected by this proposal. The proposed structure is no higher than the existing club building roof. Although wider than the existing structure, building bulk is reduced as a result of the maintenance of

visual permeability through the sheltered barbeque area and the sheltered viewing area. In addition the extensions are being proposed on the northern side of the building away from Preston Point Road and existing residential dwellings to the south of the proposed development.

The proposed development complements the existing land uses in the vicinity of the development. The area is dominated by other recreational sporting grounds and clubs to the north of Preston Point Road and is following a similar pattern of development to these clubs. The proposed alterations and additions provide weather protection for spectators and club users in the area immediately adjacent to the clubrooms and as such improves the useability of the building and the club's facilities.

Amenity of the Locality

There is little impact on the natural environment (see existing vegetation above), the existing use of the land is maintained without detracting from the character of the area and the proposed development helps support the function of an important community and social group.

Conclusion

It is considered that the proposed development is consistent with the existing use of the land. The proposed alterations and additions complies with the aims, objectives and proper planning of the area and complies with the provisions of Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Council's Foreshore Master Plan. As such it should be supported by the Council.

It is recommended Council convey its support for the proposal to the Department of Biodiversity, Conservation and Attractions with a request for conditions.

12.1.5 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 061218

Moved Cr Nardi, seconded Cr Collinson

That Council:

- 1. recommend support for the proposed development permit for alterations and additions on land utilised by the East Fremantle Junior Football Club located at on Reserve 22365 Lot 15723 on Wauhop Road, East Fremantle, to the Department of Biodiversity, Conservation and Attractions, in accordance with the plans date stamp received on 10 October 2018 subject to the following conditions:**
 - (a) No signage is to be erected with this application. The appropriate Department of Biodiversity, Conservation and Attractions and Council approvals need to be sought in relation to any proposed signage on the site with respect to the proposed alterations and additions to the clubhouse.**
 - (b) The building is to be kept clean and free of graffiti and vandalism at all times and any such graffiti or vandalism to be remedied within 24 hours to the satisfaction of the Chief Executive Officer.**
 - (c) All rubbish is to be located and/or screened so as not to be visible from beyond the boundaries of the development site.**
 - (d) Stormwater drainage shall be contained on site, or connected to the local government stormwater drainage system, to the satisfaction of the Town of East Fremantle on advice from the Department of Biodiversity, Conservation and Attractions.**
 - (e) No fill, building material, rubbish or any other deleterious matter shall be allowed to enter the Swan River as a result of the development.**
 - (f) Upon completion of works, waste materials shall be removed and the area cleaned up to the satisfaction of the Town of East Fremantle.**

- (g) The proposed works are not to be commenced until a Building Permit has been issued in compliance with the conditions of this planning approval, unless otherwise amended by Council.
 - (h) With regard to the plans submitted for the Building Permit application, changes are not to be made to the plans which have received planning approval, without those changes being specifically marked for Council's attention.
 - (i) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
 - (j) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the East Fremantle Junior Football Club. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
2. endorses the application for a development permit to be submitted by the Town of East Fremantle, to the Department of Biodiversity, Conservation and Attractions, on behalf of the East Fremantle Junior Football Club.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (iv) Under the Environmental Protection (Noise) Regulations 1997, the noise from an airconditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".*

(CARRIED UNANIMOUSLY)

12.1.6 Reserve 7800 Lot 15722 Jerrat Drive East Fremantle- New Patio for East Fremantle Lacrosse/Cricket Club

Owner	Town of East Fremantle
Applicant	East Fremantle Lacrosse/Cricket Club
File ref	P108/18; P/RSC/9
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil.

Purpose

For Council to consider supporting a planning application for a patio at the East Fremantle Lacrosse/Cricket Club located on Reserve 7800 Lot 15722 Jerrat Drive, East Fremantle.

Council is a referral body only. The Department of Biodiversity, Conservation and Attractions is the determining authority for this development application. The Town is requested to comment on the works by the Department's Rivers and Estuaries Division who will also assess the application.

Executive Summary

The patio (measuring 5.4m by 2.5m) is proposed to be constructed on the south western corner of the clubrooms adjacent to the club change rooms.

It is considered that the proposed development can be supported subject to conditions of planning approval being imposed.

Background

MRS: MRS Reserve – Parks and Recreation
LPS 3: MRS Reserve – Parks and Recreation
Site area: 77924m²

Previous Decisions of Council and/or History of an Issue or Site

P76/12- Building license- replacement windows and doors- 14 May 2012
P13/12 Building license- shed- 25 September 2012
P66/14 –Planning approval- additions- 10 June 2014
SRT5742- Planning approval Swan River Trust- upgrade of facility 28 August 2014
2014/54- Building Permit
Ministerial approval- lease of property between Town of East Fremantle, East Fremantle Lacrosse Club and East Fremantle Cricket Club- 5 August 2015

Consultation

Advertising

The application was advertised via letter to surrounding land owners from 21 November to 5 December 2018. No submissions were received.

Plans also included on website under Community Consultation.

Community Design Advisory Committee (CDAC)

This application was not referred to CDAC as the proposed development is minor in nature, non-residential in nature and the Town is a referral body.

Statutory Environment

Planning and Development Act 2005

Swan and Canning Rivers Management Act 2006

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town's character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 *Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*
 - 3.3.2 *Optimal management of assets within resource capabilities.*
 - 3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 *Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 *Plan for improved streetscapes parks and reserves.*
- 4.2 *Enhance environmental values and sustainable natural resource use.*
 - 4.2.1 *Reduce waste through sustainable waste management practices.*
- 4.3 *Acknowledge the change in our climate and understand the impact of those changes.*
 - 4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

N/A

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Assessment

Town Planning Scheme No 3 Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A
Foreshore Master Plan	
Recommendation 3	A

MRS Reserve – Parks and Recreation

The subject land is reserved for Parks and Recreation under the Metropolitan Region Scheme and the LPS No. 3. Clause 3.2 Regional Reserves of TPS No. 3 is relevant, which states:

3.2.1 The land shown as 'Regional Reserves' on the Scheme Map are lands reserved under the Metropolitan Region Scheme and are shown on the Scheme Map for the purposes of the Planning and Development Act 2005. These lands are not reserved under the Scheme.

3.2.2 The approval of the local government under the Scheme is not required for the commencement or carrying out of any use or development on a Regional Reserve.

Note: The provisions of the Metropolitan Region Scheme continue to apply to such Reserves and approval is required under the Metropolitan Region Scheme from the Commission for the commencement or carrying out of any use or development on a Regional Reserve unless specifically excluded by the Region Scheme.

Council are a referral body only. The Department of Biodiversity, Conservation and Attractions is the determining authority for this development application for the new patio.

Matters to be Considered by Local Government

No specific development requirements under the Scheme or Council Policies relate to development of a non-residential nature on lands zoned Reserve, although it is relevant to consider any matters that may impact the amenity of the foreshore reserve.

As such the proposal has been assessed against the Deemed Provisions for local planning schemes (Clause 67). The proposal is considered to comply with the aims, objectives and orderly and proper planning of the area in relation to the matters to be considered under Clause 67 as outlined below:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;

- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme;
- (g) any local planning policy for the Scheme area;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (m) the compatibility of the development with its setting including the relationship of the development to 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; and
 - (iii) social impacts of the development;

Car Parking

There will be no need for an increase in parking as there is no change in the function or size of the clubhouse as a result of the proposed development.

Signage

There is no signage in relation to this proposal.

Existing Vegetation

Vegetation will not have to be removed as a result of this proposal.

East Fremantle Foreshore Master Plan

Although the Foreshore Master Plan does not formally identify the subject lot as part of the Foreshore Master Plan it is adjacent to and complements the role that is played by the foreshore and was seen as a possible “event” location, as well as providing a venue for field sports like lacrosse and cricket, an informal exercise area and a dog exercise area. This proposal does not detract from these roles.

Compatibility with Surrounding Development

The proposal will not interfere with the surrounding developments. The proposed patio provides weather protection for the area adjacent to the club’s change rooms and as such improves the useability of the building. The proposed structure is a maximum of 2.5m high from ground level, 3.6m wide and 5.4m long with 3 individual columns (90mm square profile) supporting the roof. It has a lower profile than the adjoining clubhouse and has minimal building bulk. The patio complements the existing land uses in the vicinity of the development.

Amenity of the Locality

There is little impact on the natural environment (see existing vegetation above), the existing use of the land is maintained without detracting from the character of the area and the proposed development helps support the function of important community and social groups.

Conclusion

It is considered that the proposed development is consistent with the existing use of the land. The proposed patio complies with the aims, objectives and proper planning of the area and complies with the provisions of Clause 67 Planning and Development (Local Planning Schemes) Regulations 2015 and the Council’s Foreshore Master Plan. As such it should be supported by the Council.

It is recommended Council convey its support for the proposal to the Department of Biodiversity, Conservation and Attractions with a request for conditions.

12.1.6 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 071218

Moved Cr Watkins, seconded Cr Harrington

That Council recommend support for the proposed development approval application for a patio on land utilised by the East Fremantle Lacrosse and Cricket Club located at Reserve 7800 Lot 15722 Jerrat Drive, East Fremantle, to the Department of Biodiversity, Conservation and Attractions, in accordance with the plans date stamp received on 20 November 2018 subject to the following conditions:

- (1) Stormwater drainage shall be contained on site, to the satisfaction of the Town of East Fremantle on advice from the Swan River Trust.
- (2) The building is to be kept clean and free of graffiti and vandalism at all times and any such graffiti or vandalism to be remedied within 24 hours to the satisfaction of the Chief Executive Officer.
- (3) All rubbish is to be located and/or screened so as not to be visible from beyond the boundaries of the development site.
- (4) Upon completion of works, waste materials shall be removed and the area cleaned up to the satisfaction of the Town of East Fremantle.
- (5) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
- (6) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
- (7) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (8) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) *A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) *All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (iv) *Under the Environmental Protection (Noise) Regulations 1997, the noise from an airconditioner must meet assigned allowable noise levels at all times. The Environmental*

Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".

(CARRIED UNANIMOUSLY)

12.1.7 Urban Streetscape & Public Realm Style Guide – 06-2018/19 Tender Acceptance

Applicant:	Town of East Fremantle
File ref:	TEN/REGISTER 06-18/19
Prepared by:	Andrew Malone, Executive Manager of Regulatory Services
Supervised by:	Gary Tuffin, Chief Executive Officer
Meeting Date:	11 December 2018
Voting requirements:	Simple Majority
Attachments:	1. Evaluation Sheet RFT06 -18/19 (Confidential Attachment)

Purpose

The purpose of this report is to advise Council on the evaluation of the Request for Tender submissions received for suitably qualified and experienced consultant(s) to prepare an Urban Streetscape and Public Realm Style Guide and to award the contract.

Executive Summary

This Tender has been undertaken to develop a comprehensive Urban Streetscape and Public Realm Style Guide to guide future development across the Town of East Fremantle.

The Tender was advertised with six (6) submissions received.

A detailed assessment was undertaken of all tender documents received, with two submissions shortlisted for further assessment. A meeting was held with both short-listed consultants to further investigate their understanding of the project.

Background

The Style Guide is to be an urban design document that supplements local planning strategy, policy and urban design principles with a set of appropriate and consistent design guidelines for public spaces to include such aspects as materials, verges, public furniture etc.

The Style Guide aims to guide those involved in the creation and enhancement of spaces within the public realm, including local government, developers, project managers, designers, community groups and others engaged in the use, design, implementation and ongoing management and maintenance of public spaces. The Style Guide will set a consistent approach for Council and developers to enable a consistent and appropriate design of public spaces that meet the collective needs of a diverse community.

The tender RFT06/18-19 was advertised in the The West Australian newspaper on Saturday 1 September 2018 to seek the services of suitably qualified and experienced consultant(s) to prepare an Urban Streetscape and Public Realm Style Guide.

Tenders closed at 4:00pm Thursday 20 September and six (6) submissions were received from the following:

- Propagule Consulting Pty Ltd
- UDLA
- Ecoscape
- Place Laboratory
- Aspect Studios Pty Ltd
- GHD

Consultation

- Elected members were advised during the development of the 2018/19 Budget that this project was a priority and funds were allocated for the project to be undertaken in financial year 2018/19.
- Project Coordinator, Urban Project Planner, Operations Manager and Executive Manager Regulatory Services participated in the development and preparation of the Project Scope and Specifications and the assessment of tenders.
- Project Coordinator, Urban Project Planner, Operations Manager, Executive Manager Regulatory Services and Acting Chief Executive Officer participated in the interview of both short-listed consultants.

Prior to commencement of works, the contractor (on behalf of Council) will undertake an inception meeting with the Town where a communication and stakeholder engagement strategy will be discussed and approved.

Statutory Environment

Local Government Act 1995 s3.57 – Tenders for providing goods or services

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Through a competitive tender process, Council received tenders ranging from \$27,000 to \$80,000.

Policy Implications

Purchasing Policy 4.2.4.

Financial Implications

Council has allowed and budgeted for an Urban Streetscape & Public Realm Style Guide to be undertaken within this financial year.

The Style Guide will provide strategic information to enable the Town to better plan and progress future budgeting requirements for relevant capital and/or other work and outputs. It will also enable a consistent design brief for streets/ areas within the Town, designating different areas, acknowledging the character of those areas and setting a long term street and public realm style guide to be established.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017-2027 states:

Strategic Priority 3 – Built environment – Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open space.

3.1 Facilitate sustainable growth with housing options to meet future community needs

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town’s character

3.3.1 Continue to improve asset management practices

3.3 Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management practices

3.3.2 Optimal management of assets within resource capabilities

3.3.3 Plan and advocate for improved access and connectivity

Site Inspection

Nil

Comment

The tenders submitted all fulfilled the requirements of the Tender Criteria, namely the Compliance and Selection Criteria and exhibit a demonstrated understanding of the Town's requirements.

A) Relevant Experience Describe your experience in completing /supplying similar Requirements. Tenderers must, as a minimum, address the following information in an attachment and label it "Relevant Experience" : (a) Provide details of similar work; (b) Provide scope of the Tenderer's involvement including details of outcomes; (c) Provide details of issues that arose during the project and how these were managed; (d) Demonstrate sound judgement and discretion; and (e) Demonstrate competency and proven track record of achieving outcomes.	Weighting 40%	
	"Relevant Experience"	Tick if attached <input type="checkbox"/>
B) Key Personnel skills and experience Tenderers should provide as a minimum information of proposed personnel to be allocated to this project, such as: (a) Their role in the performance of the Contract; (b) Curriculum vitae; (c) Membership to any professional or business association; (d) Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement; and (e) Any additional information. (f) Supply details in an attachment and label it "Key Personnel" .	Weighting 30%	
	"Key Personnel"	Tick if attached <input type="checkbox"/>
C) Tenderer's Resources Tenderers should demonstrate their ability to supply and sustain the necessary: (a) Plant, equipment and materials; and (b) Any contingency measures or back up of resources including personnel (where applicable). As a minimum, Tenderers should provide a current commitment schedule in an attachment and label it "Tenderer's Resources" .	Weighting 10%	
	"Tenderer's Resources"	Tick if attached <input type="checkbox"/>
D) Demonstrated Understanding Tenderers should detail the process they intend to use to achieve the Requirements of the Specification. Areas that you may wish to cover include: (a) A project schedule/timeline (where applicable); (b) The process for the delivery of the goods/services; and (c) A demonstrated understanding of the scope of work Supply details and provide an outline of your proposed methodology in an attachment labelled "Demonstrated Understanding" .	Weighting 20%	
	"Demonstrated Understanding"	Tick if attached <input type="checkbox"/>

The tenders have been assessed against the requirements of the Tender Criteria and scores have been allocated as per the above criteria. The details of this assessment are provided under confidential cover.

Based on the evaluation results, projects quote and referee checks undertaken, it is recommended the tender be awarded to UDLA Pty Ltd for the following reasons:

- The quoted provided is considered good value for money.
- They scored highly in the qualitative criteria.
- They provided a professional submission indicating the most relevant experience on similar projects. Some example included:
 - UWA Campus Design Guidelines & Style Guide
 - South terrace (Fremantle) Urban Design
 - City of Perth POS Strategy
 - Town of Port Hedland Parks and Paths Strategy
 - Geraldton Parks Masterplan Strategy
 - City of Armadale Urban Forest Strategy
- They nominated an experienced project team.
- They received positive feedback from referees.
- They projected a very professional approach and detailed knowledge of the tender documents when interviewed.
- Confirmed that the project timeframe was very achievable.
- Confirmed that they were comfortable that their tender has been priced correctly.
- Confirmed that they were not aware of any issues with the tender documentation.

In light of all the above, it is recommended the tender be awarded to UDLA Pty Ltd.

12.1.7 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 081218

Moved Cr Watkins, seconded Cr Natale

That Council:

- 1. accept the Tender submitted by UDLA Pty Ltd of \$28,415 (excl GST) to complete the Urban Streetscape and Public Realm Style Guides.**
- 2. authorise the Chief Executive Officer to finalise a contract with the UDLA Pty Ltd within the defined parameters of the tender.**
- 3. authorise the Mayor and Chief Executive Officer to sign and affix the Town's Common Seal to the tender contract with UDLA Pty Ltd.**

(CARRIED UNANIMOUSLY)

12.2 FINANCE REPORTS (CONTINUED)

12.2.1 Monthly Financial Report (Containing the Statement of Financial Activity) – November 2018

Applicant	Not Applicable
File ref	F/FNS2
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Monthly Financial Report for the Period Ended 30 November 2018

Purpose

The purpose of this report is to present to Council the Monthly Financial Report (containing the Statement of Financial Activity) for the month ended 30 November 2018.

Executive Summary

A new Monthly Financial Report template has been developed to provide an overview of key financial activity. Two Statements of Financial Activity have been prepared, one by program and the other by nature and type. Both of these Statements provide a projection of the closing surplus position as at 30 June 2019.

Background

The Town of East Fremantle financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.

As part of the adopted 2018/19 Budget, Council adopted the following thresholds as levels of material variances for financial reporting.

In accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2018/19 for reporting material variances shall be:

- (a) 10% of the amended budget; or*
- (b) \$10,000 of the amended budget.*

whichever is greater. In addition, that the material variance limit be applied to total revenue and expenditure for each Nature and Type classification and capital income and expenditure in the Statement of Financial Activity.

The monthly Financial Report for the period ended 30 November 2018 is appended and includes the following:

- Statement of Financial Activity by Program
- Statement of Financial Activity by Nature and Type
- Notes to the Statement of Financial Activity including:
 - Statement of capital acquisitions and capital funding
 - Significant Accounting Policies
 - Explanation of Material Variances
 - Net Current Funding Position

- Cash and Investments
- Budget amendments
- Receivables
- Cashed Back Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants and Contributions

The attached Monthly Financial Reports are prepared in accordance with the amended *Local Government (Financial Management) Regulations 1996*; together with supporting material to provide Council with easy to understand financial information covering activities undertaken during the financial year.

Consultation

Nil.

Statutory Environment

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* detail the form and manner in which a local government is to prepare its Statement of Financial Activity.

Policy Implications

Significant Accounting Policies are adopted by Council on an annual basis. These policies are used in the preparation of the statutory reports submitted to Council.

Financial Implications

Material variances are disclosed in the Statement of Financial Activity.

There are no proposed changes to the current budget forecast.

The statement of financial activity is to be supported by such information as is considered relevant by the local government containing:

- an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
- an explanation of each of the material variances; and
- supporting information as is considered relevant by the local government.

Strategic Implications

The matter being put to the Council is not likely to have a direct impact on the strategies of the Council.

4.9 A financially sustainable Town – Provide financial management services to enable the Town to sustainably provide services to the community.

Site Inspection

Not applicable.

Comment

The following is a summary of headline numbers from the attached financial reports:

	Original Budget	Year to Date Budget	November Actuals
Opening Surplus	782,857	782,857	785,889
Operating Income	10,430,366	9,052,046	9,051,012
Operating Expenditure	(12,130,190)	(5,168,739)	(4,482,952)
Capital Expenditure	(2,980,169)	(681,615)	(231,474))
Capital Income	307,479	159,753	131,091
Net Transfers from Reserves	867,277	0	(11,649)
Non-Cash Items	2,722,380	1,122,980	1,029,541
Closing Surplus	0	5,267,282	6,271,459
Unrestricted Cash			5,019,071
Rates Receivables			2,741,829
Restricted Cash			2,094,283

- Rates were levied in the month of July;
- Year to date budgets have been entered into the financial system. All variances between year to date actuals and the year to date budget are attributable to timing differences, and are further explained in Note 2 of the Monthly Financial Report.
- The capital program has commenced with \$231k in expenditure as at end of November. Major expenditures relate to the John Tonkin project (\$54k), Town Depot Refurbishment (\$28k), Road Program (\$38k) and plant replacement of operational vehicles (\$84k).
- 71% of rates were collected by the end of November, meaning that the Town has a significant unrestricted cash position, with majority of these funds placed in short term deposits, ranging in term from one to four months.

The Statements of Financial Activity have been updated to include two additional columns; being the annual budget entered in the financial system (SynergySoft) and the amended budget in the financial system. The Annual Budget (Synergy) column confirms that the budgets entered into the financial system reconcile to the adopted budget (rounding of \$3). The amended budget captures all budget variations that have approved by Council since the original budget adoption.

12.2.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 091218

Moved Cr A McPhail, seconded Cr Natale

That Council:

1. receives the Monthly Financial Report (Containing the Statement of Financial Activity) for the month ended 30 November 2018.
2. notes the Amended Budget – Synergy column in the Statements of Financial Activity, forecasting a small deficit of (\$27,329) as at 30 June 2019.
3. notes the municipal surplus of \$6,271,459, which comprises of \$5,019,071 in unrestricted cash, as at 30 November 2018.

(CARRIED UNANIMOUSLY)

12.2.2 Accounts for Payment – November 2018

File ref	F/FNS2
Prepared by	Terry Paparone, Manager Finance & Administration
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Monthly List of Payments – November 2018

Purpose

For Council to receive the monthly list of accounts paid.

Executive Summary

To endorse the list of payments made under delegated authority for the month of November 2018.

It is therefore recommended that Council receives the Lists of Accounts paid for the period 1 November to 30 November 2018, as per the summary table.

Background

The Chief Executive Officer has delegated authority to make payments from the Municipal and Trust Accounts in accordance with budget allocations.

The Town provides payments to suppliers by electronic funds transfer, cheque or credit card. Attached is an itemised list of all payments made under delegated authority during the said period.

Consultation

Nil.

Statutory Environment

Regulation 13: *Local Government (Financial Management) Regulations 1996 (as amended)*

Policy Implications

Policy 4.2.4 Purchasing Policy

Financial Implications

Accounts for Payment are sourced from budget allocations.

All amounts quoted in this report are inclusive of GST.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

STRATEGIC PRIORITY 5: Leadership and Governance

A proactive, approachable Council which values community consultation, transparency and accountability.

Site Inspection

Not applicable.

Comment

The attached itemised list of payments is prepared in accordance with Regulation 13 of the amended *Local Government (Financial Management) Regulations 1996*.

12.2.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 101218

Moved Cr Natale, seconded Cr A McPhail

That the list of accounts paid for the period 1 November to 30 November 2018 be received as presented in the attached schedule, summarised as follows:

NOVEMBER 2018		
Voucher No	Account	Amount
5196-5198	Municipal (Cheques)	\$722.97
EFT26695-EFT26826	Electronic Transfer Funds	\$506,370.84
Payroll	Electronic Transfer Funds	\$264,475.75
Direct Debit	Electronic Funds Transfer	\$2,287.00
Superannuation	Electronic Transfer Funds	\$42,936.98
Credit Card	Corporate Credit Card	\$1,924.68
	Total Payments	\$818,718.22

(CARRIED UNANIMOUSLY)

12.2.3 Installation of Public Toilet – Glasson Park

File ref	TEN/Register 08-2018/19
Prepared by	Wendy Cooke, Project Coordinator
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil.
Attachments	1. Example and photos 2. Location map – new toilet

Purpose

The purpose of this report is to advise Council on the status of the proposed installation of a small public toilet complex in Glasson Park, and for Council to consider delegating authority to the Chief Executive Officer to award the tender for the purchase of a public toilet(s).

Executive Summary

During budget considerations for the financial year 2018/19, Council allocated funds for the installation of a public toilet in Glasson Park. Subsequently, the Town received a petition from interested community members and park users requesting the installation of a public toilet complex in the park.

Background

Currently the toilet facilities at the Glyde-In Centre are made available for use by the public. This arrangement is not considered appropriate, or convenient as to use the facility you must leave the park area, and walk around to the rear of the building.

In recognition of this issue and the high usage of Glasson Park, Council made an allocation in its 2018/19 Budget for the provision of a more conveniently located public toilet with universal access (disabled) in the South Eastern corner of the park (refer to location map – attachment 2).

Once it became known that Council intended to provide a new public toilet, a petition was received in May 2018 requesting the installation of a public toilet in Glasson Park.

Requests for Quotations for the installation of an ambulant/unisex toilet were requested, closing in August 2018, (3) three submissions were received.

One submission was non-conforming as it couldn't meet the requirements of automation or vandal resistant seat. The other two submissions met the initial specifications, however, highlighted the need to refine the scope. As a consequence of this process, the project specifications for the toilet were further refined. This has resulted in the need to call public tenders for its supply and construction due to the possibility project costs may now exceed the public tender threshold of \$150,000.

The Town advertised the Request for Tenders on Wednesday 28 November 2018, with tenders closing 4pm on Wednesday 12 December 2018.

Consultation

To date:

- a number of telephone discussions have occurred between the Project Coordinator, and suppliers and community members enquiring about the project's progress.
- initial requests for quotation were advertised with three (3) submissions being received.

A project sign will be erected on site, and letters will be sent to residents in the immediate area providing details of the project, prior to the installation date of the Toilet(s).

Other consultation methods that will be used include;

- a notice on the Town's
 - website, and
 - Facebook
- the Town's monthly E-newsletter
- media release

Statutory Environment

Local Government Act 1995 s3.57 – Tenders for providing goods or services

- (3) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (4) *Regulations may make provision about tenders.*

Local Government (Functions & General) Regulations 1996 - Regulation 11 states:

11. When tenders have to be publicly invited

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*

Policy Implications

Town of East Fremantle Purchasing Policy

Financial Implications

\$180,000 has been allocated in the current (2018/19) Annual Budget.

Strategic Implications

Strategic Priority 1 – Social – A socially connected, inclusive and safe community

1.1 Facilitate appropriate local services for the health and wellbeing of the community

- 1.1.1 *Facilitate or partner to ensure a range of quality services are provided at a local level*
- 1.1.2 *Strengthen the sense of place and belonging through inclusive community interaction and participation.*

1.2 Inviting open spaces, meeting places and recreational facilities

- 1.2.1 *Provision of adequate recreational, sporting and social facilities*
- 1.2.2 *Activate inviting open spaces that encourage social connection*

1.3 Strong community connection within a safe and vibrant lifestyle

- 1.3.1 *Partner and educate to build a strong sense of community safety*
- 1.3.2 *Facilitate opportunities for people to*

- 1.3.3 *Enrich identity, culture and heritage through programs, events and celebrations develop community connections and foster local pride*
- 1.3.4 *Facilitate community group capacity building*

Site Inspection

A number of Public Toilet facilities were inspected to assist with the development of the Tender specifications.

A site inspection by tenderers has been incorporated into the Request for Tender documentation.

Comment

Two options have been requested;

Option 1 - Supply and Install one (1) Single Universal Access Public Toilet.

Option 2 - Supply and Install one (1) Public Toilet Complex that includes:

- 1 x Single universal access toilet
- 1 x unisex toilet

The tender specifications for both options (1 & 2) include the following;

- Automatic flushing system with manual button
- Manual cavity sliding door (Option A) Or Manual cavity hinged door (Option B)
- Door programmable to open and lock at certain times of the day
- Manual toilet paper dispenser;
- Automatic hand dryer
- Auto hand washing
- Non slip easy to clean, graffiti proof wall tiles or cladding/lining
- Polished concrete/aggregate floor with drain
- Motion detection sensor
- Emergency Release Button (if required)
- Baby Change table;
- Internal mirror, shelf and coat hook;
- Hand Rail
- Vandal resistant seat
- Graffiti and vandal proof interior and exterior
- Sensor night lights on three side of the exterior
- Earthworks
- Installation of Footings/foundations
- All electrical work – to be detailed and costed
- Plumbing – supply water from water meter and connection to sewer
- Approximate size of building = 3.5m x 2.5m
- Exterior cladding – materials, colour etc.
- Technical information (eg dimensions, colours, material properties, processes and methods of manufacture and/or assembly, maintenance requirements, detailed plans, designs, blueprints and technical drawings)
- Delivery/Supply methods.

The approximate size of each facility is:

- Option (1) 3.5m x 2.5m
- Option (2) 4.6m x 3.7m approx.

It is expected the completion date for the project will be June 2019, as staff have been advised by suppliers there is generally a 16 week lead-time on the manufacturing of this type of facility.

The Chief Executive Officer's delegation for accepting and entering into contracts under delegation DA9 is limited to a maximum of \$150,000. It is anticipated the contract value may be in excess of this amount (subject to the option selected).

No Ordinary Meetings of Council have been scheduled until February 2019.

Therefore, to allow this project to progress without further delay, Council is requested to give consideration to authorising the Chief Executive Officer to assess and award the tender.

12.2.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 111218

Moved Cr Harrington, seconded Cr Nardi

That Council:

- (a) delegate authority to the Chief Executive Officer to award the tender, and enter into a contract for a public toilet(s) in Glasson Park to the most advantageous compliant tender, subject to the tendered price being within the 2018/19 budget allocation.**
- (b) subject to (a) above, authorises the Mayor and Chief Executive Officer to sign and affix the Town's Common Seal to the contract for the supply of public toilet(s) in Glasson Park.**

(CARRIED UNANIMOUSLY)

12.3 GOVERNANCE REPORTS

12.3.1 Corporate Business Plan – Annual Review

Applicant	Town of East Fremantle
File ref	A/RSCP
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Date of Meeting	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Town of East Fremantle Corporate Business Plan – Annual Review

Purpose

This report presents an annual review against the Town of East Fremantle Corporate Business Plan 2015-2019. Council is requested to receive this review.

Executive Summary

The Town of East Fremantle's Corporate Business Plan outlines the organisation's key initiatives and activities to achieve delivery of the Strategic Community Plan. The annual review outlines the organisations achievements against these objectives.

Background

Council adopted the Corporate Business Plan (2015-19) at its Ordinary Meeting of 20 July 2015.

The Corporate Business Plan is an internal business planning tool that translates Council priorities into operations within the parameters of available resources. It represents the activation of the Town of East Fremantle Strategic Community Plan and follows the key themes. It outlines what the Town of East Fremantle will do over the four-year timeline to achieve community aspirations. For each key area of focus, the initiatives and activities are supported by a summary of resource requirements, and recognition of supporting strategies and plans.

Regulation 19DA of the *Local Government (Administration) Regulations 1996* requires the following, amongst other things:

- A local government is to ensure that a corporate business plan is made in respect of each financial year;
- A corporate business plan is to cover the period specified in the plan, which is to be at least 4 financial years;
- A local government is to review the current corporate business plan every year;
- A local government may modify a corporate business plan because of modification of the local government's strategic community plan;
- A council is to consider a corporate business plan, or modifications of such a plan, and determine whether or not to adopt the plan or the modifications.

Statutory Environment

Section 5.56 of the *Local Government Act 1995* requires a local government to plan for the future of the district. The requirements are spelled out in Regulations 19C and 19DA of the *Local Government*

(Administration) Regulations 1996, which requires the preparation and adoption of a Strategic Community Plan and Corporate Business Plan.

Policy Implications

The Department of Local Government has developed an Integrated Planning and Reporting Advisory Standard.

Financial Implications

There are no direct financial implications associated with this report. However, the Corporate Business Plan is the direct driver of the Annual Budget, and informs resource allocations.

Strategic Implications

Strategic Priority 5: Leadership and Governance

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

Site Inspection

Not applicable.

Comment

Council adopted the biennial review of Strategic Community Plan 2017-2027 at its Ordinary Meeting of 19 September 2017. This has necessitated a review of the Corporate Business Plan. It is envisaged that a new Corporate Business Plan 2019-2023 will be presented to Council at its February 2019 Ordinary Meeting.

As such, the attached annual review of the Corporate Business Plan can be considered a closing report against the existing plan. The assessment very much reflects business as usual, although there are a number of services that are currently under review, with these activities needing to be captured in the new Corporate Business Plan.

12.3.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 121218

Moved Cr Nardi, seconded Cr Natale

That Council:

- 1. receive the annual review against the Town of East Fremantle Corporate Business Plan 2015-2019.**
- 2. note that due to a modification of the Strategic Community Plan 2017-2027, that a new Corporate Business Plan is being developed and will be presented to Council at its February 2019 Ordinary Meeting.**

(CARRIED UNANIMOUSLY)

12.3.2 Annual Report 2017/18

Applicant	Town of East Fremantle
File ref	C/ELM1
Prepared by	Gary Tuffin, Chief Executive Officer
Supervised by	Gary Tuffin, Chief Executive Officer
Date of Meeting	11 December 2018
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. Annual Report 2017/18 including Audited Annual Financial Report

Purpose

To present the 2017/18 Annual Report for Council acceptance and set a date for the Annual Electors' Meeting.

Executive Summary

The 2017/18 Annual Report reflects the achievements of the Town of the previous financial year. Acceptance of this Report allows the setting of the date of the Annual Electors' Meeting.

Background

The 2017/2018 Town of East Fremantle Annual Report details the activities of the organisation over the past financial year and supports the Audited Financial Statements. The 2017/18 Financial Statements were considered and accepted by the Audit Committee on 7 November 2018 and by Council at its meeting of 20 November 2018.

The Annual Report also provides general information about the Town's activities and highlights during the year under review and reports on the progress of activity and priorities as determined in the 2017-2027 Strategic Community Plan.

Statutory Environment

Under s5.54 of the *Local Government Act 1995*, the annual report for a financial year is to be accepted by the local government no later than 31 December after that financial year.

Under s5.27(2), an electors' general meeting is to be held on a day selected by the local government but no more than 56 days after the local government accepts the annual report for the previous financial year.

Local Governments are now required to publish the annual report, including audit reports, on their website within 14 days after the report has been adopted by Council.

Policy Implications

There are no policy implications.

Financial Implications

There are no financial implications.

Strategic Implications

Strategic Priority 5: Leadership and Governance

"A proactive, approachable Council which values community consultation, transparency and accountability."

Site Inspection

N/A

Comment

The proposed date for the Electors' Meeting would fall on the 49th day following adoption by Council at its December meeting. If this date was unsuitable for the majority of elected members, an alternative date during January 2019 would need to be agreed to.

12.3.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 131218

Moved Cr Natale, seconded Cr Nardi

That Council:-

1. accept the 2017/18 Annual Report as presented, noting that a final published version will be produced inclusive of corporate styling and infographics.
2. hold the Annual Electors' Meeting on Tuesday 29 January 2019.
3. publish the 2017/18 Annual Report on the Town of East Fremantle website within 14 days of this meeting.

(CARRIED UNANIMOUSLY)

12.3.3 East Fremantle's George Street Festival 2018 – Post Event Evaluation

File ref	H/CFF1
Prepared by	Karen Dore Economic & Community Development Officer
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. East Fremantle's George Street Festival Post Event Report

Purpose

The purpose of this report is for Council receive the post-event report relating to East Fremantle's George Street Festival 2018.

Executive Summary

In 2018, East Fremantle's George Street Festival was coordinated 'in-house' by Town employees. The main aim of moving away from engaging a consultant, as in past years, was to ensure that the Festival continues to be unique to the area, with a strong sense of community, and to ensure that the festival is synonymous with the Town of East Fremantle.

Background

The *George Street Festival* was anecdotally, born in the late 1980s as a collaboration between the businesses located on George Street. The Town of East Fremantle has been facilitating the *East Fremantle Festival* since the 1990s. From 2007 to 2017, the event was coordinated by a consultant.

In 2018 the event was re-branded "*East Fremantle's George Street Festival*", and delivered in-house by the Economic & Community Development Officer with the assistance of other Town staff.

Consultation

George Street Traders (pre-event)

Feedback was sought from the traders on George Street prior to the formulation of the three-year forward plan for the Festival from 2018 to 2020.

Executive Team, Events Committee and Council (pre-event)

The three-year forward plan was shared and commented on. Refer to Attachment 1 (final Festival update).

Unsolicited Feedback, post-event

The following feedback was received via email prior to the release of the online survey;

- *So many of our customers said it was the best they had seen.*
- *The promotion, the communication, the use of George St Ambassadors/volunteers, and the go2cups where all major improvements and contributors to the event.*
- *It was great being involved in the festival and thanks for having us. Considering the weather, we had a great day.*
- *Overall it was fantastic for us and compared to previous years we had significantly higher sales which was great and we had lots and lots of compliments and positive feedback.*
- *None of our customers seemed to mind the weather when it was raining and made the most of the day. A few also said it was a great initiative for East Freo so congratulations.*
- *The decision to do it "in house" was a good one and we enjoyed being part of the organising.*

- *This was my first George St and I just wanted to say it was the most successful single-day I've had in a year of trading, and that's despite the slow start from the rain.*
- *Correspondence and communication was outstanding, also the marketing was the best that I have seen in a long time.*
- *Good crowd. Interested people. Good sales.*
- *It was a wonderful event despite the weather and I am sure your team and all their hard work is why there was such a great atmosphere and attendance. It was a pleasure to be included in this event.*
- *A big thank you, was wonderful day for me and great customers. This event is the best event I have had.*
- *The better quality stalls and ascetically placed seating were big winners.*
- *... been here for 30 years, best festival yet, stall variety, local shops more featured, great food, RAN Band amazing.*
- *Stall quality and product value was very good.*
- *If it was not the best one ever it was certainly the best for many years.*
- *It was the best run market I've been to and I do a lot!*

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Net funding of \$55,036 was allocated to East Fremantle's George Street Festival in the 2018-2019 annual budget.

As at 4 December 2018 the final budget details (excluding GST) are as follows;

\$90,861.30 Total Expenditure

\$17,712.69 Stallholder Income

\$19,906.00 Lotterywest Community Events Funding

\$ 1,000.00 Road Safety Commission Community Events Funding

\$38,618.69 Total Income

\$52,376.79 Cost to Council (excluding ECDO time)

It is estimated that approximately 250 paid staff hours were allocated to the preparation of the event, and 40 hours of unpaid time. It is acknowledged that a more intensive staff effort was required this year as it was the first year that the event was directly managed by the Town; and that staff time should be significantly reduced next year.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017-2027 states as follows:

Strategic Priority 1 – Social – A socially connected, inclusive and safe community

1.1 Facilitate appropriate local services for the health and wellbeing of the community

1.1.3 Facilitate or partner to ensure a range of quality services are provided at a local level

- 1.1.4 *Strengthen the sense of place and belonging through inclusive community interaction and participation.*
- 1.2 *Inviting open spaces, meeting places and recreational facilities*
 - 1.2.1 *Provision of adequate recreational, sporting and social facilities*
 - 1.2.2 *Activate inviting open spaces that encourage social connection*
- 1.3 *Strong community connection within a safe and vibrant lifestyle*
 - 1.3.1 *Partner and educate to build a strong sense of community safety*
 - 1.3.2 *Facilitate opportunities for people to*
 - 1.3.3 *Enrich identity, culture and heritage through programs, events and celebrations develop community connections and foster local pride*
 - 1.3.4 *Facilitate community group capacity building*

Strategic Priority 2 – Economic – Sustainable, locally focused and easy to do business with

- 2.1 *Actively support new business activity and existing local businesses*
 - 2.1.1 *Facilitate opportunities for business and community groups.*
 - 2.1.2 *Investigate the development of business hubs and shared offices spaces.*
 - 2.1.3 *Facilitate opportunities/ forums where local business people can meet and share ideas.*
- 2.2 *Continue to develop and revitalise local business activity centres*
 - 2.2.1 *Facilitate local small business access for community and business growth*

In addition to the Strategic Community Plan, the 2017 Markyt Community Scorecard advised:

We need to focus on areas that are below the industry average;

- 1. *Informed about events, including hosting smaller street fests and community events*
- Town = 62 / Standard = 61 / High = 83 – room for improvement*

Site Inspection

A number of site inspections were undertaken prior to the Festival, including the mark-up of sites resulting in a comprehensive site plan.

Comment

Event Attendance

- Approx. 8,000 visitors. This calculation is based on previous estimations (7,500) of attendance numbers in conjunction with participant (stallholders and business owners) feedback stating that they felt it was busier.
- 133 sites.
- 20 food vendors (including 2 ice cream, 1 coffee and 1 juice bar).
- 28 George Street businesses
- 6 community groups / sporting clubs.

Event Survey

Staff at the Town Tent provided the opportunity for visitors to complete a hard copy survey. An online survey was also available to visitors and participants. Information from the survey will be used for assessment and provide opportunity for improvement in next year's event.

166 people replied to the event survey:

Where were attendees from?

Visitors

- 50% local (6158 postcode)
- 23% neighbouring postcodes
- 16% north of the river
- 11% south of the river

Participants

- 35% local
- 26% neighbours
- 39% other (north and south of the river)

What are the top 3 ways that visitors heard about the event?

1. 28% - Facebook
2. 18% - word of mouth
3. 18% - poster / flyer

How many times had they been before?

- | | | | |
|---|-----|-----------------------|-----|
| • 1 st time | 35% | 2 nd time | 14% |
| • 3 rd to 9 th time | 41% | 10 th time | 10% |

What are visitors top 6 elements at the event?

1. 18% - music and entertainment
2. 15% - stalls
3. 15% - food vans
4. 11% - local food
5. 10% - community involvement
6. 9% - eco-friendly

92% of visitors surveyed felt that the event was either excellent (62%) or very good (30%), and 99.5% of visitors surveyed were either very likely (82%) or likely (17.5%) to recommend the event to a friend.

A number of items were identified as opportunities for improvement and will be addressed in the 2019 festival planning.

12.3.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 141218

Moved Cr Harrington, seconded Cr Natale

That Council:

1. receives the post-event report for East Fremantle's George Street Festival 2018.
2. write to all volunteers and supporters to acknowledge their assistance and participation with the event.

(CARRIED UNANIMOUSLY)

12.4 OPERATIONS REPORTS

12.4.1 Waterwise Council Program

File ref	A/WWA1
Prepared by	Janine May, PA to Chief Executive Officer
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date	11 December 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Memorandum of Understanding

Purpose

The purpose of this report is for Council to consider endorsing the process for the Town of East Fremantle to become a Waterwise Council.

Executive Summary

To authorise the Chief Executive Officer to endorse a Memorandum of Understanding with the Water Corporation of WA (WCWA) and Department of Water and Environmental Regulation (DWER) to seek endorsement as a Waterwise Council.

Background

The program supports and encourages local governments to improve their water efficiency and build waterwise communities. It is a partnership between the WCWA and the DWER. Since it was established in 2009, over 58 councils are participating, reaching over 1.6 million residents.

Benefits of the Waterwise Council Program include:

- Access to council and community water use data
- Free Waterwise education resources for your schools and community
- Councils can apply for up to \$10,000 in Waterwise Verge funding per year if they promote a waterwise verge policy and offer residents a rebate or incentive scheme.
- Opportunity to participate in liveability projects and trials.
- Educational presentations to community groups covering waterwise gardening, water conservation and Perth's water future
- Data loggers to assist with leak detection
- Invitation to workshops, networking and industry events
- Opportunity to showcase their sustainable water management initiatives on the Water Corporation website

Consultation

Nil.

Statutory Environment

Nil.

Policy Implications

It will be necessary for the formulation of new additional policies and procedures in accordance with the Waterwise program.

Should the Town wish to participate in the Waterwise Verge funding program, it will be necessary to adopt and promote a policy for waterwise verges policy that is consistent with the WCWA's "waterwise verge best practice guidelines" (available on WCWA website).

Financial Implications

It is hoped that as part of the program, all staff will become more conscious of the need to conserve water, thus reducing water bills.

The program offers free waterwise training modules which include topics such as landscaping and irrigation and water auditing. There may be some cost savings, once staff have completed these courses.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Strategic Priority 4 – Natural Environment – Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity

4.1 Conserve, maintain and enhance the Town's open spaces.

4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore

4.1.2 Plan for improved streetscapes parks and reserves

4.2 Enhance environmental values and sustainable natural resource use

4.2.1 Reduce waste through sustainable waste management practices

4.3 Acknowledge the change in our climate and understand the impact of those changes.

4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts

Site Inspection

Not applicable

Comment

To become endorsed as Waterwise, the Town needs to address the following criteria:

1. Town of East Fremantle commitment

Nominate a program champion or team

Sign and submit a Waterwise Council Memorandum of Understanding

2. Create an Action Plan

Create an action plan to identify water efficiency goals and opportunities for your Town facilities and within your community.

3. Complete free waterwise training

Encourage staff to complete free waterwise training modules.

4. Be a waterwise leader

Ensuring the Town of East Fremantle leads by example by complying with water days, winter sprinkler bans etc. The DWER and WCWA will verify each council has received no licence or usage breaches as part of the ongoing endorsement assessment process.

To retain Waterwise Council status, the following re-endorsement criteria must be addressed annually:

- complete Waterwise Endorsed Annual Report and submit by 31 October
- verification from the DWER and WCWA there have been no breaches of watering roster and groundwater allocation.

It is anticipated the Town will be fully endorsed as a Waterwise Council by 30 June 2019.

12.4.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 151218

Moved Cr Collinson, seconded Cr Watkins

That Council resolves to authorise the Chief Executive Officer to endorse a Memorandum of Understanding with the Water Corporation of WA (WCWA) and Department of Water and Environmental Regulation (DWER) to seek endorsement as a Waterwise Council.

(CARRIED UNANIMOUSLY)



13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil.
14. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING
Nil.
15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
Nil.
16. NEW BUSINESS OF AN URGENT NATURE
Nil.
17. MATTERS BEHIND CLOSED DOORS
Nil.
18. CLOSURE
There being no further business, the Presiding Member declared the meeting closed at 8.31pm.

I hereby certify that the Minutes of the meeting of the Council of the Town of East Fremantle, held on 11 December 2018, Minute Book reference 1. to 18. were confirmed at the meeting of the Council on

19 FEBRUARY 2019


Presiding Member