



# AGENDA

## Council Meeting

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Tuesday, 8 December 2020 at 6.30pm

### **Disclaimer**

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Town of East Fremantle expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

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## Procedure for Deputations, Presentations and Public Question Time at Council Meetings

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

<p style="text-align: center;"><b>Deputations</b></p> <p style="text-align: center;">A formal process where members of the community request permission to address Council or Committee on an issue.</p>	<p style="text-align: center;"><b>Presentations</b></p> <p style="text-align: center;">An occasion where awards or gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government.</p>
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### Procedures for Deputations

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business.

Notice of deputations need to be received by **5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email [admin@eastfremantle.wa.gov.au](mailto:admin@eastfremantle.wa.gov.au) to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- (a) is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- (b) is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- (c) additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

### Procedure for Presentations

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by **5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email [admin@eastfremantle.wa.gov.au](mailto:admin@eastfremantle.wa.gov.au) to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received/awarded by the Mayor or an appropriate Councillor.

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### Procedure for Public Question Time

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the *Local Government Act 1995*) sets aside a period of 'Public Question Time' to enable a member of the public to put up to three (3) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Mayor may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the *Town of East Fremantle Local Government (Council Meetings) Local Law 2016*:

1. Public Questions Time will be limited to fifteen (15) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to three (3) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by **5pm on the day before the meeting and be signed by the author**. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

**During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.**

**Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.**

**Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.**

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**NOTICE OF MEETING**

Elected Members

An Ordinary Meeting of the Council will be held at 6.30pm on Tuesday, 8 December 2020 in the Council Chamber, 135 Canning Highway, East Fremantle and your attendance is requested.



GARY TUFFIN  
Chief Executive Officer

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**AGENDA**

- 1. OFFICIAL OPENING**
- 2. ACKNOWLEDGEMENT OF COUNTRY**  
*"On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging."*
- 3. RECORD OF ATTENDANCE**
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- 4. DISCLOSURES OF INTEREST**
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- 5. PUBLIC QUESTION TIME**
  - 5.1 Responses to previous questions from members of the public taken on notice**  
Nil.
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- 6. PRESENTATIONS/DEPUTATIONS**
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Nil.

6.2 Deputations

7. APPLICATIONS FOR LEAVE OF ABSENCE

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Meeting of Council (17 November 2020)

**8.1 OFFICER RECOMMENDATION**

That the minutes of the Ordinary meeting of Council held on Tuesday, 17 November 2020 be confirmed as a true and correct record of proceedings.

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

## 11. REPORTS AND RECOMMENDATIONS OF COMMITTEES

### 11.1 Town Planning Committee Meeting (1 December 2020)

<b>File ref</b>	C/MTP1
<b>Prepared by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting Date:</b>	8 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Town Planning Committee Minutes

#### **Purpose**

To:

- submit the minutes and delegated decisions of the Town Planning Committee for receipt by Council.
- consider a development application for a proposed deck and patio at 229 Canning Highway (Lot 808).

#### **Executive Summary**

The Committee, at its meeting on 1 December 2020, exercised its delegation in eight statutory matters where at least four members voted in favour of the Reporting Officer's recommendations. The development application for additions at 229 Canning Highway was considered by the Committee and deferred pending a site inspection.

#### **Consultation**

Town Planning Committee.

#### **Statutory Environment**

Nil.

#### **Policy Implications**

Nil.

#### **Strategic Implications**

Nil.

#### **Site Inspection**

Not applicable.

#### **Comment**

The unconfirmed Committee minutes are submitted for receipt and the planning application for 229 Canning Highway (refer Agenda No 11.4 of attached Town Planning Minutes for officer's report) deferred pending a site inspection, (held on 4 December 2020) is recommended for approval.

#### **11.1.1 COMMITTEE RECOMMENDATION**

**That the unconfirmed Minutes of the Town Planning Committee Meeting held on 1 December 2020 be received.**

**TP Agenda 11.4 Canning Highway No 229 (Lot 808) Proposed deck and patio**

**11.1.2 OFFICER RECOMMENDATION**

That development approval is granted, and Council exercises its discretion regarding the following;

- (i) Clause 5.4.1 – Residential Design Codes – Visual Privacy Setbacks – 7.5m required, less than 7.5m provided

for deck and patio at No. 229 (Lot 808) Canning Highway, East Fremantle, in accordance with the plans date stamped received 11 November 2020, subject to the following conditions:

- (1) Visual privacy screening is to be installed along the eastern edge of the deck and patio area that is a minimum of 1.6m high from finished floor level and is to be permanent, durable and with 75% obscurity.
- (2) Visual privacy screening is to be installed parallel to the existing dividing fence and 0.3m above the existing fence (2.1m from ground level) for a length of 4.3m from the parapet wall between 229 Canning Highway and Unit 1 No 5 Irwin Street. No vegetation on the eastern boundary is to be removed and/ or reduced in height such that it may lead to overlooking of adjoining properties.
- (3) 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.
- (4) 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.
- (5) With regards 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.
- (6) 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.
- (7) 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.
- (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) 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.
- (10) This planning approval is 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.*

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TOWN OF  
EAST FREMANTLE

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# MINUTES

## Town Planning Committee

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Tuesday, 1 December 2020 at 6.30pm

### **Disclaimer**

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**MINUTES OF THE ORDINARY MEETING OF THE TOWN PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY, EAST FREMANTLE ON TUESDAY 1 DECEMBER 2020.**

**1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS**

Presiding member opened the meeting at 6.30 pm and welcomed members of the gallery.

**2. ACKNOWLEDGEMENT OF COUNTRY**

*“On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past and present.”*

**3. RECORD OF ATTENDANCE**

**3.1 Attendance**

The following members were in attendance:

Cr C Collinson	Presiding Member
Mayor J O’Neill	
Cr A Natale	
Cr D Nardi	
Cr A Watkins	

The following staff were in attendance:

A Malone	Executive Manager Regulatory Services
K Culkin	Minute Secretary
J Bannerman	Planning Officer

There were (8) members of the public in attendance

**3.2 Apologies**

Cr J Harrington

**3.3 Leave of Absence**

Nil

**4. MEMORANDUM OF OUTSTANDING BUSINESS**

Nil

**5. DISCLOSURES OF INTEREST**

**5.1 Financial**

Nil

**5.2 Proximity**

Nil

**5.3 Impartiality**

Nil

**6. PUBLIC QUESTION TIME**

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

Nil.



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**6.2 Public Question Time**  
Nil

**7. PRESENTATIONS/DEPUTATIONS**

**7.1 Presentations**  
Nil

**7.2 Deputations**  
Nil

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**8.1 Town Planning Committee (3 November 2020)**

**8.1 OFFICER RECOMMENDATION**

Moved Cr Nardi , seconded Cr Watkins

That the minutes of the Town Planning Committee meeting held on Tuesday 3 November 2020 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

**9. ANNOUNCEMENTS BY THE PRESIDING MEMBER**  
Nil

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**10. REPORTS OF COMMITTEES**

**10.1 Community Design Advisory Committee**

**Prepared by:** Andrew Malone, Executive Manager Regulatory Services

**Supervised by:** Gary Tuffin, Chief Executive Officer

**Authority/Discretion:** Town Planning Committee

**Attachments:** 1. Minutes of the Community Design Advisory Committee meeting held on 2 November 2020

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**Purpose**

To submit the minutes of the Community Design Advisory Committee meeting held on the 5 October 2020 for receipt by the Town Planning Committee.

**Executive Summary**

The Committee, at its meeting held on 2 November 2020, provided comment on planning applications listed for consideration at the November 2020 Town Planning Committee meeting and other applications to be considered in the future. Comments relating to applications have been replicated and addressed in the individual reports.

There is no further action other than to receive the minutes.

**10.1 OFFICER RECOMMENDATION**

**Moved Cr Natale, seconded Cr Nardi**

**That the Minutes of the Community Design Advisory Committee meeting held on 2 November 2020 be received.**

**(CARRIED UNANIMOUSLY)**



**11. REPORTS OF OFFICERS (COMMITTEE DELEGATION)**

**PROCEDURAL MOTION**

**Moved Cr Natale , seconded Cr Nardi**

**That the order of business be changed to allow members of the gallery to speak to specific planning applications.**

**(CARRIED UNANIMOUSLY)**

**11.1 Dalgety Street No 19 (Lot 500) Proposed alterations and additions**

<b>Owner</b>	Kylie Kelly
<b>Applicant</b>	Mardi West
<b>File ref</b>	P107/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	1 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Location plan 2. Site photos 3. Place Record Form 4. Plans date stamped 1 & 5 October 2020 5. Community consultation

**Purpose**

The purpose of this report is for Council to consider a planning application for proposed new dwelling (alterations and additions comprising existing garage) at No 19 (Lot 500) Dalgety Street, East Fremantle.

**Executive Summary**

This development application proposes new dwelling to an existing garage and loft that is located at 19 Dalgety Street East Fremantle. The lot was originally part of the neighbouring property to the south (21 Dalgety Street). It has since been sold and is to be developed with a residential dwelling that incorporates the existing garage and loft.

The applicant is seeking Council approval for the following variations to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – South – Ground Floor – Porch and Entry – 1.5m required, 1.096m provided,
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – North - 1.6m required, 1.514m provided,
- (iii) Clause 5.1.6 – Residential Design Codes – Wall Height – 6m required, 6.6m provided,
- (iv) Clause 5.3.7 – Residential Design Codes – Excavation – 0.5m or less required, 0.686m provided, and
- (v) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch - 28 to 36 degrees required, 25 to 28 degrees provided.

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

**Background**

Zoning: Residential R12.5

Site area: 881m<sup>2</sup>

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

Nil

**Consultation**

Advertising

The application was advertised to surrounding landowners 2 to 19 October 2020.

Submission	Applicant Response	Officer Response
<p><b>Submission 1</b>                      None of the options above are appropriate - we are agnostic regarding the proposal. Having stated that we are accepting that it will go ahead. We don't oppose the proposal, or the plans as outlined on the assumption that setbacks and ridge heights etc are constructed as detailed in the proposals.</p>	<p>The development will be done in accordance with approved plans.</p>	<p>Noted.                      The proposed variations to the building heights and lot boundary setbacks are covered in the report.</p>
<p><b>Submission 2</b>                      As neighbours and owners of 17 Dalgety Street, East Fremantle we wish to lend our support to the overall design proposed for 19 Dalgety St, East Fremantle.</p>	<p>N/A</p>	<p>Noted.                      The submitter already provided signed support for the proposal and the applicant requested that they also provide additional written support.</p>
<p><b>Submission 3</b>                      Again, I wish to convey Kylie and my support to your Development Application for 19 Dalgety St, East Fremantle. We believe you and your architect have come up with a design that is sympathetic to the style and character of existing homes in the street. You have consulted with us throughout the design phase and we are happy with the plans that have been developed.</p>	<p>N/A</p>	<p>Noted.                      The submitter already provided signed support for the proposal and the applicant requested that they also provide additional written support.</p>

Community Design Advisory Committee (CDAC)

The application was referred to CDAC. The following comments were made.

(a) *The overall built form merits;*

- The Committee noted the proposal has poor streetscape presentation with the proposed porches considered to be disjointed, indicating the design has limited overall built form merit.
- The Committee stated the proportions of the building do not suit the adjacent heritage buildings/ street character and it compromises the heritage significance of the adjoining building.
- The Committee commented the proposed living areas appear to be compromised and lacking design intent.

- The Committee noted the roof form is complicated and may cause functional issues in the future.
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.*
  - The Committee noted the quality of the design is unsympathetic with the character of the streetscape.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
  - The Committee noted that the proposal is unsympathetic to the streetscape.
- (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. See above
- (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 note the proposal is resource efficient because it uses the existing garage and loft.
  - The committee note the proposal achieves some northern light and cross ventilation.
- (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 note the loft and bedroom 4 will overlook the street. The loft with large window is considered to provide suitable passive surveillance.

Applicant Response to CDAC

The following comments were received from the applicant in response to CDAC's comments.

- a) *The streetscape has resulted from the large existing Garage & Loft which was approved by the Town of East Fremantle. Our designer and I, together with a local designer, John Chisholm, consider the proposed porches to be well integrated with the existing building, with gable end roofs to provide reasonable built form merit. We were careful to retain a large section of the existing streetscape and to not design a "faux" heritage or ultra-contemporary design that has occurred elsewhere in the Woodside Ward of East Fremantle. Both neighbours in adjacent heritage buildings and we did not want "faux" heritage or an ultra-contemporary design.*

*The proportions of the building for a distance of approximately 20 meters from the front boundary is the existing building which was approved by the Town of East Fremantle. The elements we are adding are two small, single story porches. The overall new design of the building has been co-ordinated with the owners of the adjacent heritage buildings, ensuring setbacks and heights are in sympathy with the existing heritage buildings along the common boundary allowing northern light and generous set back space for areas they considered important. They are satisfied with the result and have given their approval.*

*In response to the comment "the proposed living areas appear to be compromised and lacking design intent" I can assure the Town of East Fremantle the living areas have been carefully designed to my living requirements. I wish to retain extensive areas of landscaped green space to the western and northern aspect of the block. This was extremely important in reducing the harsh western sun and creating a green oasis in the western rear third of the block.*

*The roof form is complicated and dictated by the existing Garage & Loft, however the design has had extensive input from the Structural Engineer, the Builder, the Energy Consultant and our Designer. Please note the existing complicated roof has been carefully integrated with the new roof and has had no functional issues that we are aware of and no issues are apparent after a careful site inspection by our Builder and Structural Engineer.*

b) *The quality of the design may be considered by some to be unsympathetic with the character of the streetscape, however it should be noted that the streetscape consists primarily of the existing Garage & Loft i.e., it is existing and has been approved approximately 16 years ago by the Town of East Fremantle.*

c) *See b) above*

e) *It is gratifying that the Committee noted the design is resource efficient by incorporating the existing Garage & Loft into the new design. This was an important design feature in retaining the existing buildings. This was for environmental reasons and that both adjacent neighbours were happy with the aesthetics of the existing building.*

*I can confirm the design achieves extensive cross ventilation and a large amount of northern light, limited only by overlooking restrictions to the north where we have modified the design to meet our northern neighbour's requests. There are a large number of windows with hopper openings to address the cross ventilation. An electrically operated northern roof light that floods the void area and study, addresses the concerns of light into these areas.*

*I confirm the design will achieve a 6 Star energy rating. We will have double glazing, additional insulation in cavities and ceiling fans in most rooms to help achieve this.*

#### External Consultation

Nil

#### **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.*

**Risk Implications**

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

**Site Inspection**

A site inspection was undertaken.

**Comment**

Statutory Assessment

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

<b>Legend</b> <i>(refer to tables below)</i>	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

<b>Design Element</b>	<b>Required</b>	<b>Proposed</b>	<b>Status</b>
Street Front Setback	7.5m	9m	A
Secondary Street Setback			N/A
<b>Lot Boundary Setbacks</b>			
Western boundary – ground floor	6m	13.71m	A
Northern boundary- ground floor -porch, bed 4 & pergola, laundry, bath, powder, bed 3, terrace	1.5m	1.514m	A
<b>Southern boundary- ground floor- porch and entry</b>	<b>1.5m</b>	<b>1.096m</b>	<b>D</b>
Southern boundary- ground floor - staircase	1.1m	2.7m	A
Southern boundary – ground floor – kitchen family	1.5m	1.596m	A
<b>Northern boundary – upper storey – bedroom, ensuite</b>	<b>1.6m</b>	<b>1.514m</b>	<b>D</b>
Southern boundary – upper storey – balcony, sitting, lobby, void	1.6m	2.896m	A

Open Space	55%	57%	A
<b>Wall height</b>	<b>6m</b>	<b>6.6m</b>	<b>D</b>
Setback of Carport			N/A
Car Parking			N/A
<b>Site Works</b>	<b>Excavation &lt;0.5m</b>	<b>Excavation 0.686m</b>	<b>D</b>
Visual Privacy	7.5m	7.5m	A
Overshadowing	<25%	20%	A
Drainage			To be conditioned

Local Planning Policies Assessment

<b>LPP Residential Design Guidelines Provision</b>	<b>Status</b>
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	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	A
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.15.4.3.1 Fremantle Port Buffer Area	N/A
3.7.15.3.3 Garages and Carports	N/A

This development application proposes a new dwelling to an existing garage and loft that is located at 19 Dalgety Street East Fremantle. The lot was originally part of the neighbouring property to the south (21 Dalgety Street). It has since been sold and is to be developed with a residential dwelling that incorporates the existing garage and loft. Five variations are requested to the requirements of the Residential Design Codes and Residential Design Guidelines relating to lot boundary setbacks, wall height, change in site levels in excess of 0.5m and roof pitch. It is noted that the CDAC and the response from the designer does address some of these issues. The variations are explained in the following assessment.

Lot Boundary Setback - South- Ground floor- Porch and Entry

According to the Residential Design Codes deemed to comply clause 5.1.3 C3.1 i a wall that is 9.75m long, 2.810m high and without major openings is required to be set back at least 1.5m from the side boundary. In this case the wall is set back 1.096m (porch and entry) from the side boundary. In accordance with design principles 5.1.3 P3.1 the proposed wall location can be supported based on the following reasons;

- There is minimal impact of building bulk on the adjoining southern property. The southern neighbour has endorsed the plans and we apart of the design of the dwelling to ensure their requirements were addressed;
- Adequate sunlight and ventilation is provided to the building and open spaces on site and to the adjoining southern property, and
- There is minimal overlooking or loss of privacy on adjoining properties.

The neighbouring property to the south has provided signed support for the proposed development. The proposed development does not overlook the rear yard and there is considerable distances between the 2 buildings. There are minimal impacts to the streetscape and to the neighbour.

#### Lot Boundary Setback - Northern Boundary – Upper Storey – Bedroom and Ensuite

According to the Residential Design Codes deemed to comply clause 5.1.3 C3.1 i a wall that is 12m long, 6.6m high and without major openings is required to be set back at least 1.6m from the side boundary. In this case the wall is set back 1.514m from the side boundary. The proposed variation is 0.086. The proposed reduced setback is considered to have no impact. In accordance with design principles 5.1.3 P3.1 the proposed wall location can be supported based on the following reasons;

- There is reduced impacts of building bulk on adjoining properties and for the most part the setbacks to the north are compliant. A variation of 0.086 metres is negligible and has no impact;
- Adequate sunlight and ventilation is provided to the building and open spaces on site and to the adjoining properties, as the setback is to the north; and
- There is minimal overlooking or loss of privacy on adjoining properties

The proposed development does not overlook the rear yard and there is considerable distances between the 2 adjacent buildings. No windows are located along the northern wall that are considered major openings so do not give the opportunity for overlooking. As the subject property is located south of the neighbouring property it does not create a shadow.

#### Wall Height

In accordance with the Residential Design Codes deemed to comply clause 5.1.6 C6 and Table 3 Category B there is a requirement for walls to be a maximum height of 6m. In this case the maximum wall height is 6.6m. This height can be supported in accordance with design principles clause 5.1.6 P6 as the wall does not impact on access to sunlight for buildings or open spaces and does not impact on views of significance. It must be noted that the although there is one wall that is above the deemed to comply height the overall height of the roof (and building) is well below the maximum permissible height of the roof (7.886m compared to 9m) and as such the additional wall height can be supported. The design intent of the proposal has been discussed with the owner and the architect and it is considered appropriate for the locality.

#### Excavation Greater than 0.5m

The proposed dwelling is located on a lot that has a higher elevation at the street front compared to the rear of the lot. The design has utilised the different levels across the site with some minor earthworks proposed. The excavation is minimised but sees site levels changed by up to 0.686m for a small area of the site approximately 25m from the street front boundary across the lot. Although the change in site levels does not meet Residential design Codes deemed to comply clause 5.3.7 C7.2 design principles clause 5.3.7 P7.2 where excavation is necessary all finished levels respect the natural ground level at the lot boundary of the site and as viewed from the street.

#### Roof Pitch

The roof pitch of structures within the Woodside precinct are supposed to have a roof pitch of between 28 and 36 degrees in accordance with Residential Design Guidelines acceptable development clause 3.7.8.3 A4.1. In this case the roof pitch varies between 25 and 28 degrees and despite the variation the roof pitch can be supported based on performance criteria 3.7.8.3 P4 as the roof forms of new buildings complement the traditional form of surrounding development in the immediate locality. The variation in roof pitch is negligible and ensures that the dwelling integrates with the surrounding properties.

Conclusion

It is noted that no negative submissions were received during the advertising period. Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

- Ms West spoke in support of the Officer's recommendation.

**11.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION:TP011220**

**Moved Cr Nardi, seconded Cr Watkins**

**That development approval is granted, and Council exercises its discretion regarding the following;**

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – South – Ground Floor – Porch and Entry – 1.5m required, 1.096m provided**
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – 1.6m required, 1.514m provided**
- (iii) Clause 5.1.6 – Residential Design Codes – Wall Height – 6m required, 6.6m provided**
- (iv) Clause 5.3.7 – Residential Design Codes – Excavation – 0.5m or less required, 0.686m provided**
- (v) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch - 28 to 36 degrees required, 25 to 28 degrees provided**

**for alterations and additions at No. 19 (Lot 500) Dalgety Road, East Fremantle, in accordance with the plans date stamped received 1 & 5 October 2020, subject to the following conditions:**

- (1) 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.**
- (2) 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.**
- (3) With regards 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.**
- (4) 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.**
- (5) 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.**
- (6) 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.**
- (7) 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.

(8) This planning approval is 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).***
- (vi) matters relating to dividing fences are subject to the Dividing Fences Act 1961.***

***(CARRIED UNANIMOUSLY )***

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

**11.2 Sewell Street No 83 (Lot 257) Proposed alterations and additions**

<b>Owner</b>	Gavin McKay & Jennifer Beale
<b>Applicant</b>	David Barr Architects
<b>File ref</b>	P106/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	1 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Location plan</li><li>2. Site photos</li><li>3. Place Record Form</li><li>4. Plans date stamped 6 October 2020</li><li>5. Community consultation</li></ol>

**Purpose**

The purpose of this report is for Council to consider a planning application for proposed alterations and additions at No 83 (Lot 257) Sewell Street, East Fremantle.

**Executive Summary**

This development application proposes alterations and additions to an existing Category B heritage dwelling at 83 Sewell Street East Fremantle. The front section of the dwelling which has many heritage elements is being retained and the proposed extensions including the ancillary dwelling upper storey are concentrated towards the rear. The design of the extensions are contemporary and demonstrate a clear distinction between the old and new parts of the dwelling which is in alignment with the Residential Design Guidelines.

The applicant is seeking Council approval for the following variations to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Shed Wall– 1m required, 0m provided,
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Southern Wall - 1.5m required, 1.005m provided,
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – 1m required, 0m provided,
- (iv) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 2 degrees provided,
- (v) Clause 3.7.13.3 – Residential Design Guidelines – Setback of Water Tank – 1m required, 0.88m and 0.455m provided

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

**Background**

Zoning: Residential R20  
Site area: 508m<sup>2</sup>

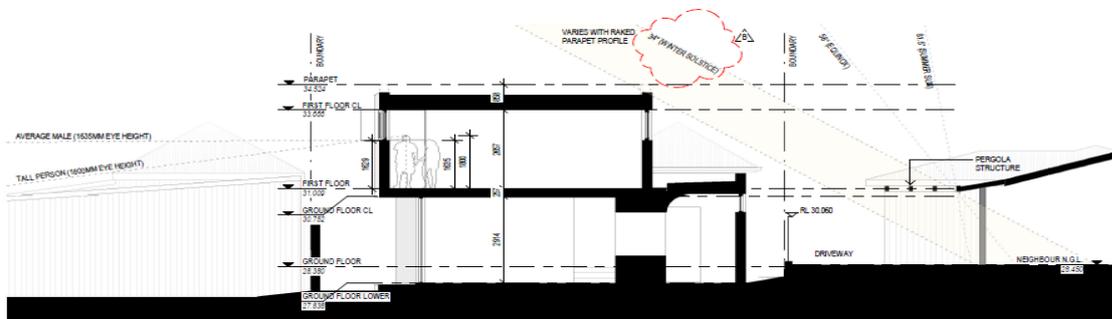
Previous Decisions of Council and/or History of an Issue or Site  
Nil

**Consultation**

Advertising

The application was advertised to surrounding landowners from 1 October to 16 October 2020. One submission was received.

Submission	Applicant Response	Officer Response
<p>As our properties are extremely close and only a few metres apart, I am deeply concerned regarding the upstairs addition of the north facing window. This window would look directly into my kitchen, my back door, back gate and the immediate back area of my house. It would be a great invasion of privacy. Perhaps this window could be higher to avoid this.</p>	<p>After reviewing the R-CODES and the neighbours comments we note that the current proposed height of the northern window is compliant with the R-CODES. The R-CODES permit 1600mm above finished floor level. We are proposing a sill height of 1629mm. The height of 1629 does not take into consideration the frame of 40mm plus the external shroud used for shading and for privacy. So, we are well in excess of the deemed to comply 1600mm. The diagram (below) clearly demonstrates that the height of the window, window frame and shroud restrict overlooking into the neighbour's property and therefore there is no 'invasion of privacy'. The two lines on the diagram indicate two heights a standard height and very tall person, both of which do not impact the neighbour's privacy. Based on the above, we propose to maintain the window height as documented, knowing full well that the privacy for the neighbour is maintained. We trust that due to the fact that we are compliant with the R-CODES that the proposal will not be duly affected or delayed.</p>	<p>Comments are noted. As the window is located more than 1.6m above finished floor level it is not considered a major opening and therefore cannot be assessed in terms of visual privacy issues. The shroud around the window also reduces the overlooking potential from the window.</p>



1 CROSS SECTION (VIEW CONE)  
A201 1:100

Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as there are no streetscape impacts.

External Consultation

Nil

**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.*

**Risk Implications**

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

**Site Inspection**

A site inspection was undertaken.

**Comment**

Statutory Assessment

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

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

Residential Design Codes Assessment

<b>Design Element</b>	<b>Required</b>	<b>Proposed</b>	<b>Status</b>
Street Front Setback			
Secondary Street Setback			
<b>Lot Boundary Setbacks</b>			
Ancillary dwelling – northern wall	0m	0m	A
Ancillary dwelling – western wall	1m	1.6m	A
Shed – western wall	1m	1.2m	A
<b>Shed – southern wall</b>	<b>1m</b>	<b>0m</b>	<b>D</b>
Existing building and new bathroom	2.2m	3.567m	A
Ground floor – remaining additions - northern wall	1.5m	1.9m	A
<b>Ground floor – southern wall</b>	<b>1.5m</b>	<b>1.005m</b>	<b>D</b>
Upper storey – master bedroom & stairs	1.3m	1.582m	A
Upper storey – master bedroom & ensuite	3.3m	18.3m	A
Upper storey – ensuite, WIR	1.2m	3.4m	A
Open Space	50%	63%	A
Wall height (concealed roof)	7m	7m	A
Setback of Garage			N/A
Car Parking			N/A
<b>Site Works</b>	<b>&lt;0.5m</b>	<b>&gt;0.5m</b>	<b>D</b>
Visual Privacy	4.5m	<4.5m	A (obscure glazing)
Overshadowing	25%	<25%	A
Drainage			To be conditioned

Local Planning Policies Assessment

<b>LPP Residential Design Guidelines Provision</b>	<b>Status</b>
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	A
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
<b>3.7.13 Incidental Development Requirements</b>	<b>D</b>
3.7.14 Footpaths and Crossovers	N/A
3.7.16.4.3 Fremantle Port Buffer Area	N/A
3.7.16.3 Garages and Carports	N/A

This development application proposes alterations and additions to an existing Category B heritage dwelling at 83 Sewell Street East Fremantle. The front section of the dwelling which has many heritage elements is being retained and the proposed extensions including the ancillary dwelling and upper storey are concentrated towards the rear of the lot.

The design of the extensions are contemporary and demonstrate a clear distinction between the old and new parts of the dwelling which is in alignment with the Residential Design Guidelines and Burra Charter.

Three variations are requested to the requirements of the Residential Design Codes and two variations are requested to the Residential Design Guidelines. The variations relate to lot boundary setbacks, roof pitch, fill and location of the proposed water tanks.

#### Lot Boundary Setbacks

There is a metal shed that is proposed to be located in the south western corner of the property. The shed wall is 3.1m long and 2.34m high and is required to be 1m from the side boundary in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1i. In this case the shed is proposed to be built up to the boundary. The location of the shed can be supported according to design principles 5.1.3 P3.2 on the basis that;

- It makes more effective use of space for enhanced privacy for the occupants and the outdoor living areas;
- The impact of building bulk on the neighbouring property is minimised,
- Adequate sunlight and ventilation are provided to the building and open spaces on the site and adjoining properties;
- Minimal overlooking or loss of privacy to adjoining properties;
- Does not have an adverse impact on the amenity of the adjoining property;
- Direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and
- Positively contributes to the prevailing and future development context and streetscape as outlined in the local planning framework.

The shed is located where it has minimal impacts on the adjacent property to the south and it is away from either habitable rooms or outdoor living areas. For these reasons the proposed location adjacent to the southern boundary can be supported.

#### Lot Boundary Setbacks

The southern wall on the ground floor is 19.7m long and 3.2m tall. According to the Residential Design Codes deemed to comply clause 5.1.3 C3.1 i the wall is supposed to be located 1.5m from the boundary. In this case the wall is setback 1.005m. This can be supported for the following reasons;

- The impact of building bulk on the neighbouring property is minimised. The additions are proposed to be constructed on the same setback from the southern boundary as the existing dwelling and on the same setback as the previous addition which are to be demolished. The overall impact of the proposed setback is considered minor and the neighbour will experience a similar bulk and scale;
- Adequate sunlight and ventilation is provided to the building and open spaces on the site and adjoining properties; and
- Minimal overlooking or loss of privacy to adjoining properties.

The variation in the lot boundary setback is minimal. There are no significant impacts from building bulk, loss of sunlight or ventilation and minimal loss of visual privacy.

#### Roof Pitch

In accordance with the Residential Design Guidelines acceptable development provisions 3.7.8.3 A4.1 the roof should have a pitch of between 28 and 36 degrees. In this case the roof pitch is 2 degrees but is a concealed roof hidden behind a wall. It is considered that the proposed roof form achieves the performance criteria clause 3.7.8.3 as it complements the traditional form of surrounding development in the immediate locality. For this reason, the proposed roof pitch can be supported.

#### Fill Greater Than 0.5m

Fill of approximately 0.56m from natural ground level is proposed for the north western corner of the lot adjacent to the proposed ancillary dwelling (Studio) at the rear. In accordance with the Residential Design Codes deemed to comply clause 5.3.7 C7.2 fill is required to comply with the building height and building setback requirements. In this case the increase in height is minor and the proposed development considers and responds to the natural features of the site and requires minimal fill in accordance with design principles 5.3.7 P7.1. There is minimal impact to the adjoining neighbour.

#### Water Tanks Less than 1m from Boundary

Water tanks are required to be at least 1m from the boundary in accordance with Residential Design Guidelines acceptable development clause 3.7.13.3 A1.2iii. In this case the water tanks are located less than 1m from the boundary (0.88m for the tank adjacent to the ancillary dwelling and 0.455m for the southern tank respectively), however, as they are hidden at the side of the dwelling and rear they achieve performance criteria 3.7.13.3 P1. There is no impact to the adjoining neighbours or streetscape.

#### Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

- Ms Djuna Lee (Architect) spoke in support of the officer's recommendations

**11.2 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION: TP021220**

Moved Mayor O'Neill, seconded Cr Nardi

That development approval is granted, and Council exercises its discretion regarding the following;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Shed Wall– 1m required, 0m provided,
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Southern Wall - 1.5m required, 1.005m provided,
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 2 degrees provided,
- (iv) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – 1m required, 0m provided,
- (v) Clause 3.7.13.3 – Residential Design Guidelines – Setback of Water Tank – 1m required, 0.88m and 0.455m provided

for alterations and additions at No. 83 (Lot 257) Sewell Street, East Fremantle, in accordance with the plans date stamped received 6 October 2020, subject to the following conditions:

- (1) 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.
- (2) 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.
- (3) With regards 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.
- (4) 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.
- (5) 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.
- (6) 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.
- (7) 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.
- (8) This planning approval is 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).*
- (vi) matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

*(CARRIED UNANIMOUSLY )*

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

**11.9 Duke Street No 69 (Lot 388) Proposed approval subsequent to development for an existing ancillary dwelling**

<b>Owner</b>	Sean & Rachelle Mason
<b>Applicant</b>	Kyle Smith
<b>File ref</b>	P121/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	1 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Location plan</li><li>2. Site photos</li><li>3. Place Record Form</li><li>4. Plans date stamped 4 November 2020</li></ol>

**Purpose**

The purpose of this report is for Council to consider a planning application for approval subsequent to development for an existing ancillary dwelling and garage at No 69 (Lot 388) Duke Street, East Fremantle.

**Executive Summary**

This development application is seeking the approval subsequent to the development for an existing ancillary dwelling and garage.

The applicant is seeking Council approval for the following variations to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.1.4 – Residential Design Codes – Open Space – 50% required, less than 50% provided
- (ii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 18 degrees provided

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

**Background**

Zoning: Residential R20

Site area: 507m<sup>2</sup>

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

P164/08 – development approval granted for alterations and additions – 10 September 2008

P059/15 – development approval granted for patio for recreation and car parking – 30 June 2015

P033/16 - development approval granted for patio - 11 April 2016

**Consultation**

Advertising

The application was not advertised to surrounding landowners as the development has been in place for an extended period of time

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Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as it has no streetscape impact.

External Consultation

Nil

**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.*

### Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

### Site Inspection

A site inspection was undertaken.

### Comment

#### Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies including the Residential Design Guidelines, as well as the Residential Design Codes. 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			
Southern wall	0m	0m	A
Western wall	1.5m	>1.5m	A
<b>Open Space</b>	<b>50%</b>	<b>&lt;50%</b>	<b>D</b>
Wall height	6m	<6m	A
Roof Height	9m	<9m	A
Setback of Garage			N/A
Car Parking	3	3	A
Site Works			N/A
Visual Privacy			N/A
Overshadowing	25%	<25%	A
Drainage			To be conditioned

#### 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	N/A
3.7.7 Building Setbacks and Orientation	N/A
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	N/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

3.7.15.4.3.1 Fremantle Port Buffer Area	N/A
3.7.15.3.3 Garages and Carports	N/A

This development application is seeking approval subsequent to the development of an existing ancillary dwelling and garage. One variation is requested to the Residential Design Codes and one variation is requested to the Residential Design Guidelines in relation to roof pitch in relation to open space and roof pitch respectively. The Town Planning Committee are considering this application as the proposal is seeking approval subsequent to the development and administration is unable to approve of such developments.

Open Space

Development on site has resulted in less than 50% of the site being available as open space as is required by the Residential Design Codes deemed to comply clause 5.1.4 C4. A similarly sized structure was located in this area and modifications were made to the structure, resulting in the overall open space and buildings on site being consistent. In this case the open space is approximately 49%, which achieves design principles clause 5.1.4 P4 for the following reasons;

- Access is available to sunlight is achieved for the main dwelling and for the ancillary dwelling;
- Building on site is at a scale consistent with the expectations of the R20 density code;
- There is an attractive setting provided for the building with linkages between the dwelling, garage and ancillary dwelling;
- There is opportunity for residents to use the space external to the dwelling;
- Space is available for external fixtures and essential facilities.

The ancillary dwelling has been well designed, with the structure appearing from a design intent as a garage, consistent with the previous structure on site. For the above reasons the reduced amount of open space can be supported.

Roof Pitch

In accordance with the Residential Design Guidelines clause 3.7.8.3 A4.1 the roof pitch is required to be between 28 and 36 degrees. In this case the roof pitch is 18 degrees which can be supported on the grounds that the roof of the building complements the traditional form of surrounding development in the immediate locality.

Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

- Mr Mason spoke in support of the officer's recommendations.

**11.9 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION: TP031220**

**Moved Cr Natale, seconded Cr Nardi**

**That development approval subsequent to development is granted and Council exercises its discretion regarding the following;**

- (i) Clause 5.1.4 – Residential Design Codes – Open Space – 50% required, less than 50% provided**
- (ii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 18 degrees provided**

for an existing ancillary dwelling at No. 69 (Lot 388) Duke Street, East Fremantle, in accordance with the plans date stamped received 4 November 2020, subject to the following conditions:

- (1) 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.
- (2) With regards 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.
- (3) 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.
- (4) If requested by Council within the first two years following approval, 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.
- (5) 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.
- (6) This planning approval is 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 other 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) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

**(CARRIED UNANIMOUSLY)**

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

**11.4 Canning Highway No 229 (Lot 808) Proposed deck and patio**

<b>Owner</b>	The Baptist Union Inc
<b>Applicant</b>	Australian Outdoor Living WA
<b>File ref</b>	P122/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	1 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Location plan</li> <li>2. Site photos</li> <li>3. Plans date stamped 11 November 2020</li> <li>4. Community consultation</li> </ol>

**Purpose**

The purpose of this report is for Council to consider a planning application for proposed deck and patio at No 229 (Lot 808) Canning Highway, East Fremantle.

**Executive Summary**

A small deck and patio are proposed for the rear of the church located on the subject lot.

The applicant is seeking Council approval for the following variation to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.4.1 – Residential Design Codes – Visual Privacy Setbacks – 7.5m required, less than 7.5m provided

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

**Background**

Zoning: Residential R12.5/40  
 Site area: 2686m<sup>2</sup>

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

P121/15 – development approval to extend hours of operation – 1 December 2015

**Consultation**

Advertising

The application was advertised to surrounding landowners located to the east of the proposed development. Two submissions were received.

Submission	Applicant Response	Officer Response
<p><b>Submission 1</b>                      My concern relates to the size and height of the roof of the structure. The size / height will certainly have an impact and block much needed light into the courtyards of</p>	<p>Thank you for the opportunity to comment on the concerns raised by our neighbours regarding the new deck and patio development. It is certainly not our intention to impact our neighbours in a</p>	<p>Noted.                      Overshadowing is calculated at midday on the winter solstice. There is no overshadowing from the addition of the deck and patio due to the lot alignment along a north-south axis</p>

<p>townhouses that back on to lot 808 229 Canning Highway.</p>	<p>negative way, however, at the same time it is also important for us to continue to improve community engagement on our premises. As a church and community-based building that has been on this land for 100 years, we feel that it is reasonable to expect that we would have community groups gathering inside our building and also utilising our outdoor areas. While we acknowledge that this will generate noise as people talk to each other and look after their children, we believe that the noise is not excessive and would be well within normal expectations for a community-based church facility. In terms of the new development, we have addressed the concerns of the neighbours in the following ways:</p> <p><b>Concern raised: <i>the new patio will limit access to sunlight and invade their privacy and personal space</i></b></p> <p>In response to this, we have decided to increase the setback on the Eastern side of the deck from 1.3m to 1.7m to reduce the impact the development will have on the neighbour's property</p> <p>Additionally, the patio roofing will be 100% constructed using polycarbonate (Suntuf 'SolarSmart' "Diffused Ice") which allows 48% of light transmission, second only to completely clear material</p> <p>Furthermore, our developer, Australian Outdoor Living, has provided technical data to confirm that very little sunlight will be blocked by the patio with the maximum overshadowing on the Eastern adjacent lot being only 3.45m<sup>2</sup> during the middle of summer</p> <p><b>Concern raised: <i>privacy would be severely compromised and noise levels will be drastically increased</i></b></p> <p>We had originally planned to install 70% visual screening on the Eastern side of the deck and along the Eastern fence, however, in response to this concern, we have adjusted our design to install a solid visually opaque material on the Eastern side of the deck to further reduce visual oversight and noise transfer. This will result in a</p>	
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	<p>significant reduction in noise and visual oversight even when compared to the current deck</p> <p>The 70% visual screening along the Eastern fence will continue as originally planned</p> <p>The technical drawings provided by the developer will highlight these modifications in further detail.</p> <p>Thank you for the opportunity to comment on these concerns and I trust that our response has been sufficient. Please contact me if any further details are required.</p>	
<p><b>Submission 2</b></p> <p>I am a landowner whose backyard space is parallel and directly alongside the new deck and roof structure proposed by the Baptist Church. I am strongly opposed to the addition of a roof structure and a longer, wider deck, as proposed in the plans currently open to comment.</p> <p>When we purchased our home 5 years ago, we deliberately chose our unit because it allowed the maximum amount of light and open air to our small courtyard area that shares a fence on the eastern side of the church. Currently, two thirds of our western wall is the side of the church - blocking sunlight and any view of the sky or tree. This was something we were prepared to sacrifice given the remaining third of our fence line is open and provides the only sunlight and view of open sky and tall trees into our small outdoor area.</p> <p>The existing outdoor deck already allows church and community users to view directly into our backyard from their elevated position. When a group of three or more gather on the deck their voices and laughter can be heard clearly from our backyard.</p> <p>Access along the fence line also allows children to run and ride various bikes and wheeled toy vehicles up the side of the church - again with added noise from children's' voices and bikes as they roll up and down (and inevitably crash into), the narrow area alongside the church and our fence.</p>	<p>As above.</p>	<p>Noted.</p> <p>Overshadowing is calculated at midday on the winter solstice. There is no overshadowing from the addition of the deck and patio due to the lot alignment along a north-south axis.</p> <p>The church has been operating for many years and well before the construction of the neighbouring residential units.</p> <p>The proposed development will provide increased privacy between the proposed structure and the neighbouring property- there is a requirement to include privacy screening on the eastern edge of the deck and patio a minimum of 1.6m from the finished floor level of the deck.</p> <p>A church building will have people coming and going and making noise because that is the nature of the building.</p> <p>It is noted that there is also a childcare centre adjacent to the church and the neighbouring residential properties. Again, there will be noise produced from these premises similar to the noise coming from the church.</p> <p>The church has the right to use the space at the rear of the church building.</p>

<p>This noise occurs most often on weekends from Friday night music and choir groups, to Saturday community and church music groups and youth groups and finally, Sunday Church goers. The proposed new structure would mean:</p> <ul style="list-style-type: none"> <li>• users would be even closer to our fence both from the elevated position and ground level</li> <li>• noise levels would be higher due to closer proximity</li> <li>• our privacy would be severely compromised with a clear, unobstructed view into our yard</li> <li>• our access to sunlight from the open-air space would be limited (if not totally obstructed), by the addition of posts and a roof structure over the wider deck.</li> </ul> <p>Thank you for the opportunity to comment on the negative impacts this proposed new structure will have on our daily life.</p> <ul style="list-style-type: none"> <li>• Limiting our access to sunlight, invading our privacy and personal space,</li> <li>• Drastically increasing noise levels due to the closer proximity to the fence.</li> <li>• Removing most of the available sunlight from our living area.</li> </ul> <p>Ultimately restricting our outdoor enjoyment of our own home to times when the church is empty although it may be too dark and cold to enjoy.</p>		
<p><b>Submission 3</b>          Firstly, thank you for the opportunity to make comment on this proposal.          My wife and I strongly oppose this for the following reasons:</p> <ol style="list-style-type: none"> <li>1. This proposed patio extends very close to our boundary, and because of its elevation, people using this can look directly into our rear outdoor living area.</li> <li>2. The roof structure as indicated on the plans will block out valuable light for our rear outdoor living area. We chose our Unit specifically because it had a lot more natural light than the others in our complex.</li> </ol>	<p>As above</p>	<p>The applicant and owner have agreed to move the edge of the deck and patio to 1.7m from the side boundary such that it meets the deemed to comply requirements of the Residential Design Codes.          The eastern wall of the patio will be translucent to allow more light into the neighbouring property and reduce the noise from activities under the patio.          Property values are not a relevant planning consideration.</p>

<p>3. The proposed structure will undoubtedly have an adverse effect on the value of our property. When purchasing 2/5 Irwin St, East Fremantle, we were fully aware the we abut a Church and Day care. The current patio already provides some vision into our area and a lot of noise. We deal with that every week. The new proposal would be a total invasion of our privacy, and our right to live without unnecessary noise from our neighbours would be compromised. I extend an invitation to those of delegated authority or any Councillors to meet with us at our home to discuss and view our concerns.</p>		
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Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as it is a minor structure located at the eastern rear of the existing church building.

External Consultation

Nil

**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.*

**Risk Implications**

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

**Site Inspection**

A site inspection was undertaken.

**Comment**

Statutory Assessment

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

Legend <i>(refer to tables below)</i>	
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			
Eastern wall	1.7m	1.7m	A
Open Space	55%	>55%	A
Wall height	6m	4.25m	A
Roof height	9m	4.978m	A
Setback of Garage			N/A
Car Parking			N/A
Site Works			N/A

<b>Visual Privacy</b>	<b>7.5m</b>	<b>&lt;7.5m</b>	<b>D</b>
Overshadowing	<25%		N/A
Drainage			To be conditioned

Local Planning Policies Assessment

<b>LPP Residential Design Guidelines Provision</b>	<b>Status</b>
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	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	A
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	A
3.7.10 Landscaping	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
3.7.15.4.3.1 Fremantle Port Buffer Area	N/A
3.7.15.3.3 Garages and Carports	N/A

This development application proposes a deck and patio at the rear of 229 Canning Highway. The building on site is a Baptist Church that is heritage listed Category B (listed address is 6 Fortescue Street). It adjoins a childcare centre at the rear. The proposed structure cannot be seen from Canning Highway. One variation is requested to the requirements of the Residential Design Codes relating to visual privacy.

Visual Privacy Setback

The deck and patio are more than 0.5m above natural ground level. As such there is supposed to be a minimum privacy setback to the neighbouring property boundary of 7.5m in accordance with the Residential Design Codes deemed to comply clause 5.4.1 C1.1 i. In this case the setback is less than 7.5m. The structure overlooks the rear yard of two of the surrounding properties both of which made submissions following advertising. Screening will be required to be put in place along the eastern side of the structure such that it is a minimum of 1.6m above finished floor level of the deck. In this case the owner has agreed to having a solid wall on the eastern edge that will improve privacy to neighbouring properties and reduce noise. It has also been agreed in discussions with the owner to install screening above the boundary fence (within the lot boundary) adjacent to the southernmost neighbouring unit that was advertised to.

The following information was supplied by a representative of the owner in support of the proposal.

*We acknowledge that visual screening has been requested along the full Eastern side of our deck and for 4m along the Southern side to a height of 1.6m above the deck. We are comfortable with the visual screening along the Eastern side of the deck, however, we would like to propose the following alternative arrangement regarding the visual screening along the Southern side of the deck.*

*One of the prime reasons for constructing the new deck and patio is to provide a suitable location for parents to supervise their children in the ground level playground area while standing on the deck and enjoying meaningful conversation with each other. We have a number of community groups that will benefit from this, including the Adult Migrant English Program (AMEP), Suzuki Music, and also our own church*

*Playgroups and congregation. Installing 4m of visual screening along the Southern side of the deck would significantly impede the ability for parents to supervise their children. To this end, we are proposing an alternative solution of constructing visual screening along the Eastern fence of our property for a length of 4.3m to a height of 2.1m. The fence would be constructed behind our existing trees and run along the Eastern side of our property beginning from the edge of the parapet brick wall. The following images show the location and the style of screening we intend to install.*



### Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes is considered acceptable. There are minimal variations to either design code and measures have been undertaken by the applicant and owner to mitigate any negative impacts on the neighbouring dwellings located to the east of the subject property including;

- adding a solid wall section on the eastern side of the patio to reduce noise and improve privacy to the neighbouring property and

- having the patio located a minimum of 1.7m from the eastern boundary which meets the deemed to comply requirements of the Residential Design Codes.

As such it is recommended that the proposed development be supported subject to planning conditions.

**OFFICER RECOMMENDATION**

That development approval is granted, and Council exercises its discretion regarding the following;

- (i) Clause 5.4.1 – Residential Design Codes – Visual Privacy Setbacks – 7.5m required, less than 7.5m provided

for deck and patio at No. 229 (Lot 808) Canning Highway, East Fremantle, in accordance with the plans date stamped received 11 November 2020, subject to the following conditions:

- (1) Visual privacy screening is to be installed along the eastern edge of the deck and patio area that is a minimum of 1.6m high from finished floor level and is to be permanent, durable and with 75% obscurity.
- (2) Visual privacy screening is to be installed parallel to the existing dividing fence and 0.3m above the existing fence (2.1m from ground level) for a length of 4.3m from the parapet wall between 229 Canning Highway and Unit 1 No 5 Irwin Street. No vegetation on the eastern boundary is to be removed and/ or reduced in height such that it may lead to overlooking of adjoining properties.
- (3) 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.
- (4) 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.
- (5) With regards 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.
- (6) 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.
- (7) 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.
- (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) 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.
- (10) This planning approval is 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.*

- Ms Paula Harris and Mr Ashley Stone (2/5 Irwin Street) spoke against the officer's recommendation with regard to shade, privacy and open space, relating to their property.

**PROCEDURAL MOTION**

**Moved Cr Nardi, seconded Cr Watkins**

**That the application be deferred to the December Council meeting to facilitate a site visit by elected members and staff.**

(CARRIED UNANIMOUSLY)

**PROCEDURAL MOTION**

**Moved Mayor O' Neill, seconded Cr Nardi**

**That the officer recommendations for items 11.3, 11.5, 11.6, 11.7 and 11.8 be adopted 'en bloc'**  
**(CARRIED UNANIMOUSLY)**

**11.5 Pier Street No 71B (Lot 1) Proposed two storey dwelling**

<b>Owner</b>	Ben Greenacre & Emma Rowe
<b>Applicant</b>	Wilt Design
<b>File ref</b>	P112/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	1 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Location plan 2. Site photos 3. Plans dated received 13 November 2020 4. Community consultation

**Purpose**

The purpose of this report is for Council to consider a planning application for a proposed two storey dwelling at No 71B (Lot 1) Pier Street, East Fremantle.

**Executive Summary**

A new two storey dwelling is proposed comprising of four bedrooms, two bathrooms, kitchen, dining, living, kids play room and a garage. The applicant is seeking Council approval for the following variations to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.1.6 – Residential Design Codes – Wall Height – 6m required, 6.89m provided
- (ii) Clause 3.7.17.3.3 – Residential Design Guidelines – Garage Width – 30% required, 60% provided
- (iii) Clause 5.2.3 – Residential Design Codes - Front Entry – Definable entry point visible required, hidden entry provided
- (iv) Clause 5.3.8 – Residential Design Codes - Retaining Wall – up to 0.5m required, 0.6m provided
- (v) Clause 5.4.1 – Residential Design Codes - Visual Privacy – 4.5m required, 3.8m provided

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

**Background**

Zoning: Residential R12.5

Site area: 466m<sup>2</sup>

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

Nil

## Consultation

### Advertising

The application was advertised to surrounding landowners

### Community Design Advisory Committee (CDAC)

The application was referred to CDAC. The applicant response is provided in italics after the each CDAC comment.

(a) *The overall built form merits;*

- The Committee agreed the built form has some merit with design intent.

*Noted.*

- The Committee stated that the double garage compromises the design and increases the impact to the street. The Committee commented that design solutions should be investigated to mitigate the impact of the double garage on the streetscape.

*As above, we have attempted to address this. We don't believe just reducing the garage by 900mm will have much of an impact on the streetscape, but in reducing the width at the street elevation to 6m and incorporating the extra width behind this garage line, to align under the level 1 slab over and allow our intrinsic incorporation of garage and first floor wall alignment, with vertical garden element, and the addition of the window into the elevation has gone some way to alleviate the concerns of mitigation to the street.*

- The Committee noted that the proposal has modest bulk and scale broken down materiality of the building.

*Noted, assume this is encouraging and endorsement of the proposed bulk, scale and materiality?? Not sure exactly what this comment means?!*

- The applicant is reminded that the Town encourages the use of wood through the Wood Encouragement Policy – timber is preferred over scion.

*Noted and that is the reason for ensuring timber to the front portion of the house as a minimum. Budget permitting, timber will be clad onto the rear portion also, but budget is not firm at this stage and our preference was to under-promise over-deliver on the proposed materials, rather than propose timber and substitute it after DA due to cost constraints! We trust our proposed materiality is still approved as part of the DA, notwithstanding the comment?? The house will be fully timber framed so we will be utilising a lot of timber in the development.*

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

- The Committee agreed the roof form improves natural light to the building.  
*Noted and assume this is endorsement of the proposed response?*
- The Committee agreed that the building steps down with the slope of the land.  
*Noted and assume this is endorsement of the proposed response?*

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

- The Committee noted that the proposal has poor passive surveillance of the street.

*We disagree. There is a direct visual connection to the street from the upper living areas (via kitchen/living/study) and also a significant window to the master bedroom that provides maximum opportunities for passive surveillance. These windows are almost at street level due to the sloping block and through our upside-down living arrangement, we have taken full opportunities to have the most active areas of the house elevated and with views towards the street.*

*Referring to the neighbouring property at 73 Pier Street, this existing residence has all of the living areas to the rear of the house (with a large rear alfresco deck), and a significantly vegetated front garden concealed behind a screen wall to the street. We would propose that our passive surveillance is significantly better than exists at the neighbouring property.*

*We refer to other precedents from a simple google search and demonstrate that we have the same, if not better, surveillance to the street as 49a Pier and 51a Pier (both relatively recently approved and constructed). Additionally, 58 Pier, directly opposite our site, has an ancillary building (granny flat) above the garage, with the main body of the house setback considerably up the block and elevated above the granny flat (to take advantage of the views) and that there is no surveillance of the street possible from the living areas of this house (and the identical adjoining house as part of the same subdivision).*

*Refer to the attached imagery collated from our research that demonstrates our commentary.*

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

- N/A

*Noted*

(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;*

- N/A

*Noted*

(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 noted that the front room uses of the proposal does not achieve appropriate passive surveillance, restricts the concept of building community within the area. It was noted dwellings across the road have living areas fronting the street.

*Please refer to our response in section C above. Again, we dispute that we do not achieve 'appropriate' passive surveillance. Further we do not understand the concept of building community comment?? The house is designed to maximise the resident's views towards Fremantle (over the valley) and thus living areas are provided upstairs and to the rear. If our design proposed the typical living areas on ground floor (behind the garage) the upper floor would entirely consist of bedrooms and thus be no different in its address to the street as we presently have proposed.*

*The R-Codes specifically state for deemed to satisfy under 5.2.3 Street Surveillance C3.2 that one major opening from a habitable room of the dwelling faces the street. The bedroom is a habitable room and we have met this requirement. Further we have a major opening to the living area AND to the bedroom on ground floor.*

*The suggestion to locate the living areas to the street would unduly remove the owners right to the views that are a valuable asset to this block and would reduce amenity of this residence, as there would be no connection between the living areas of the house and the rear outdoor play space where their children will spend time playing.*

*We have demonstrated that our planning arrangement is 100% the same as was approved at 49a Pier Street with a double garage and side entry addressing the street at ground floor with a master bed addressing the street at level 1 and all of the living areas to the rear addressing the outdoor play space and the views. Furthermore, the views from the upper bedroom master bedroom window are through significantly smaller windows than we have proposed for our development. We have also found some imagery from the REIWA website for 51a Pier Street which shows the same arrangement of upstairs living to the rear, with bedrooms over the garage. In this case, the bedroom is not even the master*

*bedroom (which is also at the rear to get the views) so again, precedents exist that we are at least equal too, if not improved upon in regard to passive surveillance etc.*

*Additionally, in specific reference to the dwellings across the street, this is actually incorrect as the REIWA imagery shows. Both houses as part of this subdivision have an ancillary dwelling (self-contained ensuite and large open space) with a bi-fold door accessing a private courtyard to the rear. The actual house and the living areas to these properties are considerably further back on the block and elevated above the roof of the ancillary dwelling to take advantage of the views (as we are trying to do). There is absolutely NO visual connection to the street from these living areas of the house at all, and the ancillary dwellings are by their nature, not likely to be occupied at all times and thus there is less connection to the street than we are proposing/achieving. Additionally, these dwellings have a secure gate alongside the garage and then a considerable number of steps up to the residence which further diminishes any perceived passive surveillance and any 'community'.*

*What's more, the property at 56 Pier Street presents a very long and very steep driveway to the street with a house a long way setback on top of the ridge of the hill. We question how much this is contributing to a 'community'??*

*We are not stating that we do / don't agree with the outcomes and the quality of the residences opposite, but we are pointing out that we believe we are more considered of passive surveillance etc than as is the case opposite (and as has been used as a reference in contrast to our proposal).*

*We have included these assorted images as reference for our comments and your review. Presumably council have access to these DA drawings of these houses which could confirm if our interpretation of the photos and images on the website are correct and may challenge our assertions above, but we are confident we have understood the layouts of each of the 3 houses correctly.*

External Consultation

Nil

**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.*

**Risk Implications**

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

**Site Inspection**

A site inspection was undertaken.

**Comment**

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	7.5m	9.4m	A
Secondary Street Setback			N/A
<b>Lot Boundary Setbacks</b>			
Eastern wall – garage & entry – ground floor	1.5m	1.5m	A
Eastern wall – master bedroom, ensuite – upper storey	2.4m	2.8m	A

Eastern wall – bed 1, bed 2, bed 3 – ground floor	1.5m	2m	A
Eastern wall – study, kitchen, balcony – upper storey	1.6m	2m	A
Southern wall – bed 3 – ground floor	6m	9.4m	A
Southern wall - balcony	6m	9.4m	A
Western wall – garage, laundry, WC, kid’s play – ground floor	0m	0m	A
Western wall – balcony, living, dining, passage, master bedroom	0m	0m	A
Open Space	55%	67%	A
<b>Wall height</b>	<b>6m</b>	<b>6.89m</b>	<b>D</b>
Roof height	9m	7m	A
<b>Front Entry</b>	<b>Address street</b>	<b>Hidden</b>	<b>D</b>
Car Parking	2 car bays	2 car bays	A
<b>Site Works</b>	<b>&lt;0.5m</b>	<b>0.6m</b>	<b>D</b>
<b>Visual Privacy</b>	<b>4.5m</b>	<b>3.8m</b>	<b>D</b>
Overshadowing			N/A
Drainage			To be conditioned

Local Planning Policies Assessment

<b>LPP Residential Design Guidelines Provision</b>	<b>Status</b>
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	N/A
3.7.5 Demolition	A
3.7.6 Construction of New Buildings	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	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	A
3.7.17.4.3 Fremantle Port Buffer Area	N/A
<b>3.7.17.3 Garages and Carports</b>	<b>D</b>

This development application proposes a new double storey dwelling on a proposed survey strata lot at 71B Pier Street East Fremantle. Four variations are requested to the requirements of the Residential Design Codes and one variation is requested to the Residential Design Guidelines relating to wall height, garage width, front entry location, retaining walls and visual privacy setback. There is currently a 1970s duplex located on site and the owners of each duplex unit have agreed to build new double storey dwellings abutting each other along their shared boundary. This is the development application for the first dwelling.

The applicant was contacted to discuss possible amendments to the design and the following responses were provided (below). It is accepted that there are some constraints to the lot that the designer has attempted to overcome as explained in the following response and for these reasons the proposed variations are supported.

Following the presentation of CDAC’s comments to the applicant and further discussions an agreement was reached to reduce the width of the garage to 6m and include a splayed wall on the eastern side of the garage with a window and landscape trellis attached to the wall. Although the garage is 6m and 60% of the lot width the design has softened the impact of the garage.

Maximum Wall Height

In accordance with the Residential Design Codes clause 5.1.6 C6 the maximum wall height from natural ground level is required to be 6m. In this case the wall height is 6.89m. This additional height can be supported on the basis that the maximum roof height of 9m is not exceeded and the additional wall height does not impact on access to direct sun in to buildings and appurtenant open spaces, adequate daylight is provided to major openings into habitable rooms and no views are impacted. The design of the roof is considered contemporary and does have an impact to the overall roof height, however, is considered supportable.

It is further noted that there is an approximate 5 metre fall from north to south on the site. As is demonstrated on plan A.301 Rev B, the dwelling is set into the lot and therefore the streetscape impact of the proposal is considered minimal. The finished floor level of the upper floor is approximately 0.85 metres above the street level.

Officer Comment	Applicant Response
<p>I calculated the maximum wall height at 6.89m – as the roof is <b>not concealed</b> the maximum wall height is 6m and this has to be treated as a variation. I am happy to support as the overall roof height is less than 9m.</p>	<p>We appreciate the support of the variation as we have worked exceptionally hard at ensuring the bulk of the development is kept to an absolute minimum.</p> <p>Notwithstanding, we interpret our walls as parapets in as much as the roof is articulated behind the wall, and the do not have any eaves/overhangs that would suggest a wall with a 'roof above' but that the roof is concealed behind the wall that extends up to meet the roof line.</p> <p>In any respect, your support of this design is appreciated, and we believe we have met the design intent provisions of the Design Guidelines.</p> <p>To further satisfy/reinforce our approach and attempt to minimise the building mass, you can see by the screenshot of the section (refer attached), the 6m development envelope would effectively comply to all areas but for the living area skillions which are provided to ensure natural light is allowed into the depth of the house. If not for these areas, we would be almost compliant with the 6.0m height.</p>

Garage Width

There is a requirement in accordance with the Residential Design Guidelines acceptable development provisions 3.7.17.3.3 A4 that requires that plans, elevations and sections drawings are provided to demonstrate the impact of the garage on the dwelling. In this case the garage width is equivalent to 60% of the lot width which exceeds the maximum of 30%, however, the proposed garage does meet the requirements of performance criteria 3.7.17.3.3 P4 in that the garage is incorporated and compatible with the design of the dwelling and due to the slope of the lot down away from the street front, it is effectively hidden from view. A total width of 6m for the garage with a splayed wall including a window and trellis attached to the wall (to train plants to grow up the wall) will help to soften the garage and the dwelling overall. For these reasons the proposed garage width can be supported.

Officer Comment	Applicant Response
<p>Garage width equal to 69% of the lot width. The town requires that garage widths including the walls immediately adjacent to the garage are <b>no more than 30%</b> (Residential Design Guidelines 3.7.17.3.1 ii Figure 24). The total width of the garage and adjoining walls has to be reduced to be acceptable to the Town. It is recognised that the garage is lower than the street but is it possible to reduce the side walls immediately adjacent to the garage to reduce the overall width?</p>	<p>We will struggle to reduce the width of the garage as the landowner requires storage space for camping equipment and kayaks within the garage. The extra width to the splayed wall provides this storage area for hanging their kayaks.</p> <p>I note specifically section <b>3.7.17.3.2</b>, the <b>desired development outcomes</b> state;</p> <ul style="list-style-type: none"> <li>i. Garages and carports shall be incorporated into and compatible with, the design of the dwelling</li> <li>ii. Garage and carport shall not visually dominate the dwelling as viewed from the street</li> <li>iii. Where possible garages to occur at the rear and side of the lot</li> <li>iv. Materials should not detract from the streetscape</li> <li>v. Carports associated with existing dwellings are not required to mimic or match materials of the house</li> </ul> <p>I think it is fair to say we have achieved (i), (ii) and (iv). In particular through the incorporation of the garage under the first floor of the house over, and considering the significant level change below street level, the garage in no way dominates the view of the development from the street. I would go so far as to say we have more successfully integrated the design and is less visually dominant than has been allowed for at 56 Pier Street opposite our development site.</p> <p>Items (iii) and (v) are not possible / relevant to our site.</p> <p>Additionally, I note <b>3.7.17.3.3 Performance Criteria and Acceptable Development Provisions</b> which states that the only reference to a maximum 30% of the frontage is for Existing Dwellings. New Dwellings are only to provide drawings to indicate the impact of the garage on the new dwelling (as per the extract attached) – demonstrating incorporation of the design into the design of the dwelling, which as per above I think we have fairly achieved.</p> <p>Were the walls to be reduced in width, it would create an unsightly (in our opinion) cantilever to the level 1 bedroom over the garage which would make the articulation of façade and the mass to the first floor over feel incorrect and would appear less integrated into the overall dwelling design.</p> <p>We would propose to maintain the garage in its current design format and suggest that there is an incorrect reference to the 30% frontage width. We support that our design achieves the development outcomes and complies with the acceptable provisions of the Design Guidelines in this regard.</p>

Front Entry

In accordance with the Residential Design Codes deemed to comply clause 5.2.3 C3.1, the street elevation of the dwelling is to address the street with clearly definable entry points visible and accessed from the street. In this case, the entry to the dwelling faces east and is hidden behind the garage and does not achieve the deemed to comply requirements.

However, there is a distinct path leading down from the street that indicates the entry point and there is very good surveillance from the second storey window of the master bedroom (which has a FFL similar to street level) as well as the second storey study and ground floor minor bedroom and as such the proposal achieves design principles 5.2.3 P3 where buildings need to be designed to provide surveillance between the building and street which minimise the opportunities for concealment and entrapment. Additionally,

due to the levels of the site a dedicated entry point would not be directly visible from the streetscape and the level difference is a constraint is streetscape visuals.

For these reasons, the proposed hidden front entry can be supported.

Officer Comment	Applicant Response
<p>The front entry of the property is hidden. There is a requirement in the R Codes (clause 5.2.3 C3.1) for the front entry to be visible from the street. Can the front entry be modified such that it is visible from the street?</p>	<p>We disagree with this interpretation of the R-Codes. As per the extract attached;</p> <p>The Design Principle P3 states that they are promoting street surveillance through design (actual or perceived) between the dwelling and the street to minimise opportunities for concealment and entrapment.</p> <p>I would go so far as to suggest that providing a front door to the street is in no way achieving this aim, as the entry lobby of the development is 1806mm below street level at boundary which is considerably below eye height. We have provided direct visual line of sight from the main living area of the house (the street is visible from the study and kitchen/living space via the study window) which is fully achieving the design principles.</p> <p>Further, the Deemed to Comply provisions of the R-Codes states; C3.1 – street elevation of the dwelling is to address the street (<b>our elevation definitely does address the street</b>) with clearly definable entry points visible and accessible from the street.</p> <p><b>Our design, the planning, the steps and landscaping connection to the deck alongside the house etc all clearly define that the entry point to the development is alongside the house – and thus we have ‘clearly defined’ the entry point. This clearly defined entry is also completely accessible from the street (i.e. – it is not behind a gate/screen etc but has direct access from the driveway).</b></p> <p>C3.2 – at least one major opening from a habitable room of the dwelling faces the street and the pedestrian or vehicular approach to the dwelling</p> <p><b>we have a major opening from the main living area over the entry door looking to the street from above the entry decking as well as the major opening from the master bedroom so are compliant with this.</b></p> <p>We support that our design achieves the development outcomes and complies with the acceptable provisions of the R Codes in this regard.</p>

Retaining Walls

In accordance with Residential Design Codes deemed to comply clause 5.3.8 C8 retaining walls should be no more than 0.5m high. In this case there is a retaining wall that is approximately 0.6m high. It is noted that there is a fall of 5 metres from north to south on the site. Additionally, it is further noted the building is stepped to reference the slope in the lot.

Such retaining walls can be supported in accordance with design principles 5.3.8 P8 on the basis that the retaining walls allow the land to be used for the benefit of the residents and do not detrimentally affect the adjoining properties.

Visual Privacy

The study window is required to have visual privacy setback of 4.5m in accordance with Residential Design Codes deemed to comply clause 5.4.1 C1.1. This proposal sees the study window setback 3.8m from the side boundary. The view is oblique across a driveway and does not look into an outdoor living area or towards habitable rooms and as such it achieves design principles clause 5.4.1 P1.1. For this reason, the reduction of the visual privacy setback can be supported.

Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

**11.5 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION:TP051220**

**That development approval is granted and Council exercises its discretion in regard to the following;**

- (i) Clause 5.1.6 – Residential Design Codes – Wall Height – 6m required, 6.89m provided**
- (ii) Clause 3.7.17.3.3 – Residential Design Guidelines – Garage Width – 30% required, 69% provided**
- (iii) Clause 5.2.3 – Residential Design Codes - Front Entry – Definable entry point visible required, hidden entry provided**
- (iv) Clause 5.3.8 – Residential Design Codes - Retaining Wall – up to 0.5m required, 0.6m provided**
- (v) Clause 5.4.1 – Residential Design Codes - Visual Privacy – 4.5m required, 3.8m provided**

**for new double storey dwelling at No. 71B (Lot 1) Pier Street, East Fremantle, in accordance with the plans dated received 13 November 2020, subject to the following conditions:**

- (1) The crossover widths are not to exceed the width of the crossovers indicated on the plans date stamped received 6 October 2020 and to be in accordance with Council’s crossover policy as set out in the Residential Design Guidelines (2016).**
- (2) 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.**
- (3) 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.**
- (4) 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.**
- (5) 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.**
- (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) 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.**

**(9) This planning approval is 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).***
- (vi) matters relating to dividing fences are subject to the Dividing Fences Act 1961.***

**(ADOPTED BY EN BLOC RESOLUTION)**

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

**11.6 George Street No 77 (Lot 700) Proposed change of use – shop to office**

<b>Owner</b>	Wade and Angela Anderson & Nakara Nominees
<b>Applicant</b>	Rhys Bowring and Rezen Pty Ltd
<b>File ref</b>	P126/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	1 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Site photos 2. Plans date stamped 29 October 2020

**Purpose**

The purpose of this report is for Council to consider a planning application for proposed change of use from shop to office at No 77 (Lot 700) George Street, East Fremantle. A proposal for signage has also been included with the application for a change of use

**Executive Summary**

The application proposes a change of use application for a vacant shop to an office. This use is considered a “D” use within a mixed-use zone. A “D” use means that *the use is not permitted unless the local government has exercised its discretion by granting planning approval.*

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

- Is the use appropriate for the zoning?
- Is there sufficient car parking for the proposed use?

In addition, a proposal for limited signage has been included in the application.

It is considered that there will be minimal impact on the amenity and car parking in the area and as such the change of use from shop to office can be supported along with the proposed signage subject to the conditions of development approval being imposed.

**Background**

Zoning: Mixed Use

Site area: 770m<sup>2</sup>

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

P38/14 – change of use – consulting rooms to retail– approved 6 May 2014

P081/17 – alterations and additions to restaurant – approved 3 October 2017

P84/2006 – change of use from consulting rooms to shop – approved 11 July 2017

P089/16 – change of use to Pilates centre – approved 5 December 2017

P120/17 – alterations to shop at 81-83 George Street – approved 2 November 2017

**Consultation**

Advertising

The application was not advertised to surrounding landowners as it was deemed that the amenity impacts would be less for the proposed office use compared to shop use.

Community Design Advisory Committee (CDAC)

The application for the change of use was not referred to CDAC as there is no streetscape impact.

External Consultation

Nil

**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.*

### **Risk Implications**

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

### **Site Inspection**

A site inspection was undertaken.

### **Comment**

#### Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the George Street Designated Heritage Area.

This development application proposes a change of use from shop to office at the subject property as well as an application for signage. It is noted that the change of use does not impact on the heritage status of the building or the area.

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

- Is the use appropriate for the zoning?
- Is there sufficient car parking for the proposed use?
- Is the signage appropriate for the area?

#### Proposed Use

It is proposed to change the use of the existing shop to an office (for an architectural firm). This does not represent a conflict with the existing uses in the building as offices have relatively low impacts in terms of noise and other issues around amenity. Offices would be considered an appropriate commercial use in a mixed-use zone because of the minimal amenity effects. Under LPS3 offices are a "D" use meaning that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

The commercial space of 69m<sup>2</sup> is currently vacant. A total of 4 employees will work from the office and it will operate from 8.30am to 6pm Monday to Friday. The majority of client meetings will occur offsite. There is the occasional delivery of goods to the site, but these are usually brief.

The hours of operation and the low intensity of use is considered not to be an issue as all business is undertaken inside the commercial space. There would be few, if any amenity impacts on the businesses or residential premises that surround the consulting room. The increased foot traffic and business activity in proximity to the George Street would be welcome and the proposed change of use helps to activate the subject building and surrounds.

#### Parking Requirements

Clause 5.8.5 Car Parking and Vehicular Access of TPS3 states:

*Car parking in respect of development in the Commercial Zones is to be provided in accordance with the standards set out in Schedule 11 of the Scheme and the specifications in Schedule 4 of the scheme. Where there are no standards for a particular use or development, the local government is to determine what standards are to apply. In its determination of the requirements for a particular use or development which is not listed in Schedule 11 of the Scheme, the local government is to take into consideration the likely demand for parking generated by the use or development.*

Furthermore Clause 5.8.7 On-Street Parking states:

*The local government may accept immediately adjacent on-street car parking as satisfying part or all of the car parking requirements for development, provided such allocation does not prejudice adjacent development or adversely affect the safety or amenity of the locality.*

In terms of parking Schedule 11 of LPS3 requires that offices are required to provide 1 car bay for every 30m<sup>2</sup> of lettable area with a minimum of 3 spaces to be provided per tenancy. Based on these figures there would need to be a total of 3 car bays for a 69m<sup>2</sup> commercial space which is less than what was required for the previous shop where a minimum of 4 car bays was required.

The proposed change of use from shop to office is considered an appropriate use for the subject property. There are few, if any amenity impacts and the use will help to activate the street and the property during the hours of operation of the proposed business.

There is sufficient street parking available in the surrounding area for employees and clients that will visit the site.

Signage

Limited signage is proposed for the office space. An existing illuminated below awning sign will be utilised. This will include the name of the business (Rezen) that is to occupy the office. An additional window sign will occupy the window of the office and this will be less than 50% of the area of the window.

The requirements for signage in the George Street Designated Heritage Area are listed below with a comment as to whether the proposed signage adheres to the policy or not

Criteria	Comment
(i) The design of new signage should be complementary to the traditional streetscape in terms of size, location, material, colour and proportions.	Complementary
(ii) Unless based on documentary evidence, signs that replicate traditional styles and typefaces shall not be permitted.	Contemporary design
(iii) New signs are not to obscure or detract from the significance of a contributory place or the streetscape character.	Does not obscure or detract from contributory place or streetscape
(iv) New signage should suit the proportions and elements on which it is to be mounted.	Appropriate proportions and elements
(v) New signage to windows are to be designed to retain views from the shop to the street.	Window signage still allows for views from inside office
(vi) The mounting of new signs on a contributory place is to avoid unduly damage to, or the removal of, significant fabric. Mounting fixtures are to be easily removed and repaired should the sign be removed at a later date.	An existing below awning sign is to be used
(vii) Face brick walls are not to be painted over with new signage.	No face brick walls are to be painted over
(viii) Externally mounted signs or signs that project forward of the building envelope are not permitted.	No externally mounted signs or signs forward of the building envelope are proposed
(ix) Existing signage that is contributory to the Heritage Area should be conserved.	An existing below awning signage is to be utilised
(x) The number of advertising signs on a building shall be restricted as follows:	One window sign and one below awning sign is proposed

- |  |  |
|--|--|
| <p>a) A maximum of one (1) advertising sign facing the street per façade of a building. In the case of a building on a corner site with more than one street façade, this shall apply to each individual façade.</p> <p>b) A maximum of one (1) advertising signs located under a veranda or awning.</p> |  |
|--|--|

Based on the criteria for the George Street Designated Heritage Area the signage is compliant. It utilises an existing illuminated below awning sign and the window sign will be relatively small compared to the window size. The signage is contemporary and matches well with a commercial space located on George Street. The proposed signage can be supported.

#### Conclusion

Based on the assessment that has been completed for this proposed change of use from shop to office and the proposed signage, it is recommended that the proposed change of use from shop to office be supported subject to planning conditions.

#### **11.6 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION: TP061220**

**That Council grant development approval and exercise its discretion for the change of use from shop to office and signage at No 77 (Lot 700) George Street, East Fremantle, as described on the information and plans date stamped received 29 October 2020 subject to the following conditions:**

- 1. Maximum lettable area of the office is not to exceed 69m<sup>2</sup>.**
- 2. Signage is to be in accordance with the stamped approved plans.**
- 3. All signage 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.**
- 4. Works are to be constructed in conformity with the written information in relation to the use accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.**
- 5. With regards to plans submitted with respect to a building permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.**
- 6. The proposed use is not to be commenced until all conditions attached to this development approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.**
- 7. 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.**
- 8. This planning approval is 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.***

**(ADOPTED BY EN BLOC RESOLUTION)**

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

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**11.7 Pier Street No 48A (Lot 1) Proposed alterations and additions**

<b>Owner</b>	Sonya Gilmore
<b>Applicant</b>	Hartree & Associates Architects
<b>File ref</b>	P110/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	1 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Location plan 2. Site photos 3. Plans date stamped 12 November 2020

**Purpose**

The purpose of this report is for Council to consider a planning application for proposed alterations and additions at No 48A (Lot 1) Pier Street, East Fremantle.

**Executive Summary**

This development application proposes alterations and additions to an existing dwelling at 48A Pier Street East Fremantle. The property has a density coding of R12.5 and is not heritage listed. The fact that the property was previously subdivided means that the site is constrained and cannot achieve the requirements of the R12.5 density. Signed support was received from the neighbouring property owners for the proposal.

The applicant is seeking Council approval for the following variations to the Residential Design Codes;

- (i) Clause 5.1.3 – Residential Design Codes – Rear Lot Boundary Setback – Ground Floor - 6m required, 2.077m provided
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Wall - Upper Storey - 4.1m required, 1.8m provided
- (iii) Clause 5.1.3 – Residential Design Codes – Rear Lot Boundary Setback – Ground Floor - 6m required, 1.4m provided
- (iv) Clause 5.4.1 – Residential Design Codes – Visual Privacy Setback – Balcony Window - 7.5m required, 3.4m provided
- (v) Clause 5.4.1 – Residential Design Codes – Visual Privacy Setback – Living Room Window – 6m required, 2.4m provided

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

**Background**

Zoning: Residential R12.5

Site area: 441m<sup>2</sup>

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

Nil

## **Consultation**

### Advertising

The application was not advertised to surrounding landowners as the applicant provided signed plans from neighbouring property owners supporting the proposal.

### Community Design Advisory Committee (CDAC)

The application was referred to CDAC.

#### *(a) The overall built form merits;*

- The Committee noted that built form has merit.
- The Committee supports the adaptive re-use of existing building.
- The Committee supported the modification of the roof structure such that it achieves a lower height than original roof.

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

- The proposal represents an improvement on the existing dwelling.

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

- The Committee commented the proposal has an improved streetscape presence.

#### *(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 stated the proposal achieves limited northern light into the dwelling, compromising its effectiveness to climatic responses.
- The Committee commented the cross ventilation of the downstairs area is compromised however it is recognised that the modifications to an existing building are more difficult.

#### *(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 commented that the passive surveillance achieved is good, effectively utilising the internal spaces.

### Applicant Response to CDAC

The following comment was received from the applicant regarding comments made by CDAC.

*Further to the CDAC review and comment re limited northern light into the proposed dwelling, we hereby issue the attached revised drawing set, with revisions clouded and noted below:*

- 1. Proposed new north facing skylight above the staircase, increasing northern light to both floor levels;*
- 2. First floor ceiling level raised from 2572mm to 2743mm (170mm increase). Importantly the proposed is now an increase to the existing dwelling (2610mm) as opposed to a reduction. This will also assist to increase northern light to the dwelling;*
- 3. Further to item 2, proposed external wall/roof heights increased by a modest 50mm. Balcony roof has not been raised.*

### External Consultation

Nil

### **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.*

### **Risk Implications**

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

### **Site Inspection**

A site inspection was undertaken.

**Comment**

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	Similar to surrounding dwellings	Similar to surrounding dwellings (6m)	A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Western wall – ground floor	1.5m	1.8m	A
<b>Northern wall – ground floor</b>	<b>6m</b>	<b>2.077m</b>	<b>D</b>
Eastern wall – ground floor – activity and shower	1.5m	4.81m	A
Eastern wall ground floor	1m	1.2m	A
<b>Western wall – upper storey</b>	<b>4.1m</b>	<b>1.8m</b>	<b>D</b>
<b>Northern wall – upper storey</b>	<b>6m</b>	<b>1.4m</b>	<b>D</b>
Eastern wall – upper storey	1.9m	4.21m	A
Open Space	50%	55.7%	A
Roof Height	9m	7.31m	A
Setback of Garage			N/A
Car Parking			N/A
Site Works			N/A
<b>Visual Privacy</b>			
<b>Balcony window</b>	<b>7.5m</b>	<b>3.4m</b>	<b>D</b>
<b>Living - upper floor</b>	<b>6m</b>	<b>2.4m</b>	<b>D</b>
Overshadowing			N/A
Drainage			To be conditioned

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	N/A
3.7.6 Construction of New Buildings	N/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	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
3.7.17.4.3 Fremantle Port Buffer Area	N/A
3.7.17.3 Garages and Carports	N/A

This development application proposes alterations and additions to an existing dwelling at 48A Pier Street East Fremantle. The property has a density coding of R12.5. The fact that the property was previously subdivided means that the site is constrained and cannot achieve the requirements of the R12.5 density. The provisions of the Scheme permit a property to be redeveloped at the density it was previously proposed.

Signed support was received from the neighbouring property owners for the proposal. The property is not heritage listed. Five variations are requested to the requirements of the Residential Design Codes including lot boundary setbacks and visual privacy.

Lot Boundary Setback - Northern Wall – Ground Floor

In accordance with the Residential Design Codes deemed to comply provisions clause 5.1.3 C3.1 i and Table 1, the rear lot boundary setback of a dwelling in an area with a density coding of R12.5 is supposed to be 6m. In this case the ground floor is set back 2.077m. This is a direct result of the subdivision of the lot in accordance with previous Council requirements which has created a much smaller lot that is more in alignment with a density coding of R20. The site is constrained but the reduced lot boundary setback can be supported in accordance with design principles clause 5.1.3.P3.1 for the following reasons;

- There is minimal impact from building bulk on the adjoining properties. Whilst the proposed northern wall is located closer to the northern boundary, the overall height of the building is reduced, therefore the impact with respect to bulk is considered to be reduced;
- Adequate sunlight and ventilation are provided to the building and open spaces on site and to the adjoining properties, and
- Minimal overlooking and loss of privacy to adjoining properties.

The lot is on the street front and to the south of the rear strata dwelling so does not create any overshadowing to adjoining lot. The design intent of the proposal is for a contemporary design which has minimal impact to the neighbour or streetscape. There is a setback from the lot boundary that allows for airflow. Open space is at 55.7% of the site area. There is no overlooking to the rear property.

Lot Boundary setback – Western Wall – Upper Storey

The western wall on the upper storey of the proposed development is 14.9m long and 6.4m (at its maximum) high and is setback 1.8m from the boundary. It has major openings and is required to be 4.1m from the boundary in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 i Table 2b. It does not achieve the deemed to comply requirements but does meet the design principles clause 5.1.3 P3.1 for the following reasons;

- There is minimal impact from building bulk on the adjoining properties as the proposal adjoins a common property driveway;
- Adequate sunlight and ventilation are provided to the building and open spaces on site and to the adjoining properties; and
- Minimal overlooking and loss of privacy to adjoining properties

It is noted that there is a laneway between the strata buildings at the front and rear and this provides significant separation between the subject dwelling and the buildings to the west. In addition, there are mature trees planted along the western boundary which are to be retained and provide significant privacy

screening to neighbouring properties. The separation of dwellings also provides adequate room for ventilation and sunlight. For the stated reasons the reduced boundary setback can be supported.

#### Lot Boundary Setback - Northern Wall – Upper Storey

Like the ground floor the rear boundary setback for the northern wall on the upper storey is less than the 6m that is required under the R12.5 density coding. In this case the upper storey is setback 1.4m. Although it does not achieve the Residential Design Codes deemed to comply clause 5.1.3 C3.1 I it does achieve design principles clause 5.1.3.P3.1 for the following reasons;

- There is minimal impact from building bulk on the adjoining properties,
- Adequate sunlight and ventilation are provided to the building and open spaces on site and to the adjoining properties,
- Minimal overlooking and loss of privacy to adjoining properties.

Like the ground floor the lot is on the street front and to the south of the rear strata dwelling so does not create any overshadowing. There is a setback from the lot boundary that allows for airflow. Open space is at 55.7% of the site. There is no overlooking to the rear property. For these reasons the proposed reduced lot boundary setback to the rear boundary can be supported.

#### Visual Privacy Setbacks

There are 2 features of the design that do not meet the visual privacy setbacks that are required from the balcony window and living room window on the western side of the dwelling.

In accordance with the Residential Design Codes deemed to comply clause 5.4.1 C1.1 i the balcony window should be setback 7.5m from the side boundary. In this case the window is located 3.4m from the side boundary. The reduced visual privacy setback can be supported on the basis that;

- The balcony is located facing an access leg (common property) that accesses the rear strata property; and
- There are large trees that are to be retained in this area that provide visual screening to neighbouring properties.

Likewise, in accordance with the Residential Design Codes deemed to comply clause 5.4.1 C1.1 i the living area window on the upper floor should be setback 6m from the side boundary. In this case the window is located 2.4m from the side boundary. The reduced visual privacy setback can be supported on the basis that;

- The balcony is located facing a laneway that accesses the rear strata property; and
- There are large trees that are to be retained in this area that provide visual screening to neighbouring properties.

In both cases the reduced visual privacy setback can be supported because the design has mitigated the impacts and the neighbouring properties that have been impacted have provided signed support for the proposed development.

#### Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

**11.7 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION: TP071220**

That development approval is granted, and Council exercises its discretion regarding the following;

- (i) Clause 5.1.3 – Residential Design Codes – Rear Lot Boundary Setback – Ground Floor - 6m required, 2.077m provided
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Wall - Upper Storey - 4.1m required, 1.8m provided
- (iii) Clause 5.1.3 – Residential Design Codes – Rear Lot Boundary Setback – Ground Floor - 6m required, 1.4m provided
- (iv) Clause 5.4.1 – Residential Design Codes – Visual Privacy Setback – Balcony Window - 7.5m required, 3.4m provided
- (v) Clause 5.4.1 – Residential Design Codes – Visual Privacy Setback – Living Room Window – 6m required, 2.4m provided

for alterations and additions at No. 48A (Lot 1) Pier Street, East Fremantle, in accordance with the plans date stamped received 12 November 2020, subject to the following conditions:

- (1) 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.
- (2) 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.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) 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.
- (7) 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.
- (8) This planning approval is 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).*
- (vi) matters relating to dividing fences are subject to the Dividing Fences Act 1961*
- (ADOPTED BY EN BLOC RESOLUTION)*

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

**11.8 Sewell Street No 46 (Lot 2) Proposed alterations and additions**

<b>Owner</b>	Andrew & Rebecca Grenenger
<b>Applicant</b>	Andrew Grenenger
<b>File ref</b>	P108/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	3 November 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Location plan</li><li>2. Site photos</li><li>3. Plans date stamped 5 October 2020</li><li>4. Community consultation</li></ol>

**Purpose**

The purpose of this report is for Council to consider a planning application for proposed alterations and additions at No 46 (Lot 2) Sewell Street, East Fremantle.

**Executive Summary**

This development application proposes alterations and additions to an existing dwelling at 46 Sewell Street. The property is a Category C heritage dwelling, however the changes enhance the building by creating a safer, more liveable home as a result of the removal of the asbestos cladding and addition of new contemporary living areas. Extensive changes are proposed including replacing the front verandah posts and installing bull nose verandah, demolishing the rear sections of the building under a lean to roof and the addition of 2 new bathrooms, a combined kitchen, dining and living area as well as a loft. The loft is set back in excess of 15.7m from the front boundary and is designed in such a way that it is contained within the roof of the rear addition.

The applicant is seeking Council approval for the following variations to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Northern Wall – 1.5m required, 1.051m provided
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Southern Wall – 1.5m required, 0m provided
- (iii) Clause 5.4.2 – Residential Design Codes – Overshadowing – 25% required, 27.5% provided

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

**Background**

Zoning: Residential R20  
Site area: 255m<sup>2</sup>

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

Nil

**Consultation**

Advertising

The application was advertised to surrounding landowners from 7 to 21 October 2020. Two submissions were received which are detailed below.

Submission	Applicant Response	Officer Response
<p><b>Submission 1</b>  <i>I have already spoken to my neighbour and I don't have any objections, however, I would like to submit the points we discussed in writing.</i></p> <ol style="list-style-type: none"> <li>1. The existing boundary fence will be removed.</li> <li>2. We discussed that the proposed bricks for the boundary parapet wall will be recycled face bricks. The brick work will be finished off neatly on both sides.</li> <li>3. From where the boundary parapet wall finishes the remainder dividing fence will be continued in recycled face bricks. I would like to request that this section of the dividing fence be kept at a minimum as I have existing fruit tree growing in this area.</li> <li>4. I request that a gutter or flashing be installed to protect both properties from water ingress and potential damage. Gutter or flashing to be installed to the full extent of boundary where both 48 &amp; 46 abut. i.e. seal gap between buildings where they are both on the boundary (shown in green).</li> <li>5. Would prefer a non-toxic termite barrier e.g. 'Termimesh'.</li> <li>6. During construction should any damage occur to existing structures on 48 Sewell Street the owner builder will make good.</li> </ol>	<p>I have no issues with any of the comments submitted by the neighbours on both sides.</p>	<p>The comments are noted.                      There will be a boundary wall.                      According to the plans the brick wall will be built on the northern side of the boundary and the dividing fence will remain.                      The typical height of a dividing fence is 1.8m and dividing fences are a matter between neighbours.                      Gutters will be required as part of the building permit.                      A termite treatment will be required as part of the building permit.                      An advice note is added to the development approval requiring proponents to undertake a site and dilapidation survey and report to verify any existing damage and note any later damage as part of works that are undertaken. This is a matter for discussion between the owners of the neighbouring properties.</p>
<p><b>Submission 2</b>  <i>I have some concerns I wish to address I'm the neighbour of this property- is it possible to see the plans.</i></p>		<p>The plans have been shown to the submitter and no further comments were received.</p>

Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as there were minimal streetscape impacts and the development was concentrated towards the rear of the dwelling.

External Consultation

Nil

**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.*

**Risk Implications**

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

**Site Inspection**

A site inspection was undertaken.

**Comment**

Statutory Assessment

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

<b>Legend</b> <i>(refer to tables below)</i>	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

<b>Design Element</b>	<b>Required</b>	<b>Proposed</b>	<b>Status</b>
Street Front Setback			N/A
Secondary Street Setback			N/A
<b>Lot Boundary Setbacks</b>			
<b>Northern wall</b>	<b>1.5m</b>	<b>1.051m</b>	<b>D</b>
<b>Southern wall</b>	<b>1.5m</b>	<b>0m</b>	<b>D</b>
Eastern wall – ground floor	2.8m	13.853m	A
Open Space	50%	53%	A
Wall Height	6m	5.6m	A
Roof Height	9m	6.246m	A
Setback of Carport/Garage			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy			N/A
<b>Overshadowing</b>	<b>25%</b>	<b>27.5%</b>	<b>D</b>
Drainage			To be conditioned

Local Planning Policies Assessment

<b>LPP Residential Design Guidelines Provision</b>	<b>Status</b>
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	A
3.7.6 Construction of New Buildings	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	A
3.7.11 Front Fences	A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.16.4.3 Fremantle Port Buffer Area	N/A
3.7.16.3 Garages and Carports	N/A

This development application proposes alterations and additions to an existing dwelling at 46 Sewell Street. The property is a Category C heritage dwelling, however it is considered the changes enhance the building by creating a safer, more liveable home as a result of the removal of the asbestos cladding and addition of new contemporary living areas. Extensive changes are proposed including replacing the front veranda posts and installing bull nose veranda, demolishing the rear (later additions) sections of the building under a lean to roof and the addition of 2 new bathrooms, a combined kitchen, dining and living area as well as a loft. The loft is set back in excess of 15.7m from the front boundary and is designed in such a way that it is contained within the roof of the rear addition. For the above reasons the application was not referred to the CDAC. Three variations are requested to the requirements of the Residential Design Codes in relation to lot boundary setbacks on the northern and southern walls, and overshadowing and are discussed below.

#### Lot Boundary Setbacks – Northern Wall

The addition includes a wall that is 11.782m long and 4m high without major openings and setback 1.051m from the boundary. This does not achieve the Residential Design Codes deemed to comply clause 5.1.3 C3.1i which requires a setback of 1.5m. In this case the proposed wall location can be supported according to design principles clause 5.1.3 P3.1i for the following reasons;

- Reduced impact of building bulk on adjoining properties as the addition faces a section of the adjacent building which is also built close to the boundary and design of the loft area has been constrained to ensure any impact to the streetscape or neighbour is reduced.
- Adequate sunlight and ventilation is provided to the building and open spaces on the site and adjoining properties as the property is to the south of the adjoining dwelling has been constructed with a nil setback and therefore does not overshadow, and
- Minimal overlooking and loss of privacy on adjoining properties due to the fact that there are no major openings facing the northern dwelling for this section of the building.

It is considered the proposed setback can be supported.

#### Lot Boundary Setbacks – Southern Wall

The addition includes a wall that is 24.182m long and 3.5m high (average) without major openings and setback 0m (nil) from the boundary. This does not achieve the Residential Design Codes deemed to comply clause 5.1.3 C3.1i which requires a setback of 1.5m. In this case the proposed wall location can be supported according to design principles clause 5.1.3 P3.1i for the following reasons;

- More effective use if made of the available space given that the lot is only 6m wide and 255m<sup>2</sup> in area,
- Reduced impact of building bulk on adjoining properties as the addition faces a section of the adjacent building which is also built along the boundary.
- Adequate sunlight and ventilation is provided to the building and open spaces on the site and adjoining properties as the property does not overshadow the rear yard of the adjacent property,
- Minimal overlooking and loss of privacy on adjoining properties due to the fact that there are no major openings facing the neighbouring dwelling and the adjacent property also has a parapet wall for approximately 12.4m,
- There is not an adverse impact on the amenity of the property,
- Direct sunlight to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted due to the parapet wall along the adjoining property, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

Overshadowing

The shadow cast over the southern property from the proposed development is equal to 27.5% which is above the maximum permissible amount of 25% according to Residential Design Codes deemed to comply clause 5.4.2 C2.1. The proposed design achieves design principles clause 5.4.2 P2.2 because the proposal has been designed to be constructed adjoining a simultaneously constructed wall of the southern neighbour, outdoor living areas are not overshadowed, north facing major openings are not overshadowed and there are no solar panels on the roof that are affected.

Conclusion

Although it is valued at less than the \$200000 threshold for being dealt with under delegated authority by the Executive Manager of Regulatory Services the development application had to be presented to the Town Planning Committee in accordance with the requirements to present any development applications where there has been negative submissions regarding a proposed development.

It is noted that the proposed development is located on a very narrow lot (approximately 6m wide) with a surface area of 255m<sup>2</sup> in a precinct that has a density coding of R20. Such a lot size and width would not be permissible if it was created today under the R20 density code requirements (minimum lot size of 350m<sup>2</sup> and minimum lot width of 10m), however as a result of previous approval of the lot the Town has to deal with the legacy of a such a decision as part of the development assessment process. Both the use of reduced lot boundary setbacks and overshadowing are problems that are created by narrow and small lots with applicants trying to build a contemporary dwelling on a constrained lot and being forced to apply for variations to the Residential Design Codes. Given this it is not unreasonable to support the proposed development with the variations discussed above.

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes can be supported. As such it is recommended that the proposed development be supported subject to planning conditions.

**11.8 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION: TP081220**

**That development approval is granted and Council exercises its discretion in regard to the following;**

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Northern Wall – 1.5m required, 1.051m provided**
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Southern Wall – 1.5m required, 0m provided**
- (iii) Clause 5.4.2 – Residential Design Codes – Overshadowing – 25% required, 27.5% provided**

**for alterations and additions at No. 46 (Lot 2) Sewell Street, East Fremantle, in accordance with the plans date stamped received 5 October 2020, subject to the following conditions:**

- (1) 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.**
- (2) 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.**
- (3) 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.**
- (4) 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.**

- (5) 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.
- (6) 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.
- (7) 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.
- (8) This planning approval is 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.*

(ADOPTED BY EN BLOC RESOLUTION)

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

**11.3 Glyde Street No 17 (Lot 26) Proposed alterations and additions**

<b>Owner</b>	George Baramily
<b>Applicant</b>	Exquisite Design & Drafting
<b>File ref</b>	P115/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	1 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Location plan 2. Site photos 3. Plans date stamped 12 November 2020 4. Community consultation

**Purpose**

The purpose of this report is for Council to consider a planning application for proposed alterations and additions at No 17 (Lot 26) Glyde Street, East Fremantle.

**Executive Summary**

This development application proposes alterations and additions to an existing dwelling at 17 Glyde Street. Significant changes have been made to the plans to represent the comments of the Community Design Advisory Committee, the Planning Officer and input by the adjoining neighbours.

Following discussions with the applicant changes were made that reduced the impact of the development from the original proposal, including the use of materials which minimises the impact of the proposal to the streetscape. As it is an existing dwelling certain features of the design have been retained which although not compliant by today's planning requirements, they have previously been approved and as such modifications cannot be imposed on these existing features. The dwelling is not heritage listed.

The applicant is seeking Council approval for the following variations to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Ground Floor - South Wall – 1.5m required, 1.03m provided
- (ii) Clause 5.1.6 – Residential Design Codes – Maximum Wall Height – 6m required, 7.1m provided
- (iii) Clause 5.4.2 – Residential Design Codes – Overshadowing – 25% required, 29.6% provided
- (iv) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided

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

**Background**

Zoning: Residential R20  
Site area: 508m<sup>2</sup>

**Consultation**

Advertising

The application was advertised to surrounding landowners from 7 October to 22 October 2020. Two submissions were received.

Submission	Applicant Response	Officer Response
<p>I would like to raise some concerns relating to the proposed build at 17 Glyde Street.</p> <p>I have lived at 15 Glyde Street since 1977 and in that time, I have enjoyed good relations with my neighbour, the late Dawn Brown. Dawn originally lived at number 19 Glyde Street and then built a new home beside us at 17 Glyde Street in the 1980s. When the house was originally built in the early 80s, my husband and I were unable to officially submit comments or concerns about the then proposed build to Council. As Italian migrants with limited English, my husband and I did not understand how to interpret the plans and how much it would impact on us next door. It was only during construction that my late husband and I realised that the house was less than a metre from our backyard fence with bay windows directly overlooking my backyard (see attached photos). We verbally raised our concerns with Dawn, but it was too late for change. Once built, we had no choice but to live without privacy in our backyard. We were not happy with the outcome, but we endured it for the sake of good relations with Dawn, which I valued above all else. We have tried to get some privacy and screening with trees (which I always pruned on Dawn's request so as not to obstruct her view of the river), however the overlooking situation into my backyard is not ideal even with this limited screening.</p> <p>While I am saddened about the passing of my long-time neighbour and friend, I do understand that life moves on and look forward to a good neighbourly relationship with the Baramily family. Their plans for a new home at 17 Glyde Street are exciting and I wish them well in the build of their new house. However, the proposed plan does impact on my privacy and amenity in a number of ways which I would like to see addressed.</p> <ul style="list-style-type: none"> <li>The two bay windows off the main living and dining area are currently set back approximately 1 metre. While these are existing windows, given they are the only</li> </ul>	<p>The two bay windows are existing and are proposed to remain.</p> <p>The balcony along the northern boundary is existing and will remain. The sliding door to the balcony is existing and will remain.</p> <p>The scullery windows have been amended to have an Obscure film up to 1800mm high to provide privacy to the neighbouring property, refer to amended plans.</p> <p>The majority of the upper floor is existing and no changes to the original wall height have been made, there will be no change in impact</p> <p>The amended plans show the scullery window and the new windows along the northern boundary will have obscure glazing, the openings will have little or no adverse impact on privacy of neighbouring property. In addition, the indentations and variation in the setback reduced the bulk of the wall along the northern boundary.</p> <p>We acknowledge and are sympathetic to the neighbouring properties concerns, however their objections relate to the existing infrastructure at 17 Glyde Street. Our clients bought this property with the intention of utilizing the existing dwelling and to retain its original character as this was the significant factor of the purchase. They were not aware of the non-compliance of the setbacks, as such the responsibility of reconstructing the northern boundary as suggested should not fall on the responsibility of the new owners. The designer has ensured all new additions are within the deemed-to-comply provision of the Residential Design Codes. We request that the council give consideration to the renovations as the objections relate to the existing dwelling.</p> <p><b>Variations as listed by Town of East Fremantle</b></p> <ol style="list-style-type: none"> <li>1. Ground floor – south wall – 25.68m and 2.4m high with a major opening –</li> </ol>	<p>The applicant has had discussions with the Town to attempt to mitigate some of the outcomes from the proposed development at 17 Glyde Street. It is recognised that some features of the existing dwelling have been retained and although they may be non-compliant with the current R- Codes and Residential Design Guidelines they were previously approved, and changes cannot be imposed retrospectively.</p> <p>The applicant has agreed to add obscure film to the scullery window.</p> <p>Changes have been made to the design that reduce the impact on the neighbouring property.</p>

<p>structure retained in the plan of what is effectively a new build, I request that they be assessed under current planning rules and be set back 6 metres or otherwise obscured/screened as required in the planning codes.</p> <ul style="list-style-type: none"> <li>• The balcony is set back approximately 2 metres. Under the existing codes this should be 7.5 metre setback or screened on north and west sides.</li> <li>• The sliding door to the balcony has a cone of vision 3 metres to the boundary. This should be 6.0 metres or otherwise screened/obscured.</li> <li>• The area called the scullery on the plans is part of the kitchen. It has no door and includes the fridge and main sink and should therefore be considered a habitable room with windows set back 6.0 metres or obscured.</li> <li>• The setback for the north facing wall on the boundary of my property for the second story and third stories is 1.5 metres. My understanding is that this is not compliant with the planning codes and the setback should be much greater, particularly considering the walls have several major openings.</li> <li>• The height of the proposed north facing wall on the boundary of my property is 7.649 metres. My understanding is that this should be no more than 6.0 metres under the R-codes.</li> </ul> <p>As you can see from these points, my concerns relate to overlooking and its impact on my privacy. I have had to find ways to put up with a lack of privacy for the last few decades because of not being informed or literate enough to object to something that should not have been built so close to my home in the first instance. With new neighbours constructing what is effectively a new house, I would like to have these issues considered and addressed so they are compliant with current planning regulations.</p>	<p>1.5m setback required and 1.03m provided?  As the length of the wall along the southern boundary is setback at 1.03m and is less than 9m in length and wall height less than 3.5m with no major opening (activity/lounge window amended to show highlight windows) as per Table 2a the required setback is 1m. In addition, as per figure series 4, 4b, where the side of a building includes one portion of the wall without major opening the setback shall be determined independently.</p> <p>2. Second storey – south wall – 16.2 m 5.213m high without major opening – 1.9m setback required and 1.73m provided.  The setback has been amended to be 1900mm.</p> <p>3. Third storey – north side – 16.2m long and 7.347m high with a major opening – 5.1m setback required, 1.5m provided – this is a new wall as shown by the overlay of the old building. Can the setback be increased?  The overall Kitchen/Dining/Living wall length was reduced by approx. 650mm to reduce the impact of the new wall. The new wall is lining up with the existing second storey walls to suit construction requirements.</p> <p>4. Third storey - south side – 16.2m long and 7.347m high with no major openings – 2.3m setback required and 1.73m provided - this is a new wall as shown by the overlay of the old building. Can the setback be increased?  The setback has been amended to be 1900mm to line up with the amended second story wall.</p> <p>5. Wall height is over 6m – measured at 7.262m. Can this be reduced?  Overall wall height has been reduced by approximately 130mm to 7.1m.</p> <p>6. Roof pitch is less than 28 degrees – acceptable. Majority of the front half of the house has a roof pitch of 28 degrees.</p> <p>7. Scullery/kitchen window – visual privacy setback not met – obscure glazing required or highlight window required.  The scullery windows have been amended to have an Obscure film up to 1800mm high to provide privacy to</p>	
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	<p>the neighbouring property, refer to amended plans.</p>	
	<p>I write in regard to the proposed development plans that have been lodged and we received by letter, link for review, as owners of the southern neighbouring property.  We confirm we have no objects nor concerns with the plans lodged.  We also understand there is some concern regarding the boundary wall at the west end of the block which is existing carport and council suggestion this should be set back. We write to confirm we fully support and is our clear preference the current wall remains in place and is not required to be further set back.  As can be seen by the attached photo's, we have effectively used this wall to contain in our pool area, and spent our own resources to improve this wall by rendering, painting and adding wall features/lighting etc. We believe the current wall compliments and help define this area as well as providing privacy.</p>	<p>Noted.</p>

Community Design Advisory Committee (CDAC)

The application was referred to CDAC. The following comments were made.

*(a) The overall built form merits;*

- The Committee commented the front street elevation require further investigation. The Committee question the accuracy of the streetscape photographic montage.
- The Committee note the proposal has limited design merit.
- The Committee stated the pitch of roof at front too high – the roof dominates the building, whilst also noting the pitch of the rear to achieve the additional height further appears to compromise the design.

- The Committee notes that such matter as buildings on the boundary and the overall design of the development requires attention.
  - The Committee note the proposed design appears to be unresolved and questions why there is no stairs to the dining/ kitchen from the lower ground floor and query why the full extent of the existing rear garage is not indicated on the overshadowing diagram. Appropriate and clearer plans are requested to be provided.
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.*
- The roof forms are not supported as it is considered a poor architectural outcome and is not in keeping with the established roof forms of the area. The Committee considers the roof pitches increase the visual impact of the dwelling to the streetscape.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
- The Committee noted the streetscape outcome could be integrated better with the surrounding built form.
- (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. See above.
- (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 further comment at this time.
- (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 further comment at this time.

#### Applicant Response to CDAC

The following comments were received in response to CDAC's comments.

- *Photo montage updated.*
- *Staircase added to upper floor plans.*
- *Proposing to demolish the existing western boundary wall of the garage and reducing Alfresco setback to 1m. The proposed garage boundary wall on the north is proposed along the neighbouring property's southern boundary. The owner's requirement of having the garage along this boundary is to have as much front yard and landscaping as possible for their young family. The garden and front yard was purposely designed to encourage outdoor entertaining along the streetscape and provides an opportunity to interact with neighbours and the community.*
- *The roof pitch was originally designed to be at 28 degrees to be line with the Town of East Fremantle's design guidelines. The roof pitch of the front section of the dwelling has been lowered to 25 degrees.*
- *The proposed Axon cladding to the front has been changed to a natural timber cladding, natural timber eave lining to the Verandah and posts nominated as timber. The verandah decking will also be timber.*
- *Overshadowing diagram updated as per plans.*

#### External Consultation

Nil

### **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.*

### **Risk Implications**

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

**Site Inspection**

A site inspection was undertaken.

**Comment**

**Statutory Assessment**

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town’s Local Planning Policies including the Residential Design Guidelines, as well as the Residential Design Codes. 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	Average of neighbouring properties	Average of neighbouring properties	A
Secondary Street Setback			
Lot Boundary Setbacks			
Garage – north wall	0m	0m	A
Courtyard – north wall	1.5m	5.511m	A
Existing north wall – ground floor			N/A – existing wall
<b>Ground floor – south wall</b>	<b>1.5m</b>	<b>1.03m</b>	<b>D</b>
Second storey – south wall	1.9m	1.9m	A
<b>Third storey – south wall</b>	<b>2.2m</b>	<b>1.9m</b>	<b>D</b>
Second storey – west wall	1.4m	6.192m	A
Existing second storey – north wall	3.7m	1m	N/A – existing wall
<b>Third storey – north wall</b>	<b>4.6m</b>	<b>1.5m</b>	<b>D</b>
Third storey	3.5m	6.192m	A
Open Space	50%	51.6%	A
<b>Wall height</b>	<b>6m</b>	<b>7.1m</b>	<b>D</b>
Roof height	9m	8.32m	A
Car Parking	2 car bays	2 car bays	A
Site Works			N/A
Visual Privacy	6m	<6m (obscure film added to window)	A
<b>Overshadowing</b>	<b>25%</b>	<b>29.6%</b>	<b>D</b>
Drainage			To be conditioned

**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	A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	A
3.7.15.4.3.1 Fremantle Port Buffer Area	A
3.7.15.3.3 Garages and Carports	A

It is noted that the applicant has made changes to the proposal, following input from the adjoining neighbour, comments from the CDAC and working with the Planning Officer to ensure the proposal is appropriate for the area.

The development application proposes alterations and additions to an existing dwelling at 17 Glyde Street. Following discussions with the applicant changes were made that reduced the impact of the development from the original proposal. As it is an existing dwelling certain features of the design have been retained which although not compliant by today's planning requirements they have previously been approved and as such changes cannot be imposed on these existing features. The dwelling is not heritage listed. Five variations are requested to the requirements of the Residential Design Codes and one variation is requested to the Residential Design Guidelines relating to lot boundary setbacks, maximum wall height, overshadowing and roof pitch.

Lot Boundary Setbacks – Ground Floor - Southern Wall

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1i the ground floor southern wall that is 25.68m long and 2.4m high (with major openings) is required to be 1.5m from the side lot boundary. In this case, the wall is located 1.03m (bedroom 4, wc and bathroom) away from the boundary, a variation of 0.47 metres. It is considered that the reduced boundary setback can be supported under the design principles clause 5.1.3 P3.1 for the following reasons;

- There is minimal impact from building bulk on the adjoining property because the southern wall is articulated in several points, with the setback varying from 1.03 metres to 3.7 metres from the southern boundary. This articulation and location of the reduced setback when reference to the adjoining neighbour is considered to have minimal adverse impacts;
- Adequate sunlight and ventilation is provided to the building. The proposal complies with the open space requirements. There is an impact to the adjoining neighbours with respect to overshadowing. This will be discussed below, however, based on the proposed plans the southern neighbour has requested the alfresco area be constructed on the boundary to maintain the existing privacy experienced by the neighbour; and
- There is minimal overlooking or loss of privacy to the adjoining property.

The proposed reduction in lot boundary setback is equal to 0.47m which is considered minor and for this reason can be supported.

Maximum Wall Height

In accordance with the Residential Design Codes deemed to comply clause 5.1.6 C6 the maximum wall height to the top of the wall from natural ground level is required to be 6m. In this case it is 7.1m above natural ground level to use the eaves. Although it is in excess of the maximum wall height, the design intent

is to include a loft/ mezzanine into the roof space, therefore the internal roof space rather than pitching in a consistent design over the extent of the roof, the rear roof form pitches at a shallower pitch to facilitate the study and stairs. The proposal achieves design principles 5.1.6 P6 as there is minimal impact on direct sunlight into buildings and open spaces, adequate daylight reaches major openings into habitable rooms and there is minimal impact on views of significance. The impact to neighbours is also minimal. It is noted that the overall roof height of 8.32m is less than the maximum permissible height of 9m, reducing the design impact to the streetscape and neighbours. Therefore, overall height can therefore be supported.

#### Overshadowing

Under the Residential Design Codes deemed to comply clause 5.4.2 C2.1 for lots with a density coding of R25 or lower, there is a maximum overshadowing limit of 25%. In this case the overshadowing is equal to 30%. The proposed development is higher towards the rear of the lot which does overshadow parts of the rear yard of the dwelling directly to the south. The Planning Officer has negotiated the alfresco area to be setback from the fence, however the southern neighbour has requested that the fence and existing wall height to be retained. Because of this, the wall has been retained and administration has conceded that the overshadowing has resulted (not in full) from the neighbour's request. The property is significantly lower towards the front of the lot which limits the overshadowing over northern facing windows. There is some overshadowing of solar panels, but this is less than 50% of the total area of the solar panels. Following amendments to the design including a reduction in the maximum roof height a decrease in overshadowing was achieved. Based on the requests and the assessment of impacted areas, the overshadowing can be supported.

#### Roof Pitch

The roof pitch is required to be between 28 and 36 degrees in alignment with the Residential Design Guidelines acceptable development provisions 3.7.8.3 A1. The front part of the proposed dwelling has a roof pitch of 25 degrees and other sections of roof have a pitch of 11.5 degrees and 3 degrees. These sections achieve performance criteria 3.7.8.3 P4 as the roof complements the traditional form of surrounding development in the immediate locality. For this reason, the proposed roof pitch can be supported.

There are 2 features of the design where there is a requirement for further explanation.

#### Lot Boundary Setbacks – Third Storey – Northern Wall

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1i the third storey northern wall that is 4.8m long and 7m high without major openings (the window is not attached to a habitable room and is therefore not considered a major opening) is required to be 1.2m from the side lot boundary. In this case the wall is located 1.5m away from the boundary. It is considered that despite the height and minimal setback this is not considered a variation of the Residential Design Codes.

The window in the wall is located adjacent to a void within the dwelling so residents cannot see out directly from a position adjacent to the window so overlooking is minimised. It is also located to the south of the neighbouring property so does not impact on overshadowing.

#### Lot Boundary Setbacks – Third Storey – Southern Wall

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1i the third storey southern wall that is 4.8m long and 7m high with no major openings is required to be 1.2m from the side lot boundary. In this case the wall is located 1.9m away from the boundary and as such is deemed to comply.

Conclusion

It is noted that there are walls that are part of the existing dwelling that do not meet the requirements of the Residential Design Codes and Residential Design Guidelines. It is necessary to accept that the Town cannot require the development to be retrospectively changed to ensure compliance of these northern walls that the northern neighbouring property has complained about in terms of their setback from the northern boundary.

At the same time there is a rear garage that is being converted into an alfresco area and the southern neighbouring property owners have provided a written submission which request that the southern wall of the alfresco is kept as is and the applicant is not forced to remove this wall and add a wall that is at least 1.1m from the southern side boundary. Although the development has proposed walls located on the boundary in 2 locations it is considered that this can be supported.

There have been many discussions with the applicant to have modifications included to the design. The modifications that were negotiated have produced a less bulky design and a better outcome for neighbouring properties and the Town. Modifications have been added following comments received from CDAC which improve the streetscape outcome, the quality of the plans and overall design.

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

**11.3 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION: TP091220**

**That development approval is granted, and Council exercises its discretion regarding the following;**

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Ground Floor - South Wall – 1.5m required, 1.03m provided**
- (ii) Clause 5.1.6 – Residential Design Codes –Maximum Wall Height – 6m required, 7.1m provided**
- (iii) Clause 5.4.2 – Residential Design Codes – Overshadowing – 25% required, 30% provided**
- (iv) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided**

**for alterations and additions at No. 17 (Lot 26) Glyde Street, East Fremantle, in accordance with the plans date stamped received 12 November 2020, subject to the following conditions:**

- (1) The crossover widths are not to exceed the width of the crossovers indicated on the plans date stamped received 12 November 2020 and to be in accordance with Council’s crossover policy as set out in the Residential Design Guidelines (2016).**
- (2) All fencing within the street setback area is to be in compliance with the front fence provisions of the Residential Design Guidelines.**
- (3) 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.**
- (4) 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.**
- (5) 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.**

- (6) 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.
- (7) 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.
- (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) 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.
- (10) This planning approval is 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.*

(ADOPTED BY EN BLOC RESOLUTION)

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

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**11 MATTERS BEHIND CLOSED DOORS**

Nil

**12 CLOSURE OF MEETING**

There being no further business the Presiding Member declared the meeting closed at 7.32pm.

*I hereby certify that the Minutes of the ordinary meeting of the Town Planning Committee of the Town of East Fremantle, held on 3 November 2020, Minute Book reference 1. to 13 were confirmed at the meeting of the Committee on:*

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*Presiding Member*

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**12. REPORTS**

**12.1 PLANNING**

**12.1.1 Proposed Complex Amendment No. 17 to Local Planning Scheme No. 3 – Lots 14 - 19 Canning Highway - Modify Additional Use - A9 Provisions and Scheme Map**

<b>Owner</b>	Commissioner of Main Roads, State Planning Commission, The Metropolitan Region Planning Authority and Janipet Holdings P/L (deregistered company administered by ASIC)
<b>Applicant</b>	Dynamic Planning & Developments on behalf of Main Roads WA
<b>File ref</b>	TPS3A17; P/CAN7; 9; 15; 17; 19; 27
<b>Prepared by</b>	Christine Catchpole, Senior Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting Date:</b>	8 December 2020
<b>Voting requirements:</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Proposed Scheme Amendment No. 17 Report – prepared by Dynamic Planning and Developments on behalf of Main Roads WA (Nov 2020)</li><li>2. Local Planning Scheme No. 3 – Proposed Schedule 2: Additional Use Sites and Requirements</li><li>3. Modified Local Planning Scheme No. 3 - Map</li><li>4. Community Engagement Checklist</li></ol>

**Purpose and Executive Summary**

The proposed Scheme Amendment has been prepared by planning consultants (Dynamic Planning and Development) on behalf of Main Roads WA (MRWA), which acts for the two major land holders being MRWA and the WA Planning Commission (WAPC). Amendment No. 17 proposes to modify the Scheme Text (Schedule 2: Additional Use Sites and Requirements) and the Scheme Map (to reflect the road widening reservation under the Metropolitan Region Scheme).

The Amendment site comprises six lots on the south side of Canning Highway between East and Glyde Street. The lots have a combined land area of 3,665m<sup>2</sup>, however after removing the road widening requirement of 663m<sup>2</sup> an overall developable area of ~3,002m<sup>2</sup> remains. This land has been identified in the draft Local Planning Strategy (LPS) as a western gateway site which can facilitate urban consolidation by promoting land use intensification and mixed-use development within an identified urban (transport and development) corridor.

The intent of the Scheme Amendment is to allow for more intensive residential development of these six lots most likely in the form of apartments, as identified in the draft LPS. The redevelopment would be guided by a Local Development Plan and associated Design Guidelines. At this stage of the Amendment process it is envisaged that redevelopment would occur at a density of Residential R80 which could facilitate the development of approximately 29 apartments and/or town houses in buildings ranging from two to four storeys. The four storey building(s) would be located on the corner of Canning Highway/East Street and extend along Canning Highway. The buildings would then transition to two to three storeys facing East Street, with two storeys on the corner of Glyde Street and at the residential interface. No commercial development would be permitted. This is not proposed to be a Mixed Use zone; the underlying

Residential R20 zone will remain with the potential to develop at a density of R80 *only if* compliance with the special controls specified in an amended Schedule 2 are achieved.

The aim of the special controls proposed for Schedule 2 of Local Planning Scheme No. 3 (LPS 3) is to provide adequate safeguards in respect to achieving a very high standard of coordinated development of these six lots while balancing this aim with protecting the amenity and heritage of the Plympton Precinct. This is in keeping with the recommendations of the draft LPS and Council's high expectations for this western gateway to the Town.

It is considered that the Amendment as proposed will facilitate residential development in line with the Town's strategic planning framework whilst also considering the impact on the adjoining low density residential area. Comprehensive development of larger amalgamated parcels of land with good access to public transport, supports the underlying objective to concentrate higher densities on urban corridors, thereby reducing development pressure throughout the Town's low density heritage precincts. This site is viewed as an opportunity to provide the potential for the development of additional dwellings which can contribute to the dwelling target set by the State government to be achieved by the Town before 2050.

Under the Planning and Development (LPS) Regulations, 2015 the Amendment is likely to be classified as a 'complex' Amendment, so the WAPC will require a 60 day advertising period. The WAPC's and the EPA's formal endorsement to advertise is required before the Town can commence advertising procedures. The outcome of advertising and consideration of submissions is then reported to Council. Council will then determine to support the Amendment, either with or without modification. The Amendment is then forwarded to the WAPC for its endorsement and recommendation to the Minister for Planning who makes the final decision.

The proposed Amendment is considered appropriate given the above comments and is therefore recommended for adoption (initiation) for the purposes of advertising. Notwithstanding, the Town has indicated to MRWA that the consideration of a Residential R80 density is prefaced on the basis that this is for the purpose of advertising only. Community submissions will be given due regard.

## **Background**

### *Amendment Site and Land Use*

Lots 14 – 18 Canning Highway, between East and Glyde Street on the southern side of Canning Highway (see aerial photo below), are owned by MRWA and the WAPC except for the corner lot on Glyde Street which is privately owned. All six lots comprise the existing Additional Use – A9 area under LPS 3. MRWA and the WAPC intend to dispose of the land and have engaged a planning consultant to progress a Scheme Amendment to reclassify the lots with the aim of increasing the residential development potential prior to disposal.

**Lots 14 – 19 Canning Highway between East and Glyde Street**



**Note:** Lot 19 (cnr Glyde St) is owned by a deregistered company administered by ASIC.

The lots have a combined land area of 3,665m<sup>2</sup>, however after removing the road widening requirement of 663m<sup>2</sup> an overall developable area of ~3,002m<sup>2</sup> remains. The current Additional Use – A9 area allows for multiple dwellings (i.e. apartments) to be developed to R40 (i.e. ~18 apartments), with ground floor use for consulting rooms and/or a home business. The same six lots have been identified as a ‘Planning Area’ for investigation under the draft LPS which was endorsed by Council in 2019 for the purposes of advertising. Under the LPS this area is considered to have strategic significance and the potential for development at a higher density.

MRWA has liaised with the Town to progress the Amendment. Discussions have concentrated on an appropriate set of development controls, to enable development at a higher density, balanced against protecting residential amenity and heritage in the Plympton Precinct. The Town has discussed the proposed Amendment with a senior Officer of the Department of Planning; Lands and Heritage (DPLH). The Officer has indicated informal agreement with the dwelling density and building height proposal. However, comments on the preferred option for the introduction of the R80 density and a Local Development Plan with associated Design Guidelines in the Planning Scheme Text (i.e. through modifications of the Additional Use A9 provisions) were not provided as this requires further consideration by the DPLH should the Amendment proceed to that stage.

**Built Form and Dwelling Density Considerations**

Further to discussions with MRWA, Malcolm Mackay Urban Design was engaged by MRWA to prepare built form massing options for the Amendment site. The intent being to explore the impact of various development types and densities. It should be noted that Mackay Urban Design assisted the Town with the formulation of the *Town Centre Redevelopment Guidelines* (building height plan) and the proposed Amendment has taken this into consideration.

Residential R80 was the favoured development option for the Town and MRWA because it reflected the Town’s preferred density for the area and what the land owner considers is a viable number of apartments (~29) as identified in the LPS. The apartments could be constructed in two, three and four storey buildings in a similar layout to the *Sunny’s* development on the opposite side of Canning Highway. This higher density would be achievable subject to the land being used

for residential purposes only (i.e. no commercial tenancies) and preparation of a Local Development Plan and Design Guidelines (to the satisfaction and approval of Council).

To demonstrate the applicable impact of a R80 dwelling density Mackay Urban Design formulated block diagrams to portray building heights, massing, overshadowing and an example of a building layout/configuration. These images are indicative only and in no way are intended to indicate design intent. Within the applicable investigation the following assumptions were noted:

- The site area for the purposes of calculating plot ratio has included the road widening area. This is consistent with previous State Administrative Tribunal decision making and also the definition of plot ratio which is '*the ratio of gross plot ratio area of buildings on a development site to the area of land in the site boundaries*'. As the current site boundaries include the road widening area, this land area is assumed to be incorporated into the calculation of plot ratio. Should the site be subdivided prior to redevelopment, the site area and plot ratio would be reduced.
- The development yield has assumed an average dwelling unit size of 95m<sup>2</sup> which is the equivalent of a three bedroom apartment.
- A requirement for 36 car bays.
- Access from East and Glyde Street and not from Canning Highway.

The key findings applicable to the R80 density scenario include:

- Dwelling yield – 29 dwellings at an average unit size of 95m<sup>2</sup>. This could consist of a range of apartment types ranging from one to four bedrooms;
- Plot ratio – 2,786m<sup>2</sup> at 0.96:1;
- Car parking – 36 bays;
- Over-shadowing – 36.8%;
- Adjoining amenity preserved;
- Site specific development; and
- Consistent in height and scale to *Sunny's*.

An example of a built form outcome at a density of R80 is depicted in the image below.

**Note:**

1. **Building massing and design is not absolute. It may not reflect the resultant built form or final building design on these lots; it is for indicative purposes only.**
2. **Drawing prepared prior to the two storey height limit on the Glyde Street corner lot being proposed.**



Based on the building massing investigation the R80 density scenario was considered the most appropriate for several reasons, specifically:

- it assumes a four storey height limit which is within the range prescribed by the Town's draft LPS (i.e. three to five storeys) and is considered appropriate to this section of Canning Highway;
- the impacts of building bulk and overshadowing, at the proposed R80 density, result in a minimal increase when compared with a R40 built form (current permitted development density) as an additional 10% overshadowing on the most impacted lot is the outcome. This is demonstrated in the image below; and
- it provides for a dwelling yield of ~29 dwellings at an average unit size of 95m<sup>2</sup> which is the equivalent of a three bedroom dwelling.

**Indicative overshadowing diagram at R80**



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Further justification for a dwelling density of R80 and compliance with State and Local Planning Policies is outlined in Attachment 1 – Scheme Amendment No. 17 Report.

### Details

#### Modifications to Scheme Text

The proposed complex Amendment seeks to increase the attainable residential density at the subject site by modifying the existing Additional Use - A9 provisions. Specifically, the Amendment seeks to:

- increase the applicable residential density that is attainable at the subject site from R40 to R80;
- introduce a range of special conditions in LPS 3 Schedule 2, including the requirement for preparation of a Local Development Plan, the matters to be considered in the Local Development Plan and Design Guidelines. This is to manage future uses, built form and design outcome so it is appropriately controlled to minimise the impact on the adjoining residential area and Canning Highway and is respectful of the existing character of the area;
- Formulate associated Design Guidelines to guide the built form and architectural outcome of the Amendment site; and
- modify the LPS 3 Map so the 'Other Regional Roads' reservation is consistent with the MRS.

The special conditions to be introduced to Schedule 2: Additional Use Sites and Requirements are provided in detail in Attachment 2. The special conditions are intended to provide an appropriate set of development standards to enable development at a higher density to be balanced against protecting amenity and heritage in the Plympton Precinct.

The higher density would be achievable subject to the land being used only for residential purposes (i.e. no commercial uses permitted) and the preparation of a Local Development Plan and Design Guidelines (to the satisfaction and approval of Council). An important point to note is that, in addition to the requirement for a Local Development Plan, there are specific additional provisions which are intended to cap building height at maximum levels across the site, including two storey maximum development adjacent to existing residences and on the corner of Glyde Street and the formulation of Design Guidelines to guide the built form and architectural outcome on the Amendment site.

Furthermore, the Local Development Plan is to encompass all six lots in the Additional Use – A9 area and is to address the matters listed below:

- building massing;
- vehicle parking, access and egress;
- noise mitigation;
- building, landscaping and access interface (with residential) areas;
- provision of an active edge to all street frontages and pedestrian access from the street;
- landscape buffer to the southern and eastern residential boundaries;
- rear boundary setbacks;
- building height limits:
  - maximum of two storeys on Lot 19 Glyde Street;
  - maximum of two storeys, five metres from the southern boundary; and
  - maximum of three storeys, eight metres from the southern boundary.

The aim of the special controls is to limit building height and setbacks to minimise the impact on East and Glyde Street and nearby properties, in particular the mostly single storey heritage residential area. Building height is proposed to 'step down', transitioning from four storeys on Canning Highway to two storeys at the residential interface and on the lot on the corner of Glyde Street.

Other requirements of the Local Development Plan are intended to minimise noise and visual amenity impacts and to minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of nearby residential properties. This will be addressed through the appropriate siting of taller buildings predominantly along Canning Highway, with residences further distanced from the development by a landscape buffer strip and access driveway.

Buildings would be required to face Canning Highway and the Glyde and East Street frontages, to encourage building design that overlooks the streets and provides good accessibility for pedestrians and residents. Also, the requirement for the formulation of associated Design Guidelines for the Amendment site, is intended to require a very high standard of architecture, commensurate with the gateway site and increase the compatibility of new dwellings with existing built form and heritage dwellings.

#### Modifications to Scheme Map

Regarding the existing 'Other Regional Roads' reservation, it is noted that prior to development occurring, this land will be ceded to facilitate the future road widening of Canning Highway. To ensure Canning Highway receives priority regarding traffic flow and safety, provisions have been proposed as part of the Amendment to make sure any vehicular access to future development will be via East or Glyde Street and prohibited from Canning Highway.

It is noted that the existing 'Other Regional Roads' reservation under LPS 3 is inconsistent with the current MRS reservation. The Amendment is therefore also proposing to modify the Scheme Map to ensure uniformity with the MRS. A copy of the modified LPS 3 Map is provided in Attachment 3.

#### Scheme Amendment Classification

Under Part 5 section 34 of the *Planning and Development (LPS) Regulations, 2015* the Council must consider if the proposed Amendment is to be classified as standard or complex. The length of the advertising period is dependent on the classification assigned to the amendment. This Amendment is considered complex as it meets the criteria listed below:

- i. the Amendment *is not* consistent with a local planning strategy for the Scheme that has been endorsed by the Commission;
- ii. the Amendment *is not* addressed by any local planning strategy; and
- iii. the Amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.

Note: The Amendment is consistent with draft LPS, however this Strategy is currently under assessment by the DPLH and has therefore not been endorsed by the WAPC.

## Consultation

No public consultation is required at this stage of the Amendment process. However, should Council resolve to proceed to initiate to advertise the proposed Amendment and the WAPC subsequently consent to advertising proceeding (with further modifications or unmodified), the Amendment will be advertised for a minimum period of 60 days (complex amendment) as outlined in Attachment 4 – Community Engagement Checklist.

It may transpire that the WAPC determines modifications are required to the Amendment and if this is the case the commencement of the advertising period will be delayed pending modifications being made to the satisfaction of the WAPC.

The period in which submissions can be made will be published on the Town's website, in the eNewsletter, in a local newspaper, on appropriate social media sites and be made available at the Town Hall. Letters will be sent to those land owners and occupiers considered by the Town to have an interest in, or be impacted by the Amendment, including impacted City of Fremantle residents and ratepayers (refer to Attachment 4). Also, signs advertising the Amendment will be placed on the three frontages of the Amendment site.

In this case the Amendment site abuts an 'Other Regional Road' reservation under the MRS and is also within the Fremantle Port Buffer Zone – Area 2. Referral to MRWA (to ensure relevant sections of MRWA are notified), Fremantle Ports and other relevant servicing authorities and government departments is therefore required. The Amendment will also be referred to the EPA for assessment as required under the *Planning and Development Act 2005*.

## Statutory Environment

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Metropolitan Region Scheme (MRS) – Lot 14 - 19 abut an 'Other Regional Road' Reservation*

*Local Planning Scheme No. 3 (LPS 3)*

## Policy Implications

*Draft Local Planning Strategy (LPS)*

*Fremantle Port Buffer Zone – Area 2*

*Local Planning Policy 3.1.3 – Town Centre Redevelopment Guidelines*

## 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.

**Risk Implications**

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council does not adopt the proposed Recommendation	Possible (3)	Moderate (3)	Moderate (5-9)	The matter may be taken out of the Council's decision-making authority and the Scheme Amendment may be determined by the Minister for Planning under the provisions of the Planning and Development Act, 2005	Accept Officer Recommendation

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	9
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

**Note:**

The decision to proceed with this Amendment has been based on an agreed approach between MRWA and the Town. From the Administration's perspective the Amendment as proposed is considered a good outcome for the Town. If the Amendment did not proceed, and the land was sold under its current zoning, a developer may not be as considerate of the Town's preferred development outcome for the site and perhaps of the view that a more intensive and larger scale development is reasonable for the site, with less consideration for the amenity of the surrounding residential uses and heritage character of the precinct.

**Site Inspection**

November 2020

**Comment**

Justification for Scheme Amendment

Draft Local Planning Strategy

The Scheme Amendment No. 17 Report (refer to Attachment 1) has been prepared by the planning consultants, Dynamic Planning and Development and submitted by MRWA. It provides the detailed background and justification for the proposed Amendment.

The following comments provide a summary of the justification for the Amendment and address the Town's evaluation of the Amendment in light of the draft LPS recommendations.

At present, the Town is seeking consent from the WAPC to advertise the draft LPS for public comment. The Draft Strategy is based on the Town's Strategic Community Plan 2017-27 key vision to create an *'inclusive community, balancing growth and lifestyle'*. To achieve this vision the Town has established a range of strategic priorities and principles grouped into the following categories:

1. Social (Social connection, inclusive and safe community).
2. Economic (Sustainable, 'locally' focused and easy to do business with).
3. Built Environment (Accessible, well-planned landscapes which are in balance with the Town's heritage and open spaces).
4. Natural Environment (Maintaining and enhancing the Swan River foreshore and other green open spaces with a focus on environmental sustainability and community amenity).
5. Leadership and Governance (A pro-active, approachable Council which values consultation transparency and accountability).

Of relevance to the Amendment are the built environment priorities and principles identified in the draft LPS for the Amendment site. In accordance with the draft Strategy, the Amendment site is identified as representing a strategic western entry point to the Town and potentially suitable for residential development at a medium to high density on an urban (transport and development) corridor.

The draft Strategy also identifies the Amendment site as a 'Planning Area' for investigation for urban consolidation. The background information and analysis report supporting the draft Strategy considers this as a site with opportunity for further development for the following reasons:

- residential density at R40 is currently permitted under additional use rights and multiple dwellings are already a possible land use on these lots;
- the combined lots are viewed as an opportunity site for medium to high density development where a coordinated and comprehensive planning approach can be applied to the redevelopment of all six lots;
- current land use has not reached full potential (most properties vacant);
- the land is mostly under public agency ownership, i.e. MRWA and the WAPC;
- the area is strategically located as a potential landmark site at the Town's western gateway;
- the area has the potential for river views and is near the river and other amenities; and
- it is located directly opposite an existing and developed R80 zoned site.

The draft Strategy provides an indication of the proposed urban form for the 'Planning Areas' which may be supported or intended to be investigated in consultation with the community, with specific reference to Appendix A2 - Streetscape character types of SPP 7.3 – Residential Design Codes Volume 2 – Apartments. For the Amendment site, a suburban context – medium rise streetscape character is considered appropriate.

This is envisaged by the draft LPS as predominantly three storeys built form, with potential for up to five storeys closer to the corner of East Street. A mixture of apartments and townhouse/villa grouped dwellings/terrace development with opportunity for setbacks and heights transitioning on the fringe where the site interfaces with the established suburban residential area and incorporates heritage properties into overall design concepts. The draft LPS also indicates that a Local Development Plan may be appropriate to ensure new development is well-coordinated with

adjoining suburban character and heritage listed sites and access is provided as an alternative to Canning Highway.

The draft Strategy also notes several considerations associated with future development of this Amendment site, including:

- heritage listed properties in the vicinity;
- minimising effects of built form and traffic on adjacent low density residential properties;
- mitigation of noise from Canning Highway (site within 200m);
- Fremantle Ports Buffer Area 2; and
- MRS reserve for Important Regional Road (Canning Highway) encroachment and restricted access.

#### Heritage

The Amendment site is within the Plympton Precinct which is a very highly valued heritage area. The precinct is a unique part of a suburb that is representative of a previous era and the Council has adopted several policies to ensure its overall heritage is protected. A significant number of local heritage listed sites and State listed heritage buildings are located nearby and most streets in the precinct still resemble the original streetscapes. Therefore, changes to the Town's planning framework which have the potential to impact on the identity and heritage character of the precinct must be carefully considered.

The Town's objective is to retain the identity of the precinct and for it not to be diminished by multi-storey buildings which are of a scale inappropriate to this suburban context. Therefore, the aim of the proposed special controls in Schedule 2 – Additional Use - A9 is to address the potential impacts of redevelopment on the heritage, existing character and amenity of the precinct. The intent of doing so is to minimise the visual and physical intrusion of new buildings, that is limiting the height, scale and bulk impact of redevelopment, whilst allowing development that is considered an appropriate density and scale for Canning Highway.

A fundamental consideration is to ensure that built form, landscaping, parking, access and design controls respond to, and interpret, the form, bulk, scale, architecture and proportion of nearby heritage buildings and areas. This approach has been applied in respect to this Amendment, primarily through the need for a Local Development Plan to be prepared which addresses, among other things, building height, massing and setbacks. The overall aim is to concentrate taller buildings of three and four storeys on Canning Highway and East Street with the height decreasing to two storeys on the corner of Glyde Street to respect the two storey heritage buildings on the opposite corner and in the street. It should be noted that two storey development on East and Glyde Street is already possible under the R-Codes (R20 density code). Also, the requirement for the formulation of associated Design Guidelines for the Amendment site, is intended to require a very high standard of architecture, commensurate with the gateway site and increase the compatibility of new dwellings with existing built form and heritage dwellings.

#### Built Form and Massing

The visual images prepared by Malcolm Mackay Design demonstrate a possible built form outcome based on the above planning considerations. The drawings are intended to demonstrate the transition to a suburban residential height and scale adjacent to existing dwellings, apart from development on Lot 19 Glyde Street (i.e. the proposal for a maximum of two storeys on Lot 19 was agreed after the built form massing diagrams were completed). The final design of new buildings will be subject to the controls in the Local Development Plan and associated Design

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Guidelines which are yet to be formulated for consideration by Council and which will also be subject to community consultation.

The proposed dwelling density and building envelopes which would result will undoubtedly impact the outlook of nearby residences. Some properties may lose views or partial views in the direction of the river. However, it is very likely the same views and outlook would be impacted with redevelopment at the R40 density code which currently applies to the lots. The loss of views and existing outlook is not a valid planning or heritage consideration in respect to this Amendment proposal and is not considered relevant to the consideration of building height and setback controls for the Amendment site.

#### Conclusion

Considering the justification provided in the Scheme Amendment No. 17 Report and the above comments, the proposed Amendment is viewed as generally consistent with the intentions of the draft LPS for the following reasons:

- the proposed residential density is R80 which is consistent with a medium-rise residential density in accordance with SPP 7.3 (Volume 2) as this refers to apartment developments up to three to four storeys;
- the proposed maximum height of four storeys is within the three to five storey range contemplated for the subject area in the draft LPS;
- the proposed Amendment specifies a maximum height of two storeys adjacent to the existing low density residential development and on the whole of Lot 19 Glyde Street to minimise any resultant development impacts on these properties and heritage sites;
- the proposed Amendment site is located on an urban (transport and development) corridor in line with State Planning objectives and policy; and
- the proposed Amendment requires the preparation of a Local Development Plan and associated Design Guidelines which is entirely consistent with the draft LPS.

It is considered the Amendment as proposed will facilitate residential development in line with the Town's strategic planning framework whilst also considering the impact on the adjoining low density residential area. Identifying and facilitating coordinated development on sites where an increased number of dwellings, developed on larger amalgamated parcels of land with good access to public transport, supports the underlying objective to concentrate higher densities in these locations. This approach is intended to reduce development pressure on the Town's low density heritage precincts, for example Woodside and Plympton. Also, this opportunity site has the potential to contribute to the State government imposed target of 890 dwellings, to be achieved by 2050.

It is recommended Council adopt (initiate) Scheme Amendment No. 17 for the purpose of advertising. Notwithstanding the Amendment is considered suitable for initiation for advertising, the Town has indicated to MRWA that the R80 density proposal and corresponding modifications to the Additional Use – A9 provisions, is prefaced on the basis that this is for the purpose of advertising. Community comment on the proposed Amendment will be given due regard.



**12.1.1 OFFICER RECOMMENDATION**

That Council in accordance with:

**A. Section 75 of the *Planning and Development Act 2005*, resolves to:**

**(i) adopt (initiate) Amendment No. 17 of the Town of East Fremantle Local Planning Scheme No. 3 as outlined below;**

**1. Amend Schedule 2 by deleting the information for Lots 14, 15, 16, 17, 18, and 19 Canning Highway, East Fremantle, between Glyde Street and East Street, and replacing it with the following:**

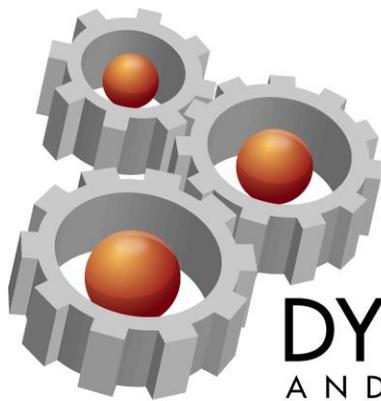
No.	Description of Land	Additional Use and/or Development	Special Conditions
A 9	Lots 14, 15, 16, 17, 18 and 19 Canning Highway, East Fremantle, between Glyde Street and East Street	<p>(i) A maximum of R80 residential development, i.e. development above the base density code of R20.</p> <p>(ii) Any dwelling development within this Additional Use area shall be used for residential dwelling purposes only, and shall not be used for any other purpose.</p> <p>Note: To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4 applicable to the area, are to be met.</p>	<p>The use of the land for the Additional Use is conditional on development of and compliance with the following:</p> <ol style="list-style-type: none"> <li>1. Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19.</li> <li>2. The Local Development Plan shall address the following to the satisfaction of the local government:               <ol style="list-style-type: none"> <li>i. Building massing, height and setbacks to minimise the amenity, overlooking and overshadowing impact to surrounding properties, transitioning to lower heights, no greater than two storeys adjacent to the southern boundary and two storeys on the whole of Lot 19 Canning Highway;</li> <li>ii. Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway;</li> <li>iii. Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements;</li> <li>iv. Building, landscaping and access interface measures;</li> <li>v. Development to provide an active edge to all street frontages and provide pedestrian access;</li> <li>vi. Landscape buffer to the southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway; and</li> <li>vii. Boundary setbacks.</li> </ol> </li> <li>3. No development on the site is to exceed a maximum height of 25.5 metres AHD or 4 storeys or whichever is the lesser, including all roof top services, plant equipment, amenities and the like.</li> <li>4. Development should not exceed a maximum height of 21.0 metres AHD or 3 storeys or</li> </ol>

			<p>whichever is the lesser, within 8 metres of the southern boundary.</p> <p>5. Development should not exceed a maximum height of 17.5 metres AHD or 2 storeys or whichever is the lesser, within 5 metres of the southern boundary.</p> <p>6. Development should not exceed a maximum height of 17.5 metres AHD or two storeys whichever is the lesser on the whole of Lot 19 Canning Highway.</p> <p>7. The Local Development Plan shall have associated Design Guidelines which must be adopted by the Local Government that shall be utilised in determining any application for approval to commence development.</p> <p>8. The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other mechanism.</p> <p>9. No development approval is to be granted for a development above the base density code of R20 unless a Local Development Plan is prepared and approved by the Local Government.</p>
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(ii) amend the Scheme Map to indicate the "Other Regional Road" reserve for Lots 14-19 Canning Highway, East Fremantle as shown in the Metropolitan Region Scheme; and

**B. Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No. 17 of the Town of East Fremantle Local Planning Scheme No. 3 is a complex amendment for the following reasons:**

- (i) the amendment is not consistent with a local planning strategy for the Scheme that has been endorsed by the Commission;
- (ii) the amendment is not addressed by any local planning strategy; and
- (iii) the amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.



# DYNAMIC PLANNING

AND DEVELOPMENTS

**TOWN OF EAST FREMANTLE  
PROPOSED SCHEME AMENDMENT NO. 17  
LOCAL PLANNING SCHEME NO. 3**

**LOTS 14-19 CANNING HIGHWAY, EAST FREMANTLE  
(EAST TO GLYDE STREET)**

**Project No. 1091**

**November 2020**



**PLANNING AND DEVELOPMENT ACT 2005  
RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME**

**TOWN OF EAST FREMANTLE  
LOCAL PLANNING SCHEME NO.3  
AMENDMENT NO. 17**

That Council in accordance with:

A. Section 75 of the *Planning and Development Act 2005*, resolves to:

(i) adopt (initiate) Amendment No. 17 of the Town of East Fremantle Local Planning Scheme No. 3 as outlined below;

1. Amend Schedule 2 by deleting the information for Lots 14, 15, 16, 17, 18, and 19 Canning Highway, East Fremantle, between Glyde Street and East Street, and replacing it with the following:

No.	Description of Land	Additional Use and/or Development	Special Conditions
A 9	Lots 14, 15, 16, 17, 18 and 19 Canning Highway, East Fremantle, between Glyde Street, and East Street	<p>(i) A maximum of R80 residential development, i.e. development above the base density code of R20.</p> <p>(ii) Any dwelling development within this Additional Use area shall be used for residential dwelling purposes only, and shall not be used for any other purpose.</p> <p><b>Note:</b> To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4</p>	<p>The use of the land for the Additional Use is conditional on development of and compliance with the following:</p> <ol style="list-style-type: none"> <li>1. Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19.</li> <li>2. The Local Development Plan shall address the following to the satisfaction of the local government: <ol style="list-style-type: none"> <li>i. Building massing, height and setbacks to minimise the amenity, overlooking and overshadowing impact to surrounding properties, transitioning to lower heights, no greater than two storeys adjacent to the southern boundary and two storeys on the whole of Lot 19 Canning Highway;</li> <li>ii. Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway;</li> <li>iii. Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements;</li> </ol> </li> </ol>



		<p>applicable to the area, are to be met.</p>	<ul style="list-style-type: none"> <li>iv. Building, landscaping and access interface measures;</li> <li>v. Development to provide an active edge to all street frontages and provide pedestrian access;</li> <li>vi. Landscape buffer to southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway; and</li> <li>vii. Boundary setbacks.</li> </ul> <ol style="list-style-type: none"> <li>3. No development on the site is to exceed a maximum height of 25.5 metres AHD or 4 storeys or whichever is the lesser, including all roof top services, plant equipment, amenities and the like.</li> <li>4. Development should not exceed a maximum height of 21.0 metres AHD or 3 storeys, whichever is the lesser, within 8 metres of the southern boundary.</li> <li>5. Development should not exceed a maximum height of 17.5 metres AHD or 2 storeys, whichever is the lesser, within 5 metres of the southern boundary.</li> <li>6. Development should not exceed a maximum height of 17.5 metres AHD or two storeys whichever is the lesser on the whole of Lot 19 Canning Highway.</li> <li>7. The Local Development Plan shall have associated Design Guidelines which must be adopted by the Local Government that shall be utilised in determining any application for approval to commence development.</li> <li>8. The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other mechanism.</li> <li>9. No development approval is to be granted for a development above the base density code of R20 unless a Local Development Plan is prepared and approved by the local government.</li> </ol>
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- (ii) amend the Scheme Map to indicate the “Other Regional Road” reserve for Lots 14-19 Canning Highway, East Fremantle as shown in the Metropolitan Region Scheme; and

**B. Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No. 17 of the Town of East Fremantle Local Planning Scheme No. 3 is a complex amendment for the following reasons:**

- (i) the amendment is not consistent with a local planning strategy for the Scheme that has been endorsed by the Commission;
- (ii) the amendment is not addressed by any local planning strategy; and
- (iii) the amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.



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*Lots 14-19 Canning Highway, East Fremantle – Scheme Amendment*

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## **1.0 INTRODUCTION & PROPOSAL**

Dynamic Planning and Developments Pty Ltd (DPD) act on behalf of Main Roads Western Australia (MRWA), the registered proprietor of Lots 14, 15 and 17 Canning Highway, East Fremantle. DPD has prepared the following report in order to seek support from the Council of the Town of East Fremantle to initiate an amendment to its Local Planning Scheme No. 3 (LPS No. 3) relating to Lots 14-19 Canning Highway, East Fremantle. The intention of the proposed scheme amendment is to modify the existing Additional Use - A9 provisions relating to the subject site in order to allow residential development at a density of R80 with specific development requirements. In addition to the proposed modification to the Additional Use – A9 provisions, the amendment will also amend the Scheme Map to ensure the applicable ‘Other Regional Road’ reservation aligns with the Metropolitan Region Scheme.

The following report will discuss various issues pertinent to and in support of the proposal including:

- Existing and surrounding land uses;
- Zoning details;
- Strategic planning considerations;
- Statutory planning considerations;
- Justification in support of the proposed scheme amendment; and,
- Overview of the potential future development.

The subject site is presently zoned ‘Residential’ with an Additional Use designation under the provisions of LPS No. 3 where the maximum residential density is R40 subject to special conditions nominated in Schedule 2. It is intended that the proposed scheme amendment will provide additional development potential on a site that is situated at the entry to the Town on a major transport corridor, being Canning Highway.

The classification of the proposed scheme amendment under the provision of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) is considered to be a complex scheme amendment as it is:

- a) *An amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*
- b) *An amendment that is not addressed by any local planning strategy; and*
- c) *An amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.*



## 2.0 SITE DETAILS

### 2.1 Legal Description

The relevant properties included in the amendment area (herein referred to as the ‘subject site’) are legally described as:

Lot	Plan/Diagram	Volume/Folio	Registered Proprietor
14	3954	1502/195	Commissioner of Main Roads
15	3954	1224/370	Commissioner of Main Roads
16	3954	1692/584	The Metropolitan Region Planning Authority
17	3954	1026/405	Commissioner of Main Roads
18	3954	1739/285	State Planning Commission
19	3954	1083/446	Janipet Holdings Pty Ltd

It is noted that the registered land owner of Lot 19 Canning Highway – Janipet Holdings Pty Ltd is a deregistered company. In this regard ownership of the property is vested in ASIC or the Commonwealth. Generally, ASIC are the only party legally able to deal with company property after a company has been deregistered. The Town will correspond with ASIC during the statutory consultation phase of the scheme amendment.

The area of the subject site is approximately 3,665m<sup>2</sup> which consists of approximately 672m<sup>2</sup> of land designated for road widening meaning that the resultant land parcel capable of development would have an area of 2,993m<sup>2</sup>.

A copy of the Certificates of Title for the subject site is contained in **Appendix 1**.

It is noted that this amendment has been prepared in consultation with MRWA and the Western Australian Planning Commission (WAPC) who share an interest in the subject site. The amendment has been acknowledged and they are supportive of the change.

### 2.2 Regional and Local Context

The subject site is located within the Town of East Fremantle local government area which is located approximately 17km south west of the Perth CBD and approximately 2km north east of Fremantle.

The subject site fronts Canning Highway between East Street and Glyde Street. Canning Highway is classified as an ‘Other Regional Roads’ reservation under the Metropolitan Region Scheme (MRS) with the subject site impacted by the reservation area. Given the subject site’s access to Canning Highway and proximity to both Stirling Highway and Queen Victoria Street, it is considered that the wider Perth Metropolitan Area can be accessed with relative ease.

At a local level, the subject site is situated in close proximity to the Swan River with any future development likely to benefit from views towards the river. In addition, the site is located in close proximity to both WH Kitson Park and also the public open space around the Container Rainbow public art installation (within the City of Fremantle) which will afford any future patrons with the ability to undertake passive recreation.



Lots 14-19 Canning Highway, East Fremantle – Scheme Amendment

The subject site and surrounding properties are located in the historic Plympton Precinct which consists largely of workers’ cottages which date back to between 1890 and 1910. The built form in the Precinct is dominated by low density single storey dwellings interspersed with contemporary new dwellings and second storey additions to original cottages. A significant number of properties within this precinct have heritage value and any redevelopment of the amendment site should have regard to the relevant heritage classification and policy requirements relevant to buildings in the Precinct.

Also, in close proximity to the subject site is the George Street ‘Mixed Use’ precinct as well as the East Fremantle Town Centre. Both areas provide commercial services and amenities primarily for local residents, while also accommodating higher density apartments which contribute to the housing diversity in the area.

Figures 1 and 2 show the regional and local context of the subject site respectively.

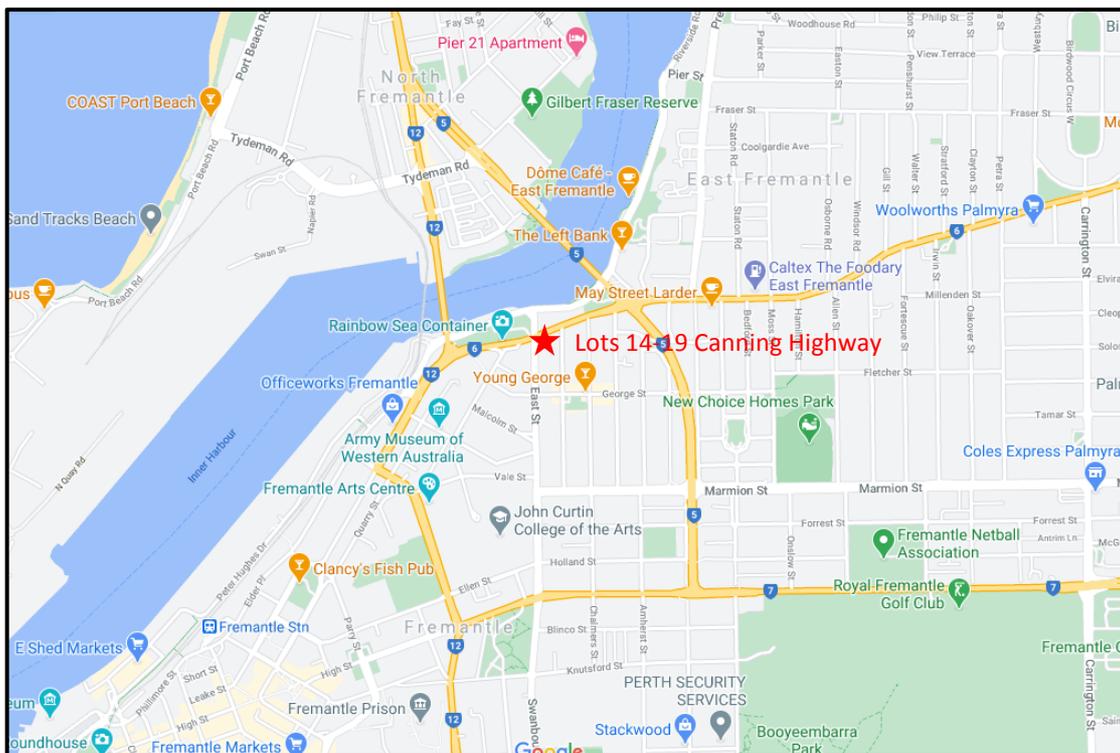


Figure 1 – Regional Context (Source: Google Maps)



Lots 14-19 Canning Highway, East Fremantle – Scheme Amendment



Figure 2 - Local Context (Source: Metromaps)



### **3.0 STATUTORY AND STRATEGIC PLANNING FRAMEWORK**

#### **3.1 State Planning Framework**

##### *3.1.1 Metropolitan Region Scheme*

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme (MRS) and a portion of the subject site is reserved as 'Other Regional Roads' associated with Canning Highway. The proposed amendment to facilitate residential development at a higher density is considered to be consistent with the intent and objectives of the 'Urban' zone.

With regard to the existing 'Other Regional Roads' reservation, it is noted that prior to development occurring, this land will be ceded to facilitate the future road widening of Canning Highway. To ensure Canning Highway receives priority with regard to traffic flow and safety, provisions have been proposed as part of the amendment to make sure any vehicular access to future development will be via East Street or Glyde Street, and prohibited from Canning Highway.

It is noted that the existing 'Other Regional Roads' reservation under the Town of East Fremantle LPS No. 3 is inconsistent with the MRS. This amendment is also seeking to amend the relevant Scheme Map to ensure consistency with the MRS. A copy of the amended Scheme Map is included in **Appendix 2**.

##### *3.1.2 Perth and Peel @ 3.5 Million*

Perth and Peel @ 3.5 Million (WAPC, 2018) establishes the strategic planning framework for the Perth and Peel regions. It is intended that each of the sub-regional planning frameworks will define the urban form for the next 30 years with the general intent to limit urban sprawl and encourage greater housing diversity to meet changing community needs.

Of particular relevance to the subject site is the Central sub-regional planning framework which aims to establish a long-term integrated planning framework for land use and infrastructure, with a focus on guiding infill growth in close proximity to the Perth CBD. The primary focus of the Central sub-regional planning framework is to implement ten (10) urban consolidation principles around core growth precincts. The applicable principles and precincts have been summarised below:



Principle	Description
1. Housing	Provide well-designed higher-density housing that considers local context, siting, form, amenity and the natural environment, with diverse dwelling types to meet the needs of the changing demographics.
2. Character and heritage	Ensure the attractive character and heritage values within suburbs are retained and minimise changes to the existing urban fabric, where appropriate.
3. Activity centres	Support urban and economic development of the activity centres network as places that attract people to live and work by optimising land use and transport linkages between centres; protecting identified employment land from residential encroachment, where appropriate, and avoiding contiguous linear or ribbon development of commercial activities beyond activity centres.
4. Urban corridors	The focus for higher-density residential development. Where appropriate, located along transit corridors and promoted as attractive places to live by optimising their proximity to public transport while ensuring minimal impact on the surrounding urban fabric and the operational efficiency of the regional transport network.
5. Station precincts	Where appropriate, focus development in and around station precincts (train stations or major bus interchanges as set out under the METRONET initiative) and promote these precincts as attractive places to live and work by optimising their proximity to public transport while ensuring minimal impact on the operational efficiency of the regional transport network.
6. Industrial centres	Promote the current and proposed supply and/or development of industrial centres as key employment nodes and prevent incompatible residential encroachment on these areas.
7. Public transport	Ensure that most transit corridors are supported by quality higher-density residential land uses and identify where new or improved public transport services will be needed to meet long-term growth, especially current and future train station precincts.
8. Infrastructure	Ensure more efficient use of existing and planned infrastructure to achieve a more sustainable urban environment. Protect existing and proposed infrastructure from incompatible urban encroachment to promote a system where land use developments and infrastructure are mutually compatible.
9. Green network	Preserve and enhance, where appropriate, the green network of parks, rivers, sport/recreation areas, facilities for active open space, conservation and biodiversity areas, and areas with a high level of tree canopy coverage, considered important for the health and wellbeing of the community.
10. Protection	Avoid, protect and mitigate environmental values and promote development that contributes to maintaining air quality and minimises risks of inundation from sea-level rise, flooding or storm surge events and bushfire damage.

Figure 3 – Urban Consolidation Principles

Precincts	Description
Activity centres	Activity centres are hubs that attract people for a variety of activities, such as shopping, working, studying and living. These centres mainly consist of a concentration of commercial uses combined with a varying proportion of other land uses such as residential, schools and open space. The role and function of these centres and the diversity of activities within them varies depending on their catchment.
Urban corridors	Urban corridors provide connections between activity centres and maximise the use of high-frequency and priority public transport. Urban corridors shown in the framework represent significant opportunities to accommodate increased medium-rise higher density residential development by good quality, high-frequency public transport.
Station precincts	Station precincts are areas surrounding train stations and major bus interchanges with the potential to accommodate transit-oriented development (TOD), other than areas identified as activity centres in <i>State Planning Policy 4.2 Activity Centres (SPP 4.2)</i> .
Industrial centres	Industrial centres are the areas zoned industrial or urban under the region scheme. As there is little land available within the Central sub-region to cater for further industrial development, there is a need to plan, protect and preserve industrial centres within close proximity to primary arterial routes in to and out of the Central sub-region in order to maintain employment diversity.
Green network	Population growth needs and higher density living to be supported by a green network of public and private open spaces. Consisting of public and private open spaces, the green network includes Bush Forever sites, national and regional parks, district and local parks, sports fields, school grounds, community facilities, golf courses, foreshores and beachfront areas connected by streetscapes, trails, cycle paths, and pedestrian footpaths. In describing the green network it is important to identify the destinations, the connecting elements, and the landscape features that create a unique 'sense of place' and contribute to the comfort and appeal of accessing places by cycling and walking.

Figure 4 – Urban Consolidation Precincts

The subject site is located within an ‘Urban Corridor’ under the Central sub-regional planning framework which is considered to ‘represent significant opportunities to accommodate increased medium-rise high density residential development by good quality, high-frequency public transport’. An example of the development intent around the designated ‘Urban Corridors’ has been provided below in Figure 5.



Figure 5 – ‘Urban Corridor’ built form intent (Source: Central sub-regional planning framework)

It is considered that the intent of the proposed amendment to increase the applicable residential density to R80 at the subject site is consistent with the applicable ‘Urban Corridor’ intent and consequently consistent with the Central sub-regional planning framework and Perth and Peel @ 3.5 Million.

3.1.3 State Planning Policy 5.4 – Road and Rail Noise

The subject site’s proximity to Canning Highway, an ‘Other Regional Road’ under the MRS, is such that it is located with a specified trigger distance for the requirements of SPP5.4 to be considered. In this regard this proposed local planning scheme amendment is considering a sensitive land use in close proximity to a key regional transport and freight route.

To mitigate against the impact of the subject site’s proximity to Canning Highway, SPP5.4 specifies a number of noise targets to be achieved as part of any future development. These applicable noise targets are outlined in Table 2 of the policy (refer to Figure 6 below).

Proposals	New/upgrade	Noise targets		
		Outdoor		Indoor
		Day (L <sub>Aeq</sub> (Day) dB (6 am–10 pm))	Night (L <sub>Aeq</sub> (Night) dB (10 pm–6 am))	
Noise-sensitive land-use and/or development	New noise-sensitive land-use and/or development within the trigger distance of an existing/proposed transport corridor	55	50	L <sub>Aeq</sub> (Day) 40 (living and work areas) L <sub>Aeq</sub> (Night) 35 (bedrooms)

Figure 6 – SPP 5.4 Noise Targets

In accordance with Clause 6.5.2 of SPP5.4 the proposed amendment should address noise through the following:

Clause 6.5.2 Requirement	Compliance
<b>Identification of appropriate compatible land use zoning that is commensurate with the function of the transport corridor.</b>	The present zoning permits residential development; this is not being modified as a result of the amendment.
<b>Design solutions that utilise street and lot configuration to screen and/or buffer noise.</b>	Design solutions will be addressed through the required LDP and the development application assessment process.
<b>Consideration of density and built form outcomes that will help alleviate noise and/or manage noise.</b>	The proposed density is considered appropriate. To help alleviate noise impacts, future noise investigations are necessary to determine the required design solutions to manage noise.
<b>Outlining the need for additional noise mitigation measures through quiet house requirements and or noise barriers in accordance with the guidelines.</b>	Future noise investigations as part of the LDP process to determine quiet house requirements.
<b>Consideration to appropriate future planning provisions to ensure more detailed planning is undertaken at the subdivision and development stage.</b>	Provisions requiring acoustic investigations through the LDP are proposed as part of the amendment.

Table 1 – SPP5.4 Road and Rail Noise - Compliance

With consideration of the above, the proposed amendment, whilst increasing the attainable density, will still result in residential development on the subject site which is generally consistent with what is permitted under the current zoning. Given the site's proximity to Canning Highway, it is envisaged that as part of a subsequent planning stage, either through the required Local Development Plan or a development application, a detailed acoustic report will be prepared by a suitability qualified acoustic engineer that examines the impact of traffic and freight noise on any residential development. This will then inform the applicable construction standards to be complied with to ensure that the applicable noise targets, outlined in Figure 6 above, are met to demonstrate compliance with SPP5.4.

### 3.1.4 State Planning Policy 7.0 – Design of the Built Environment

State Planning Policy 7.0 (SPP7.0) is a broad State Planning Policy that is applicable to residential development across WA. The policy establishes 10 design principles that should be considered as part of any new residential development, these principles include:

1. *Context and character – Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.*
2. *Landscape quality – Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.*



3. *Built form and scale – Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.*
4. *Functionality and build quality – Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.*
5. *Sustainability – Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.*
6. *Amenity – Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.*
7. *Legibility – Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.*
8. *Safety – Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.*
9. *Community – Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.*
10. *Aesthetics – Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.*

This policy is primarily applicable at the development application stage of any new residential development, however as part of the scheme amendment process a high level consideration of the above ten design principles has been applied to the proposed increase in residential density at the subject site. This is reflected in the aim of the provisions which:

- respect the heritage value and character of the surrounding area;
- require a landscaping buffer be constructed;
- control and manage the height, scale and bulk impact of future development on the amenity of existing adjoining properties;
- allow for a range of dwelling sizes and bedroom configurations, adding to housing diversity in the area;
- orientate apartment outlook to the north;
- ensure the development addresses the local context and site constraints with regard to avoiding access to Canning Highway and orientation toward the public realm to maximise views toward the river whilst limiting the impact on properties further south;
- limit development to residential use only to prevent amenity impacts on adjoining residential uses;
- require street activation and pedestrian connections to the street through building location and design;
- mitigate overshadowing and overlooking of adjoining properties; and
- promote high quality architecture which reflects the gateway location of the amendment area and which will suitably address the street corners.



### *3.1.5 State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments*

Similar to SPP7.0 discussed above, State Planning Policy 7.3 (SPP7.3) is primarily applicable to new residential development proposals as the policy prescribes a wide array of design considerations and objectives to be met in any residential development proposing multiple dwellings (apartments). Whilst not directly applicable to the proposed scheme amendment, SPP7.3 has received some consideration as it is an important tool in understanding the impact of the increased residential density on the adjoining residential properties. This is evident as it provides development requirements for the applicable R80 residential density. Of particular relevance is the primary controls table which essentially establishes a building envelope for any future development. The applicable building envelope for a R80 residential development provides a benchmark set of development standards by which to assess the built form impact on the adjoining residential properties.

Detailed provisions beyond the primary controls table are not of paramount importance at the scheme amendment stage as these will be addressed through subsequent planning stages.

### *3.1.6 Development Control Policy 5.1 – Regional Roads (vehicle access)*

As the subject site is impacted by an ‘Other Regional Roads’ reservation under the MRS associated with Canning Highway, the provisions of DCP5.1 require consideration. In general, the policy seeks to restrict access to regional roads in order to improve traffic flow and safety.

For development on the subject site to comply with the provisions of DCP5.1 it is considered that it will need to be developed holistically. Fortunately, much of the subject site is owned by government authorities and as such a large scale redevelopment of the subject site is a likely outcome. In this regard provisions included in the scheme amendment restrict access to Canning Highway in accordance with DCP5.1.

## **3.2 Local Planning Framework**

### *3.2.1 Town of East Fremantle Local Planning Scheme No. 3*

The subject site falls within the area covered by the Town of East Fremantle LPS No. 3. Under the provisions of LPS No. 3, the subject site is zoned ‘Residential’ with an ‘Additional Use - A9’ designation also applicable as shown in Figure-7 below.

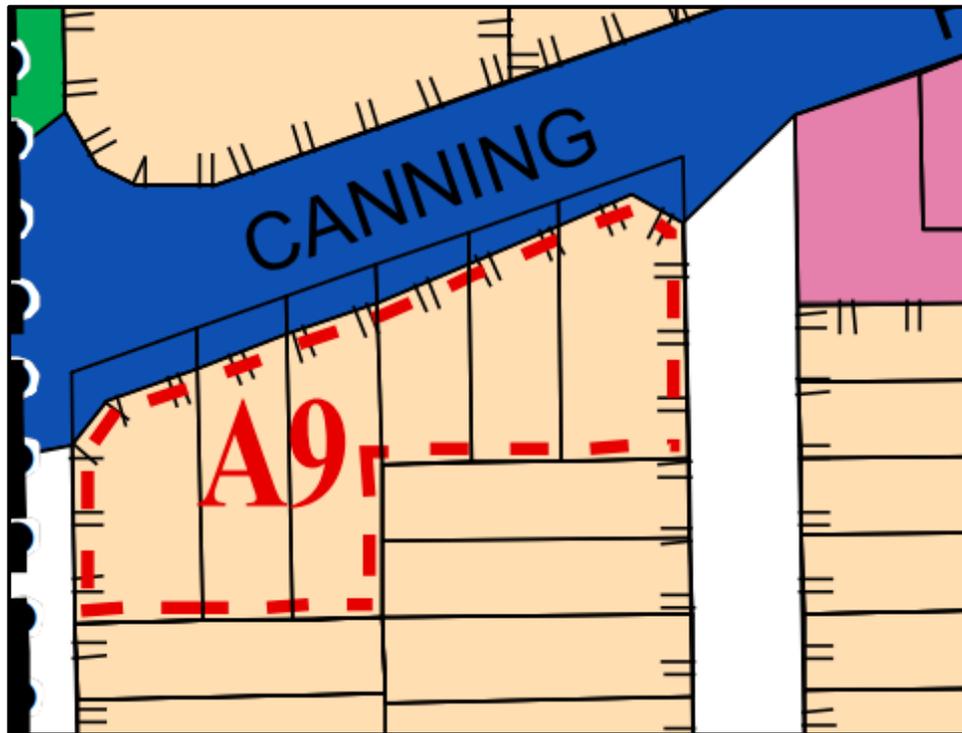


Figure 7 – Town of East Fremantle LPS No. 3 Extract

The existing Additional Use -A 9 provisions are outlined in Schedule 2 of LPS No. 3 and enable residential development on the subject site to a density of R40 if a number of conditions are met. These relevant provisions are outlined below in Figure 8.

A 9	Lots 14, 15, 16, 17, 18 and 19 Canning Highway, between Glyde Street, and East Street	(i) R40 residential development, i.e. development above the base density code of R20, and(ii) ground floor use for Consulting Rooms and/or Home Business, subject to the approval of the local government.  Note: To qualify for either of the foregoing additional uses, the requirements (Special Conditions) in column 4 applicable to the site, are to be met.	(a) Development to be designed with frontage and access to East and Glyde Streets;  (b) Local government approval to an overall development plan to ensure coordinated development of site;  (c) Any buildings proposed to be retained as part of the development to be refurbished to the satisfaction of the local government.
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Figure 8 – LPS No. 3, Schedule 2 Extract

As noted in the previous sections above, the proposed scheme amendment seeks approval to amend the abovementioned provisions relating to the existing Additional Use - A9 designation with the intent to increase the attainable residential density at the subject site to R80. In accessing this additional density it is commented that a large number of special conditions are required to be met to ensure any development carefully considers its impact on the adjoining properties that are presently zoned ‘Residential’ with an applicable density of R20.

It is considered that the proposed amendment is not dissimilar to the intent of the existing Additional Use - A 9 provisions and it simply seeks to increase the attainable residential density



and number of special conditions to be complied with. It is considered that the increased residential density is consistent with the applicable state and local government level strategic planning framework applicable at the subject site.

### *3.2.2 Town of East Fremantle Draft Local Planning Strategy*

At present, the Town of East Fremantle is seeking consent to advertise its Draft Local Planning Strategy (Draft Strategy) for public comment. The Draft Strategy is based on the Town's Strategic Community Plan 2017-27 key vision to create an *'inclusive community, balancing growth and lifestyle'*. To achieve this vision the Town has established a range of strategic priorities and principles grouped into the following five (5) categories:

1. Social (Social connection, inclusive and safe community).
2. Economic (Sustainable, 'locally' focused and easy to do business with).
3. Built Environment (Accessible, well-planned landscapes which are in balance with the Town's heritage and open spaces).
4. Natural Environment (Maintaining and enhancing the Swan River foreshore and other green open spaces with a focus on environmental sustainability and community amenity).
5. Leadership and Governance (A pro-active, approachable Council which values consultation transparency and accountability).

Of relevance to the subject amendment are the built environment priorities and principles and what the strategy intends for the subject site. In accordance with the Draft Strategy, the subject site is identified as representing a strategic western entry point to the Town and potentially suitable for residential development at a medium to high density.

The Draft Strategy also identifies the subject site as a Planning Area for investigation for urban consolidation. The background information and analysis report supporting the Draft Strategy considers this as a site with possible opportunity for further development for the following reasons:

- Residential density at R40 is currently permitted under additional use rights and multiple dwellings are already a possible land use on this site.
- It is predominantly under public agency ownership.
- The site is strategically located as a potential landmark at the western gateway to the Town.
- The site has the potential for river views.
- Current land use has not reached full potential (most properties vacant).
- It is located directly opposite an existing and developed R80 site.

The Draft Strategy provides an indication of the proposed urban form for the planning areas may be supported or intended to be investigated in consultation with the community, with specific reference to Appendix A2 - Streetscape character types of SPP 7.3 – Residential Design Codes Volume 2 – Apartments. For the subject site, a suburban context – medium rise streetscape character is considered.

This is envisaged by the Draft Local Planning Strategy as predominantly 3 storeys built form, with potential for up to 5 storeys closer to the corner of East Street. A mixture of apartments



and townhouse/villa grouped dwellings/terrace development with opportunity for setbacks and heights transitioning on the fringe where the site interfaces with the established suburban areas and incorporating heritage properties into overall design concepts. The Draft Local Planning strategy also indicates that a local development plan may be appropriate to ensure new development is well-coordinated with adjoining suburban character and heritage listed sites and access is provided as an alternative to Canning Highway.

The Draft Strategy also notes a number of considerations associated with future development of this site, including:

- Heritage listed properties in the vicinity.
- MRS reserve for Important Regional Road (Canning Highway) encroachment and restricted access.
- Mitigation of noise from Canning Highway (within 200m).
- Fremantle Ports Buffer Area 2.
- Minimising effects of built form and traffic on adjacent low density residential properties.

In light of the abovementioned, the proposed amendment is considered to be generally consistent with the intentions of the Draft Strategy for the following reasons:

- The proposed residential density is R80 which is consistent with a medium-rise residential density in accordance with SPP 7.3 (Volume 2) as this refers to apartment developments up to 3-4 storeys.
- The proposed maximum height of four (4) storeys is within the three (3) to five (5) storey range contemplated for the subject site in the Draft Local Planning Strategy.
- The proposed amendment specifies a maximum height of two (2) storeys adjacent to the existing low density residential development to minimise any resultant development impacts on these properties.
- The proposed amendment requires the preparation of a local development plan which is entirely consistent with the Draft Local Planning Strategy.

In light of the above the proposed amendment is considered to be consistent with the Town of East Fremantle draft LPS and as such entirely appropriate for initiation and adoption.

### *3.2.3 Fremantle Inner Harbour Buffer Definition Study*

In considering the subject site's proximity to the Fremantle Port, the subject amendment should consider the provisions of the Fremantle Inner Harbour Buffer Definition Study. This study established Buffer Guidelines which were intended to provide guidance for land use planning around the Inner Harbour. These guidelines recognise the strategic importance of the port operations and growth, whilst promoting compatible land uses and protection of the amenity of residents living within the buffer.

The buffer comprises of three areas based on varying levels of technical criteria of risk, noise and odour. These three areas have been summarised below:

- Area 1 – Restricted Access Area – Immediately surrounding the Inner Harbour  
Excludes the establishment of additional sensitive uses other than residential uses



- and with residential uses having a high level of protective conditions relating to maintaining public safety and ameliorating the impacts of odour and noise.
- Area 2 – Control Area – Intermediate Buffer Zone  
Allows the establishment of sensitive land uses with a medium level of protective conditions.
  - Area 3 – Discretionary Area – Outer Buffer Zone  
Allows the establishment of sensitive land uses with protective conditions implemented at the discretion of Council.

The subject site is located in Buffer Area 2 and in accordance with the recommendations of the Fremantle Inner Harbour Buffer Definition Study it is expected that the Town will notify Fremantle Ports of its intention to amend the local planning scheme should the amendment be initiated by Council.

It is also noted that the location of the amendment area within Buffer Area 2 will result in a number of built form requirements which will be applicable to future residential development on the site. A summary of the applicable requirements is noted below:

#### *Windows and Openings*

- a. Any glass used for windows or other openings shall be laminated safety glass of minimum thickness of 6mm or “double glazed” utilising laminated or toughened safety glass of a minimum thickness of 3mm.
- b. All safety glass shall be manufactured and installed to an appropriate Australian Standard.

#### *Air conditioning Systems*

- a. All air conditioning systems shall incorporate the following features: i) multiple systems to have internally centrally located shut down point and associated procedures for emergency use, ii) preference for split “refrigerative” systems.

#### *Construction*

- a. Adopt the general principles of quiet house design for residential developments.
- b. All developments shall incorporate roof insulation.

Should the amendment be approved any residential development at the subject site will be subject to assessment under the above requirements through the Town’s Local Planning Policy 3.1.1 - Residential Design Guidelines.

#### *3.2.4 Local Planning Policy 3.1.1 - Residential Design Guidelines*

The Town of East Fremantle Local Planning Policy 3.1.1 – Residential Design Guidelines (LPP3.1.1) represents a consolidation of a number of now revoked Local Planning Policies. The intent of the policy is to guide residential development within the Town of East Fremantle by augmenting existing requirements applicable under SPP7.3.

In accordance with the provisions of LPP3.1.1, the subject site is located within the Plympton Precinct. The policy is set out in a similar manner to SPP7.3 in that it establishes a range of performance criteria and acceptable development provisions to be met in each precinct on



numerous design elements. As the policy deals with detailed design requirements, it has a limited application to the proposed scheme amendment. It is envisaged that these requirements will be considered as part of subsequent planning stages such as through the Local Development Plan process and the development application phase of any project.

### *3.2.5 Local Planning Policy 3.1.3 – Town Centre Redevelopment Guidelines*

In accordance with the Town of East Fremantle Local Planning Policy 3.1.3 – Town Centre Redevelopment Guidelines (LPP3.1.3), the subject site is located within the ‘Frame Precinct’. The desired intent of the Frame Precinct is to provide a predominantly medium-density residential transition between the town centre and the surrounding suburban residential areas. It is envisaged that this transitional area would consist of more urban forms of development such as multiple and grouped dwellings.

This policy establishes a range of design elements with associated performance criteria and acceptable development standards to be considered as part of any redevelopment proposal. Applicable provisions outlined in the policy that warrant some consideration as part of the proposed amendment include:

- A maximum plot ratio of 2:0 for the Frame Precinct – the proposed scheme amendment proposes a R80 residential density which as per SPP7.3 is limited to a plot ratio of 1:0.
- A maximum building height of 3 storeys – the proposed amendment considers a maximum building height of up to 4 storeys which is in excess of the limit prescribed by LPP3.1.3. This is considered acceptable for the following reasons:
  - LPP3.1.3 allows variations to the acceptable development standards where proposals can meet the relevant performance criteria. In this regard the additional scheme amendment provisions to control the future built form and the location of a fourth storey is considered to provide a framework (i.e. through the provisions of a Local Development Plan) where future development is able to meet the relevant performance criteria of the Frame Precinct in regard to built form, scale and height. These performance criteria are listed below:
    - establish a scale of development that is reflective of the centre’s role as an urban village;
    - maintain an attractive scale to streets and other public spaces through the use of appropriate building facade heights, particularly for the lower and most visible levels of buildings where they define the edge of a street or other public space;
    - establish a reasonable transition between larger scaled development within an activity centre and the domestic scale of any existing adjacent residential development; and
    - modulate the building mass to create visual interest and break down the perceived scale of large developments.

LPP 3.1.3 is just one consideration in the preparation and adoption of the proposed scheme amendment. In this regard other strategic planning documents such as the Draft Local



Planning Strategy indicate that there is an ability for 3-5 storeys to be considered at the subject site given its 'urban corridor' and gateway location where increases in dwelling density are considered suitable.



#### 4.0 AMENDMENT PROPOSAL

The proposed complex scheme amendment seeks approval to increase the attainable residential density at the subject site by modifying the existing Additional Use - A9 provisions. Specifically, the amendment seeks to:

- Increase the applicable residential density that is attainable at the subject site from R40 to R80;
- Introduce a range of special conditions, including the preparation of a Local Development Plan to ensure that future uses and development are appropriately controlled to manage the impact on the adjoining residential area and are respectful of the existing character of the area;
- Formulate associated Design Guidelines to guide the built form and architectural outcome of the Amendment site; and
- Modify the Scheme Map to ensure the extent of the ‘Other Regional Roads’ reservation is consistent with the Metropolitan Region Scheme.

The special conditions to be introduced to ‘Schedule 2: Additional Use Sites and Requirements’ are intended to provide an appropriate set of development standards to enable development at a higher density to be balanced against protecting amenity in the Plympton Precinct.

The R80 density was the preferred development option because it yielded a viable number of apartments (~29) which could be constructed in two, three and four storey buildings, in a design intent similar to the development on the opposite side of Canning Highway. This higher density would be achievable subject to the land being used only for residential purposes (i.e. no commercial tenancies which are to remain concentrated in the Town Centre) and preparation of a Local Development Plan (to the satisfaction and approval of Council).

The Local Development Plan is to encompass all six lots in the Additional Use – A9 area and is to address the matters listed below:

- building massing;
- vehicle parking, access and egress;
- noise mitigation;
- building, landscaping and access interface (with residential) areas;
- provision of an active edge to all street frontages and pedestrian access;
- landscape buffer to the southern residential boundary;
- rear boundary setbacks;
- building heights limits:
  - maximum of two storeys, 5m from the southern boundary;
  - maximum of three storeys, 8m from the southern boundary; and
  - maximum of two storeys on the whole of Lot 19 Canning Highway.

The aim of the Local Development Plan is to limit building height and setbacks to minimise the impact on adjacent streets and properties, in particular the predominantly single storey heritage residential area. Building height is ‘stepped down’, transitioning from four storeys on Canning Highway to two storeys at the residential interface.



Other controls are intended to minimise noise and visual amenity impacts upon nearby residential properties and to minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties through the appropriate siting of the three to four storey buildings predominantly along Canning Highway, with residences further protected by a landscape buffer strip.

Buildings are required to face Canning Highway and the Glyde and East Street frontages, to encourage building design that overlooks the streets and provides good accessibility for pedestrians and residents.

Also, the requirement for the formulation of associated Design Guidelines for the Amendment site, is intended to require a very high standard of architecture, commensurate with the gateway site and increase the compatibility of new dwellings with existing built form and heritage dwellings.

## **5.0 BUILDING MASSING INVESTIGATION**

In order to provide a contextual reference for the likely development outcome Mackay Urban Design was engaged to carry out a building massing investigation. The intent being to explore the impact of various development built form types and densities which ultimately defined the applicable local planning scheme amendment which seeks to increase the attainable dwelling density to R80. The findings of the massing investigations relating to the R80 dwelling density have been summarised below:

To demonstrate the applicable impact of the R80 density Mackay Urban Design formulated block diagrams to portray building heights, massing, overshadowing and general building layout/configuration. Within the applicable investigation the following assumptions are noted:

1. The site area for the purposes of calculating plot ratio has included the road widening area. This is consistent with previous State Administrative Tribunal decision making and also the definition of plot ratio which is *'the ratio of gross plot ratio area of buildings on a development site to the area of land in the site boundaries'*. As the current site boundaries include the road widening area, this land area is assumed to be incorporated into the calculation of plot ratio. Should the site be subdivided prior to redevelopment the site area and plot ratio would be reduced.
2. The development yield has assumed an average dwelling unit size of 95m<sup>2</sup> which is the equivalent of a three (3) bedroom apartment.
3. A requirement for 36 car bays.

A copy of the applicable investigation is contained in **Appendix 3** of this submission.

The key findings applicable to the R80 scenario include:

Development Scenario Findings	Image
<b>Residential development at a density of R80</b>	
<ul style="list-style-type: none"> <li>• Yield – 29 dwellings at an average unit size of 95m<sup>2</sup>. This is likely to consist of a range of apartment types ranging from one (1) bedroom apartments up to three (3) or even four (4) bedroom apartments.</li> <li>• Plot Ratio – 2,786m<sup>2</sup> at 0.96:1;</li> <li>• Car Parking – 36 bays; and</li> <li>• Over-shadowing – 36.8%.</li> </ul>	
	

Based on the building massing investigation the R80 density scenario was considered to be the most appropriate for a number of reasons, specifically:

- It assumes a 4 storey height limit which is well within the range prescribed by the Town of East Fremantle draft LPS (i.e. 3-5 storeys).
- It provides for a dwelling yield of 29 dwellings at an average unit size of 95m<sup>2</sup> which is the equivalent of a 3 bedroom dwelling.
- The impacts of building bulk and overshadowing at the recommended proposed R80 density are minimal when compared with an R40 built form (current approved framework) as an additional 10% overshadowing on the most impacted lot is the outcome.

It is important to note that this investigation is not absolute and may not completely reflect the resultant built form or final building design on these lots; it is for indicative purposes only. It is, however, useful to define the contents of the respective scheme amendment and various design provisions that will need to be addressed through a subsequent Local Development Plan as required by the proposed scheme amendment provisions.



## 6.0 JUSTIFICATION

In light of the matters presented in the preceding sections of this report, the proposed complex scheme amendment is considered to be justified and appropriate for initiation for advertising and ultimately approval based on the following reasons:

- The site context applicable at the subject site is such that it is located on a key transport route (Canning Highway), has access to a high frequency bus route, is located in close proximity to high quality public open space and also a range of local services and amenities, including the East Fremantle Town Centre and George Street. In considering the applicable site context it is considered that the site is appropriate for infill development at a higher density than what is currently prescribed (R40).
- The proposed amendment is generally consistent with Perth and Peel @ 3.5 Million and the related central sub-regional planning framework as the subject site is located in an 'Urban Corridor' which is intended to facilitate medium rise residential development at densities greater than R60. As the proposed amendment proposes a residential density of R80 with a maximum height of 4 storeys, it is considered that this constitutes medium rise residential development in line with the Perth and Peel @ 3.5 Million vision for the relevant 'Urban Corridors'.
- The proposed amendment is generally consistent with the Town of East Fremantle draft LPS and Planning Area 7 as the amendment supports medium rise residential development with a maximum height of four (4) storeys which is in line with the three (3) to five (5) storey range provided by the LPS. In addition the amendment has also carefully considered the impact on the adjoining low density and low scale (i.e. a mix of single and two storey) residential development by limiting building height to two (2) storeys adjacent to the boundary and also requiring a Local Development Plan to be prepared to further define and limit the development's impact.
- The proposed amendment and the likely resultant built form have been examined in detail through a building massing investigation which compared various development density scenarios and confirmed that the R80 density scenario is the most appropriate. This was determined with consideration of facilitating a meaningful medium density development that complies with the applicable strategic planning framework whilst also balancing the impact on the adjoining residential zoned land.
- The proposed amendment has included provisions to control the future built form, vehicle access and parking. The aim being to ensure that redevelopment of the amendment site results in a lowering of building height and scale from Canning Highway to the existing workers' cottages, the screening of parking and limiting of vehicle access in order to respect the heritage value and unique character and streetscapes of the Plympton Precinct.



## **7.0 CONCLUSION**

The proposed complex scheme amendment to modify the existing Addition Use - A9 provisions applicable at the subject site to allow residential development at a density of R80 is considered justified based on the aforementioned sections of this report and in summary:

- The proposal has considered the State Planning Framework, specifically:
  - Perth and Peel @ 3.5 Million
  - State Planning Policy 5.4 – Road and Rail Noise
  - State Planning Policy 7.0 – Design of the Built Environment
  - State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments
  - Development Control Policy 5.1 – Regional Roads (vehicle access)
  - Metropolitan Region Scheme
  
- The proposal is generally consistent with the applicable Local Planning Framework, specifically:
  - The objectives applicable to the Residential zone in accordance with the Town of East Fremantle Local Planning Scheme No. 3
  - Town of East Fremantle Draft Local Planning Strategy
  - Local Planning Policy 3.1.1 – Residential Design Guidelines
  - Local Planning Policy 3.1.3 – Town Centre Redevelopment Guidelines
  
- The proposed draft amendment will facilitate residential development in line with the applicable draft strategic planning framework whilst also considering the impact on the adjoining low density residential development.

In this regard it is respectfully requested that the Town of East Fremantle favourably consider the proposal based on its merits and proceed to initiate the scheme amendment for advertising for public comment.



**APPENDIX 1**  
**CERTIFICATES OF TITLE**

WESTERN



AUSTRALIA

REGISTER NUMBER <b>17/P3954</b>	
DUPLICATE EDITION <b>N/A</b>	DATE DUPLICATE ISSUED <b>N/A</b>

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1026** FOLIO **405**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 17 ON PLAN 3954

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

COMMISSIONER OF MAIN ROADS OF WATERLOO CRESCENT, EAST PERTH  
(T E773347) REGISTERED 20/12/1991

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1026-405 (17/P3954)  
PREVIOUS TITLE: 483-194  
PROPERTY STREET ADDRESS: 17 CANNING HWY, EAST FREMANTLE.  
LOCAL GOVERNMENT AUTHORITY: TOWN OF EAST FREMANTLE  
RESPONSIBLE AGENCY: MAIN ROADS WESTERN AUSTRALIA



REGISTER NUMBER <b>19/P3954</b>	
DUPLICATE EDITION <b>1</b>	DATE DUPLICATE ISSUED <b>14/6/2013</b>

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1083** FOLIO **446**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

  
REGISTRAR OF TITLES 

**LAND DESCRIPTION:**

LOT 19 ON PLAN 3954

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

JANIPET HOLDINGS PTY LTD OF 93 CANNING HIGHWAY, EAST FREMANTLE  
(T B275066 ) REGISTERED 13/1/1977

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

- 1. \*J951348 CAVEAT BY DEANNE MARLENE QUINLAN LODGED 13/10/2006.
- 2. \*M230834 CAVEAT BY ALEXANDER CAMPBELL MCPHERSON AS TO ONE UNDIVIDED THIRD SHARE ONLY. LODGED 5/4/2013.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1083-446 (19/P3954)  
PREVIOUS TITLE: 838-137  
PROPERTY STREET ADDRESS: 27 CANNING HWY, EAST FREMANTLE.  
LOCAL GOVERNMENT AUTHORITY: TOWN OF EAST FREMANTLE

WESTERN



AUSTRALIA

REGISTER NUMBER <b>15/P3954</b>	
DUPLICATE EDITION <b>1</b>	DATE DUPLICATE ISSUED <b>11/10/2006</b>

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1224** FOLIO **370**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 15 ON PLAN 3954

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

COMMISSIONER OF MAIN ROADS OF WATERLOO CRESCENT, EAST PERTH  
(AN J928041 ) REGISTERED 25/9/2006

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
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Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

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SKETCH OF LAND: 1224-370 (15/P3954)  
PREVIOUS TITLE: 40-72  
PROPERTY STREET ADDRESS: 9 CANNING HWY, EAST FREMANTLE.  
LOCAL GOVERNMENT AUTHORITY: TOWN OF EAST FREMANTLE  
RESPONSIBLE AGENCY: MAIN ROADS WESTERN AUSTRALIA



REGISTER NUMBER <b>14/P3954</b>	
DUPLICATE EDITION <b>N/A</b>	DATE DUPLICATE ISSUED <b>N/A</b>

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1502** FOLIO **195**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

  
REGISTRAR OF TITLES 

**LAND DESCRIPTION:**

LOT 14 ON PLAN 3954

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

COMMISSIONER OF MAIN ROADS OF WATERLOO CRESCENT, EAST PERTH  
(T C248433 ) REGISTERED 6/11/1981

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
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Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1502-195 (14/P3954)  
PREVIOUS TITLE: 172-60  
PROPERTY STREET ADDRESS: 7 CANNING HWY, EAST FREMANTLE.  
LOCAL GOVERNMENT AUTHORITY: TOWN OF EAST FREMANTLE  
RESPONSIBLE AGENCY: MAIN ROADS WESTERN AUSTRALIA

NOTE 1: A000001A PENDING SURVEY - DIAGRAM 85393.

WESTERN



AUSTRALIA

REGISTER NUMBER <b>16/P3954</b>	
DUPLICATE EDITION <b>N/A</b>	DATE DUPLICATE ISSUED <b>N/A</b>

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1692** FOLIO **584**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 16 ON PLAN 3954

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

THE METROPOLITAN REGION PLANNING AUTHORITY OF 22 SAINT GEORGE'S TERRACE, PERTH  
(T D110070 ) REGISTERED 16/9/1985

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1692-584 (16/P3954)  
PREVIOUS TITLE: 1049-675  
PROPERTY STREET ADDRESS: 15 CANNING HWY, EAST FREMANTLE.  
LOCAL GOVERNMENT AUTHORITY: TOWN OF EAST FREMANTLE  
RESPONSIBLE AGENCY: WESTERN AUSTRALIAN PLANNING COMMISSION

WESTERN



AUSTRALIA

REGISTER NUMBER <b>18/P3954</b>	
DUPLICATE EDITION <b>N/A</b>	DATE DUPLICATE ISSUED <b>N/A</b>

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1739** FOLIO **285**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 18 ON PLAN 3954

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

STATE PLANNING COMMISSION OF 22 SAINT GEORGE'S TERRACE, PERTH

(T D321279 ) REGISTERED 11/9/1986

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

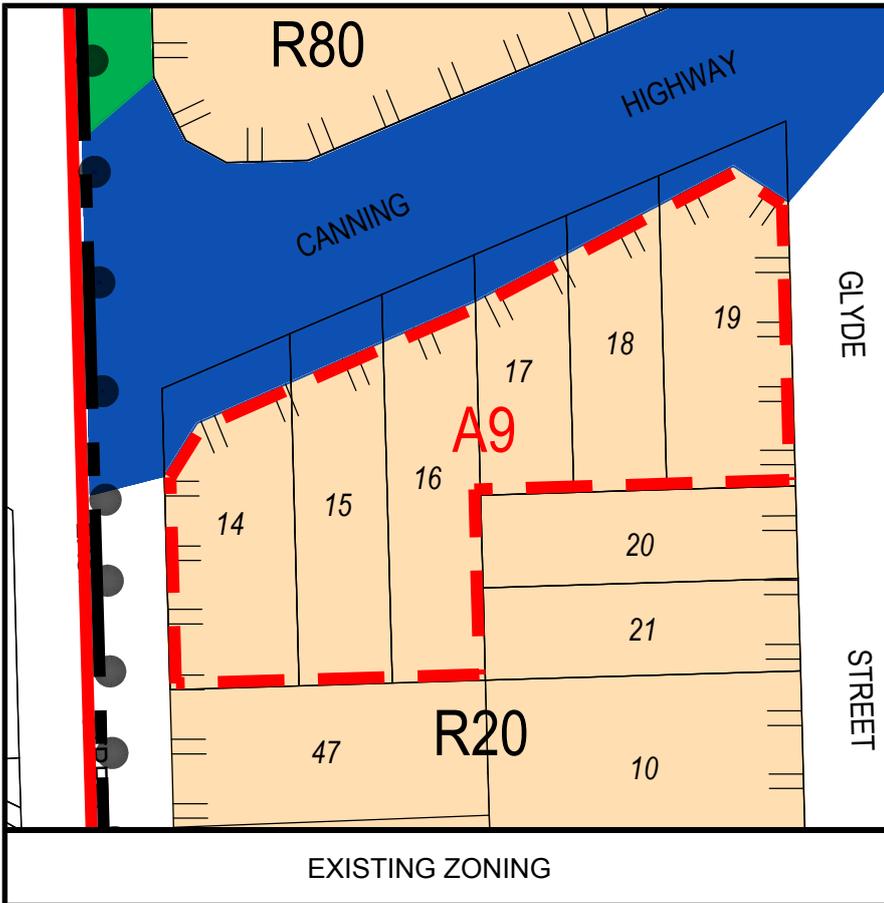
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PREVIOUS TITLE: 180-69  
PROPERTY STREET ADDRESS: 19 CANNING HWY, EAST FREMANTLE.  
LOCAL GOVERNMENT AUTHORITY: TOWN OF EAST FREMANTLE  
RESPONSIBLE AGENCY: WESTERN AUSTRALIAN PLANNING COMMISSION



**APPENDIX 2**  
**AMENDED SCHEME MAPS**

TOWN OF EAST FREMANTLE  
LOCAL PLANNING SCHEME No. 3

Planning and Development Act 2005



LEGEND

REGION SCHEME RESERVES (MRS)

-  PARKS AND RECREATION
-  OTHER REGIONAL ROADS

LOCAL SCHEME RESERVES

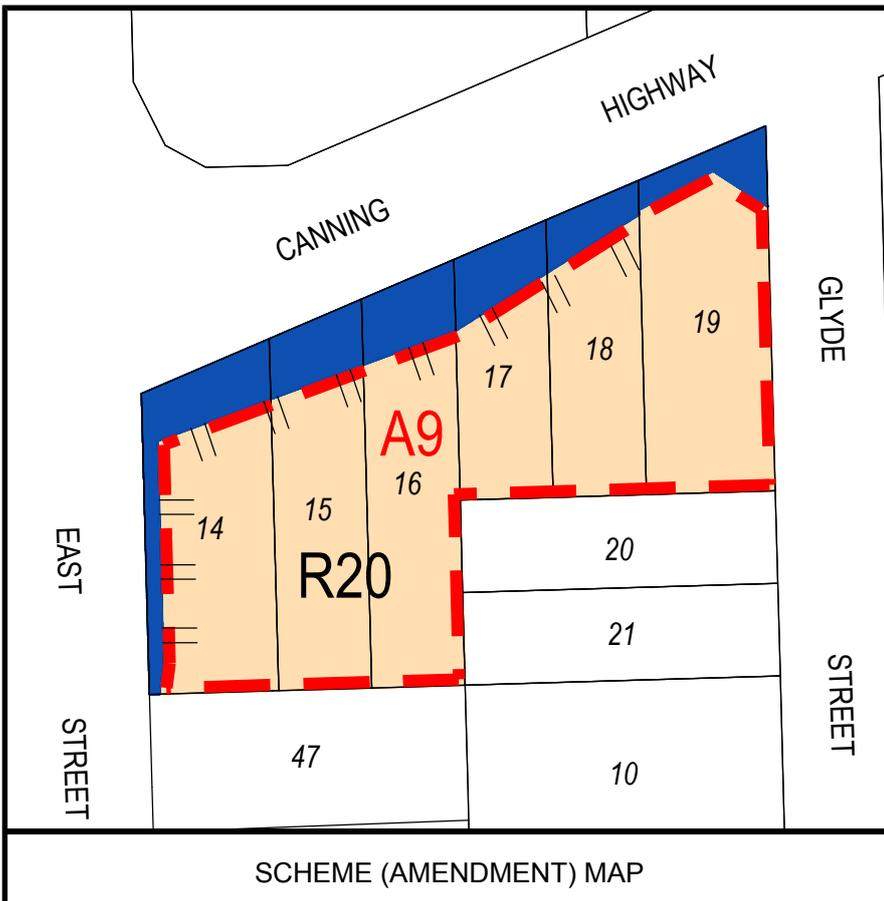
-  LOCAL ROADS

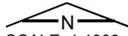
LOCAL SCHEME ZONES

-  RESIDENTIAL

OTHER CATEGORIES

-  R20 R CODES
-  SCHEME AREA BOUNDARY
-  LOCAL GOVERNMENT BOUNDARY
-  PRECINCT
-  A9 ADDITIONAL USES



  
 SCALE: 1:1000  
 DATE: 16.10.2020

Amendment No. 17

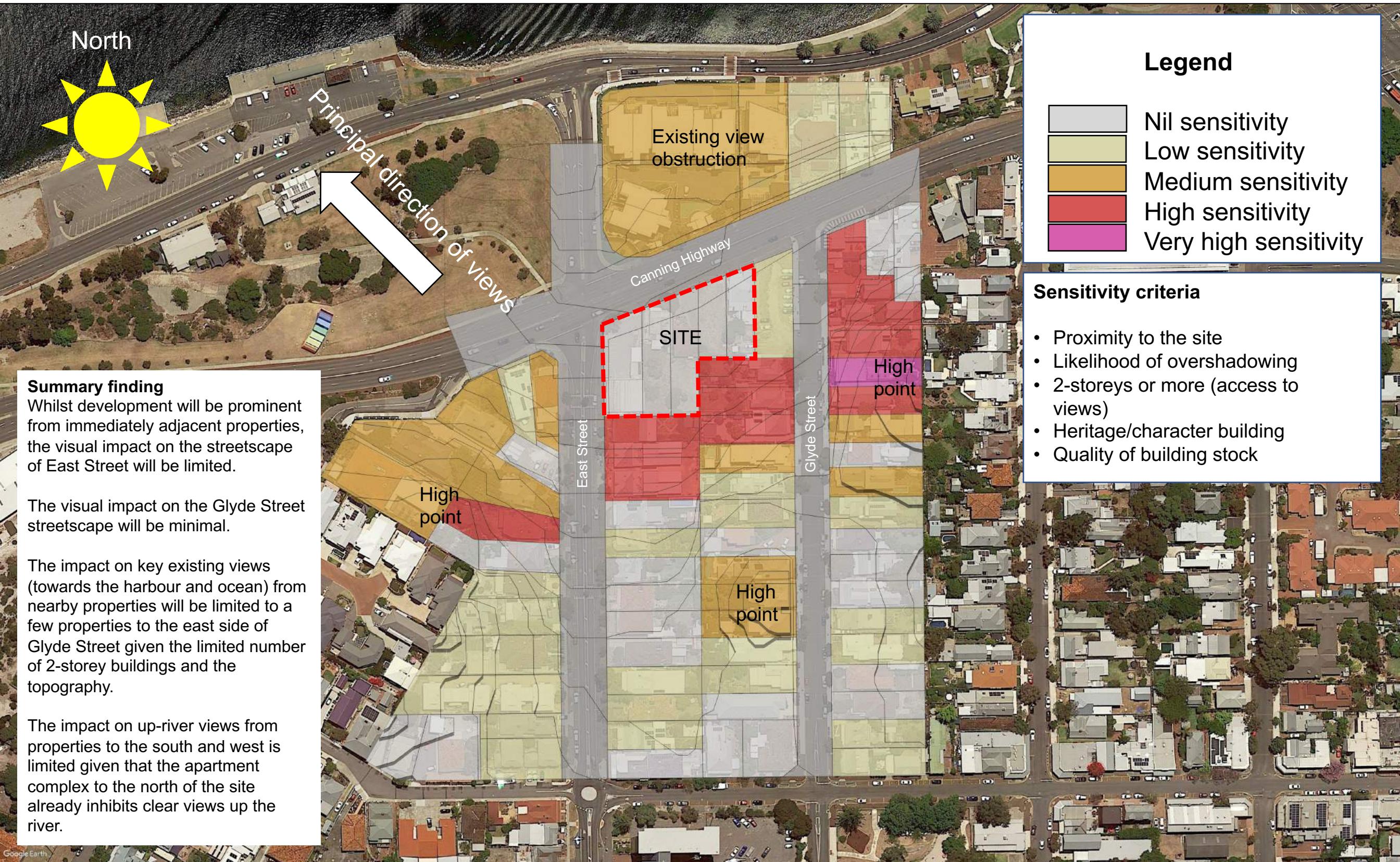


APPENDIX 3  
**BUILDING MASSING INVESTIGATION**

# Site Location



# Sensitivity analysis



## Summary finding

Whilst development will be prominent from immediately adjacent properties, the visual impact on the streetscape of East Street will be limited.

The visual impact on the Glyde Street streetscape will be minimal.

The impact on key existing views (towards the harbour and ocean) from nearby properties will be limited to a few properties to the east side of Glyde Street given the limited number of 2-storey buildings and the topography.

The impact on up-river views from properties to the south and west is limited given that the apartment complex to the north of the site already inhibits clear views up the river.

## Legend

	Nil sensitivity
	Low sensitivity
	Medium sensitivity
	High sensitivity
	Very high sensitivity

## Sensitivity criteria

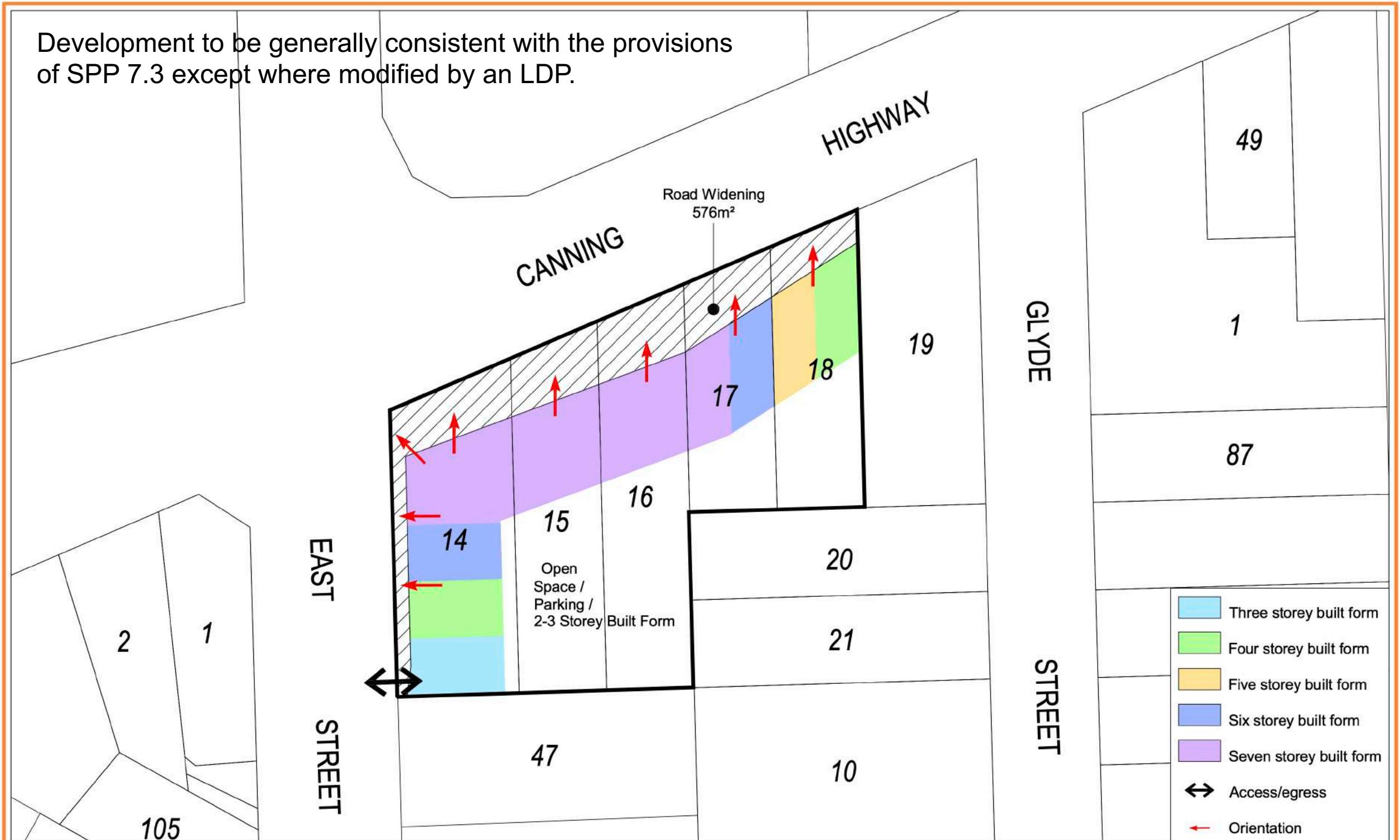
- Proximity to the site
- Likelihood of overshadowing
- 2-storeys or more (access to views)
- Heritage/character building
- Quality of building stock

# Site context



# Indicative planning brief

Development to be generally consistent with the provisions of SPP 7.3 except where modified by an LDP.



**PREFERRED LOCATION FOR BUILDING MASS IN RESIDENTIAL DEVELOPMENT**  
 LOTS 14-18 CANNING HIGHWAY & LOT 21 GLYDE STREET  
 EAST FREMANTLE



SCALE: 1:500 @ A3  
 DATE: 18th FEBRUARY 2020  
 FILE: 1091\_18.02.2020.dwg  
 DRAW: - SB  
 CHECKED: -



**DYNAMIC PLANNING AND DEVELOPMENTS**

e: admin@dynamicplanning.net.au  
 t: (08) 9275 4433  
 f: (08) 9275 4455  
 SUITE 15, 29 COLLIER ROAD  
 MORLEY WA 6062  
 ABN: 99 169 411 705



# Built form scenario 1: R80



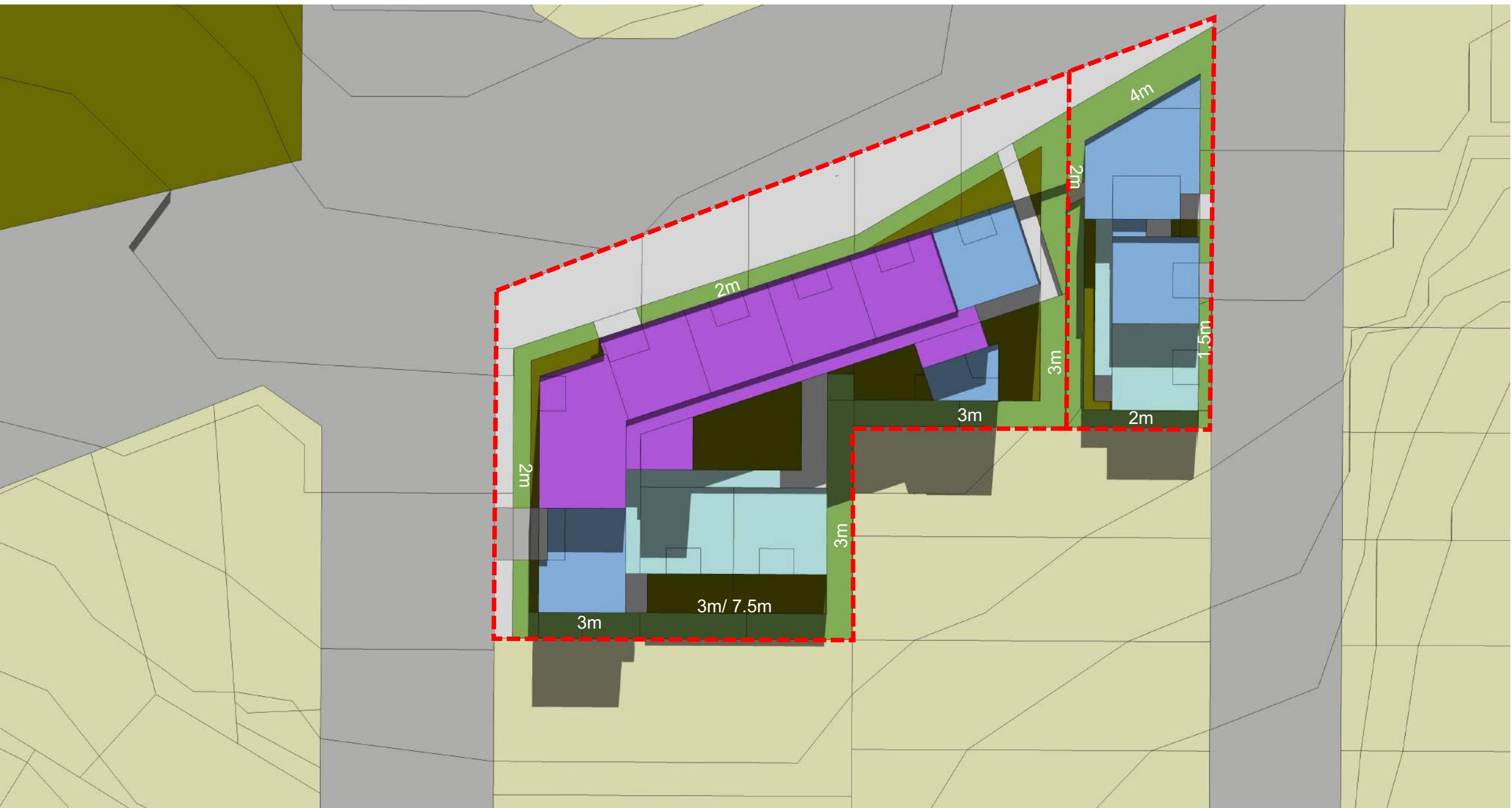
## R80 Vital statistics

Site area	2,903 sqm (incl. road widening)
Site area	2,327sqm (excl. road widening)
Dwellings	29 du
Average unit size	95 sqm
Indicative PR area	2,786 sqm
Indicative PR	0.96
Car bays	12 at grade and undercover 24 in basement

Note: the area of road widening has been included in the plot ratio calculation consistent with the approach taken in other local governments.



# Built form scenario 1: R80



## Building height key

	2 storeys		5 storeys
	3 storeys		6 storeys
	4 storeys		7 storeys

**PLANNING AND DEVELOPMENT ACT 2005  
RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME**

**TOWN OF EAST FREMANTLE  
LOCAL PLANNING SCHEME NO.3  
AMENDMENT NO. 17**

**That Council in accordance with:**

**A. Section 75 of the *Planning and Development Act 2005*, resolves to:**

**(i) adopt (initiate) Amendment No. 17 of the Town of East Fremantle Local Planning Scheme No. 3 as outlined below;**

1. *Amend Schedule 2 by deleting the information for Lots 14, 15, 16, 17, 18, and 19 Canning Highway, East Fremantle, between Glyde Street and East Street, and replacing it with the following:*

<b>No.</b>	<b>Description of Land</b>	<b>Additional Use and/or Development</b>	<b>Special Conditions</b>
A 9	Lots 14, 15, 16, 17, 18 and 19 Canning Highway, East Fremantle, between Glyde Street, and East Street	<p>(i) A maximum of R80 residential development, i.e. development above the base density code of R20.</p> <p>(ii) Any dwelling development within this Additional Use area shall be used for residential dwelling purposes only, and shall not be used for any other purpose.</p> <p><b>Note:</b> To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4 applicable to the area, are to be met.</p>	<p>The use of the land for the Additional Use is conditional on development of and compliance with the following:</p> <ol style="list-style-type: none"> <li>1. Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19.</li> <li>2. The Local Development Plan shall address the following to the satisfaction of the local government:                             <ol style="list-style-type: none"> <li>viii. Building massing, height and setbacks to minimise the amenity, overlooking and overshadowing impact to surrounding properties, transitioning to lower heights, no greater than two storeys adjacent to the southern boundary and two storeys on the whole of Lot 19 Canning Highway;</li> <li>ix. Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway;</li> <li>x. Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements;</li> <li>xi. Building, landscaping and access interface measures;</li> </ol> </li> </ol>

			<ul style="list-style-type: none"> <li>xii. Development to provide an active edge to all street frontages and provide pedestrian access;</li> <li>xiii. Landscape buffer to southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway; and</li> <li>xiv. Boundary setbacks.</li> </ul> <ol style="list-style-type: none"> <li>3. No development on the site is to exceed a maximum height of 25.5 metres AHD or 4 storeys or whichever is the lesser, including all roof top services, plant equipment, amenities and the like.</li> <li>4. Development should not exceed a maximum height of 21.0 metres AHD or 3 storeys, whichever is the lesser, within 8 metres of the southern boundary.</li> <li>5. Development should not exceed a maximum height of 17.5 metres AHD or 2 storeys, whichever is the lesser, within 5 metres of the southern boundary.</li> <li>6. Development should not exceed a maximum height of 17.5 metres AHD or two storeys whichever is the lesser on the whole of Lot 19 Canning Highway.</li> <li>7. The Local Development Plan shall have associated Design Guidelines which much be adopted by the Local Government that shall be utilised in determining any application for approval to commence development.</li> <li>8. The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other mechanism.</li> <li>9. No development approval is to be granted for a development above the base density code of R20 unless a Local Development Plan is prepared and approved by the local government.</li> </ol>
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- (ii) **amend the Scheme Map to indicate the “Other Regional Road” reserve for Lots 14-19 Canning Highway, East Fremantle as shown in the Metropolitan Region Scheme; and**

**B. Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No. 17 of the Town of East Fremantle Local Planning Scheme No. 3 is a complex amendment for the following reasons:**

- (i) the amendment is not consistent with a local planning strategy for the Scheme that has been endorsed by the Commission;**
- (ii) the amendment is not addressed by any local planning strategy; and**
- (iii) the amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.**

Adopted for advertising by resolution of Council of the Town of East Fremantle at the Ordinary Meeting of Council held on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**COUNCIL RECOMMENDED/SUBMITTED FOR APPROVAL**

Supported for submission to the Minister for Planning for approval by resolution of the **Town of East Fremantle** at the **Ordinary Meeting** of the Council held on the .....day of....., 202... and the Common Seal of the **Town of East Fremantle** was hereunto affixed by the authority of a resolution of the Council in the presence of:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**WAPC RECOMMENDED/SUBMITTED FOR APPROVAL**

\_\_\_\_\_ DELEGATED UNDER S.16 OF THE  
PLANNING AND DEVELOPMENT ACT, 2005

DATE \_\_\_\_\_

**APPROVAL GRANTED**

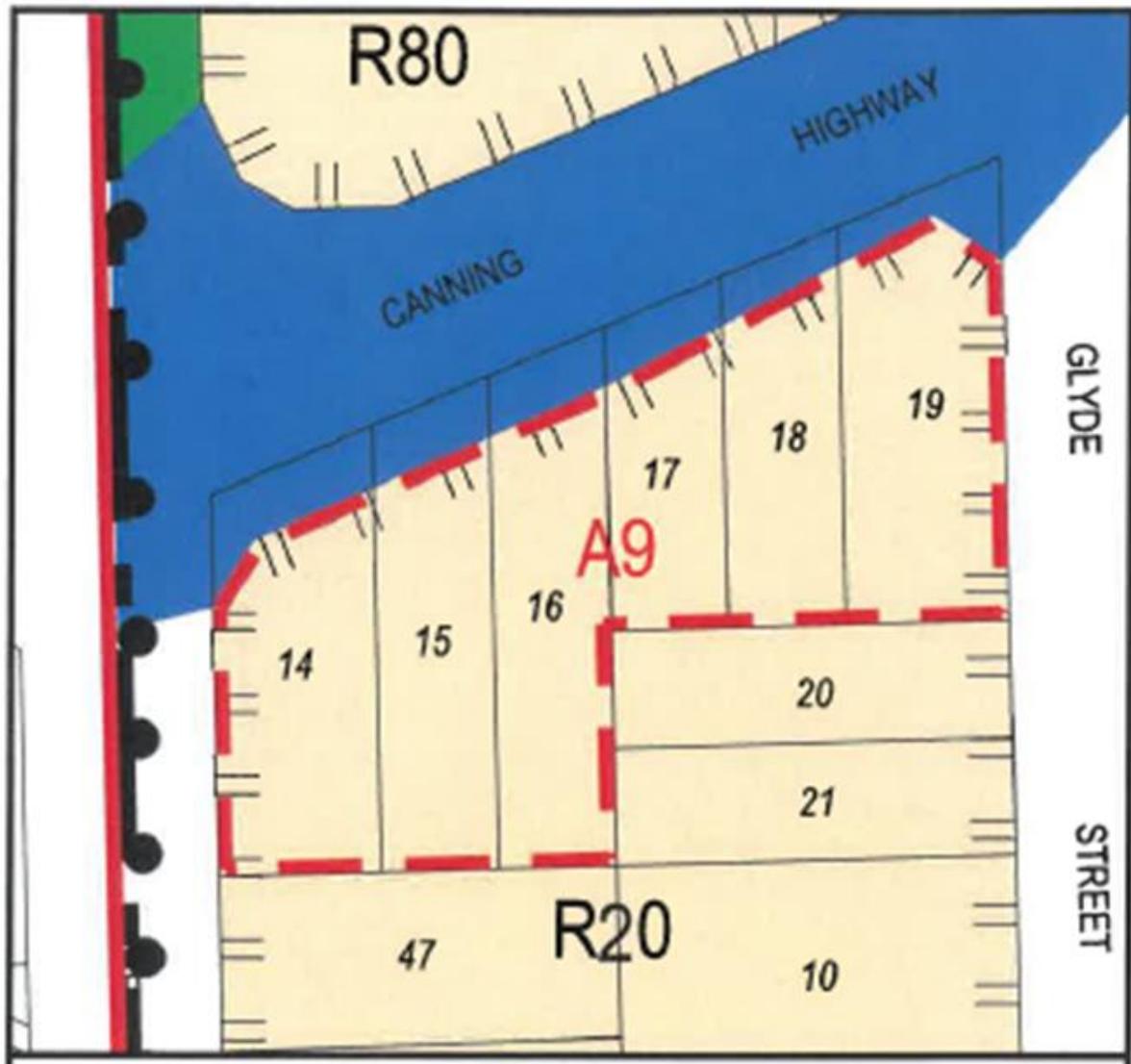
\_\_\_\_\_  
MINISTER FOR PLANNING  
S.87 OF THE PLANNING AND DEVELOPMENT ACT 2005

DATE \_\_\_\_\_

## Local Planning Scheme No. 3 – Schedule 2 – Additional Use Sites and Requirements

No.	Description of Land	Additional Use and/or Development	Special Conditions
A 9	Lots 14, 15, 16, 17, 18 and 19 Canning Highway, East Fremantle, between Glyde Street, and East Street	<p>(i) A maximum of R80 residential development, i.e. development above the base density code of R20.</p> <p>(ii) Any dwelling development within this Additional Use area shall be used for residential dwelling purposes only, and shall not be used for any other purpose.</p> <p><b>Note:</b> To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4 applicable to the area, are to be met.</p>	<p>The use of the land for the Additional Use is conditional on development of and compliance with the following:</p> <ol style="list-style-type: none"> <li>1. Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19.</li> <li>2. The Local Development Plan shall address the following to the satisfaction of the local government: <ol style="list-style-type: none"> <li>i. Building massing, height and setbacks to minimise the amenity, overlooking and overshadowing impact to surrounding properties, transitioning to lower heights, no greater than two storeys adjacent to the southern boundary and two storeys on the whole of Lot 19 Canning Highway;</li> <li>ii. Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway;</li> <li>iii. Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements;</li> <li>iv. Building, landscaping and access interface measures;</li> <li>v. Development to provide an active edge to all street frontages and provide pedestrian access;</li> <li>vi. Landscape buffer to the southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway; and</li> <li>vii. Boundary setbacks.</li> </ol> </li> <li>3. No development on the site is to exceed a maximum height of 25.5 metres AHD or 4 storeys or whichever is the lesser, including all roof top services, plant equipment, amenities and the like.</li> <li>4. Development should not exceed a maximum height of 21.0 metres AHD or 3 storeys or whichever is the lesser, within 8 metres of the southern boundary.</li> <li>5. Development should not exceed a maximum height of 17.5 metres AHD or 2 storeys or whichever is the lesser, within 5 metres of the southern boundary.</li> <li>6. Development should not exceed a maximum height of 17.5 metres AHD or two storeys whichever is the lesser on the whole of Lot 19 Canning Highway.</li> <li>7. The Local Development Plan shall have associated Design Guidelines which must be adopted by the Local Government that shall be utilised in determining any application for approval to commence development.</li> <li>8. The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other mechanism.</li> <li>9. No development approval is to be granted for a development above the base density code of R20 unless a Local Development Plan is prepared and approved by the Local Government.</li> </ol>

Modified Local Planning Scheme No. 3 Map



		<h1 style="margin: 0;">Community Engagement</h1> <h2 style="margin: 0; background-color: #f4a460; display: inline-block; padding: 2px 10px;">PUBLIC COMMENT Checklist</h2>	
<b>Policy / Plan Name:</b>		<h3 style="margin: 0;">COMPLEX AMENDMENT No. 17 TO LPS NO. 3 – Lots 14-19 Canning Highway</h3>	
<b>Responsible Officer:</b>		Christine Catchpole	
<b>Manager Approval:</b>		Andrew Malone	
<b>Engagement Objective:</b>		To raise awareness of, and seek public comment (submissions) on, a proposal to initiate (advertise) a complex amendment to Local Planning Scheme No. 3.	
<b>Summary of Amendment:</b>		Modify the Schedule 2: Additional Use - A9 Provisions and Scheme Map - to amend the Scheme Text (Schedule 2: Additional Use Sites and Requirements which would facilitate a potential density increase to Residential R80 and adoption of Local Development Plan and Associated Design Guidelines) and the Scheme Map (to reflect the road widening reservation under the Metropolitan Region Scheme).	
<b>Public Comment Period:</b>	<b>Start Date:</b>	TBA – subject to WAPC and EPA authorisation to commence.	<b>Est. Completion:</b> TBA
<b>Stakeholders</b>			
<b>Stakeholders to be targeted:</b>	Ratepayers and Residents: Letter sent to each property within an ~200m radius of Amendment site. Including owners and occupiers in the City of Fremantle and the City of Fremantle administration. See map indicating ~200m radius area and properties included below.		Relevant government agencies and authorities, including EPA and Fremantle Ports. Individual letters to each land owner, occupier and State government body and City of Fremantle Administration.
<b>Access / Inclusion Considerations:</b>	For example, availability in alternative languages, large print, non-electronic, print copy, phone assistance.		N/A
<b>Proximity / Special Interest Considerations:</b>	Stakeholders who might be more directly affected by the project.		Plympton and Riverside South Precinct land owners and occupiers.
<b>Public Comment Plan</b>			
<b>Methods</b>	<b>Responsible</b>	<b>Date Due</b>	<b>Complete / Notes</b>
<b>AWARE</b>			
Collateral	CMO	?	
Newsletter - eMonthly	CMO	Yes	Wording for all forms of notices to be provided by Planning as per required Regulations and additional information.
Web – Consultation	Project Lead	Yes	Statutory wording for submission form (survey section) mandatory as required by Regulations.
<b>INFORM</b>			
Advert - Newspaper	CMO	Yes	Wording for all forms of notices to be provided by Planning as required by Regulations.
Email List	Project Lead	No	
Facebook Post/s	CMO	Yes	See above notes.
Fact Sheet	Project Lead	No	
Instagram	CMO	No	
LinkedIn	CMO	No	
Mail out (proximity)	CMO	Yes	See above notes.
Media Release	CMO	No	
Newsletter - eBulletin	CMO	Yes	See above notes.
Newsletter – Mail (¼ly)	CMO	S/D/M/J	

Noticeboards (4)	Project Lead	Yes	See above notes.
Reception Screen	Cust. Service	Yes	See above notes.
Signage (at site)	Project Lead	Yes	3 signs; 1 per frontage. Statutory wording mandatory as required by Regulations.
Web – News Item	CMO	Yes	See above notes.
Web – Own Page	Project Lead	Yes	See above notes.
<b>STATUTORY</b>			
Regulatory	Via Reg. Services	Yes	Statutory wording required.
Heritage	Via Reg. Services	TBA	Dependent on outcome of proposal to remove 19 Canning Highway from the Heritage Lists. This lot is within the proposed Amendment area.
WA Government Gazette	Via EA-CEO	Yes	Upon Ministerial approval.
<b>Submit to Coordinator Community Engagement for internal recording / dissemination</b>			
<b>Executive Leadership Team</b> (via ELT)	2 weeks out	NEM	<<date>>
<b>Customer Service</b> (via Team Leader)		NEM	<<date>>
<b>Elected Members</b> (via CEO EA)		NEM	<<date>>



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**12.1.2 Urban Streetscape and Public Realm Style Guide – Outcome of Community Consultation and Endorsement of Documents for Implementation**

<b>File ref</b>	A/USPR
<b>Prepared by</b>	Executive Manager Regulatory Services, Andrew Malone
<b>Supervised by</b>	Chief Executive Officer, Gary Tuffin
<b>Meeting Date</b>	8 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Draft Urban Streetscape and Public Realm Style Guide</li><li>2. Draft Urban Streetscape and Public Realm Style Guide Pamphlets</li><li>3. Community Engagement Checklist</li><li>4. Schedule of Submissions</li><li>5. Urban Streetscape and Public Realm Style Guide Amendments</li></ol>

**Purpose**

The purpose of this report is to present to Council the outcomes of community consultation on the Urban Streetscape and Public Realm Style Guide Pamphlets and the Guide itself and to seek Council endorsement of the suite of documents for implementation, subject to minor amendments as outlined in the Officer's Report.

**Executive Summary**

The Urban Streetscape and Public Realm Style Guide combines three documents, the Contextual document, the Urban Streetscape and Public Realm Style Guide (Style Guide) and the Precinct Pamphlets which when combined supplement the 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 and public furniture.

At its October 2020 meeting, Council resolved to advertise the draft Urban Streetscape and Public Realm Style Guide Pamphlets and Style Guide for community comment until 4 December 2020. Also, a drop-in session for the community to view and discuss the documents with the consultants, UDLA was held at the Town Hall on 29 October 2020. The documents were also advertised using print and social media, the Internet and notices were posted at the Town Hall and in local shops.

Twelve people attended the drop-in session and at the time of writing the report three submissions had been received. The submissions are generally supportive of the document and provide useful additional information and suggestions. The submissions have been reviewed by the Town's officers and the consultants and it is considered that the comments do not warrant any changes to the Style Guide to be made. However, following a final review of the documents by the Town's officers some minor technical changes have been noted and considered necessary to ensure consistency and clarity across the suite of documents. These changes are discussed in the Report and listed in detail in Attachment 5. It is intended these changes be made before final publication of the Style Guide.

It is therefore recommended that Council endorse the Urban Streetscape and Public Realm Style Guide suite of documents for implementation, subject to the amendments noted in the Officer's Report being made prior to publication and advise all those who made a submission of Council's determination.

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### **Background**

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

UDLA was engaged by Council in January 2019 to undertake the Urban Streetscape and Public Realm Style Guide and the consultants have worked closely with the Administration to develop a set of guidelines which recognises the distinct attributes of East Fremantle but also those characteristics of the individual precincts.

### **Consultation**

- Elected Members
- Chief Executive Officer
- Project Coordinator
- Urban Project Planner
- Operations Manager
- Operations Supervisor
- Community

UDLA has undertaken several Forum presentations to elected members regarding the Style Guide.

The Style Guide was advertised for a period of approximately six weeks which concluded on 4 December 2020. During this time a drop-in session was held at the Town Hall on 29 October 2020 with UDLA available to discuss the documents with interested community members. Council also developed a YouTube video to inform the community. This was available on the Town's website.

Full details of community engagement in relation to this project are available in Attachment 3. However, in addition to the above engagement the project was advertised in the local paper, on notice boards at local shops and the Town Hall, the Town's eNewsletter and a Fact Sheet was also available on the Town's website.

### **Outcome of Community Consultation**

The drop-in session was attended by 12 people and three written submissions have been received at the time of writing the report. All submissions were generally supportive of the document and included additional comments and suggestions. However, many of the comments related to matters not considered to be part of the scope for the suite of Urban Streetscape and Public Realm Style Guide documents and would be considered the subject of other studies, so the comments will not result in changes to the documents. The Schedule of Submissions and the Officer response can be read in full in Attachment 4.

During the consultation period the documents were also reviewed by relevant officers of the Town. The Operations Manager and Operations Supervisor have suggested a few minor amendments to the documents which would be of benefit in terms of providing consistency in terminology across the suite of documents and clarity with regard to technical detail. These minor matters are outlined in Attachment 5 and discussed in the 'Comments' section of the Report.

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## Statutory Environment

Nil

## Financial Implications

The Style Guide pamphlets will be distributed to community members on request and be included in a Welcome Package for new residents/ratepayers.

## Risk Implications

No significant risk identified.

## 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*
  - 3.2.1 *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

### Style Guide Documents

The Style Guide combines three documents. The Contextual document’s objective was to:

- describe the existing conditions of the public realm relevant to the streetscape and public realm character and style; and
- provide relevant background information related to the precinct character to assist in developing the Style Guide document.

The recommendation of the Contextual document was to:

- conserve and protect character and heritage;
- harmonise with streetscape;
- improve the urban forest and tree canopy;
- consolidate streetscape materials; and
- identify a Public Open Space Hierarchy for the Town’s parks.

Upon completion of the Contextual document, and based on the analysis of the document the Urban Streetscape and Public Realm Style Guide was developed with the purpose to provide:

1. Consistency

- consistent style and design palette for future works to the public realm and streetscape.
2. Character
    - design guidelines that enhance and celebrate the Town's unique character, recognising and responding to identified areas or precincts of a similar nature.
  3. Safety and Comfort
    - create comfortable and safe places for people to use which encourage walking, cycling and use of public transport.
  4. Quality
    - provide clear guidance to those involved in designing and constructing public realm spaces on the quality of design expected.

A summary of the Style Guide can be broken down into the following key areas:

1. Protected Heritage and Enhanced Character
  - Enhance and celebrate the Town's heritage and character, recognising and responding to individual precincts.
2. Improved Streetscapes
  - Safer and accessible streetscapes for all ages, with an increased tree canopy for green, shaded and cooler streets.
3. Quality
  - A consistent approach to the quality of finishes that can be utilised broadly across the Town.
4. Strategic Vision and Direction
  - Strengthen the Town's Strategic Vision and align with Community Scorecard feedback.
5. Consolidation
  - Consistent and consolidated palette of materials, with a clear direction and rationale for design decisions within the Town.

Upon the completion of the Style Guide, UDLA developed the Style Guide Precinct Pamphlet, which provided a concise summary of the Style Guide for the public. The Pamphlets are to be utilised in the Welcome Packs provided to new residents in the Town and as a general information tool. An overview of the Pamphlets is to:

- provide information for residents on footpaths, crossovers, street trees, and verges etc.;
- provide a 'Whole of Town' approach, however tailored for each Precinct;
- utilise the Town's existing brand and marketing templates for a Precinct Style Guide;
- provide concise, clear and graphical illustrations and easy to read content as a short and easy to understand Style Guide for each Precinct; and
- provide Council with a succinct Style Guide which can be distributed to new residents/ratepayers as part of a 'welcome pack' for residents.

#### Recommended Modifications

Following the community consultation period, consideration of submissions and a final review of the documents, a number of minor technical amendments are recommended for consistency and clarity across the suite of documents. These matters are outlined in Attachment 5 and refer to specific materials and use of the same terminology throughout the documents.

In the main, the comments made by submitters are noted but are considered to not warrant changes to the documents. It is noted that there were a number of comments made in regard to

tree selection and preferences. However, the Town's Operations Manager and Operations Supervisor have reviewed and approved the tree selection matrix, so no further changes are recommended in relation to that issue. The submissions have also been referred to the consultants and after reviewing the comments they agree that no further changes should be made.

In light of the above comments it is recommended that Council endorse the Urban Streetscape and Public Realm Style Guide Pamphlets and the Style Guide for implementation, subject to the amendments discussed and outlined in Attachment 5 being made prior to final publication. Also, all those who made a submission on the documents should be notified of the Council's determination.

**12.1.2 OFFICER RECOMMENDATION**

**That Council:**

- 1. endorse the Urban Streetscape and Public Realm Style Guide suite of documents for implementation, subject to the minor amendments being made as outlined in the Officer's Report (Attachment 5); and**
- 2. notify all those who made a submission on the Urban Streetscape and Public Realm Style Guide documents of the Council's determination.**

	<h1 style="margin: 0;">Community Engagement</h1> <h2 style="margin: 0; background-color: #f4a460; display: inline-block; padding: 5px;">PUBLIC COMMENT Checklist</h2>	
<b>Policy / Plan Name:</b>	<h3 style="margin: 0;">Urban Streetscape &amp; Public Realm Style Guide</h3>	
<b>Responsible Officer:</b>	Andrew Malone   Caine Holdsworth, UDLA ( <a href="mailto:caine@udla.com.au">caine@udla.com.au</a> 0413 282 103)	
<b>Manager Approval:</b>	Andrew Malone, (draft 15/09/2020)	
<b>Engagement Objective:</b>	To succinctly convey the message that the Town of East Fremantle has prepared a Guide for future public works planning to ensure a consistent look and feel throughout the Town.  The community are asked to provide feedback on this document prior to endorsement by Council.	
<b>Purpose of the Guide:</b>	<ol style="list-style-type: none"> <li>1. <b>CONSISTENCY</b> To provide a consistent style and design palette for future works to the public realm and streetscape.</li> <li>2. <b>CHARACTER</b> To present design guidelines that enhance and celebrate the Town’s unique character, recognising and responding to identified areas or precincts of a similar nature.</li> <li>3. <b>SAFETY &amp; COMFORT</b> To create comfortable and safe places for people to use which encourage walking, cycling and use of public transport.</li> <li>4. <b>QUALITY</b> To provide clear guidance to those involved in designing and constructing public realm spaces on the quality of design expected.</li> </ol>	
<b>Summary of the Guide:</b>	<ol style="list-style-type: none"> <li>1. <b>PROTECTED HERITAGE &amp; ENHANCED CHARACTER</b> Enhancing and celebrating the Town’s heritage and character, recognising and responding to individual precincts.</li> <li>2. <b>IMPROVED STREETSAPES</b> Safer and more accessible streetscapes for all ages, with an increased tree canopy for greener, more shaded, cooler streets.</li> <li>3. <b>QUALITY</b> A consistent approach to the quality of finishes that can be utilised broadly across the Town.</li> <li>4. <b>STRATEGIC VISION &amp; DIRECTION</b> Strengthening the Town’s Strategic Vision, and aligning with Community Scorecard feedback.</li> <li>5. <b>CONSOLIDATION</b> A consistent and consolidated palette of materials, with a clear direction and rationale for design decisions within the Town.</li> </ol>	
<b>Summary of the Purpose:</b>	To: <ul style="list-style-type: none"> <li>• Strengthen the Town’s Strategic Vision;</li> <li>• Enhance existing heritage and character;</li> <li>• Align with Community Scorecard feedback;</li> <li>• Consolidate Town’s planning, strategies, design, heritage and other documents;</li> <li>• Have a consistent and consolidated palette of materials, finishes and planting; and</li> <li>• Give clear direction and rationale for design decisions within the Town.</li> </ul>	
<b>Timeline:</b>	<ul style="list-style-type: none"> <li>• 20/10/20 – Report to Council to endorse for Public Comment</li> <li>• 30/10/20 – Public Comment, 35 days (closes Friday 4 December 2020)</li> </ul>	
<b>Next Steps:</b>	<ul style="list-style-type: none"> <li>• Summary of Submissions / document review</li> <li>• Report to Council to endorse the final document (EMRS)</li> </ul>	
<b>Stakeholders</b>		
<b>Stakeholders to be targeted:</b>	Ratepayers Residents Businesses There are 7 precincts within the Guide, stakeholders should be directed towards the information pertaining to their precinct of interest, as well as the overall Guide.	<ol style="list-style-type: none"> <li>1. Plympton Precinct</li> <li>2. Raceway Precinct</li> <li>3. Richmond Hill Precinct</li> <li>4. Richmond Precinct</li> <li>5. Riverside Precinct</li> <li>6. Town Centre Precinct</li> <li>7. Woodside Precinct</li> </ol>
<b>Access / Inclusion Considerations:</b>	For example, availability in alternative languages, large print, non-electronic, print copy, phone assistance.	Large print hard copy available on request, view at Town Hall, plus Drop-In Session.

<p><b>Proximity / Special Interest Considerations:</b></p>	<p>Stakeholders who might be more directly affected by the project.</p>	<p>It is not considered that any party will be more affected than others, however it is noted that businesses in the Town Centre and on George Street may have more of an interest.</p>
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Public Comment Plan			
Methods	Responsible	Date Due	Complete / Notes
<b>AWARE</b>			
Collateral	CMO	21/10/20	Have your Say tile, with Guide name included.
Newsletter - eMonthly	CMO	November	Awareness of opportunity to comment
Web – Consultation	AORS	21/10/20	Add via Spark module
<b>INFORM</b>			
Advert - Newspaper	EMRS	23/10/20	Content for Fremantle Herald
	EA-CEO	30/10/20	Place advertisement
Drop-In Session Town Hall ( <i>booked</i> )	CCE	29/10/20 4pm-8pm	( <i>list on 21/10/20</i> ) RSVPs through Eventbrite (Facebook link) Add to Online Calendar
Email List	CCE	21/10/20	Business List
Facebook Post/s	CMO	21/10/20	Awareness of opening, including Drop-In
		27/11/20	Advice of closing
Fact Sheet	(Consultant)	Complete	Refer to 5-page brochure for each Precinct + to Style Guide document
Instagram	CMO	21/10/20	Awareness of opening, including Drop-In
		27/11/20	Advice of closing
Newsletter – Mail ( <i>¼ly</i> )	CMO	(Missed)	N/A
Noticeboards	AORS	21/10/20	Invitation Poster @ Town Hall / Foodworks / Zephyr
Reception Screen	CSO-TL	21/10/20	
Web – News Item	CMO	23/10/20	
<b>STATUTORY</b>			
Regulatory	Via Reg. Services	NIL	N/A
Heritage	Via Reg. Services	NIL	N/A

Submit to Coordinator Community Engagement for internal recording / dissemination	
Executive Leadership Team (via ELT)	Via ELT and Council Agenda (October)
Customer Service (via Team Leader)	Via weekly CCE – TLCS catch-up (14/10/20)
Elected Members (via CEO EA)	Via Council Agenda (October) Request to add Drop-In to their calendar (13/10/20)

TOWN OF EAST FREMANTLE

URBAN STREETScape AND PUBLIC REALM STYLE GUIDE

SCHEDULE OF SUBMISSIONS

No.	Description of Affected Property	Submission	Response / Recommendation
1	75 Fortescue Street, East Fremantle	<p>The guide is of high quality and well presented.</p> <p>I would like to see preference for sourcing products containing recycled content within the guide and this could be included as a principle under 3.1. If the Town has specific procurement targets or principles in relation to this, then they could be referenced here. Specifically, I would like to see this referenced under 2.1 - consideration of sourcing paving materials containing recycled content. In addition, under 3.6, the recycled plastic bench seats (as recently installed at the Silas Street dog park) are not shown as example acceptable furniture. I am also concerned that by listing the specific products that are acceptable in the guide, it does not allow for innovation or new products coming to market to be considered.</p>	<p>Comments and views noted. No change to documents recommended.</p> <p>The Style Guide provides opportunities for recycled plastic bollards and battens for seats and tables.</p> <p>The listing of specific products in the guide is intended to provide product examples only. The seats referred to in the Silas Street dog park were installed after the draft documents were prepared.</p> <p>The Town’s general approach is to consider a range of materials/products, including innovative products when considering new or replacement furniture, road paving, infrastructure etc.</p>
2	57 Dalgety Street, East Fremantle	<p>Regarding tree selection I would like to make a few points. Firstly, I don't think London Plane trees are being planted anymore on the streets because I did ring a while back to say that a lot of people are terribly allergic to them, including me and my grandchildren. The person on the phone said no more were being planted. I cannot go to Melbourne in Spring because of the dreadful effect they have on me.</p>	<p>Comments and views noted. No change to documents recommended.</p> <p>The Town’s Operations Manager and Operations Supervisor have been consulted in regard to the documents and the tree selection</p>

No.	Description of Affected Property	Submission	Response / Recommendation
		<p>I also do not like red bottlebrush at all as verge trees. They do attract birds (I have one in back yard for that purpose) but they are also very messy and untidy and the red colour is so unattractive compared with the white or pink version (if you have to have them?).</p> <p>Jacaranda trees are beautiful but are also extremely messy (I have one of those too on my property) and they drop their leaves and flowers and sticks for months, so not really suitable for the streets unless the Council cleans them up. Applecross does look great in November though.</p> <p>I think it is nice to have trees that lose their leaves in winter at home so the sunshine can get in but I think evergreen trees are more suitable for the local streetscape. I have seen beautiful trees in other suburbs like Applecross and Perth city and new estates around the suburbs (deciduous and evergreen) but do not know what they are called. They have an attractive shape with wide branches up high so traffic can see clearly. A street tree needs to have a tall straight trunk and branches that spread above head height, tolerant of pruning, resistance to drought and neat and tidy. Non invasive root systems and no suckers.</p> <p>Fruiting trees would be a nuisance if nobody picked up the fruit and Olive trees are attractive but would have to be of the NON fruiting type to avoid an ugly mess, and also trimmed at the bottom, for viewing clearly. They can look great if non-fruiting and well shaped. We definitely need as much shade as possible in this hot climate and a spreading shade bower is always welcome in parks, with seating. Shady seating for parents and elderly grandparents especially who look after grandchildren should be provided very close to the playground, so the kids can be watched closely.</p> <p>There is a lovely tree from memory in the roundabout circle on Petra Street and I think it is View Terrace. Pig face is also a good ground cover and large leaf ivy if trimmed to hide any ugly or sandy spots. It is especially nice when all the trees in the street are the same too. Much as I would like to see Box trees removed it would probably be too much of an ask but if they were the new trees should be fairly well established before their removal. They are horrible for many reasons and nobody likes them that I know. I don't agree that</p>	<p>matrix and both have endorsed the documents, subject to some minor amendments.</p> <p>Both fruiting (which produce flowers) and non-fruiting (with minimal to nil flowers) Olives are noted in the Style Guide and should be used according to the tree matrix provided.</p>

No.	Description of Affected Property	Submission	Response / Recommendation
		<p>trees all have to be native though some natives can look nice. There is a particularly nice red flowering gum with very dark green leaves opposite our house, which I like very much which could be WA Red Flowering Gum. I also love Crepe Myrtle, Liquid Amber, Snow Pear, Gleditsia Sunburst, Claret Ash, Weeping Peppermint and even the Paperbarks we have in our street.</p> <p>I am very appreciative of the work Council is doing regarding our landscape and our lovely suburb and it is important to choose the right tree for the right location. However, please no more ugly red bottlebrush.</p>	
3	Unit 1, 20 Preston Point Road, East Fremantle	<p>No mention of lighting in study areas. Lighting can be used to increase not just security safety for users but also to enhance and illuminate the beauty of both study areas. E.g. soft bollard lights along for pedestrian sidewalks in George Street, maybe uplights into existing street tree foliage and onto heritage facades to enhance the village charm of the place. Could be solar powered. There are many examples in other cities such as the cliffs in Brisbane city which are lit up at night with various colour temperatures.</p> <p>Consider “shared spaces” that have been used around many towns and cities around the globe minimising signage and line marking etc. especially along George Street intersections. Why stick to bitumen, maybe something like limestone , cobblestones or jarrah boards, planks could be used at intersections to enhance , delineate the shared spaces and tap into the awesome heritage value of the area. This could also be used as street theatre spaces especially in front of the old dragon hotel at end of George Street. Vibrant and diverse community “energy hubs”.</p> <p>More consideration for various modes of transport such as bicycles, small electric vehicles. E.g. all of Adelaide CBD has dedicated bicycle lanes to separate vehicles, pedestrians, bicycles. Increases safety and efficiency and encourages smaller modes of transport as opposed to single drivers in large motor vehicles congesting and parking.</p> <p>Suggest a “market place” in village square for Sunday markets all similar to encourage vibrancy, diversity in this energy hub. Unfortunately the Richmond Quarter building courtyard has limited connection to the public areas in front of the existing Food Works</p>	<p>Comments and views noted. No change to documents recommended.</p> <p>In respect to comments on “lighting”, the style guide is not a comprehensive lighting study – that is a separate undertaking and project.</p> <p>Regarding the “shared spaces” comments, the selection of materials was undertaken in consultation with the Town. Further development of a material palette could be undertaken during a concept and design development stage, of this project, or as a separate project.</p> <p>In respect to the transport related comments the document is not a transport study so does not address these matters.</p> <p>With regard to the tree species it is noted that several edible species are listed within the available selections. See comments above.</p>

No.	Description of Affected Property	Submission	Response / Recommendation
		<p>public spaces and does not respond well to the prevailing sea breezes. The area in front of Food Works and the car park area on the southside of building may be able to be turned into a market once a month or something. Melville Square does this successfully once a week. It increases community interactions and brings the centre to life. Maybe the river spaces might be better for this.</p> <p>Other than native shade producing , wind breaking species edible vegetation , food producing plants should be adopted for community spaces if irrigation is being used.</p> <p>Weather proof / glazed awnings at energy hubs to allow pedestrian movements in adverse weather could be considered to enhance existing tapestry. Maybe the art nouveau transport steel and glass entrances in Paris could be used as inspiration to tie into East Freo heritage language.</p> <p>No mention of the tunnel link under Stirling Hwy. The tunnel can be used and enhanced. Don't forget about this vital link between the two study areas.</p> <p>More acknowledgement and education in relation to Indigenous peoples - how they lived, where they lived and undertook various activities needs to be woven into the story. They need to be consulted closely as they are key stakeholders. E.g. native edible vegetations, healing places, wetlands etc.</p> <p>Don't copy and paste designs from other areas - otherwise we are all going to end up in the flat Legoland cul de sacs that span from Yanchep to Mandurah. These days you wouldn't know where you are anymore.</p> <p>East Fremantle is a world class precinct with many topographical, cultural, heritage, new and natural beauty features that are meaningful, sustainable and the usable environment can really enhance it for all users past, present and future and really highlight the unique sense of place we really are so lucky enough to live in here. Building community spirit in this village is essential.</p>	<p>The specific urban design projects mentioned are outside the Style Guide scope.</p> <p>Regarding comments with respect to Aboriginal people, the comments are noted. However, this would be encompassed in a context document which is a high level document covering a broad array of information and not included in the scope of works for this project.</p> <p>Most of the comments are outside the scope of the project. Some are the subject of other studies, policies and strategies being undertaken or nearing completion by the Town. These studies and strategies have previously been, or will be subject to community consultation, for example the <i>Integrated Traffic, Transport and Movement Strategy</i> intended to be advertised for community comment next year.</p>

### Urban Streetscape and Public Realm Style Guide Amendments

1. In Section 6 - Typical Details the following information is to be included:
  - PV09 Special Paving - Canning Highway
  - PV07 Exposed Aggregate - Riverside Road
  
2. The technical details for PV01 to PV09 should specify the product colour, aggregate size, percentage of material mix, etc. This is to ensure that the specifications for the Town are consistent and there are no variations.
  
3. The draft documents use the word “Driveway”, technically this should be referred to as a “Crossover”. The Town’s Local Law and planning documents refer to “Crossover” within the thoroughfare and “driveway” on private property.

### 12.1.3 HMAS Perth Memorial

<b>File ref</b>	R/RSA2
<b>Prepared by</b>	Andrew Malone Executive Manager Regulatory Services
<b>Supervised by</b>	Gary Tuffin Chief Executive Officer
<b>Meeting Date:</b>	8 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Nil

#### **Purpose**

The purpose of this report is for Council to provide its in principle support for a memorial in recognition of those that served and those that perished in the sinking of HMAS Perth I, to be located at Reserve 28189 Riverside Road, East Fremantle (TS Perth – Australian Navy Cadets building).

#### **Executive Summary**

The Town has liaised with the Navy League of Australia regarding the construction of a memorial to be located at Reserve 28189 Riverside Road. A memorial is being designed currently and donations are being sought for the memorial. It is envisaged that the memorial will be unveiled in 2022 to celebrate the eightieth anniversary of the sinking of HMAS Perth I. The Town has provided regulatory assistance with the process to date, however a development application has not been submitted. The memorial will act as a place for commemoration for those lost at sea to have a specific memorial to HMAS Perth I, providing a ceremonial space, a commemoration space and a place of contemplation. +

It is recommended Council provide its in principle support to the concept of a memorial on Riverside Road, subject to design and regulatory approvals.

#### **Background**

The history of HMAS Perth I is ultimately one of tragedy, however it is also one of bravery, comradery and support, and demonstrates the Australian spirit. The memorial will be a befitting commemoration space for the memory of HMAS Perth and is the result of many years of hard work and dedication by the Perth branch of the Navy League of Australia. The memorial will also serve to remember such stories as Red Lead HMAS Perth's cat.

HMAS Perth I received her first hit at 23:26 on 28 February 1942, her second at 23:32 and a third at 23:50. Shortly afterwards Lieutenant Peter Hancox, RAN reported that ammunition was reduced to a few 6-inch practice shells and some star shells. At that juncture Captain Waller decided to attempt to force a passage through Sunda Strait. He ordered full speed and altered course for Toppers Island. Perth had barely steadied on course when she was struck on the starboard side by a torpedo at 00:05. A few minutes later HMAS Perth I received a second torpedo hit on the starboard side and Captain Waller gave the order to abandon ship. HMAS Perth I sank at approximately 00:25 on 1 March 1942 having received two further torpedo hits, one on her starboard side, the other on the port.

Most of her crew abandoned ship between the second and third torpedoes. During the abandon ship operation HMAS Perth I was under fire from several destroyers at close range and many hits were scored and casualties caused. Many were killed or wounded in the water by the explosion of the last two torpedoes and by shells exploding in the water.

At the time of her loss HMAS Perth I ship's company totalled 681, comprising 671 naval personnel, six RAAF personnel (for operating and servicing the ships aircraft) and four civilian canteen staff. Her ships company numbers were slightly increased by a number of men who had been destined to join HMAS Hobart, on 24 February, but who were unable to be transferred to that ship due to an air raid on Tanjong Priok. 347 naval personnel (including Captain Waller), three RAAF personnel and three canteen staff did not survive the sinking. 328 men survived the sinking being 324 naval personnel, three RAAF personnel and one civilian canteen assistant; 17 year old Alfred Hawkins. The stories and depth of history of the ship is significant to Australia's war efforts and indeed is very significant to Perth as a whole. The memorial will act as a space to commemorate those lost in the sinking of HMAS Perth I. The memorial will also remember the four sailors recovered from captivity in September 1944 when they were among prisoners of war rescued by a US submarine after the sinking of a Japanese cargo ship and after the end of hostilities the other 214 men (211 naval, two RAAF and civilian canteen assistant Hawkins) that were recovered from Japanese Prisoner of War camps.

### **Consultation**

The Navy League of Australia has liaised with Council staff, elected members and external stakeholders, and has held open forums regarding the memorial.

A formal application has not been submitted to Council to date. The Department of Biodiversity, Conservation and Attractions (DBCAs) will be the determining authority with respect to any formal application received for the memorial.

### **Statutory Environment**

*Planning and Development Act 2005*

*Town of East Fremantle Town Planning Scheme No. 3*

### **Policy Implications**

Nil

### **Financial Implications**

Nil – However Council may wish to make a donation to the project at a future date. A separate report will be presented to Council in such instance.

### **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.*

**Risk Implications**

A development application has not been submitted. Council will undertake community engagement as required regarding the proposal.

**Site Inspection**

Various inspections have been undertaken regarding ongoing discussions regarding the design of the memorial.

**Comment**

The Town has liaised with and provided support to The Navy League of Australia in the development of a proposed memorial to be located at Reserve 28189 Riverside Road, East Fremantle. The building is currently a listed memorial, however it is proposed to improve the overall memorial through significant additions.

The Town recently adopted its Memorials in Public Places Policy and recognises that memorials support people grieving the loss of a loved one and commemorate significant events, such as the sinking of HMAS Perth I. The Town also recognises that there is a practical need for such a memorial and in principle supports the intention to locate the memorial at Reserve 28189 Riverside Road.

Whilst a finalised plan has not been submitted, it is proposed to include several features within the memorial. Due to the proposed location of the memorial, there does need to be very careful consideration to the future design of the new memorial and the design should give consideration the number of visitors expected to the memorial and the facilities to be provided. For example, is there sufficient access to the site for the public and large gatherings, car parking, and toilet facilities? These will be assessed when a development application is submitted. Design and servicing the memorial is very important as the memorial should be able to cater for larger crowds but still remain an intimate area. The surrounds of the river and parks make the overall area very

attractive and the design of the memorial should ensure there is capacity to service visitor by appropriate toilets, access and available space to spend time at the memorial and surrounds.

DBCA and the Town would encourage any memorial to include façade amendments to improve the amenity and aesthetics of the entire building (including the side facing the river). The Town will liaise with The Navy League of Australia to develop a beautiful and well presented memorial including further landscaping of the surrounds as required, seating and other features which will ensure a well presented memorial. Whilst there may be budgetary constraints due to the memorial being constructed entirely from donations and grants, it may be an opportunity to consider some façade amendments to improve the amenity and aesthetics of the building.

Additionally, landscaping with native species and lighting will complement the memorial and vegetation on the riverside of the Wall of Remembrance would soften its appearance and allow visitors to spend more time around the memorial.

Subject to the finalised design, the Town will support The Navy League of Australia to memorialise service men and women who were lost during the sinking of HMAS Perth I, those that died later, those that survived and were rescued and those that survived but were imprisoned. The story of Perth I whilst tragic, serves as an enduring event in history whose story should be told, and remembered through the development of a memorial.

#### **12.1.3 OFFICER RECOMMENDATION**

**That Council:**

- 1. support in principle the concept that a memorial be constructed at Reserve 28189 Riverside Road, East Fremantle to recognise HMAS Perth I subject to a formal design concept being submitted to Council and approved by the Department of Biodiversity, Conservation and Attractions;**
- 2. authorises the Mayor and Chief Executive Officer to draft a letter to The Navy League of Australia noting the Council's in principle support for the memorial.**

## 12.2 FINANCE

### 12.2.1 Statement of Financial Activity for Period Ended 30 November 2020

<b>Applicant</b>	Not Applicable
<b>File ref</b>	F/FNS2
<b>Prepared by</b>	Peter Kocian, Executive Manager Corporate Services
<b>Supervised by</b>	Gary Tuffin, Chief Executive Officer
<b>Meeting Date:</b>	8 December 2020
<b>Voting requirements</b>	Absolute Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Statement of Financial Activity 30 November 2020 2. Capital Works Report 1 December 2020 3. Financial Health Check 30 November 2020

#### **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 2020. The Monthly Financial Report also includes a Capital Works Report and Financial Health Check summary.

#### **Executive Summary**

A Monthly Financial Report workbook has been prepared to provide an overview of key financial activity. Two Statements of Financial Activity are provided, 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 2021.

A Capital Works Report is presented detailing committed expenditure against budgets. This report is used to assess the clearance rate of capital projects.

A Monthly Financial Health Check has also been prepared which provides key financial information against benchmarks. This document is intended to provide a concise summary of the Town's financial performance.

#### **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.

The monthly Financial Report 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:
  - Explanation of Material Variances
  - Net Current Funding Position
  - Cash and Investments
  - Receivables
  - Cashed Back Reserves
  - Capital Disposals
  - Rating Information
  - Grants and Contributions

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The attached Monthly Financial Report is 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**

Management team

### **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.

Expenditure from the municipal fund not included in the annual budget must be authorised in advance by an absolute majority decision of Council pursuant to section 6.8 of the *Local Government Act 1995*.

Fees and charges are imposed under section 6.16 of the *Local Government Act 1995*. If fees and charges are imposed after the annual budget has been adopted, local public notice must be provided before introducing the fees or charges pursuant to section 6.19 of the *Local Government Act 1995*.

### **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.

As part of the adopted 2020/21 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 2020/21 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.*

### **Strategic Implications**

The monthly financial report is the key financial reporting mechanism to Council, to provide oversight of the financial management of the local government. This ties into the Strategic Community Plan as follows:

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

### Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Inadequate oversight of the financial position of the Town may result in adverse financial trends	Rare (1)	Major (4)	Low (1-4)	FINANCIAL IMPACT \$50,000 - \$250,000	Manage by monthly review of financial statements and key financial information

### Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	4
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

### Site Inspection

Not applicable.

### Comment

This report presents the Statement of Financial Activity for the period 30 November. The following is a summary of headline numbers from the attached financial reports:

	Original Budget	YTD Budget	November Actuals
<b>Opening Surplus</b>	<b>160,328</b>	<b>226,870</b>	<b>226,870</b>
Operating Revenue	10,517,403	9,117,802	9,156,037
Operating Expenditure	(10,969,062)	(4,906,512)	(4,562,497)
Capital Expenditure	(1,026,681)	(403,416)	(384,918)

Capital Income	210,000	180,000	0
Financing Activities	(470,888)	(23,790)	(26,962)
Non-Cash Items	1,578,900	657,875	1,051,202
<b>Closing Surplus</b>	<b>0</b>	<b>4,848,829</b>	<b>5,459,732</b>
Unrestricted Cash			4,376,948
Restricted Cash			993,331

- A Capital Works Report is being auto generated within the Town's financial system and emailed to Responsible Officer's on a weekly basis to monitor projects. This Report is provided as Attachment 2 and includes actual expenditure as at 1 December 2020. The full year capital works budget has been 29% expended with \$385k in actual expenditure;
- Rates were levied in the month of July with rate notices issued in the first week of August. At the end of November 72.5% of rates levied (including arrears) has been receipted. The due date for payment of rates including the election of instalments was the 7 September;
- Depreciation expense has been run for the period ended November. The asset revaluation as at 30 June 2020 resulted in an increase in asset values (buildings) of \$5.79m. Subsequently, depreciation expense has increased significantly, and the budget will be adjusted in the mid-year review. This will have an adverse impact on a number of ratios at the end of the financial year.

#### **Budget Variations**

The Annual Financial Report for the year ended 30 June 2020 is currently awaiting audit sign off. The Rate Setting Statement confirms a closing surplus of \$226,870 as at 30 June 2020. This is a favourable result compared to the opening fund position in the 2020/21 Annual Budget, and factoring in all budget variations approved by Council this financial year, leaves a current budget forecast surplus of \$11,463 as at 30 June 2021. This amount is available to fund the requested budget variation below:

*Council, at its October Meeting, approved RFQ07-2020/21 being the purchase of a new community bus for the fixed price of \$173,414 ex GST. Unfortunately, the Town has been advised that there is no remaining stock of this model bus in Australia and the manufacturer has released a new model. A price increase of \$4,000 plus GST applies to the new bus. A budget variation of \$2,500 is required against general ledger E08607 which has an approved budget of \$175k.*

#### **12.2.1 OFFICER RECOMMENDATION**

**That Council:**

- 1. receives the Monthly Financial Report (Containing the Statement of Financial Activity) for the month ended 30 November 2020, as presented as attachment 1 to this report.**
- 2. notes the unrestricted municipal surplus of \$5,459,732 as at 30 November 2020.**
- 3. receives the Capital Works Report dated 1 December 2020, as presented as attachment 2 to this report.**
- 4. receives the Monthly Financial Health Check, as presented as attachment 3 to this report.**
- 5. pursuant to section 6.8 of the *Local Government Act 1995*, approve the schedule of budget variations below resulting in an unfavourable movement of (\$2,500) in net current assets as at 30 June 2021.**



Account No.	Description	Current Budget	Amended Budget	Variance	Comment
E08607	Replace Mitsubishi Bus	(\$175,000)	(\$177,500)	(\$2,500)	New model required as no available stock in Australia
Change in Net Current Assets				(\$2,500)	

**TOWN OF EAST FREMANTLE**  
**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**  
**For the Period Ended 30 November 2020**

LOCAL GOVERNMENT ACT 1995  
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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**Town of East Fremantle  
Information Summary  
For the Period Ended 30 November 2020**

## Key Information

### Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

### Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

### Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 30 November 2020 of \$5,459,732.

### Items of Significance

The material variance adopted by the Town of East Fremantle for the 2020/21 year is \$10,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

	%	Amended			
	Collected /	Annual		YTD Budget	YTD Actual
	Completed	Budget			
<b>Significant Projects</b>					
Purchase Property, Plant and Equipment	19%	\$ 292,500	\$ 47,500	\$ 56,338	
Purchase and Construction of Infrastructure	45%	\$ 734,181	\$ 355,916	\$ 328,580	
<b>Grants, Subsidies and Contributions</b>					
Commonwealth Home Support Programme	50%	\$ 601,566	\$ 300,783	\$ 301,515	
Regional Road Group Grant	0%	\$ 180,000	\$ 180,000	\$ -	
		\$ 601,566	\$ 300,783	\$ 301,515	
Rates Levied	100%	\$ 7,997,275	\$ 7,979,775	\$ 7,984,777	

*% Compares current ytd actuals to annual budget*

### Financial Position

	Current Year
Adjusted Net Current Assets	\$ 5,459,732
Cash and Equivalent - Unrestricted	\$ 4,376,948
Cash and Equivalent - Restricted	\$ 993,331
Receivables - Rates	\$ 2,790,735
Receivables - Other	\$ 136,118
Payables	\$ 1,110,364

*% Compares current ytd actuals to prior year actuals at the same time*

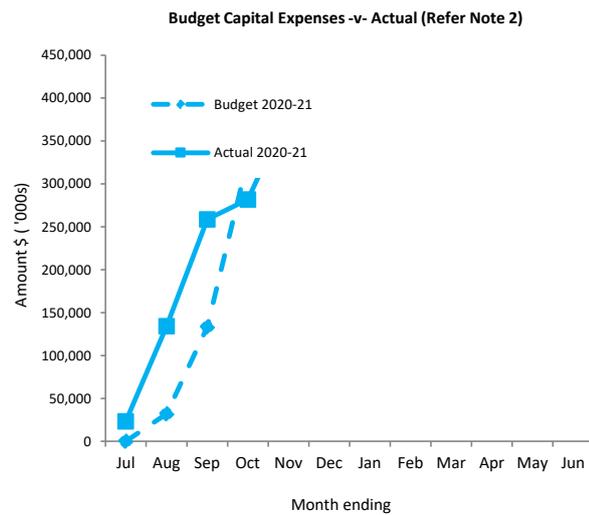
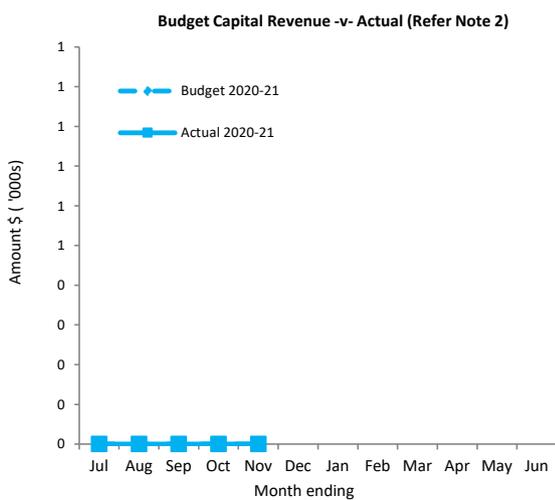
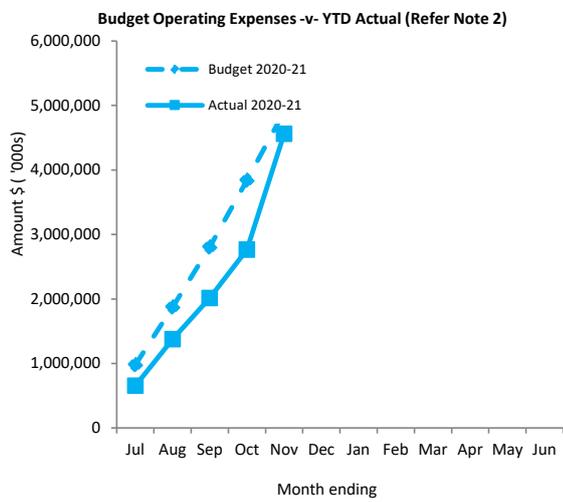
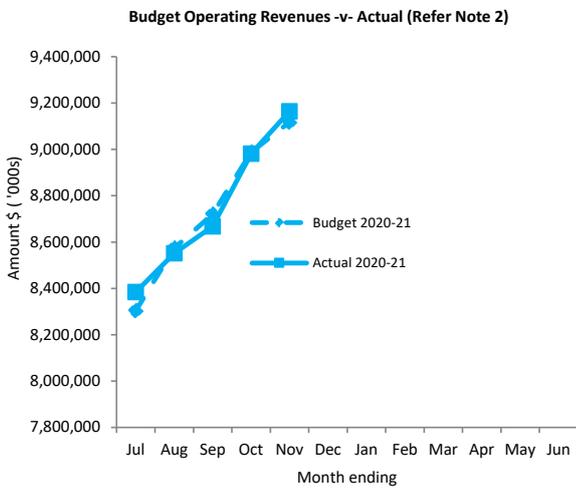
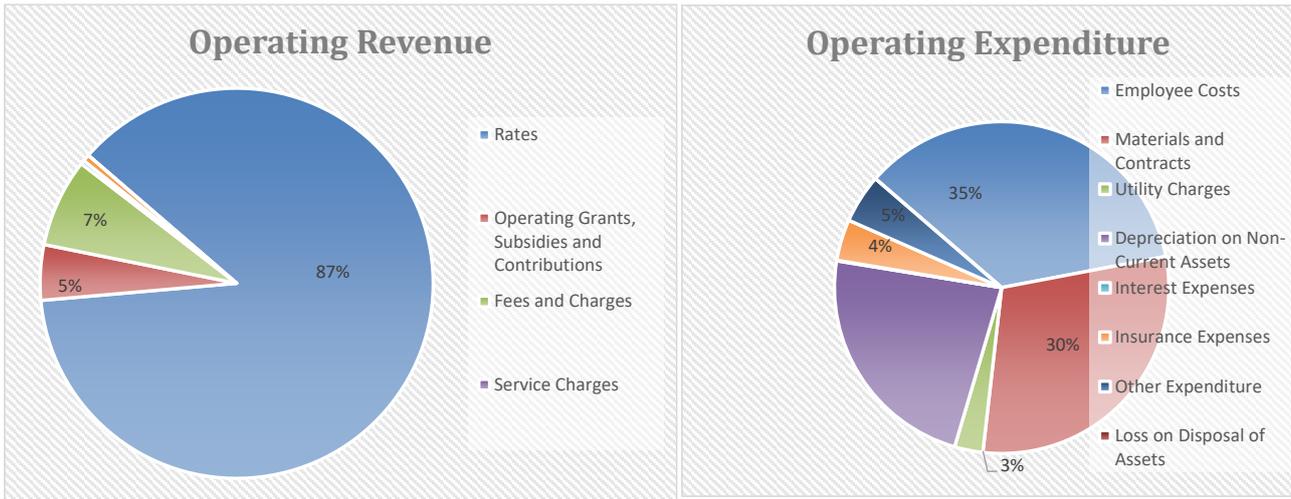
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of

## Preparation

Prepared by:

Reviewed by: Peter Kocian

Date prepared:



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

TOWN OF EAST FREMANTLE  
STATEMENT OF FINANCIAL ACTIVITY  
(Statutory Reporting Program)  
For the Period Ended 30 November 2020

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Current Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Opening Funding Surplus(Deficit)</b>	3	\$ 160,328	160,328	226,870	226,870	\$ 226,870	\$ (0)	% (0%)	
<b>Revenue from operating activities</b>									
Governance		10,000	10,000	10,000	4,167	858	(3,309)	(79%)	
General Purpose Funding - Rates	9	7,997,275	7,997,275	7,997,275	7,979,775	7,984,777	5,002	0%	
General Purpose Funding - Other		328,653	328,653	328,653	146,243	147,633	1,390	1%	
Law, Order and Public Safety		33,200	33,200	33,200	13,833	20,779	6,945	50%	
Health		13,409	13,409	13,409	10,492	10,345	(147)	(1%)	
Education and Welfare		713,766	713,766	713,766	347,533	373,910	26,377	8%	
Housing		84,000	84,000	84,000	35,000	26,883	(8,117)	(23%)	
Community Amenities		205,000	205,000	205,000	159,500	139,299	(20,201)	(13%)	▼
Recreation and Culture		648,800	648,800	652,864	203,167	212,070	8,903	4%	
Transport		353,800	353,800	353,800	164,133	123,034	(41,100)	(25%)	▼
Economic Services		80,500	80,500	80,500	33,542	71,649	38,107	114%	▲
Other Property and Services		49,000	49,000	49,000	20,417	44,801	24,384	119%	▲
		<b>10,517,403</b>	<b>10,517,403</b>	<b>10,521,467</b>	<b>9,117,802</b>	<b>9,156,037</b>			
<b>Expenditure from operating activities</b>									
Governance		(1,198,448)	(1,198,448)	(1,198,448)	(568,687)	(583,206)	(14,519)	(3%)	
General Purpose Funding		(155,287)	(155,287)	(155,287)	(64,701)	(52,707)	11,995	19%	▲
Law, Order and Public Safety		(175,539)	(175,539)	(175,539)	(74,800)	(81,213)	(6,412)	(9%)	
Health		(215,419)	(215,419)	(240,419)	(80,471)	(72,191)	8,280	10%	▲
Education and Welfare		(1,116,999)	(1,116,999)	(1,116,999)	(483,108)	(414,087)	69,021	14%	▲
Housing		(45,320)	(45,320)	(45,320)	(19,653)	(6,935)	12,719	65%	▲
Community Amenities		(2,750,998)	(2,750,998)	(2,750,998)	(1,149,192)	(966,401)	182,791	16%	▲
Recreation and Culture		(2,334,470)	(2,334,470)	(2,384,613)	(1,197,854)	(1,160,138)	37,715	3%	
Transport		(2,703,195)	(2,703,195)	(2,686,195)	(1,119,248)	(996,063)	123,185	11%	▲
Economic Services		(115,287)	(115,287)	(115,287)	(48,036)	(47,313)	723	2%	
Other Property and Services		(158,100)	(158,100)	(158,100)	(100,762)	(182,245)	(81,483)	(81%)	▼
		<b>(10,969,062)</b>	<b>(10,969,062)</b>	<b>(11,027,205)</b>	<b>(4,906,512)</b>	<b>(4,562,497)</b>			
<b>Operating activities excluded from budget</b>									
Add back Depreciation		1,578,900	1,578,900	1,578,900	657,875	1,051,202	393,327	60%	▲
Adjust (Profit)/Loss on Asset Disposal	8	0	0	0	0	0	0		
Movement between Current/Non-Current Assets/Liabilities							0		
<b>Amount attributable to operating activities</b>		<b>1,578,900</b>	<b>1,578,900</b>	<b>1,578,900</b>	<b>657,875</b>	<b>1,051,202</b>			
<b>Investing Activities</b>									
Non-operating Grants, Subsidies and Contributions	11	180,000	180,000	180,000	180,000	0	(180,000)	(100%)	▼
Proceeds from Disposal of Assets	8	30,000	30,000	30,000	0	0	0		
Purchase Property, Plant and Equipment		(292,500)	(292,500)	(292,500)	(47,500)	(56,338)	(8,838)	(19%)	
Purchase and Construction of Infrastructure		(734,181)	(734,181)	(1,040,213)	(355,916)	(328,580)	27,336	8%	
<b>Amount attributable to investing activities</b>		<b>(816,681)</b>	<b>(816,681)</b>	<b>(1,122,713)</b>	<b>(223,416)</b>	<b>(384,918)</b>			
<b>Financing Activities</b>									
Transfer from Reserves	7	591,500	591,500	896,532	0	0	0		
Repayment of Debentures	10	(95,160)	(95,160)	(95,160)	(23,790)	(24,882)	(1,092)	(5%)	
(Transfer to Reserves)	7	(967,228)	(967,228)	(967,228)	0	(2,080)	(2,080)		
<b>Amount attributable to financing activities</b>		<b>(470,888)</b>	<b>(470,888)</b>	<b>(165,856)</b>	<b>(23,790)</b>	<b>(26,962)</b>	<b>(3,172)</b>	<b>(13%)</b>	
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>(0)</b>	<b>11,463</b>	<b>4,848,829</b>	<b>5,459,732</b>	<b>610,903</b>		

TOWN OF EAST FREMANTLE  
STATEMENT OF FINANCIAL ACTIVITY  
(By Nature or Type)  
For the Period Ended 30 November 2020

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Current Budget	Amended YTD Budget	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$			\$	\$	\$	%	
<b>Opening Funding Surplus (Deficit)</b>	3	<b>160,328</b>	<b>160,328</b>	<b>226,870</b>	<b>226,870</b>	<b>226,870</b>	(0)	(0%)	
<b>Revenue from operating activities</b>									
Rates	9	7,997,275	7,997,275	7,997,275	7,979,775	7,984,777	5,002	0%	
Operating Grants, Subsidies and Contributions	11	1,175,019	1,175,019	1,179,083	455,410	420,245	(35,165)	(8%)	
Fees and Charges		1,187,609	1,187,609	1,187,609	616,992	670,022	53,030	9%	
Interest Earnings		120,000	120,000	120,000	50,000	29,520	(20,480)	(41%)	▼
Other Revenue		37,500	37,500	37,500	15,625	51,474	35,849	229%	▲
Profit on Disposal of Assets	8	0	0	0	0	0	0		
		<b>10,517,403</b>	<b>10,517,403</b>	<b>10,521,467</b>	<b>9,117,802</b>	<b>9,156,037</b>			
<b>Expenditure from operating activities</b>									
Employee Costs		(4,173,445)	(4,205,445)	(4,205,445)	(1,785,410)	(1,624,403)	161,007	9%	
Materials and Contracts		(4,279,617)	(4,000,617)	(4,101,260)	(1,778,490)	(1,359,851)	418,639	24%	▲
Utility Charges		(299,300)	(299,300)	(296,800)	(123,668)	(125,111)	(1,443)	(1%)	
Depreciation on Non-Current Assets		(1,578,900)	(1,578,900)	(1,578,900)	(657,875)	(1,051,202)	(393,327)	(60%)	▼
Interest Expenses		(14,960)	(14,960)	(14,960)	(3,740)	(2,616)	1,124	30%	▲
Insurance Expenses		(180,320)	(180,320)	(180,320)	(180,320)	(182,955)	(2,635)	(1%)	
Other Expenditure		(442,520)	(689,520)	(649,520)	(377,008)	(216,359)	160,649	43%	▲
Loss on Disposal of Assets	8	0	0	0	0	0	0		
		<b>(10,969,062)</b>	<b>(10,969,062)</b>	<b>(11,027,205)</b>	<b>(4,906,512)</b>	<b>(4,562,497)</b>			
<b>Operating activities excluded from budget</b>									
Add back Depreciation		1,578,900	1,578,900	1,578,900	657,875	1,051,202	393,327	60%	▲
Adjust (Profit)/Loss on Asset Disposal	8	0	0	0	0	0	0		
<b>Amount attributable to operating activities</b>		<b>1,578,900</b>	<b>1,578,900</b>	<b>1,578,900</b>	<b>657,875</b>	<b>1,051,202</b>			
<b>Investing activities</b>									
Non-operating Grants, Subsidies and Contributions	11	180,000	180,000	180,000	180,000	0	(180,000)	(100%)	▼
Proceeds from Disposal of Assets	8	30,000	30,000	30,000	0	0	0		
Purchase Property, Plant and Equipment		(292,500)	(292,500)	(292,500)	(47,500)	(56,338)	(8,838)	(19%)	
Purchase and Construction of Infrastructure		(734,181)	(734,181)	(1,040,213)	(355,916)	(328,580)	27,336	8%	
<b>Amount attributable to investing activities</b>		<b>(816,681)</b>	<b>(816,681)</b>	<b>(1,122,713)</b>	<b>(223,416)</b>	<b>(384,918)</b>			
<b>Financing Activities</b>									
Transfer from Reserves	7	591,500	591,500	896,532	0	0	0		
Repayment of Debentures	10	(95,160)	(95,160)	(95,160)	(23,790)	(24,882)	(1,092)	(5%)	
(Transfer to Reserves)	7	(967,228)	(967,228)	(967,228)	0	(2,080)	(2,080)		
<b>Amount attributable to financing activities</b>		<b>(470,888)</b>	<b>(470,888)</b>	<b>(165,856)</b>	<b>(23,790)</b>	<b>(26,962)</b>			
<b>Closing Funding Surplus (Deficit)</b>	3	<b>0</b>	<b>(0)</b>	<b>11,463</b>	<b>4,848,829</b>	<b>5,459,732</b>	<b>610,903</b>	<b>13%</b>	<b>▲</b>

**Note 1: Explanation of Material Variances**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2020/21 year is \$10,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>Operating Revenues</b>	\$	%			
Community Amenities	(20,201)	(13%)		Timing	Unfavourable - Better Bins grant \$26k yet to be claimed Unfavourable - Main Roads Direct Grant yet to be claimed.
Transport	(41,100)	(25%)		Permanent	Parking revenue under budget.
Economic Services	38,107	114%		Timing	Favourable
Other Property and Services	24,384	119%		Timing	Favourable
<b>Operating Expense</b>					
Governance	(14,519)	(3%)		Timing	no reportable variances
General Purpose Funding	11,995	19%		Timing	Favourable
Law, Order and Public Safety	(6,412)	(9%)		Timing	no reportable variances
Health	8,280	10%		Timing	Favourable
Education and Welfare	69,021	14%		Timing	Favourable
Housing	12,719	65%		Timing	Favourable
Community Amenities	182,791	16%		Timing	Favourable
Recreation and Culture	37,715	3%		Timing	no reportable variances
Transport	123,185	11%		Timing	Favourable
Other Property and Services	(81,483)	(81%)		Permanent	Workers compensation to be reimbursed
<b>Depreciation</b>	393,327	60%		Permanent	Due to significant revaluation of buildings as at 30 June including recognition of yacht clubs
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	(180,000)	(100%)		Timing	Final 20% RRG to be claimed from Main Roads
Proceeds from Disposal of Assets	0				no reportable variances
<b>Capital Expenses</b>					
Purchase Property, Plant and Equipment	(8,838)	(19%)			no reportable variances
Purchase and Construction of Infrastructure	27,336	8%			no reportable variances
<b>Nature and Type Classifications:</b>					
Interest Earnings	(20,480)	(41%)		Timing	\$4.7m in Term Deposits invested as at 30 Sep. Interest Revenue will start to accrue.
Other Revenue	35,849	229%			Worker's comp recovered
Employee Costs	161,007	9%		Timing	Favourable
Materials and Contracts	418,639	24%		Timing	Favourable
Utility Charges	(1,443)	(1%)		Timing	no reportable variances
Depreciation on Non Current Assets	(393,327)	(60%)		Timing	Due to significant revaluation of buildings as at 30 June including recognition of yacht clubs
Interest Expenses	1,124	30%		Timing	Favourable
Insurance Expenses	(2,635)	(1%)		Timing	no reportable variances
Other Expenditure	160,649	43%		Timing	no reportable variances

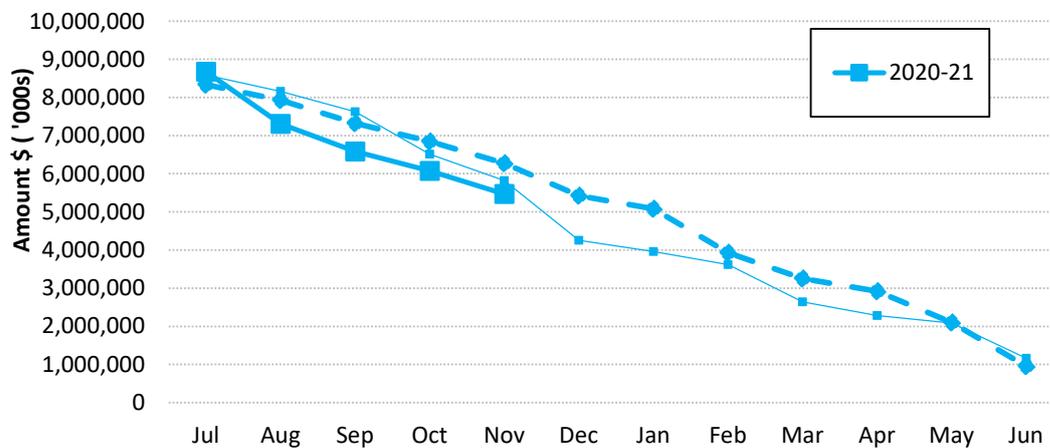
**TOWN OF EAST FREMANTLE**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 2: Net Current Funding Position**

Positive=Surplus (Negative=Deficit)

	Note	Last Years Closing 30 June 2020	Current 30 Nov 2020
		\$	\$
<b>Current Assets</b>			
Cash Unrestricted	4	1,966,551	4,376,948
Cash Restricted - Reserves	4	1,350,387	993,331
Receivables - Rates	6	320,318	2,790,735
Receivables - Other	6	109,834	136,118
Interest / ATO Receivable/Trust		250,242	51,581
Inventories		0	0
		3,997,332	8,348,714
<b>Less: Current Liabilities</b>			
Payables		(2,080,405)	(1,110,364)
Provisions		(698,807)	(674,363)
		(2,779,212)	(1,784,727)
Less: Restricted Cash - Reserves	7	(991,251)	(993,331)
Less: Trust Interfund Transfer Account		0	(110,924)
<b>Net Current Funding Position</b>		<b>226,870</b>	<b>5,459,732</b>

**Note 3 - Liquidity Over the Year**



**Comments - Net Current Funding Position**

TOWN OF EAST FREMANTLE  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 30 November 2020

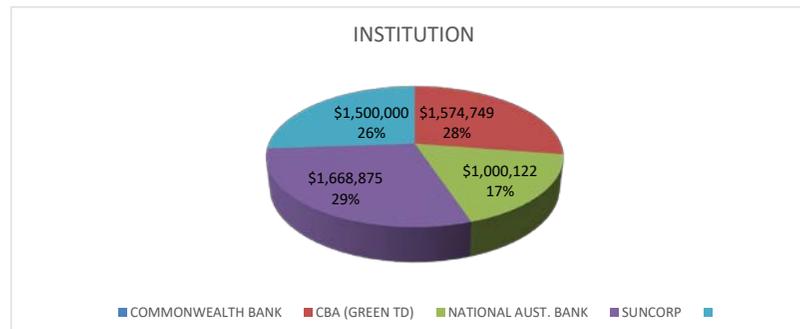
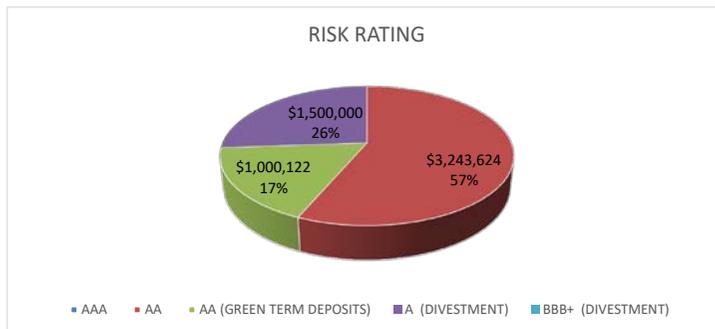
Note 3: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Risk Rating (LT)	Interest Rate	Maturity Date
	\$	\$	\$	\$				
<b>(a) Cash Deposits</b>								
Municipal Bank Account - On-Call	185,281			185,281	CBA	AA-	0.20%	At Call
Municipal Bank Account	720,194			720,194	CBA	AA-		At Call
Municipal Bonds & Deposits Account	163,311			163,311	CBA	AA-		At Call
Reserve Bank Account		251		251	CBA	AA-		At Call
Trust Bank Account			5,467	5,467	CBA	AA-		At Call
Cash On Hand	1,100			1,100	Petty Cash/Till Float		Nil	On Hand
<b>(b) Term Deposits</b>								
Municipal	500,245.37			500,245	CBA	AA-	0.19%	02-Dec-20
Municipal	500,000.00			500,000	SUNCORP	A+	0.60%	08-Dec-20
Municipal	500,000.00			500,000	SUNCORP	A+	0.60%	08-Dec-20
Municipal	500,000.00			500,000	SUNCORP	A+	0.60%	08-Dec-20
Municipal	500,000.00			500,000	CBA (GREEN TD)	AA-	0.44%	07-Dec-20
Municipal	500,122.05			500,122	CBA (GREEN TD)	AA-	0.19%	02-Dec-20
Municipal Bonds & Deposits	250,000			250,000	NAB	AA-	0.70%	08-Dec-20
Trust			425,795	425,795	NAB	AA-	0.50%	27-Jan-21
Reserves		993,080		993,080	NAB	AA-	0.45%	31-Mar-21
<b>Total</b>	<b>4,320,253</b>	<b>993,331</b>	<b>431,262</b>	<b>5,744,846</b>				
<b>Less Cash on Hand</b>	<b>(1,100)</b>			<b>(1,100)</b>				
	<b>4,319,153</b>			<b>5,743,746</b>				

Comments/Notes - Investments and Cash Deposits

(LT) RISK RATING	PORTFOLIO	\$	%
AAA	MAX 100%		
AA	MAX 100%	\$3,243,624	56.47%
AA (GREEN TERM DEPOSITS)	MAX 100%	\$1,000,122	17.41%
A (DIVESTMENT)	MAX 80%	\$1,500,000	26.12%
BBB+ (DIVESTMENT)	MAX 80%		0.00%
		<b>\$5,743,746</b>	<b>100.00%</b>

INSTITUTION	\$	%	(LT) RISK
COMMONWEALTH BANK	\$1,574,749	27.42%	AA-
CBA (GREEN TD)	\$1,000,122	17.41%	AA-
NATIONAL AUST. BANK	\$1,668,875	29.06%	AA-
SUNCORP	\$1,500,000	26.12%	A+
	<b>\$5,743,746</b>	<b>100.00%</b>	



TOWN OF EAST FREMANTLE  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 30 November 2020

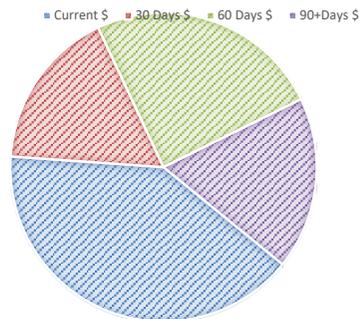
Note 4: Receivables

Receivables - Rates Receivable	30 November 2020	30 June 2020	Receivables - General	Current	30 Days	60 Days	90+Days	Credit Balances	Total
Opening Arrears Previous Years	\$ 270,487	\$ 220,065	Receivables - General	\$ 33,537	\$ 14,056	\$ 20,617	\$ 15,064	-158	83,116
Rates, ESL and Service Charges Levied this year	9,897,452	8,049,151	Receivables - Parking						63,496
Less Collections to date	7,101,612	-7,778,664	East Fremantle Lawn Tennis Club						24,000
Equals Current Outstanding (as per TB)		270,487							
<b>Net Rates Collectable</b>	<b>2,795,840</b>	<b>270,487</b>	<b>Total Receivables General Outstanding</b>						<b>170,612</b>
% Outstanding	27.50%								

Amounts shown above include GST (where applicable)

Control Account	GL	Balance
Sundry Debtors	104	83,116
SSL - Current EFTC	114	3,000
SSL - Non-Current EFTC	1684	21,000
Parking Debtors	180	63,496
		<b>170,612</b>

NOTE 6 - ACCOUNTS RECEIVABLE (NON-RATES)

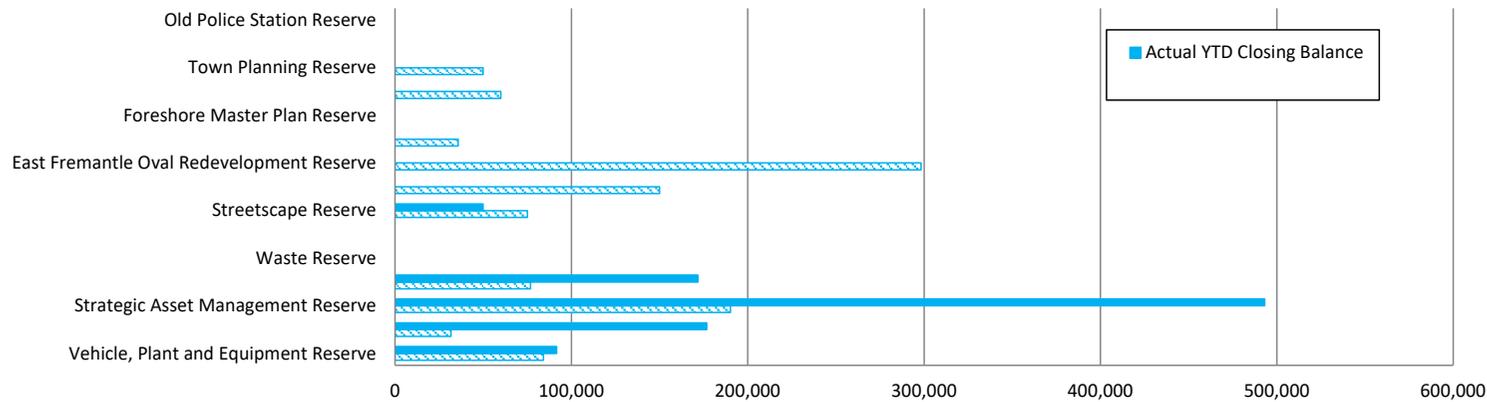


TOWN OF EAST FREMANTLE  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 30 November 2020

Note 5: Cash Backed Reserve

Name	Opening Balance	Amended Budget Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Non Current Leave Entitlements Reserve	10,000		0		0		10,000	10,000
Unspent Grants and Restricted Cash Reserve	0		0		0		0	0
Vehicle, Plant and Equipment Reserve	91,627		0		(7,500)		84,127	91,627
Aged Services Reserve	176,803		0		(145,000)		31,803	176,803
Strategic Asset Management Reserve	491,049		40,000	2,080	(340,853)		190,196	493,129
Arts and Sculpture Reserve	171,772		0		(95,000)		76,772	171,772
Waste Reserve	0		0		0		0	0
Committed Works Reserve	0		0		0		0	0
Streetscape Reserve	50,000		25,000		0		75,000	50,000
Drainage Reserve	0		150,000		0		150,000	0
East Fremantle Oval Redevelopment Reserve	0		298,228		0		298,228	0
Preston Point Facilities Reserve	0		100,000		(64,179)		35,821	0
Foreshore Master Plan Reserve	0		75,000		(75,000)		0	0
Sustainability and Environmental Reserve	0		80,000		(20,000)		60,000	0
Town Planning Reserve	0		100,000		(50,000)		50,000	0
Business Improvement Reserve	0		75,000		(75,000)		0	0
Old Police Station Reserve	0		24,000		(24,000)		0	0
	991,251	0	967,228	2,080	(896,532)	0	1,061,947	993,331

Note 7 - Year To Date Reserve Balance to End of Year Estimate



**TOWN OF EAST FREMANTLE**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

Note 6: Disposal of Assets

Asset Number	Plant Number	Asset Description	2020/21 Budget				2020/21 Actuals			
			Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
			\$	\$	\$	\$	\$	\$	\$	\$
		<b>Plant and Equipment</b>								
PEMV242	P4069	Mitsubishi Rosa 1DXU938	30,000	30,000	0	0	0	0	0	0
PE263	P4055	Water Trailer 1TMB281	0	0	0	0	0	0	0	0
			<b>30,000</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Note 7: Rating Information

RATE TYPE	Rate in	Number of Properties	Rateable Value	YTD Actual			Adopted Budget			
				Rate Revenue	Interim Rates	Non-Rateable Properties	Total Revenue	Rate Revenue	Interim Rate	Back Rate
<b>Differential General Rate</b>	\$		\$	\$	\$		\$			\$
Residential GRV	0.074225	2,954	85,530,640	6,348,512	7,923		6,356,435	6,345,613	30,000	6,375,613
Commercial GRV	0.110543	115	11,547,243	1,276,467	<b>4,024</b>		1,280,491	1,275,992		1,275,992
<b>Sub-Totals</b>		<b>3,069</b>	<b>97,077,883</b>	<b>7,624,979</b>	<b>11,947</b>	<b>0</b>	<b>7,636,926</b>	<b>7,621,605</b>	<b>30,000</b>	<b>7,651,605</b>
<b>Minimum Payment</b>	<b>\$</b>									
Residential GRV	1,106.00	331	4,263,529	366,086	3,318		369,404	368,298		368,298
Commercial GRV	1,654.00	12	140,695	19,848	1,654		21,502	19,848		19,848
<b>Sub-Totals</b>		<b>343</b>	<b>4,404,224</b>	<b>385,934</b>	<b>4,972</b>		<b>390,906</b>	<b>388,146</b>	<b>0</b>	<b>388,146</b>
		<b>3,412</b>	<b>101,482,107</b>	<b>8,010,913</b>	<b>16,919</b>	<b>0</b>	<b>8,027,832</b>	<b>8,009,751</b>	<b>0</b>	<b>8,039,751</b>
<b>Amount from General Rates</b>							<b>8,027,832</b>			<b>8,039,751</b>
<b>Less Concessions</b>				<b>(43,055)</b>			<b>(43,055)</b>	<b>(42,476)</b>		<b>(42,476)</b>
<b>Totals</b>				<b>7,967,858</b>			<b>7,984,777</b>	<b>7,967,275</b>		<b>7,997,275</b>

TOWN OF EAST FREMANTLE  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 30 November 2020

Note 8: Grants and Contributions

	Grant Provider	Purpose of Grant	Acquittal Date	Acquittal Requirement	Type	Amended Budget		YTD Budget	YTD Actual Revenue
						Operating	Capital		
						\$	\$	\$	\$
<b>General Purpose Funding</b>									
Grants Commission - General	WALGGC	Untied - General Purpose	NA	NA	Operating	77,726		38,863	50,013
Grants Commission - Roads	WALGGC	Untied - Road	NA	NA	Operating	33,927		16,964	8,456
<b>Education and Welfare</b>									
Home and Community Care Program	State/Commonwealth Dep. Health	Commonwealth Home Support Programme	31-Oct	Financial Declaration Acquittal	Operating - Tied	601,566		300,783	301,515
<b>Community Amenities</b>									
Recycling Grant	Dept. Regional Development	Better Bins Program			Operating - Tied	26,000		26,000	0
<b>Recreation and Culture</b>									
East Fremantle Oval Redevelopment	Town of East Fremantle - Trust	Business Case			Operating - Tied	234,000		0	0
Foreshore Erosion	DBCA				Operating - Tied	84,000		0	0
<b>Transport</b>									
Regional Road Group - Cap	Main Roads	Road Renewal	31-May	Certificate of Completion	Non-operating		180,000	180,000	0
Direct Grant	Main Roads	Direct Grant	July	GST Free Invoice	Operating	18,000		18,000	18,170
Federal Government Stimulus Payment	Department of Infrastructure	Local Roads and Community Infrastructure Program			Operating - Tied	84,000		42,000	42,091
Street Lighting Subsidy	Main Roads	Street Lighting Subsidy	September		Operating	4,800		4,800	0
Integrated Traffic Study	Town of East Fremantle - Trust	Traffic and Parking Management Plan - Whole of District			Operating - Tied	3,000		0	0
Stirling Bridge Verge Maintenance Agreement	Main Roads	Stirling Highway Verge Maint. Agreement	September	GST Inc. Invoice	Operating	8,000		8,000	0
<b>TOTALS</b>						<b>1,175,019</b>	<b>180,000</b>	<b>635,410</b>	<b>420,245</b>
<b>SUMMARY</b>									
Operating		Operating Grants, Subsidies and Contributions				142,453	0		76,639
Operating - Tied		Tied - Operating Grants, Subsidies and Contributions				1,032,566	0		343,606
Non-operating		Non-operating Grants, Subsidies and Contributions				0	180,000		0
<b>TOTALS</b>						<b>1,175,019</b>	<b>180,000</b>	<b>0</b>	<b>420,245</b>

LEGEND	
<b>Income</b>	
	Under Budget by 10% or more (YTD Actual against YTD Budget)
<b>Expenditure</b>	
	Greater than 10% over budget (Total Committed against Current Budget)
	Over Budget by 5% but less than 10%
	Over Budget by less than 5%
	No Budget
	FYI - Less than 20% expenditure spent (Total Committed against Current Budget)

Budget Year: 20/21  
Data as at: Tuesday, 1 December 2020

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
<b>04 - GOVERNANCE</b>									
<b>042 - ADMINISTRATION</b>									
<b>Capital Expenditure</b>									
E04606		Furniture and Equipment	60,000	40,000	43,934	0	43,934	-26.78%	73%
<b>Capital Expenditure Total</b>			<b>60,000</b>	<b>40,000</b>	<b>43,934</b>	<b>0</b>	<b>43,934</b>		
<b>08 - WELFARE</b>									
<b>082 - CARE OF FAMILIES &amp; CHILDREN</b>									
<b>Capital Expenditure</b>									
E08607		Plant and Equip - Replace Mitsubishi Bus HACC	175,000	175,000	0	173,414	173,414	-0.91%	99%
<b>Capital Expenditure Total</b>			<b>175,000</b>	<b>175,000</b>	<b>0</b>	<b>173,414</b>	<b>173,414</b>		
<b>10 - COMMUNITY AMENITIES</b>									
<b>104 - OTHER COMMUNITY AMENITIES</b>									
<b>Capital Expenditure</b>									
E10628		Sumpton Green Play Equipment	30,000	0	0	0	0	-100.00%	0%
<b>Capital Expenditure Total</b>			<b>30,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>106 - PROTECTION OF THE ENVIRONMENT</b>									
<b>Capital Expenditure</b>									
E10644		Foreshore Erosion Control and Seawalls	8,353	0	0	4,028	4,028	-51.77%	48%
<b>Capital Expenditure Total</b>			<b>8,353</b>	<b>0</b>	<b>0</b>	<b>4,028</b>	<b>4,028</b>		
<b>11 - RECREATION AND CULTURE</b>									
<b>111 - SWIMMING AREAS/BEACHES</b>									
<b>Capital Expenditure</b>									
E11687		Inf - Swimming Areas - Foreshore Erosion Control	110,000	55,000	0	0	0	-100.00%	0%
<b>Capital Expenditure Total</b>			<b>110,000</b>	<b>55,000</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>112 - OTHER RECREATION &amp; SPORT</b>									
<b>Capital Expenditure</b>									
E11633		Inf - Cliff Management - Niergarup Track	25,000	0	12,890	1,636	14,526	-41.89%	58%
E11637		Miscellaneous Sports and Recreation Infrastructure	50,000	0	0	0	0	-100.00%	0%
E11653		East Fremantle Cricket Club-Contribution	5,000	0	0	0	0	-100.00%	0%
E11678		EF Junior Football Club - Install Floodlighting	29,179	0	0	0	0	-100.00%	0%
E11695		Inf Chapman / Preston Point Reserve - Returfing and Irrigation	160,000	115,132	109,563	36,602	146,165	-8.65%	91%
E11713		INF - Parks/ Reserve Sign Replacement	3,500	3,500	3,487	0	3,487	-0.39%	100%
<b>Capital Expenditure Total</b>			<b>272,679</b>	<b>118,632</b>	<b>125,939</b>	<b>38,238</b>	<b>164,177</b>		
<b>114 - OTHER CULTURE</b>									
<b>Capital Expenditure</b>									

Budget Year: 20/21  
 Data as at: Tuesday, 1 December 2020

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
E11685		Inf-Acquisition of Public Art (Outdoor Sculpture) - CapEx - Other Culture	95,000	0	1,791	8,500	10,291	-89.17%	11%
<b>Capital Expenditure Total</b>			<b>95,000</b>	<b>0</b>	<b>1,791</b>	<b>8,500</b>	<b>10,291</b>		
<b>12 - TRANSPORT</b>									
<b>122 - MAINT STREETS ROADS &amp; BRIDGES</b>									
<b>Capital Expenditure</b>									
E12656		Footpath - Stratford Street	30,000	0	0	0	0	-100.00%	0%
E12688		Footpath-Fortescue St	75,000	0	0	0	0	-100.00%	0%
E12761		Inf - Drainage	104,181	0	7,263	0	7,263	-93.03%	7%
E12784		Inf - Roads - Road Resurfacing - Riverside Road	315,000	315,000	193,526	243,638	437,163	38.78%	139%
<b>Capital Expenditure Total</b>			<b>524,181</b>	<b>315,000</b>	<b>200,788</b>	<b>243,638</b>	<b>444,426</b>		
<b>123 - ROAD PLANT</b>									
<b>Capital Expenditure</b>									
E12702		Plant and Equip - Water Tank Trailer (Tandem 8x5 with brakes)	7,500	7,500	8,817	0	8,817	17.56%	118%
<b>Capital Expenditure Total</b>			<b>7,500</b>	<b>7,500</b>	<b>8,817</b>	<b>0</b>	<b>8,817</b>		
<b>14 - OTHER PROPERTY AND SERVICES</b>									
<b>144 - UNCLASSIFIED PROPERTY</b>									
<b>Capital Expenditure</b>									
E14601		Buildings - Renewals and Electrical Services	50,000	0	3,586	0	3,586	-92.83%	7%
<b>Capital Expenditure Total</b>			<b>50,000</b>	<b>0</b>	<b>3,586</b>	<b>0</b>	<b>3,586</b>		
<b>GRAND TOTAL</b>			<b>1,332,713</b>	<b>711,132</b>	<b>384,856</b>	<b>467,818</b>	<b>852,675</b>		



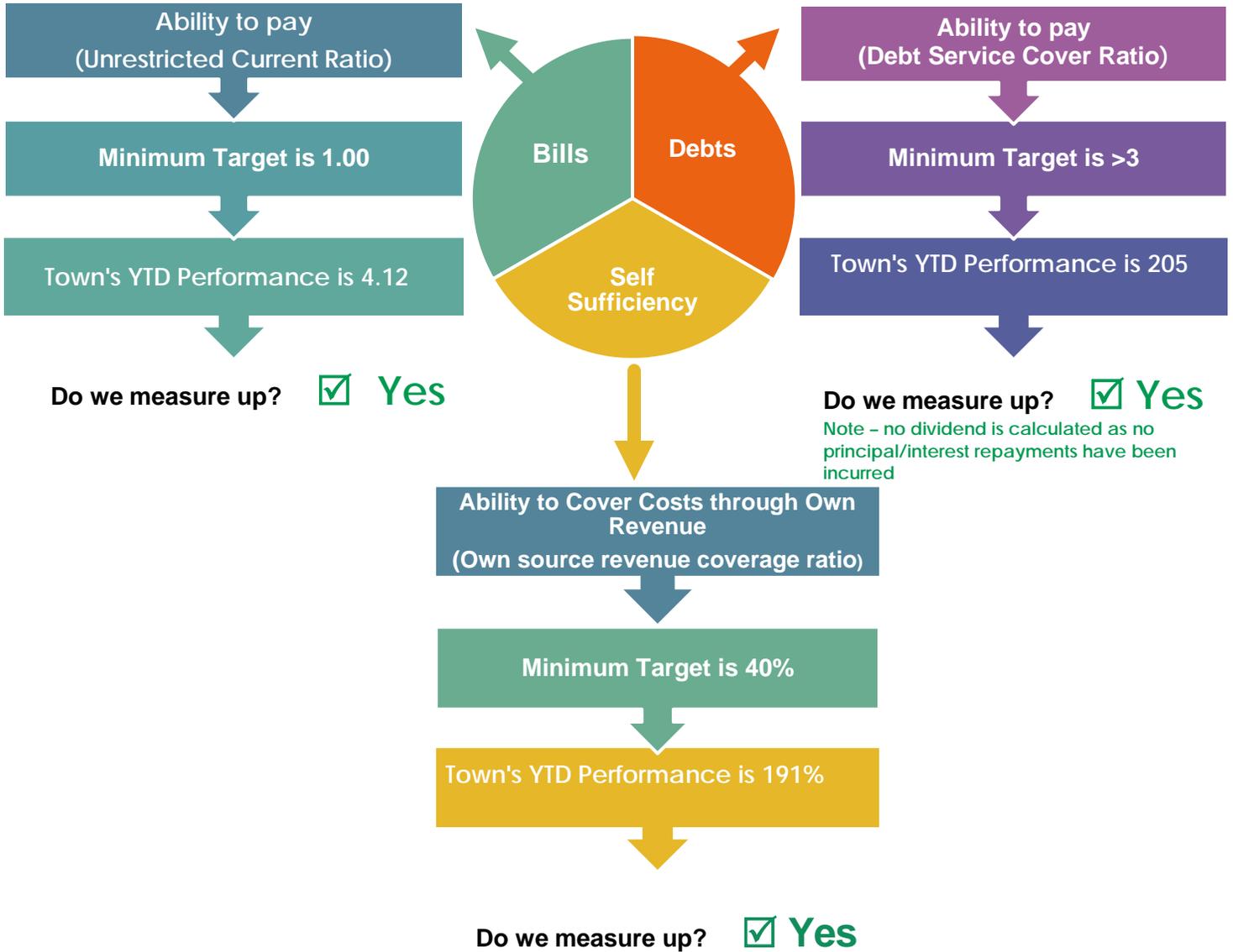
# MONTHLY FINANCIAL HEALTH CHECK

As at 30 November 2020

Highlighting how the Town of East Fremantle is tracking against financial ratios



Financial Snapshot (Year to Date)	Actual (000's)
Operating Revenue	\$9,156,037
Operating Expenditure (Including Non-Cash Items)	(\$4,562,497)
Non-Cash Items	\$1,051,202
Capital Revenue	\$0
Capital Expenditure	(\$384,918)
Loan Repayments	(\$24,882)
Transfers to/from Reserves	(\$2,080)
Surplus Brought Forward 1 July 2020	\$226,870
<b>Current Municipal Surplus</b>	<b>\$5,459,732</b>



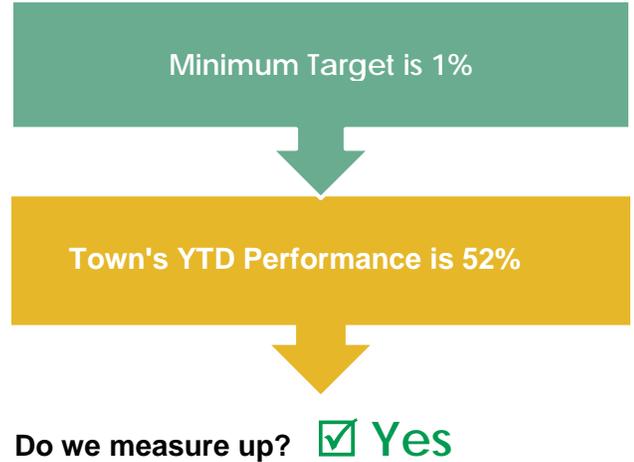
## Cash in the bank



# ▶ How are we tracking against our budgeted targets?

## Adjusted Operating Surplus

A measure of the Town's ability to cover its operational costs including depreciation and have funds left over to cover capital expenditure (including principal loan repayments) without relying on debt or reserves.



- Adjusted operating surplus and self-sufficient ratios are high in the earlier part of the year due to rates being fully invoiced in July. However, as the year progresses, operating expenditure will continue to draw on this revenue source reducing to target by 30 June 2021.

## Asset Sustainability Ratio

Measures if the Town is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out.



- A reduced Capital Works Program (including renewals) and an increase in depreciation expense as a result of asset revaluations has had a two-fold effect on the asset sustainability ratio resulting in a deterioration.

### 12.2.2 Accounts for Payment – November 2020

<b>File ref</b>	F/FNS2
<b>Prepared by</b>	John Mondini, Manager, Finance & Administration
<b>Supervised by</b>	Peter Kocian, Executive Manager, Corporate Services
<b>Meeting Date</b>	8 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Monthly List of Payments – November 2020

#### **Purpose**

That Council, in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, RECEIVES the list of payments made under delegated authority for the month ended 30 November 2020 and recorded in the minutes of the Council.

#### **Executive Summary**

Council has an Executive role in receiving the list of payments pursuant to Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*. It is therefore recommended that Council receives the Lists of Accounts paid for the period 1 November to 30 November 2020, 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.

The bulk of payments are processed by electronic funds transfer (EFT) with the exception of Water Corporation accounts which are paid by cheque and the occasional reimbursements and refunds.

#### **Consultation**

Nil.

#### **Statutory Environment**

Regulation 13: *Local Government (Financial Management) Regulations 1996 (as amended)* requires Local Governments to prepare a list of payments made under delegated authority to be prepared and presented to Council on a monthly basis.

#### **Policy Implications**

Policy 2.1.3 Purchasing. All supplier payments are approved under delegated authority pursuant to the authorisation limits outlined in Council's purchasing policy.

#### **Financial Implications**

Accounts for Payment are sourced from budget allocations.

All amounts quoted in this report are inclusive of GST.

### Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council does not accept the list of payments	Rare (1)	Moderate (3)	Low (1-4)	COMPLIANCE Minor regulatory or statutory impact	Accept Officer Recommendation

### Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	3
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

### 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*

*5.1 Strengthen organisational accountability and transparency*

*5.3 Strive for excellence in leadership and governance*

#### **Site Inspection**

Not applicable.

**Comment**

Payments for the month of November 2020 include the following significant items:

Payee	Particulars	Amount
Steann Pty Ltd	Annual Verge Hardware Collection	32,542.40
SMRC	Waste Services (August/October)	66,683.66
Natural Area Consulting Management Services	John Tonkin Headland Works	78,060.84
Paatsch Consulting	Professional Fee – Completion of updated Feasibility & Business Plan EF Oval Stage 2	28,509.80
Dept Fire & Emergency Services	2020/21 ESL Quarter 2 Emergency Services Levy	408,327.70
Phase 3 Landscaping	Riverside Road Landscaping	89,856.79
Superchoice Pty Ltd	Employee Superannuation Oct 2020	46,484.18

**12.2.2 OFFICER RECOMMENDATION**

That Council, in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, **RECEIVES** the list of payments made under delegated authority for the month ended 30 November 2020 and recorded in the Minutes of the Council.

NOVEMBER 2020		
Voucher No	Account	Amount
5314	Municipal (Cheques)	\$274.15
EFT30452– EFT30608	Municipal (EFT)	\$1,030,455.64
Payroll	Municipal (EFT)	\$274,075.10
Direct Debits	Municipal (Direct Debit)	\$49,421.92
	<b>Total Payments</b>	<b>\$ 1,341,226.81</b>

TOWN OF EAST FREMANTLE

List of Accounts paid by the Chief Executive for October 2020 & submitted for the information of the Council Meeting to be held on 8 December 2020

Cheque	Payment Date	Supplier	Description	Inv Amount	Cheque
<b>CHEQUE</b>					
5314	11/11/2020	TOWN OF EAST FREMANTLE	ADMIN PETTY CASH RECOUP 31/10/2020	\$ 274.15	\$ 274.15
			<b>CHEQUE TOTAL</b>	<b>\$ 274.15</b>	<b>\$ 274.15</b>
<b>EFTs</b>		<b>Supplier</b>	<b>Description</b>	<b>Inv Amount</b>	<b>EFT</b>
EFT30447	05/11/2020	KENSINGTON DESIGN	BOND REFUND	\$ 1,500.00	\$ 1,500.00
EFT30448	05/11/2020	IMPERIAL HOMES PTY LTD	BOND REFUND	\$ 3,000.00	\$ 3,000.00
EFT30449	05/11/2020	M HORKO	BOND REFUND	\$ 2,000.00	\$ 2,000.00
EFT30450	05/11/2020	FORTEC AUSTRALIA PTY LTD	BOND REFUND	\$ 5,000.00	\$ 5,000.00
EFT30451	05/11/2020	J RITTER	BOND REFUND	\$ 1,500.00	\$ 1,500.00
EFT30452	06/11/2020	CHILD SUPPORT AGENCY	PAYROLL DEDUCTION NOVEMBER	\$ 216.72	\$ 216.72
EFT30453	06/11/2020	MAYOR JIM O'NEILL	SITTING FEES NOVEMBER 2020	\$ 4,416.68	\$ 4,416.68
EFT30454	06/11/2020	CR. JENNY HARRINGTON	SITTING FEES NOVEMBER 2020	\$ 2,062.84	\$ 2,062.84
EFT30455	06/11/2020	CR. CLIFF COLLINSON	SITTING FEES NOVEMBER 2020	\$ 1,542.00	\$ 1,542.00
EFT30456	06/11/2020	CR. DEAN NARDI	SITTING FEES NOVEMBER 2020	\$ 1,542.00	\$ 1,542.00
EFT30457	06/11/2020	FOODWORKS EAST FREMANTLE	WORKS, ADMIN HACC & MEETING CONSUMABLES NOVEMBER 20	\$ 575.22	\$ 575.22
EFT30458	06/11/2020	THE WORKWEAR GROUP	2020 - 2021 UNIFORM STAFF ALLOWANCE	\$ 374.65	\$ 374.65
EFT30459	06/11/2020	CR. MICHAEL MCPHAIL	SITTING FEES NOVEMBER 2020	\$ 1,542.00	\$ 1,542.00
EFT30460	06/11/2020	CR. TONY WATKINS	SITTING FEES NOVEMBER 2020	\$ 1,542.00	\$ 1,542.00
EFT30461	06/11/2020	VOCUS COMMUNICATIONS	UNLIMITED INTERNET - TOWN HALL - 01/12/2020 - 31/12/2020	\$ 1,171.50	
			SESSION INITIATION PROTOCOL (SIP) LINES / SERVICES CHARGES FOR VOICE OVER INTERNET PROTOCOL (VOIP) 01/09/2020 - 30/09/2020	\$ 474.95	
			SESSION INITIATION PROTOCOL (SIP) LINES / SERVICES CHARGES FOR VOICE OVER INTERNET PROTOCOL (VOIP) 01/10/2020 - 31/10/2020	\$ 520.51	\$ 2,166.96
EFT30462	06/11/2020	CR. ANDREW MCPHAIL	SITTING FEES NOVEMBER 2020	\$ 1,542.00	\$ 1,542.00
EFT30463	06/11/2020	CR. TONY NATALE	SITTING FEES NOVEMBER 2020	\$ 1,542.00	\$ 1,542.00
EFT30464	06/11/2020	WINC	OFFICE STATIONERY ORDER	\$ 195.06	\$ 195.06
EFT30465	06/11/2020	CR KERRY DONOVAN	SITTING FEES NOVEMBER 2020	\$ 1,542.00	\$ 1,542.00
EFT30466	06/11/2020	MALCOLM E CHAMPION	RAP WORKING GROUP PARTICIPATION FEE	\$ 500.00	\$ 500.00
EFT30467	06/11/2020	RENT CHOICE PTY LTD	RATES REFUNDS	\$ 348.12	\$ 348.12
EFT30468	06/11/2020	T DICKASON	OVER PAYMENT PARKING FEES REFUND	\$ 48.00	\$ 48.00
EFT30469	06/11/2020	E QUINN	DOG REGISTRATION FEE REFUND	\$ 100.00	\$ 100.00
EFT30470	06/11/2020	Z WEIR	DOG REGISTRATION FEE REFUND	\$ 150.00	\$ 150.00
EFT30471	06/11/2020	C DAVIDSON	LOCKE PARK HIRE FEE REFUND	\$ 90.20	\$ 90.20
EFT30472	12/11/2020	AUSTRALIA POST	POSTAGE COST OCTOBER 2020	\$ 1,354.19	\$ 1,354.19
EFT30473	12/11/2020	AUSTRALIAN TAXATION OFFICE	BAS OCTOBER 2020	\$ 14,191.00	\$ 14,191.00
EFT30474	12/11/2020	BUNNINGS BLDG SUPPLIES LTD	HARDWARE VARIOUS	\$ 581.69	\$ 581.69
EFT30475	12/11/2020	CITY OF COCKBURN	TIP FEES - OCTOBER 2020	\$ 1,365.00	\$ 1,365.00
EFT30476	12/11/2020	MCLEODS	RATES DEBT RECOVERY	\$ 2,273.74	
			RATES DEBT RECOVERY	\$ 1,176.33	\$ 3,450.07
EFT30477	12/11/2020	MARTINS TRAILER PARTS	REPLACEMENT HITCH FOR TRAILER	\$ 110.44	\$ 110.44
EFT30478	12/11/2020	SUEZ ENVIRONMENT RECYCLING & WASTE RECOVERY	FOGO, COMMERCIAL RECYCLING, PARKS & RESERVES & STREET BINS COLLECTION SEPT 20	\$ 14,745.12	
			48-50 ALEXANDRA RD SEPTEMBER, CREDIT OVER COMPACTION CHARGES JULY 2019	-\$ 912.16	\$ 13,832.96
EFT30479	12/11/2020	TELSTRA CORPORATION LIMITED	TABLET & MOBILE PLAN FOR OPERATION STAFF AND RANGER SEPTEMBER 2020	\$ 709.46	
			HACC MOBILE PHONE 04/09/2020-03/10/2020, DEPOT NEXT G MOBILE BACKUP 04/09/2020-03/10/2020	\$ 22.06	\$ 731.52
EFT30480	12/11/2020	TOTAL EDEN PTY LTD	IRRIGATION PARTS AND SPRINKLERS	\$ 1,827.57	\$ 1,827.57
EFT30481	12/11/2020	SYNERGY	POWER SUPPLY VARIOUS LOCATIONS	\$ 14,616.19	\$ 14,616.19
EFT30482	12/11/2020	YOUNGS PLUMBING SERVICE	DEPOT - REPLACE FAULTY HOT WATER SYSTEM	\$ 938.00	\$ 938.00
EFT30483	12/11/2020	FASTA COURIERS	FASTA COURIER SERVICES FOR ENVIRONMENTAL HEALTH SERVICES 20/10/2020 - 28/10/2020	\$ 97.82	\$ 97.82
EFT30484	12/11/2020	STEANN PTY LTD	ANNUAL VERGE HARDWASTE COLLECTION - OCTOBER 2020	\$ 32,542.40	\$ 32,542.40
EFT30485	12/11/2020	SOUTHERN METROPOLITAN REGIONAL COUNCIL	RRRC OVERHEADS AND WCF FIXED COSTS AND CONTRIBUTION AUGUST 2020	\$ 20,792.20	
			MRF GATE FEES FOR OCTOBER 2020 FOGO RECYCLABLES	\$ 8,209.22	
			GENERAL WASTE DISPOSAL FOR OCTOBER 2020	\$ 14,516.66	
			FOGO GATE FEES FOR AUGUST 2020	\$ 1,241.84	
			CREDIT FOR INVOICE 14980 - MRF GATE FEES FOR AUGUST 2020	-\$ 1,042.03	
			FOGO GATE FEES FOR OCTOBER 2020	\$ 22,965.77	\$ 66,683.66
EFT30486	12/11/2020	DEPT OF MINES, INDUSTRY REGULATION & SAFETY	BSL COLLECTED OCTOBER 2020	\$ 1,137.89	\$ 1,137.89
EFT30487	12/11/2020	WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION (WALGA)	ATTENDANCE AT EVENT - PLANNING FOR CAR PARKING	\$ 70.00	\$ 70.00
EFT30488	12/11/2020	KENNARDS HIRE	1.5T EXCAVATOR WITH ROCK BREAKER HIRE	\$ 510.40	\$ 510.40
EFT30490	12/11/2020	PETRA CLEAN	CLEANING STORAGE ROOMS IN OLD POLICE STATION AND RELOCATE BASEMENT ITEMS TO STORAGE ROOMS	\$ 495.00	
			SUMPTON GREEN, DEPOT , HAAC , GLASSON PARK TOILETS & TOWN HALL - CLEANING OCTOBER 2020	\$ 8,964.64	\$ 9,459.64
EFT30491	12/11/2020	WOOLWORTHS SUPERMARKETS	RESPITE CENTRE GROCERIES 27/10/2020	\$ 16.75	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	\$ 83.15	
			RESPITE CENTRE GROCERIES 02/11/2020	\$ 210.52	
			RESPITE CENTRE GROCERIES 03/11/2020	\$ 98.80	
			RESPITE CENTRE GROCERIES 09/11/2020	\$ 140.72	
			CATERING - 11/11/20	\$ 39.53	\$ 589.47
EFT30492	12/11/2020	DAVID GRAY & CO. PTY LTD	BIN PARTS	\$ 495.00	\$ 495.00
EFT30493	12/11/2020	RAC BUSINESSWISE	HEAVY VEHICLE TOW FOR BUS 02/10/2020	\$ 49.00	\$ 49.00
EFT30494	12/11/2020	THE PAPER COMPANY OF AUSTRALIA	COPY PAPER	\$ 284.63	\$ 284.63
EFT30495	12/11/2020	WEST COAST SHADE PTY LTD	REPLACE SHADE SAIL AT JOHN TONKIN PARK	\$ 2,893.00	\$ 2,893.00
EFT30496	12/11/2020	LANDSCAPE YARD O'CONNOR	1 X LOAD OF SAND FOR HENRY JEFFERY OVAL	\$ 176.70	
			MULCH FOR VIEW TERRACE VERGE	\$ 228.00	\$ 404.70

EFT30497	12/11/2020	KONICA MINOLTA BUSINESS SOLUTIONS	PHOTOCOPIER CONTRACT - 13/09/2020 - 12/10/2020 PLANNING	\$ 277.65	
			PHOTOCOPIER CONTRACT 13/07/2020 - 12/10/2020 DEPOT	\$ 583.41	
			PHOTOCOPIER CONTRACT 01/10/220 - 31/10/2020 TRICOLORE CENTRE	\$ 23.23	\$ 884.29
EFT30498	12/11/2020	CARINYA OF BICTON	RESPIRE CENTRE MEALS FOR OCT 2020	\$ 2,604.01	\$ 2,604.01
EFT30499	12/11/2020	SUNNY SIGN COMPANY PTY LTD	SIGNAGE & BRACKETS - VARIOUS	\$ 74.80	
			SIGNAGE & BRACKETS - VARIOUS	\$ 603.46	\$ 678.26
EFT30500	12/11/2020	MP ROGERS & ASSOCIATES P/L	JOHN TONKIN FORESHORE STABILISATION PROJECT - CONSTRUCTION PHASE	\$ 5,580.30	\$ 5,580.30
EFT30501	12/11/2020	WESTERN AUSTRALIA POLICE	2X CHSP VOLUNTEER POLICE CLEARANCE	\$ 33.40	\$ 33.40
EFT30502	12/11/2020	FOCUS NETWORKS	2X MONTHLY SUBSCRIPTIONS CSP PROJECT ONLINE OCT 2020	\$ 129.69	
			MANAGED PROACTIVE SERVICE - MONTHLY COMPUTER SERVICES ADDITIONAL TIME (OCT 2020)	\$ 1,550.78	
			REPLACEMENT RACK MOUNT UPS FOR TEFFRMAUPS1	\$ 3,835.00	
			MONTHLY CHARGES FOR MICROSOFT OFFICE 365, VISIO, EMAIL PROTECTION, ANTI VIRUS, MANAGED RECOVERY SERVICE AND DUO MULTI-FACTOR AUTHENTICATION LICENCE NOVEMBER 2020	\$ 4,345.75	
			MANAGED PROACTIVE SERVICE - MONTHLY COMPUTER SERVICES - OCTOBER 2020,	\$ 4,052.40	\$ 13,913.62
EFT30503	12/11/2020	ENVIRO SWEEP	STREET SWEEPING - OCT 2020	\$ 4,158.00	\$ 4,158.00
EFT30504	12/11/2020	DAIMLER TRUCKS PERTH	MECHANICAL REPAIR REPLACE WATER PUMP FOR HACC BUS	\$ 2,525.65	\$ 2,525.65
EFT30505	12/11/2020	FREMANTLE ASBESTOS REMOVAL	REMOVAL AND DISPOSAL OF DUMPED ASBESTOS	\$ 290.00	\$ 290.00
EFT30506	12/11/2020	THE WORKWEAR GROUP	2020 - 2021 UNIFORM STAFF ALLOWANCE	\$ 15.00	
			2020 - 2021 UNIFORM STAFF ALLOWANCE	\$ 299.00	
			CREDIT FOR 2020 - 2021 UNIFORM STAFF	-\$ 49.17	
			2020 - 2021 UNIFORM STAFF ALLOWANCE	\$ 399.00	
			2020 - 2021 UNIFORM STAFF ALLOWANCE	\$ 39.50	
			2020 - 2021 UNIFORM STAFF ALLOWANCE	\$ 20.00	\$ 723.33
EFT30507	12/11/2020	MICHAEL VAUGHAN	FOOTPATH REPAIRS - BRICK PAVING - HUBBLE STREET	\$ 2,530.00	
			FOOTPATH REPAIRS - OUTSIDE TRADEWINDS HOTEL	\$ 700.00	\$ 3,230.00
EFT30508	12/11/2020	ANDREW DRIVER	REIMBURSEMENT PROTECTIVE CLOTHING	\$ 50.00	\$ 50.00
EFT30509	12/11/2020	TOTAL GREEN RECYCLING PTY LTD	ANNUAL BULK VERGE COLLECTION - E-WASTE RECYCLING OCT 2020	\$ 252.00	\$ 252.00
EFT30510	12/11/2020	SNAP PRINTING	PRINTING OF PARKING BROCHURES 150 GSM MATT PAPER	\$ 270.60	
			PRINTING OF GENERIC BUSINESS CARDS	\$ 187.00	\$ 457.60
EFT30511	12/11/2020	DONALD VEAL CONSULTANTS	PROFESSIONAL FEE TRAFFIC MANAGEMENT PLAN - REVIEW	\$ 550.00	\$ 550.00
EFT30512	12/11/2020	APARC AUSTRALIAN PARKING & REVENUE CONTROL PTY LTD	STANDING ORDER - MONTHLY CHARGES FOR PARKING MACHINES AT LEEUWIN OCTOBER 2020	\$ 165.00	
			STANDING ORDER - MONTHLY CHARGES FOR PARKING MACHINES AT LEEUWIN OCT 2020	\$ 278.54	
			SUPPLY AND INSTALL 1 X 27AH BATTERY FOR TICKET MACHINE NUMBER 1	\$ 148.50	
			MAINTANANCE SERVICE ON 2 TICKET MACHINES AT NUMBER 1 CAR PARK	\$ 297.00	\$ 889.04
EFT30513	12/11/2020	CELLARBRATIONS AT EAST FREMANTLE	REFRESHMENTS	\$ 254.00	\$ 254.00
EFT30514	12/11/2020	STATE WIDE TURF SERVICES	RFQ-04-2020/21 PRESTON POINT RESERVE RESURFACING & RELEVELING	\$ 8,406.20	\$ 8,406.20
EFT30515	12/11/2020	TREE'S A CROWD TREE CARE	TREE PRUNING AT MULTIPLE LOCATIONS	\$ 1,760.00	\$ 1,760.00
EFT30516	12/11/2020	SUEZ RECYCLING & RECOVERY PTY LTD	WASTE COLLECTION 46 ALEXANDRA ROAD OCTOBER 2020	\$ 780.35	
			WASTE COLLECTION LEEUWIN CARPARK 16/10/2020,	\$ 99.00	\$ 879.35
EFT30517	12/11/2020	WINC	WIRELESS KEYBOARD AND MOUSE COMBO	\$ 971.54	
			DEPOT STATIONERY ORDER VARIOUS	\$ 99.28	
			OFFICE STATIONERY ORDER VARIOUS	\$ 265.28	
			OFFICE STATIONERY ORDER VARIOUS	\$ 7.26	\$ 1,343.36
EFT30518	12/11/2020	SHRED-X PTY LTD	240 LITRE SECURITY BIN EXCHANGE ON 12/10/2020	\$ 20.24	\$ 20.24
EFT30519	12/11/2020	DANTHONIA DESIGNS	SUPPLY AND INSTALL ENTRY STATEMENT SIGN	\$ 3,835.16	\$ 3,835.16
EFT30520	12/11/2020	GRACE RECORDS MANAGEMENT (AUSTRALIA)	STANDING ORDER FOR TRANSPORT AND STORAGE OF RECORDS 01/11/2020 - 30/11/2020	\$ 321.82	
			STANDING ORDER FOR SCAN ON DEMAND FOR PLANNING / BUILDING RECORDS OCTOBER 2020	\$ 534.40	\$ 856.22
EFT30521	12/11/2020	JAKO INDUSTRIES PTY LTD	TOWN HALL - AIR CONDITIONER FILTERS REPLACEMENT	\$ 1,170.40	\$ 1,170.40
EFT30522	12/11/2020	PLANNING INSTITUTE OF AUSTRALIA PTY LTD	PLANNING INSTITUTE OF AUSTRALIA - 2020 WA CONFERENCE REGISTRATION STANDARD	\$ 510.00	\$ 510.00
EFT30523	12/11/2020	FRESH PROVISIONS BICTON	SANDWICHES AND FRUIT PLATTER	\$ 220.00	
			CATERING - 11/11/20	\$ 113.11	\$ 333.11
EFT30524	12/11/2020	E & MJ ROSHER PTY LTD	4 X SETS OF BLADES FOR KUBOTA OUT FRONT MOWER	\$ 420.00	
			SERVICE BARONESS RIDE ON MOWER	\$ 876.28	
			SERVICE KUBOTA OUT FRONT MOWER	\$ 496.29	\$ 1,792.57
EFT30525	12/11/2020	KYOCERA DOCUMENT SOLUTIONS	CORPORATE & SERVICE PRINTING COST OCT 2020	\$ 94.86	\$ 94.86
EFT30526	12/11/2020	MUSTANG THREE PTY LTD T/AS KEY2CREATIVE PTY LTD	PROMOTING NEIGHBOURHOOD LINK STAGE 3	\$ 1,232.00	\$ 1,232.00
EFT30527	12/11/2020	C'EST BIEN THAI	CATERING 4/11/20	\$ 220.70	\$ 220.70
EFT30528	12/11/2020	M2M ONE PTY LTD	TOWN HALL LIFT EMERGENCY SIM CARD - NOV 2020	\$ 13.20	\$ 13.20
EFT30529	12/11/2020	TRAVIS HAYTO PHOTOGRAPHY	STREET ART PHOTOGRAPHY 15/10/2020	\$ 618.75	
			SCP REVIEW VIDEOS 22/10/2020	\$ 489.50	\$ 1,108.25
EFT30530	12/11/2020	STEEL MEDIA	6 HOURS OF ART WORK	\$ 240.00	\$ 240.00
EFT30531	12/11/2020	ROAD AND TRAFFIC SERVICES PTY LTD	KING STREET - LINE MARKING - RED HATCHING FOR RESIDENTS	\$ 2,338.60	\$ 2,338.60
EFT30532	12/11/2020	DOMINOS PIZZA ENTERPRISES LTD	PIZZA VOUCHERS	\$ 250.00	\$ 250.00
EFT30533	12/11/2020	CALTEx AUSTRALIA PETROLEUM PTY LTD	FUEL USE OCT 2020	\$ 3,278.05	\$ 3,278.05
EFT30534	17/11/2020	CONSTRUCTION TRAINING FUND	CONSTRUCTION TRAINING FUND COLLECTED - OCT 20	\$ 1,003.06	\$ 1,003.06
EFT30535	17/11/2020	BUNNINGS BLDG SUPPLIES LTD	RESPIRE CENTRE ACTIVITIES 11/11/2020	\$ 45.43	\$ 45.43
EFT30536	17/11/2020	FREMANTLE HERALD	ADVERTISING - URBAN STREETSCAPE STYLE GUIDE (24/10/20 EDITION)	\$ 207.10	
			ADVERTISING - BUSH FIRES NOTICE (24/10/20 EDITION)	\$ 345.16	
			ADVERTISING - WATERWISE POLICIES NOTICE (24/10/20 EDITION)	\$ 172.58	\$ 724.84
EFT30537	17/11/2020	LO-GO APPOINTMENTS	CONTRACTOR COSTS FOR ACTING OPERATIONS MANAGER - W/E 24/10/20	\$ 3,959.67	
			CONTRACTOR COSTS FOR ACTING OPERATIONS MANAGER - W/E 31/10/20	\$ 3,900.45	\$ 7,860.12
EFT30538	17/11/2020	OPTUS ADMINISTRATION PTY LTD	MOBILE PHONE 22/08/2020 - 21/09/2020	\$ 713.64	\$ 713.64
EFT30539	17/11/2020	STATE LAW PUBLISHER	BUSH FIRE NOTICE - GOVERNMENT GAZETTE - 23/10/20 - NO.179	\$ 185.40	\$ 185.40
EFT30540	17/11/2020	WOOLWORTHS SUPERMARKETS	GROCERIES FOR RESPIRE CENTRE 12/11/20	\$ 170.00	

			GROCERIES FOR RESPITE CENTRE 16/11/20	\$ 213.56	\$ 383.56
EFT30541	17/11/2020	TOWN OF COTTESLOE	GRIEVANCE OFFICER TRAINING	\$ 556.37	\$ 556.37
EFT30542	17/11/2020	KONICA MINOLTA BUSINESS SOLUTIONS	WASTE TONER DISPOSAL UNIT - REGULATORY SERVICES	\$ 44.00	\$ 44.00
EFT30543	17/11/2020	THE TURBAN INDIAN RESTURANT	TOWN PLANNING COMMITTEE CATERING - NOV 2020	\$ 276.05	\$ 276.05
EFT30544	17/11/2020	SAMPHIRE CATERING	CATERING - 28/10/2020	\$ 364.00	\$ 364.00
EFT30545	17/11/2020	AMBIUS (RENTOKIL INITIAL PTY LTD)	OFFICE PLANT HIRE - 27/11/2020 - 26/12/2020	\$ 273.11	\$ 273.11
EFT30546	17/11/2020	GRA PARTNERS PTY LTD	PROFESSIONAL FEE - POLITICAL LOBBYING SERVICES	\$ 7,150.00	\$ 7,150.00
EFT30547	17/11/2020	THE FRUIT BOX GROUP	STAFF FRUIT BOX - 28/09/2020 - 19/10/2020	\$ 204.00	\$ 204.00
EFT30548	17/11/2020	UDLA	PROFESSIONAL FEES - RQF16-2019/20 RIVERSIDE ROAD LANDSCAPING ENHANCEMENT - TENDER CONSTRUCTION AND SUPPORT	\$ 2,442.00	
			PROFESSIONAL FEES - STAGE 3 STAKEHOLDER AND COMMUNITY ENGAGEMENT AND STAGE 4 FINAL URBAN STREETScape AND PUBLIC REALM STYLE GUIDE REPORT	\$ 3,300.00	\$ 5,742.00
EFT30549	17/11/2020	NATURAL AREA CONSULTING MANAGEMENT SERVICES	JOHN TONKIN HEADLAND RFQ13-2019/20	\$ 78,060.84	\$ 78,060.84
EFT30550	17/11/2020	PAATSCH CONSULTING PTY LTD	PROFESSIONAL FEE - COMPLETION OF UPDATED FEASIBILITY & BUSINESS PLAN - EAST FREMANTLE OVAL PRECINCT REVITALISATION PROJECT (STAGE 2)	\$ 15,125.00	
			PROFESSIONAL FEE - FUNDING PROCUREMENT SERVICES - EAST FREMANTLE OVAL - TREASURY BUSINESS CASE AND FUNDING PROCUREMENT OCT 2020	\$ 13,384.80	\$ 28,509.80
EFT30551	17/11/2020	KAMBARANG SERVICES PTY LTD	PARTICIPANT FEES FOR RAP WORKING GROUP	\$ 500.00	\$ 500.00
EFT30552	26/11/2020	APACE AID (INC)	NATIVE PLANTS FOR CITIZENSHIP CEREMONY - 3/8/20	\$ 45.05	\$ 45.05
EFT30553	26/11/2020	CHILD SUPPORT AGENCY	PAYROLL DEDUCTION NOV	\$ 216.72	\$ 216.72
EFT30554	26/11/2020	CONSTRUCTION TRAINING FUND	BCITF LEVY - OCT 2020	\$ 1,003.06	\$ 1,003.06
EFT30555	26/11/2020	BUNNINGS BLDG SUPPLIES LTD	VARIOUS HARDWARE - CHSP RESPITE CENTRE	\$ 114.17	
			VARIOUS HARDWARE	\$ 171.82	\$ 285.99
EFT30556	26/11/2020	BIG W	CHSP RESPITE CENTRE VOLUNTEERS XMAS GIFTS	\$ 390.00	\$ 390.00
EFT30557	26/11/2020	BOC LIMITED	CONTAINER SERVICE - OCT 2020	\$ 48.58	\$ 48.58
EFT30558	26/11/2020	FREMANTLE HERALD	EOI LEASE LEEUWIN HALL AND BOAT SHED	\$ 172.58	\$ 172.58
EFT30559	26/11/2020	IT VISION	BULK UPDATE - RENAMING OF OPERATING EXPENDITURE ACCOUNTS	\$ 275.00	\$ 275.00
EFT30560	26/11/2020	LO-GO APPOINTMENTS	CONTRACTOR COSTS FOR ACTING OPERATIONS MANAGER - LO-GO 01/11/2020 - 07/11/2020	\$ 3,908.91	
			CONTRACTOR COSTS FOR ACTING OPERATIONS MANAGER - 08/11/2020 - 14/11/2020	\$ 4,044.27	\$ 7,953.18
EFT30561	26/11/2020	MCLEODS	PROFESSIONAL FEE - RATES DEBT RECOVERY COSTS 2020-2021	\$ 2,288.78	
			PROFESSIONAL FEE - RATES DEBT RECOVERY COSTS 2020-2021	\$ 1,236.98	
			PROFESSIONAL FEE - LEASE AGREEMENT, EAST FTLE TENNIS CLUB	\$ 115.66	
			PROFESSIONAL FEE - COMMERCIAL LEASE -133 CANNING HIGHWAY	\$ 1,146.02	\$ 4,787.44
EFT30562	26/11/2020	SUEZ ENVIRONMENT RECYCLING & WASTE RECOVERY	MONTHLY WASTE COLLECTION - 48-50 ALEXANDRA OCT 2020	\$ 524.10	\$ 524.10
EFT30563	26/11/2020	ST JOHNS AMBULANCE ASSOCIATION	APPLY FIRST AID TRAINING	\$ 160.00	\$ 160.00
EFT30564	26/11/2020	TELSTRA CORPORATION LIMITED	CEO MOBILE 16/09/2020 - 15/10/2020	\$ 86.00	
			CEO MOBILE 16/10/2020 - 15/11/2020	\$ 100.00	
			HACC MOBILE & DEPO NEXT G MOBILE OCTOBER 2020	\$ 58.48	
			TABLET & MOBILE PLAN FOR OPERATION STAFF AND RANGER OCTOBER 2020	\$ 551.43	
			RESPITE CENTRE PHONE OCTOBER 2020	\$ 87.10	\$ 883.01
EFT30565	26/11/2020	WA FIRE PROTECTION	FIRE EQUIPMENT INSPECTION FOR TRICOLORE COMMUNITY CENTRE	\$ 180.95	\$ 180.95
EFT30566	26/11/2020	WORK CLOBBER	WORKS UNIFORM - VARIOUS	\$ 162.45	
			WORKS UNIFORM - VARIOUS	\$ 577.75	\$ 740.20
EFT30567	26/11/2020	SYNERGY	POWER SUPPLY - VARIOUS LOCATIONS	\$ 3,081.75	\$ 3,081.75
EFT30568	26/11/2020	KOOL LINE ELECTRICAL & REFRIGERATION	TOWN HALL - REPLACE FAULTY LIGHTS AT RECEPTION & OUTSIDE LIFT, 128 GEORGE STREET - REPLACE FAULTY FLURO LIGHTING TO LED, CROQUET CLUB - FAULTY CEILING FAN, BOWLING CLUB - SUPPLY & INSTALL NEW LED LIGHTS OVER STAIRS / CARPARK, DEPOT - REPAIR FAULTY FLOODLIGHT	\$ 4,015.00	
			GEORGE STREET CARPARK - REPAIR FAULTY LIGHTS, RICHMOND RACEWAY PARK - REPAIR FAULTY LIGHTS, GLASSON PARK - REPAIR FAULTY LIGHTS, TRICOLORE - REPLACE FAULTY LIGHT SWITCH / TEST LIGHTS OUTSIDE TOILET BLOCK	\$ 1,300.00	
			WAUHOP OVAL LIGHTING - REPAIR 4X FAULTY LIGHTS INCLUDING CHERRY PICKER, LAMPS & CONTROL GEAR	\$ 4,865.00	\$ 10,180.00
EFT30569	26/11/2020	SOUTHERN METROPOLITAN REGIONAL COUNCIL	ANNUAL CONTRIBUTION 2020/21 SMRC SEP TO DEC OPERATING EXPENSES	\$ 14,036.00	
			RRRC OVERHEADS CONTRIBUTION OCT 2020	\$ 25,033.80	
			RRRC OVERHEADS AND WCF FIXED COSTS AND CONTRIBUTIONS AUG 2020	\$ 829.40	\$ 39,899.20
EFT30570	26/11/2020	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	2020/21 ESL QUARTER 2 EMERGENCY SERVICES LEVY	\$ 408,327.70	\$ 408,327.70
EFT30571	26/11/2020	VISIMAX SAFETY PRODUCTS	6 X RANGER BASEBALL CAPS (BLUE) & 6 X RANGER BASEBALL CAPS	\$ 187.95	\$ 187.95
EFT30572	26/11/2020	WOOLWORTHS SUPERMARKETS	RESPITE CENTRE GROCERIES	\$ 142.52	
			GROCERIES FOR CHSP CLIENT. CLIENT TO REIMBURSE BY DIRECT DEBIT	\$ 68.04	
			RESPITE CENTRE GROCERIES	\$ 213.17	\$ 423.73
EFT30573	26/11/2020	CITY OF SOUTH PERTH	OCCUPANCY COST FOR ANIMAL CARE FACILITY SPETEMBER 2020	\$ 44.00	
			OCCUPANCY COST FOR ANIMAL CARE FACILITY OCTOBER 2020	\$ 264.00	\$ 308.00
EFT30574	26/11/2020	HYDRO JET	GRAFFITI REMOVAL - GEORGE STREET & ST PETERS UNDERPASSES	\$ 852.50	\$ 852.50
EFT30575	26/11/2020	LANDSCAPE YARD O'CONNOR	MULCH AND RIVER STONES FOR MEMORIAL GARDENS	\$ 496.00	
			MULCH FOR RIVERSIDE ROAD VERGES	\$ 456.00	\$ 952.00
EFT30576	26/11/2020	DEPARTMENT OF TRANSPORT	VEHICLE SEARCH FEES - 2020/2021 - OCTOBER 2020	\$ 149.60	\$ 149.60
EFT30577	26/11/2020	FOCUS NETWORKS	VMWARE LICENCE 1 YEAR RENEWAL	\$ 1,958.34	
			CONFIGURE DIGIUM PHONE SYSTEM WITH 2 X PORTED PHONE NUMBERS FOR TRICOLORE	\$ 1,529.01	
			DIGIUM 1 YEAR SWITCH BOX TITANIUM SUPPORT AND MAINTENANCE SUBSCRIPTION RENEWAL FOR 1 USER	\$ 2,269.52	\$ 5,756.87
EFT30578	26/11/2020	WA POLICE	CHSP VOLUNTEER POLICE CLEARANCES	\$ 33.40	\$ 33.40
EFT30579	26/11/2020	THE WORKWEAR GROUP	2020 - 2021 UNFORM STAFF	\$ 499.00	
			2020 - 2021 UNFORM STAFF	\$ 374.00	\$ 873.00
EFT30580	26/11/2020	LANDGATE	TITLE SEARCHES AND DOCUMENT REQUESTS - CREDIT NOTE	\$ 18.85	
			TITLE SEARCHES AND DOCUMENT REQUESTS	\$ 26.20	
			TITLE SEARCHES AND DOCUMENT REQUESTS	\$ 26.70	



			<b>DIRECT DEBIT TOTAL</b>	\$ 49,421.92	\$ 49,421.92
			<i>Description</i>	<i>Inv Amount</i>	<i>EFT</i>
			PAYROLL FORTNIGHT ENDING 4/11/2020	\$ 132,422.84	\$ 132,422.84
			PAYROLL FORTNIGHT ENDING 18/11/2020	\$ 130,952.25	\$ 130,952.25
			PAYROLL RESIGNATION PAY 26/11/2020	\$ 10,700.01	\$ 10,700.01
			<b>PAYROLL TOTALS</b>	\$ 274,075.10	\$ 274,075.10
			<b>GRAND TOTAL</b>	\$ 1,341,226.81	\$ 1,341,226.81

### 12.2.3 Review of Policy 2.1.3 Purchasing

File ref	C/POL1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	8 December 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Policy 2.1.3 Purchasing (with tracked changes)

#### Purpose

The purpose of this report is for Council to give consideration to amending its current Purchasing Policy to:

- include a great focus on buy local
- increase the purchasing authorisation for the Executive Assistant to the Chief Executive Officer from \$1,000 to \$1,500

#### Executive Summary

That Council adopt revised Policy 2.1.3 Purchasing attached to this report.

#### Background

The Town has received isolated feedback from the community that the Purchasing Policy can be strengthened to include a greater focus on local purchasing including an analysis to understand local business capability and local content availability where components of goods or services may be sourced from within the district for inclusion in selection criteria for Requests for Quotation and Requests for Tender.

#### Consultation

Senior Procurement Advisor, WALGA  
Executive Team

#### Statutory Environment

Regulation 11A & 11 of the *Local Government (Functions and General) Regulations 1996* state:

##### **11A Purchasing policies for local governments**

- (1) *A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be **\$250,000** or less or worth **\$250,000** or less.*

##### **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 **\$250 000** unless subregulation (2) states otherwise.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if*
- 
- (a) *the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or*

- (aa) the supply of the goods or services is associated with a state of emergency; or
- (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or

#### **Policy Implications**

The amended Policy forms part of Council's Policy Register and is reviewed annually.

#### **Financial Implications**

There are no financial implications relevant to this item.

#### **Strategic Implications**

***Strategic Priority 5 – Leadership and Governance – A proactive, approachable Council which values community consultation, transparency and accountability***

*5.1 Strengthen organisational accountability and transparency*

*5.1.1 Strengthen governance, risk management and compliance*

*5.1.3 Improve the efficiency and effectiveness of services.*

*5.3 Strive for excellence in leadership and governance*

*5.3.1 Deliver community outcomes through sustainable finance and human resource management.*

#### **Site Inspection**

Not applicable

#### **Comment**

Tracked changes are highlighted in red in the appended Policy under the following headings:

- Strategic Purchasing Value Assessments
- Sustainable Procurement and Corporate Social Responsibility

The changes have resulted from discussions with the Western Australian Local Government Association and the South West Group, and have also considered a review of the Purchasing Policy of the City of Cockburn.

#### **12.2.3 OFFICER RECOMMENDATION**

**That Council amend Policy 2.1.3 Purchasing and Procedures Attachment appended to this report, as per tracked changes.**



### 2.1.3 Purchasing

Type:	Corporate Services – Financial Management
Legislation:	Local Government Act 1995 Local Government (Functions and General) Regulations 1996
Delegation:	DA35 Ordering Thresholds
Other Related Document:	Purchasing Procedures PRO2.1.3

#### Objective

The objectives of this Policy are to ensure that all purchasing activities:

- demonstrate that best value for money is attained for the Town;
- are compliant with relevant legislations, including the Act and Regulations;
- are recorded in compliance with the State Records Act 2000 and associated records management practices and procedures of the Town;
- mitigate probity risk, by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers;
- ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment; and
- are conducted in a consistent and efficient manner across the Town and that ethical decision making is demonstrated.

#### Policy Scope

This policy will affect all staff members.

#### Policy

The Town of East Fremantle (the “Town”) is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance and complies with the Local Government Act 1995 (the “Act”) and Part 4 of the Local Government (Functions and General) Regulations 1996, (the “Regulations”). Procurement processes and practices to be complied with are defined within this Policy and the Town’s prescribed procurement procedures.

#### Ethics and Integrity

##### *Code of Conduct*

All officers and employees of the Town undertaking purchasing activities must have regard for the Code of Conduct requirements and shall observe the highest standards of ethics and integrity. All officers and employees of the Town must act in an honest and professional manner at all times which supports the standing of the Town.

### *Purchasing Principles*

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Town's policies and Code of Conduct;
- purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Town's by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

### **Value for Money**

#### *Policy*

Value for money is determined when the consideration of price, risk and qualitative factors that are assessed to determine the most advantageous outcome to be achieved for the Town.

As such, purchasing decisions must be made with greater consideration than obtaining lowest price, but also to incorporate qualitative and risk factors into the decision.

#### *Application*

An assessment of the best value for money outcome for any purchasing process should consider:

- all relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable;
- the safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering purchasing goods and services from suppliers;
- purchasing of goods and services from suppliers that demonstrate sustainable benefits and good corporate social responsibility; and
- providing opportunities for businesses within the Town's boundaries to be given the opportunity to quote for providing goods and services wherever possible.

**Purchasing Requirements**

*Legislative / Regulatory Requirements*

The requirements that must be complied with by the Town, including purchasing thresholds and processes, are prescribed within the Regulations, this Policy and associated purchasing procedures in effect at the Town.

Purchasing that is \$250,000 or below in total value (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 7 of this Purchasing Policy.

Purchasing that exceeds \$250,000 in total value (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under section 8 of this Policy is not deemed to be suitable.

*Purchasing Value Definition*

Determining purchasing value is to be based on the following considerations:

1. Exclusive of Goods and Services Tax (GST);
2. The actual or expected value of a contract over the full contract period, including all options to extend; or the extent to which it could be reasonably expected that the Town will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold is reached within three years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply.
3. Must incorporate any variation to the scope of the purchase and be limited to a 10% tolerance of the original purchasing value.

*Purchasing from Existing Contracts*

Where the Town has an existing contract in place, it must ensure that goods and services required are purchased under these contracts to the extent that the scope of the contract allows. When planning the purchase, the Town must consult its Contracts Register in the first instance before seeking to obtain quotes and tenders on its own accord.

**Purchasing Thresholds**

The table below prescribes the purchasing process that the Town must follow, based on the purchase value:

Purchase Value Threshold	Purchasing Requirement
Up to \$5,000 (exc GST)	Purchase directly from a supplier using a Purchasing or Corporate Credit Card issued by the Town, or obtain at least one (1) oral or written quotation from a suitable supplier, either from: <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Town; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government Common Use Arrangement (CUA); or</li> </ul>

	<ul style="list-style-type: none"> <li>• from the open market.</li> </ul> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a brief outline of the specified requirement for the goods; services or works required; and</li> <li>• value for money criteria, not necessarily the lowest price.</li> <li>• The procurement decision is to be represented using the Brief Evaluation Report Template.</li> </ul>
<p>Over \$5,001 and up to \$20,000 (exc GST)</p>	<p>Request at least two (2) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Town; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government CUA; or</li> <li>• from the open market.</li> </ul> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a written brief outline of the specified requirement for the goods; services or works required; and</li> <li>• value for money criteria, not necessarily the lowest price.</li> </ul> <p>The procurement decision is to be represented using the Brief Evaluation Report Template.</p>
<p>Over \$20,001 and up to \$50,000</p>	<p>Request at least three (3) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Town; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</li> <li>• from the open market.</li> </ul> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a written brief outline of the specified requirement for the goods; services or works required; and</li> <li>• value for money criteria, not necessarily the lowest price.</li> </ul> <p>The procurement decision is to be represented using the Brief Evaluation Report Template.</p>
<p>Over \$50,001 and up to \$250,000 (exc GST)</p>	<p>Request at least three (3) written quotations from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from:</p>

	<ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Town; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government CUA; or</li> <li>• from the open market.</li> </ul> <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered by the Town through the WALGA preferred supply program or State Government CUA) are not required to be invited using a Request for Quotation form, however at least three written quotes are still required to be obtained.</p> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a detailed written specification for the goods, services or works required and</li> <li>• pre-determined evaluation criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The procurement decision is to be represented using the Evaluation Report template.</p>
<p>Over \$250,000 (exc GST)</p>	<p>Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement as listed under section 8 of this Policy, conduct a public Request for Tender process in accordance with the Regulations, this policy and the Town’s tender procedures. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>The purchasing decision is to be based upon the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a specification of the goods, services or works (for a tender exempt process including the WALGA Preferred Supplier Arrangement); or a detailed specification for the open tender process; and</li> <li>• pre-determined evaluation criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The procurement decision is to be represented using the Evaluation Report template.</p>

**Requirement for Contracts**

Purchases over \$50,000 ex GST will require a written contract for the following supply categories:

- Consultants (General Conditions of Contract AS4122-2010)
- Minor Works
- General Goods and Services
- Building and Construction Services
- ICT Services
- Waste Services

A copy of the executed contract must be provided to the Executive Assistant Corporate Services prior to the Purchase Order being released. The contract details will be entered into the Contract Register which has been prepared in accordance with Treasurers Instruction 820 'Register of Contracts'.

Contract Reviews – all contracts established by the Town shall contain a requirement to review the performance of the Contractor/Supplier/Consultant at least annually and prior to the extension, if any, of the Contract term.

### **Strategic Purchasing Value Assessments**

The Town will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Town will have continuing need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.

The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.

### **Quotation Exemptions**

An exemption to Request for Quotations may apply in accordance with Regulation 11 of the Local Government (Functions & General) Regulations 1996.

### **Insufficient Suppliers / Waiver of Quotation**

Where this policy requires a certain number of quotations to be obtained, but it is not possible to obtain that number of quotations, then best endeavours must be used to obtain as many quotes as possible.

If it is not possible to obtain the required number of quotations then:

1. the requirement to obtain that number of quotations may be waived by the Chief Executive Officer or Executive Manager Corporate Services if the purchase is below \$20,000 and justification has been provided by an officer with appropriate authority to incur the liability. The following are examples of where an exemption may be approved:
  - Supplier is a sole provider registered in the Town of East Fremantle
  - Supplier is an Aboriginal Business
  - Supplier is Disability Enterprise
  - Delivery of goods or services is time critical
2. all other requirements of this policy applicable to that type or value of purchase apply.

### **Purchasing from Legal Service Providers**

The Town of East Fremantle will utilise the WALGA preferred supplier contract for legal services. The selection of the service provider will be undertaken by the Chief Executive Officer or relevant Executive Manager (under delegated authority) based on factors including the panel provider undertaking similar work on behalf of the Town, specialist expertise as well as being based on standard contract performance.

**Buying Local**

Where possible, suppliers operating with the Town of East Fremantle and neighbouring local government areas are to be given the opportunity to quote for goods and services required by the Town. Officers are required to review the local Business Directory when determining possible suppliers. However, it is recognised that not every category of goods or services required by the Town will lend itself to supply by local businesses.

**Standing Offer Agreement**

This is an agreement where a supplier(s) agrees to provide specified goods (which are considered commodities off the shelf which are readily available from multiple suppliers and frequently purchased), at an agreed price fixed for a set period of time (usually for one year). Standing Offers are a commitment by suppliers to provide agreed products at the fixed price on receipt of a Town Purchase Order. Standing offers do not commit the Town to any minimum volume. A standing offer once accepted by the Town is deemed to have met the quotation process.

**Tendering Exemptions**

An exemption to publicly invite tenders may apply in the following instances:

- the supply of the goods or services is associated with a State of Emergency which has been declared in accordance with section 3 of the Emergency Management Act 2005;
- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement;
- the purchase is from a Regional Local Government or another Local Government;
- the purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less and represents value for money;
- the purchase is acquired from an Australian Disability Enterprise and represents value for money;
- within 6 months of no tender being accepted;
- where the contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- the purchase is from a pre-qualified supplier under a Panel established by the Town; or
- any of the other exclusions under Regulation 11 of the Regulations apply.

**Inviting Tenders under the Tender Threshold**

Where considered appropriate and beneficial, the Town may consider publicly advertising Tenders in lieu of undertaking a Request for Quotation for purchases under the tender threshold. This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through the WALGA Preferred Supply Program or State Government CUA.

If a decision is made to undertake a public Tender for contracts expected to be \$250,000 or less in value, the Town's tendering procedures must be followed in full.

**Sole Source of Supply**

Where the purchasing requirement is over the value of \$5,000 and of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a tender or quotation process. This is only permitted in circumstances where the Town is satisfied and can evidence that there is only one source of supply for those goods, services or works. The Town must use its best endeavours to determine if the sole source of supply is genuine by exploring if there are any

alternative sources of supply. Once determined, the justification must be endorsed by the Chief Executive Officer, prior to a contract being entered into.

From time to time, the Town may publicly invite an expression of interest to effectively determine that one sole source of supply still genuinely exists.

#### **Anti-Avoidance**

The Town shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of "splitting" the value of the purchase or contract to take the value of the consideration of the purchase below a particular purchasing threshold, particularly in relation to Tenders and to avoid the need to call a public Tender.

#### **Emergency Purchases**

An emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation as provided for in the *Local Government Act 1995*. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

An emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate purchases required by the Town in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

#### **Record Management**

Records of all purchasing activity must be retained in compliance with the State Records Act 2000 (WA); the Town's Records Keeping Plan and associated procurement procedures.

For each procurement activity, such documents may include:

- the Procurement initiation document such as a procurement business case which justifies the need for a contract to be created (where applicable);
- procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the contract;
- request for Quotation/Tender documentation;
- copy of public advertisement inviting tenders, or the notice of private invitation (whichever is applicable);
- copies of quotes/tenders received;
- evaluation documentation, including individual evaluators note and clarifications sought;
- negotiation documents such as negotiation plans and negotiation logs;
- approval of award documentation;
- all correspondence to respondents notifying of the outcome to award a contract;
- contract Management Plans which describes how the contract will be managed; and
- copies of contract(s) with supplier(s) formed from the procurement process.

#### **Sustainable Procurement and Corporate Social Responsibility**

The Town is committed to providing a preference to suppliers that demonstrate sustainable business practices and high levels of corporate social responsibility (CSR). Where appropriate, the Town shall endeavour to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace CSR. Sustainable and CSR considerations must be balanced against value for money outcomes in accordance with the Town's sustainability objectives.

For formal procurement decisions, the Town may weight sustainability up to a total of 20%, with a maximum of 10% able to be assigned for any one of the following elements:

1. Environmental

Procurement that minimises unnecessary resource consumption, considers whole of life costs and delivers beneficial environmental economic outcomes is encouraged.

The Town will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefit toward achieving the Town's strategic and operational objectives.

Qualitative weighted selection criteria will be used in the evaluation of Requests for Quote and Tenders to provide advantages to suppliers which:

- (a) Demonstrate policies and practices that have been implemented by the business as part of its operations;
- (b) Generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used and disposed; and
- (c) Encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

2. Social

Procurement from organisations such as Aboriginal controlled businesses and social enterprises including Australian Disability Enterprises is encouraged.

3. Local Economy (with boundaries of the South West Group)

The Town will provide supply opportunities for local organisations that can demonstrate economic benefits, either through being a local business, the use of local sub-contractors or local employees. This will be dependent on the extent to which the local business can demonstrate a contribution to the local economy but does not include any preferential; treatment of pricing in the evaluation process.

Requests for Quotation and Tenders will include a request for Suppliers to provide information regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

Examples of criteria include the following:

- 1. The Tenderer must provide details of the benefits to the local community from their involvement in this contract. Examples may include, but should not be limited to things such as:
  - Local employment
  - Use of local service providers
  - Use of local food and beverage providers
  - Sourcing of materials and consumables locally

2. Community Participation and Benefits – provide commentary on initiatives to support Aboriginal business and indigenous community, local trade support, Australian manufacturing, and community benefit (i.e. corporate philanthropy or employment development programs for Corporate Social Responsibility such as disability enterprise or special needs)

### **Local Economic Benefit**

The Town encourages the development of competitive local businesses within its boundary and as much as practicable, the Town will:

- where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- consider buying practices, procedures and specifications that encourage the inclusion of local businesses and employment of local residents;
- consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- ensure that procurement plans, and analysis is undertaken prior to developing Requests to understand local business capability and local content availability where components of goods or services may be sourced from within the district for inclusion in selection criteria;
- explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- avoid bias in the design and specifications for Requests for Quotation and Tenders;
- provide adequate and consistent information to potential suppliers.

**Purchasing from Disability Enterprises**

Pursuant to Part 4 of the Local Government (Functions and General) Regulations 1996, the Town is not required to publicly invite tenders if the goods or services are to be supplied from an Australian Disability Enterprise, as registered on [www.ade.org.au](http://www.ade.org.au). This is contingent on the demonstration of value for money.

Where possible, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.

**Purchasing from Aboriginal Businesses**

Pursuant to Part 4 of the Local Government (Functions and General) Regulations 1996, the Town is not required to publicly invite tenders if the goods or services are to be supplied from a person registered on the Aboriginal Business Directory published by the Small Business Development Corporation on [www.abdwa.com.au](http://www.abdwa.com.au), where the expected consideration under contract is worth \$250,000 or less. This is contingent on the demonstration of value for money.

Where possible, Aboriginal businesses are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Aboriginal owned businesses, or businesses that demonstrate a high level of aboriginal employment.

**Panels of Pre-Qualified Suppliers**

In accordance with Regulation 24AC of the Local Government (Functions and General) Regulations 1996, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- the Town determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money';
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- the Panel will streamline and will improve procurement processes; and
- the Town has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The Town will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

*Establishing a Panel*

Should the Town determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the Local Government (Functions and General) Regulations 1996.

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two (2) years and for a maximum length of time deemed appropriate by the Town.

Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Where a Panel is to be established, the Town will endeavour to appoint at least three (3) suppliers to each category, on the basis that best value for money is demonstrated. Where less than three (3) suppliers are appointed to each category within the Panel, the category is not to be established.

In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Town must state the expected number of suppliers it intends to put on the panel.

Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

#### *Distributing Work Amongst Panel Members*

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Town intends to:

- i. obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 20; or
- ii. purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- iii. develop a ranking system for selection to the Panel, with work awarded in accordance with Clause 19 (b).

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) when establishing the Panel. The Town is to invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Town may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 5.5 of this Policy. When a ranking system is established, the Panel must not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

*Purchasing from the Panel*

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications may be made through eQuotes, or any other electronic quotation facility or otherwise must all be captured on the Town's electronic records system. A separate file is to be maintained for quotation processes made under each Panel that captures all communications between the Town and Panel members.

*Recordkeeping*

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this includes:

- the Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- request for Applications documentation;
- copy of public advertisement inviting applications;
- copies of applications received;
- evaluation documentation, including clarifications sought;
- negotiation documents such as negotiation plans and negotiation logs;
- approval of award documentation;
- all correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- contract Management Plans which describes how the contract will be managed; and
- copies of framework agreements entered into with pre-qualified suppliers.

The Town is also to retain itemised records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the Contract.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Town.

**Authorisation of Expenditure**

Acceptance of tenders and quotations and the authorisation of expenditure is to comply with the Town's purchasing requirements, associated policies and procedures and within the relevant delegation or limit of authority.

All purchases of goods or services other than those goods or services deemed an emergency or those outside of normal business hours are only to be purchases after the approval of an appropriate purchase requisition and the receipt of a relevant purchase order.

The confirmation of any purchase after the completion of a quotation / tender process must be authorised by an officer to whom authority to incur a liability has been delegated ensuring that sufficient funds have been provided for in the Town's annual budget.

Issuing Purchase Orders where a quotation or tender process has been undertaken will be required to be released by the Manager Finance and Administration , who is required to ensure that all details in the Register of Contracts have been complied with, and that the required number of quotes and the contract have been attached to the purchase requisition.

Responsible Directorate:	Corporate Services
Reviewing Officer:	Chief Executive Officer
Decision making Authority:	Council
Policy Adopted:	16/8/16
Policy Amended/Reviewed:	19/6/18, 17/9/19, 19/11/19, 10/12/19, 19/5/20
Former Policy No:	4.2.4

Attachment  
Purchasing Procedures



### PURCHASING PROCEDURES (PRO2.1.3)

1. Council purchase orders are to be signed only by Officers authorised by Council, namely the :
  - Chief Executive Officer; (unlimited)
  - Executive Manager Corporate Services; Limit \$50,000
  - Executive Manager Regulatory Services; Limit \$50,000
  - Principal Environmental Health Officer; Limit \$1,500
  - Operations Supervisor; Limit \$15,000
  - Operations Manager; Limit \$50,000
  - Manager Administration and Finance, Limit \$15,000
  - Communications & Marketing Officer; Limit \$1,500
  - HR Coordinator; Limit \$5,000
  - Senior Ranger; Limit \$2,000
  - Coordinator Capacity Building; Limit \$1,500
  - Executive Assistant Corporate Services; Limit \$1,500
  - Executive Assistant to CEO; Limit \$1,500
  - Coordinator Planning and Building; Limit \$500
  - Coordinator CHSP (CHSP related purchases only); Limit \$1,500
  - Administration Support Officer – Operations; Limit \$500
 or those Officers acting in the positions from time to time;
  
2. Authority limitations apply to any purchase including signing of contracts in accordance with Delegation DA8 and DA9;
  
3. An official purchase order must be placed for all goods or services (including consultants' opinions, eg legal, engineering, town planning, etc) ordered;
  
4. Standing Purchase Order – these are commitments made against a particular supplier for good or services that are regularly procured over a specified period, usually one financial year. The full value of the commitment is restricted to the amount in the approved budget, allowing for a spread over more than one supplier. Standing order numbers will need to be quoted to the supplier for inclusion in their invoice. Do not provide a printed copy of "Standing Purchase Orders" to suppliers. Standing orders will be expedited by Finance at the end of each financial year and will need to be re-established in the new financial year.
  
5. Emergency Order – emergency orders can only be processed outside the procurement process when any of the following events are likely to occur:
  - Possible cause of injury or loss of life
  - Potential to result in destruction of property
  - Possible loss or disruption to the Town's stakeholders or core functions
  - Will seriously impair the reputation of the Town in the local or wider community
 In such cases, the purchaser will initially make a purchase commitment with a third party without following all the processes in this procedure. The purchase order is to be raised as soon as possible following the initial commitment.
  
6. When ordering by telephone a purchase order number must be quoted and the original of the order to be forwarded to the supplier endorsed "Confirmation of Telephone Order on "(date)";

7. All Officers are to ensure that when issuing a Council order for goods or services that a current account number (which will reflect the Budget estimate for those goods or services) be quoted on the Council order. This will ensure that:-
  - 7.1 expenditure is allocated to the correct Budget item (with the job number account being noted on the Council order); and
  - 7.2 that sufficient funds are identified against the job number account before expenditure is authorised.
8. In order that costs are adequately controlled before issuing a Council purchase order Officers must check against their current Budget estimates for the current financial year and monthly expenditure reports to ensure that there are sufficient funds to cover the cost of the goods or services being ordered;
9. Roles of Finance:
  - Finance Officers will provide initial training and support to Authorised Purchasing Officer;
  - Finance staff will review purchase orders prior to paying invoices to ensure compliance with the Purchasing Policy including ensuring that all relevant quotes are attached. Should there be any non-compliance, payment of the invoice will be placed on hold. An email will be sent to the Purchaser seeking a valid reason which will need to be confirmed by the CEO. Once this has been received, payment will be processed.
  - Goods receipt amounts will be matched to supplier's invoice and processed for payment in line with their terms. Any variance greater than 10% will be referred back to the Purchaser.
  - Purchase orders will be reviewed every three months to ensure obsolete orders are expedited.
10. Where possible, Council use environmentally friendly paper products including recycled paper;
11. All purchases must also comply with Policy 2.1.3 – Purchasing Policy.

#### 12.2.4 Risk Management Policy and Procedures

<b>File ref</b>	C/POL1
<b>Prepared by</b>	Peter Kocian, Executive Manager Corporate Services
<b>Supervised by</b>	Gary Tuffin, Chief Executive Officer
<b>Meeting Date:</b>	8 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Risk Management Policy and Procedure

#### **Purpose**

This report recommends that Council adopted the amended Risk Management Policy and Procedures as appended.

#### **Executive Summary**

The Risk Management Policy and Procedures have been updated to align to the current risk management standard. The Procedures also delineate roles and responsibilities within the organization to ensure monitoring and reporting of risks.

The objective of the Policy is to encourage an integrated, effective and organization wide approach to risk management within the Town, facilitating value creation and protection.

#### **Background**

The Audit Regulation 17 Review undertaken in December 2019 identified that the current Risk Management Policy is based on a superseded Risk Management Standard. The Policy is to be updated to align to the current Risk Management Standard ISO 31000:2018.

#### **Consultation**

Not applicable

#### **Statutory Environment**

Regulation 17 of the *Local Government (Audit) Regulations 1996* states that the CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management amongst other things.

#### **Policy Implications**

The Risk Management Policy is presented with tracked changes.

#### **Financial Implications**

There are no financial implications relative to this item.

#### **Strategic Implications**

***Strategic Priority 5 – Leadership and Governance – A proactive, approachable Council which values community consultation, transparency and accountability***

*5.1 Strengthen organisational accountability and transparency*

*5.1.1 Strengthen governance, risk management and compliance*

*5.1.3 Improve the efficiency and effectiveness of services.*

*5.3 Strive for excellence in leadership and governance*

*5.3.1 Deliver community outcomes through sustainable finance and human resource management.*

**Site Inspection**

Not applicable

**Comment**

As a public body, there is an expectation that the Town will maintain an inherent low appetite for risk and as a consequence adopt policies and maintain systems and procedures to create value and protect the Town and its stakeholders.

The Chief Executive Officer is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the attached Procedures.

The Town will implement and integrate, by way of biannual reporting to the Audit Committee, a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

**12.2.4 OFFICER RECOMMENDATION**

**That Council adopt the amended Risk Management Policy and Procedures as appended to this report.**

## 2.2.4 Risk Management

<b>Type:</b>	Corporate Services – Risk Management
<b>Legislation:</b>	AS/NZS ISO 31000: <del>2009</del> <u>2018</u>
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	Risk Management Procedures (Attached)

### Objective

The Town of East Fremantle's ("the Town") Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Town's strategies, goals or objectives.

To encourage an integrated, effective and organisation wide approach to risk management within the Town, facilitating value creation and protection.

### Definitions

(From AS/NZS ISO 31000:~~2009~~2018)

**Risk:** Effect of uncertainty on objectives.

*Note 1: An effect is a deviation from the expected – positive or negative.*

*Note 2: Objectives can have different aspects (such as financial, health & safety and environmental goals) and can apply at different levels (such as strategic, organisationwide, project product or process).*

**Risk Management:** Coordinated activities to direct and control an organisation with regard to risk.

**Risk Management Process:** Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

### Policy

It is the Town's Policy to achieve best practice (aligned with AS/NZS ISO 31000:~~2009~~2018 Risk management), in the management of all risks that may affect the Town, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Town's Integrated Planning Framework.

The Town's Senior Staff Group will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every employee, elected member, volunteer and contractor within the Town is recognised as having a role in risk management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

**Risk Management Objectives**

- Optimise the achievement of our vision, experiences, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations.

**Risk Appetite**

The Town defined its risk appetite through the development and endorsement of the Town's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Town's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisation's appetite and are to be noted within the individual risk assessment and approved by a member of the Senior Staff Group.

As a public body, there is an expectation that the Town will maintain an inherent low appetite for risk and as a consequence adopt policies and maintain systems and procedures to create value and protect, the Town, and its stakeholders.

**Roles, Responsibilities & Accountabilities**

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

**Monitor & Review**

The Town will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

**Attachment**

Risk Management Procedures

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/3/17
<b>Policy Amended/Reviewed:</b>	<del>17/9/19</del> December 2020
<b>Former Policy No:</b>	4.3.4

# Risk Management Procedures

## Governance

Appropriate governance of risk management within the Town of East Fremantle (the “Town”) provides:

- Transparency of decision making.
- Clear identification of the roles and responsibilities of risk management functions.
- An effective Governance Structure to support the risk framework.

## Framework Review

The Risk Management Framework is to be reviewed for appropriateness and effectiveness annually.

## Operating Model

The Town has adopted a “Three Lines of Defence” model for the management of risk. This model ensures roles; responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, the Council, Management and Community will have assurance that risks are managed effectively to support the delivery of the Strategic, Corporate & Operational Plans.

## First Line of Defence

All operational areas of the Town are considered ‘**1<sup>st</sup> Line**’. They are responsible for ensuring that risks within their scope of operations are identified, assessed, managed, monitored and reported. Ultimately, they bear ownership and responsibility for losses or opportunities from the realisation of risk. Associated responsibilities include;

- Establishing and implementing appropriate processes and controls for the management of risk (in line with these procedures).
- Undertaking adequate analysis (data capture) to support the decision-making process of risk.
- Prepare risk acceptance proposals where necessary, based on level of residual risk.
- Retain primary accountability for the ongoing management of their risk and control environment.

## Second Line of Defence

The ~~Coordinator of Corporate Planning~~ Executive Assistant Corporate Services acts as the primary ‘**2<sup>nd</sup> Line**’. This position owns and manages the framework for risk management, drafts and implements governance procedures and provides the necessary tools and training to support the 1st line process. The Senior Staff Group, in their capacity as Risk Committee, supplements the second line of defence.

Maintaining oversight on the application of the framework provides a transparent view and level of assurance to the 1<sup>st</sup> & 3<sup>rd</sup> lines on the risk and control environment. Support can be provided by additional oversight functions completed by other 1<sup>st</sup> Line Teams (where applicable). Additional responsibilities include:

- Providing independent oversight of risk matters as required.
- Monitoring and reporting on emerging risks.
- Co-ordinating the Town’s risk reporting for the CEO & Senior Staff Group and the Audit Committee.

**Third Line of Defence**

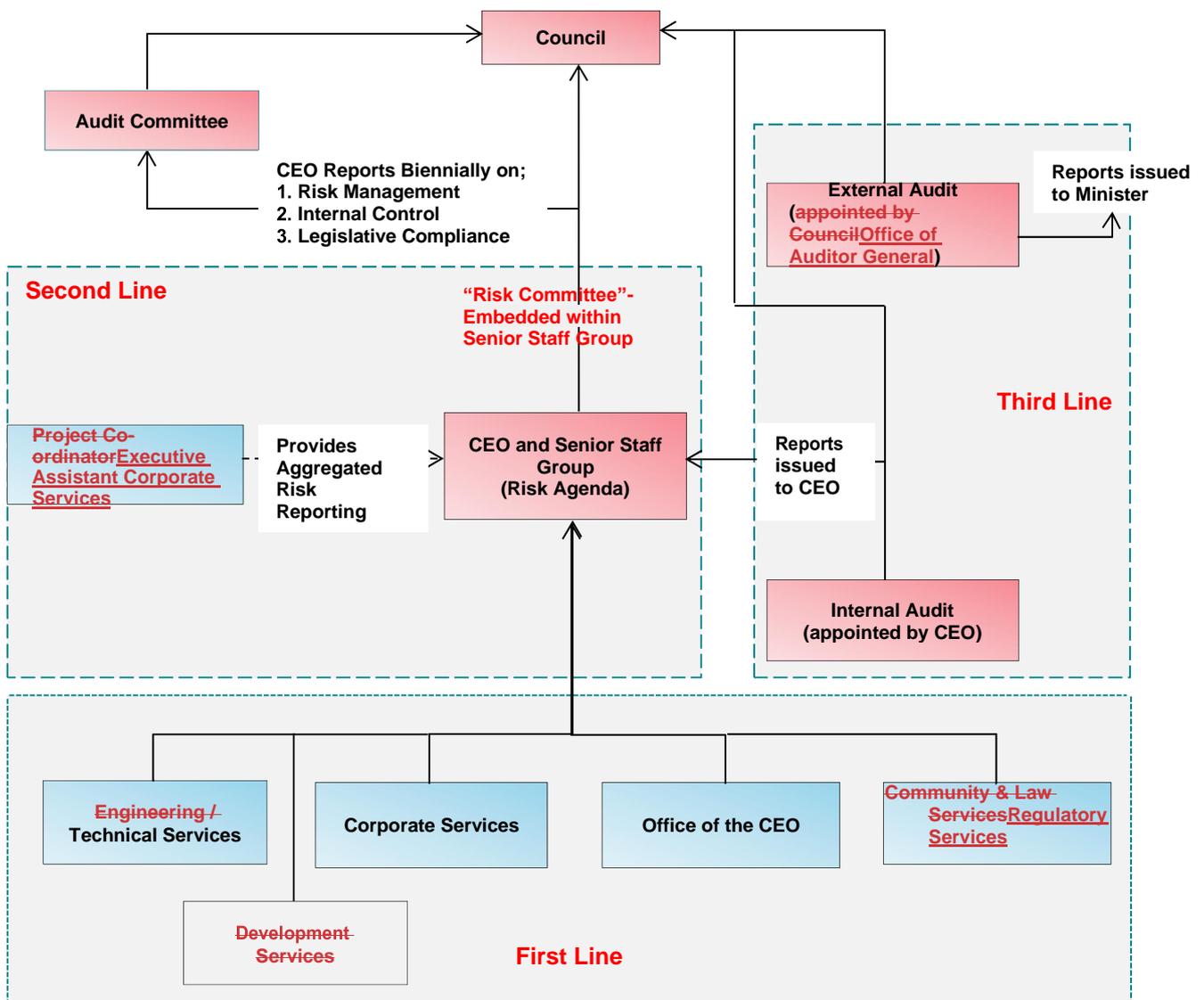
Internal self-audits & External Audits are the ‘3<sup>rd</sup> Line’ of defence, providing assurance to the Council, Audit Committee and Town Management on the effectiveness of business operations and oversight frameworks (1<sup>st</sup> & 2<sup>nd</sup> Line).

Internal Audit – Appointed by the CEO to report on the adequacy and effectiveness of internal control processes and procedures. The scope of which would be determined by the CEO with input from the Audit Committee.

External Audit – Appointed by the Council on the recommendation of the Audit Committee to report independently to the President and CEO on the annual financial statements only.

**Governance Structure**

The following diagram depicts the current operating structure for risk management within the Town.



## Roles & Responsibilities

### CEO / Council

- Review and approve the Town's Risk Management Policy and Risk Assessment & Acceptance Criteria.
- Appoint / Engage External Auditors to report on financial statements annually.
- Establish and maintain an Audit Committee in terms of the Local Government Act.

### Audit Committee

- Support Council in providing effective corporate governance.
- Oversight of all matters that relate to the conduct of External Audits.
- Independent, objective and autonomous in deliberations.
- Recommendations to Council on External Auditor appointments.

### CEO / Senior Staff Group

- Undertake internal Audits as required under Local Government (Audit) ~~regulations~~ Regulations.
- Liaise with Council in relation to risk acceptance requirements.
- Approve and review the appropriateness and effectiveness of the Risk Management Framework.
- Drive consistent embedding of a risk management culture.
- Analyse and discuss emerging risks, issues and trends.
- Document decisions and actions arising from risk matters.
- Own and manage the Risk Profiles at Town Level.

### ~~Project Co-ordinator~~ Executive Assistant Corporate Services

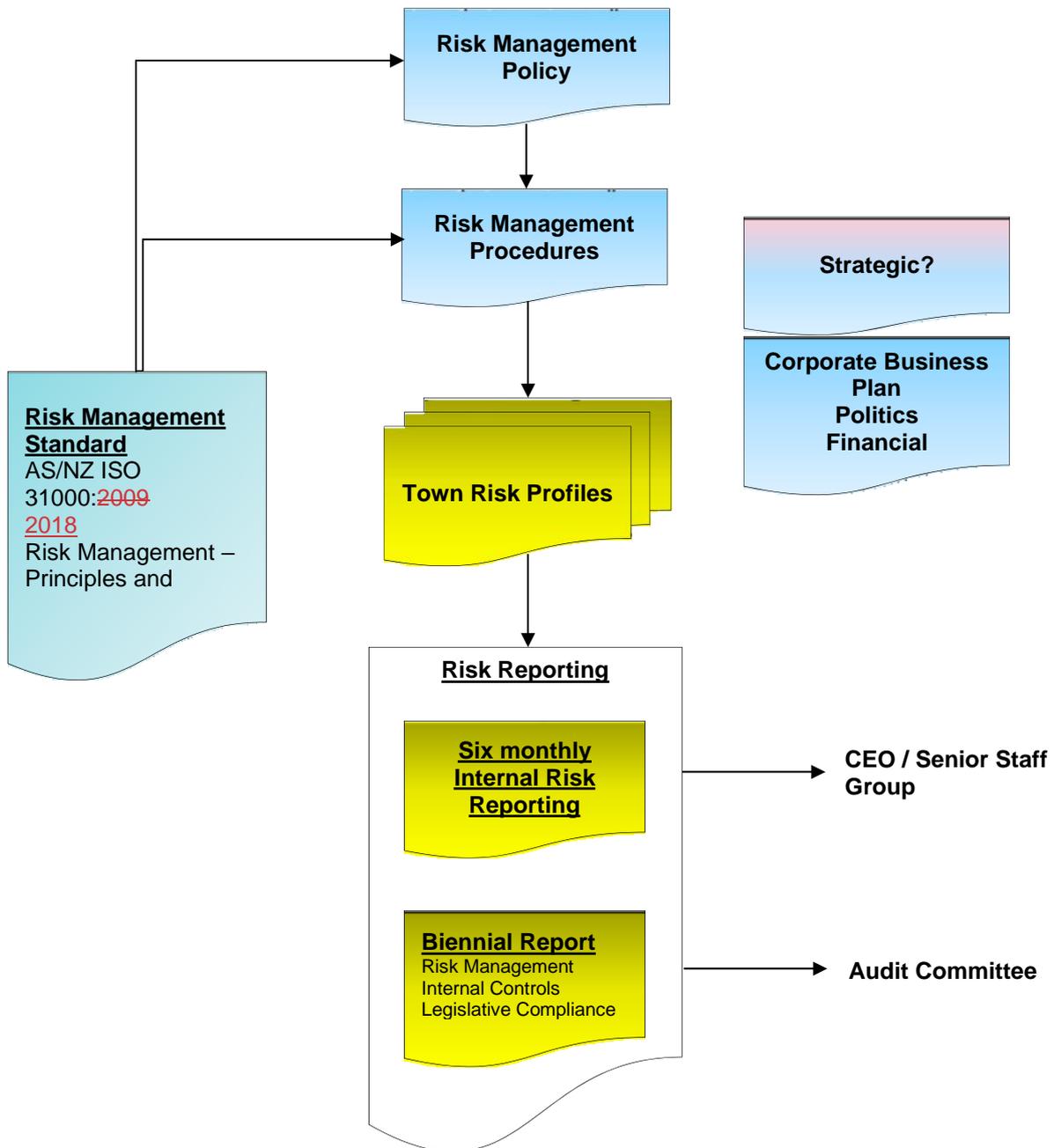
- Oversee and facilitate the Risk Management Framework.
- Support reporting requirements for risk matters.

### Work Areas

- Drive risk management culture within work areas.
- Own, manage and report on specific risk issues as required.
- Assist in the Risk & Control Management process as required.
- Highlight any emerging risks or issues accordingly.
- Incorporate 'Risk Management' into Management Meetings, by incorporating the following agenda items;
  - New or emerging risks.
  - Review existing risks.
  - Control adequacy.
  - Outstanding issues and actions.

**Document Structure (Framework)**

The following diagram depicts the relationship between the Risk Management Policy, Procedures and supporting documentation and reports.



## Risk & Control Management

All Work Areas of the Town are required to assess and manage the Risk Profiles on an ongoing basis.

Each Manager, in conjunction with the ~~Coordinator of Corporate Planning~~Executive Assistant Corporate Services is accountable for ensuring that Risk Profiles are:

- Reflective of the material risk landscape of the Town.
- Reviewed on at least a ~~six-monthly~~six-monthly basis, or sooner if there has been a material restructure or change in the risk and control environment.
- Maintained in the standard format.

This process is supported by the use of data inputs, workshops and ongoing business engagement.

### Risk & Control Assessment

To ensure alignment with AS/NZ ISO 31000:~~2009-2018~~ Risk Management, the following approach is to be adopted from a Risk & Control Assessment perspective:

#### A: Establishing the Context

The first step in the risk management process is to understand the context within which the risks are to be assessed and what is being assessed, this forms two elements:

#### Organisational Context

The Town's Risk Management Procedures provide the basic information and guidance regarding the organisational context to conduct a risk assessment; this includes Risk Assessment and Acceptance Criteria (Appendix A) and any other tolerance tables as developed. In addition, existing Risk Themes are to be utilised (Appendix C) where possible to assist in the categorisation of related risks.

Any changes or additions to the Risk Themes must be approved by the ~~Governance Officer~~Executive Assistant Corporate Services and CEO.

All risk assessments are to utilise these documents to allow consistent and comparable risk information to be developed and considered within planning and ~~decision-making~~decision-making processes.

#### Specific Risk Assessment Context

To direct the identification of risks, the specific risk assessment context is to be determined prior to and used within the risk assessment process.

For risk assessment purposes the Town has been divided into three levels of risk assessment context:

##### 1. Strategic Context

This constitutes the Town's external environment and high-level direction. Inputs to establishing the strategic risk assessment environment may include;

- Organisation's Vision
- Stakeholder Analysis
- Environment Scan / SWOT Analysis
- Existing Strategies / Objectives / Goals

## 2. Operational Context

The Town's day to day activities, functions, infrastructure and services. Prior to identifying operational risks, the operational area should identify its Key Activities i.e. what is trying to be achieved. Note: these may already be documented in business plans, budgets etc.

## 3. Project Context

Project Risk has two main components:

- **Direct** refers to the risks that may arise as a result of project activity (i.e. impacting on current or future process, resources or IT systems) which may prevent the Town from meeting its objectives
- **Indirect** refers to the risks which threaten the delivery of project outcomes.

In addition to understanding what is to be assessed, it is also important to understand who are the key stakeholders or areas of expertise that may need to be included within the risk assessment.

## B: Risk Identification

Using the specific risk assessment context as the foundation, and in conjunction with relevant stakeholders, answer the following questions, capture and review the information within each Risk Profile.

- What can go wrong? / What are areas of uncertainty? (Risk Description)
- How could this risk eventuate? (Potential Causes)
- What are the current measurable activities that mitigate this risk from eventuating? (Controls)
- What are the potential consequential outcomes of the risk eventuating? (Consequences)

## C: Risk Analysis

To analyse the risks, the Town's Risk Assessment and Acceptance Criteria (Appendix A) is applied:

- Based on the documented controls, analyse the risk in terms of Existing Control Ratings
- Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (Consequence)
- Determine how likely it is that the risk will eventuate to the determined level of consequence with existing controls in place (Likelihood)
- By combining the measures of consequence and likelihood, determine the risk rating (Level of Risk)

## D: Risk Evaluation

The Town is to verify the risk analysis and make a risk acceptance decision based on:

- Controls Assurance (i.e. are the existing controls in use, effective, documented, up to date and relevant)
- Existing Control Rating
- Level of Risk
- Risk Acceptance Criteria (Appendix A)
- Risk versus Reward / Opportunity

The risk acceptance decision needs to be documented and acceptable risks are then subject to the monitor and review process. Note: Individual Risks or Issues may need to be escalated due to urgency, level of risk or systemic nature.

### E: Risk Treatment

For unacceptable risks, determine treatment options that may improve existing controls and/or reduce consequence / likelihood to an acceptable level.

Risk treatments may involve actions such as avoid, share, transfer or reduce the risk with the treatment selection and implementation to be based on;

- Cost versus benefit
- Ease of implementation
- Alignment to organisational values / objectives

Once a treatment has been fully implemented, the ~~Governance Officer~~Executive Assistant Corporate Services is to review the risk information and acceptance decision with the treatment now noted as a control and those risks that are acceptable then become subject to the monitor and review process (Refer to Risk Acceptance section).

### E: Monitoring & Review

The Town is to review all Risk Profiles at least on a six monthly basis or if triggered by one of the following;

- Changes to context,
- A treatment is implemented,
- An incident occurs or due to audit/regulator findings.

The ~~Coordinator of Corporate Planning~~Executive Assistant Corporate Services is to monitor the status of risk treatment implementation and report on, if required.

The CEO & Senior Staff Group will monitor significant risks and treatment implementation as part of their normal agenda item on a quarterly basis with specific attention given to risks that meet any of the following criteria:

- Risks with a Level of Risk of High or Extreme
- Risks with Inadequate Existing Control Rating
- Risks with Consequence Rating of Extreme
- Risks with Likelihood Rating of Almost Certain

The design and focus of the Risk Summary report will be determined from time to time on the direction of the CEO & Senior Staff Group. They will also monitor the effectiveness of the Risk Management Framework ensuring it is practical and appropriate to the Town.

### G: Communication & Consultation

Throughout the risk management process, stakeholders will be identified, and where relevant, be involved in or informed of outputs from the risk management process.

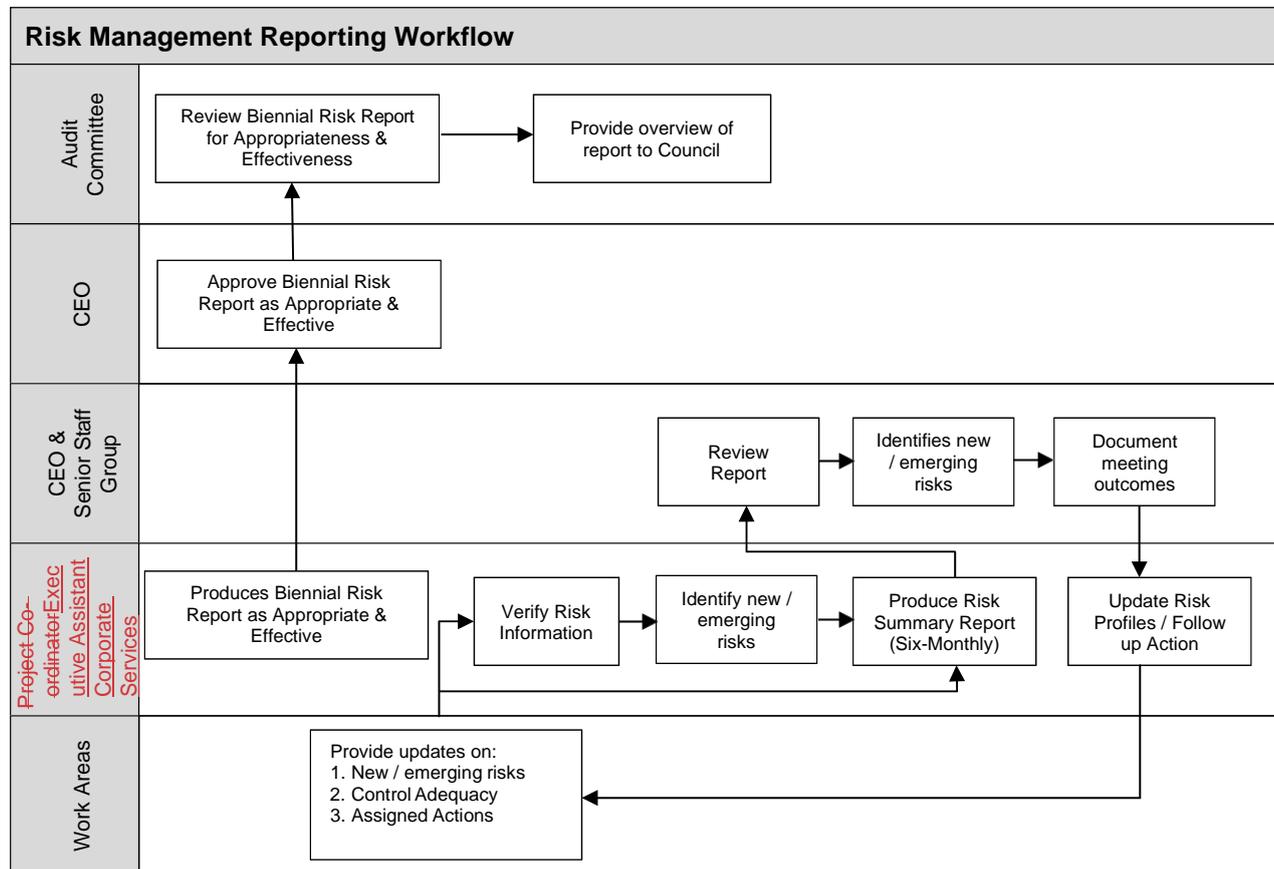
Risk management awareness and training will be provided to staff as part of their OS&H Program.

Risk management will be included within the employee induction process to ensure new employees are introduced to the Town's risk management culture.

## Reporting Requirements

### Coverage & Frequency

The following diagram provides a high level view of the ongoing reporting process for Risk Management.



Each Work Area is responsible for ensuring:

- They continually provide updates in relation to new and emerging risks, control effectiveness and indicator performance to the ~~Coordinator of Corporate Planning~~Executive Assistant Corporate Services.
- Work through assigned actions and provide relevant updates to the ~~Coordinator of Corporate Planning~~Executive Assistant Corporate Services.
- Risks / Issues reported to the CEO & Senior Staff Group are reflective of the current risk and control environment.

The ~~Project Co-ordinator~~Executive Assistant Corporate Services is responsible for:

- Ensuring Town Risk Profiles are formally reviewed and updated, at least on a six monthly basis or when there has been a material restructure, change in risk ownership or change in the external environment.
- Producing a six-monthly Risk Report for the CEO & Senior Staff Group which contains an overview Risk Summary for the Town.
- Annual Compliance Audit Return completion and lodgement.

## Indicators

Indicators are required to be used for monitoring and validating risks and controls. The following describes the process for the creation and reporting of Indicators:

### Identification

The following represent the minimum standards when identifying appropriate Indicator risks and controls:

- The risk description and casual factors are fully understood
- The Indicator is fully relevant to the risk or control
- Predictive Indicators are adopted wherever possible
- Indicators provide adequate coverage over monitoring risks and controls

### Validity of Source

In all cases an assessment of the data quality, integrity and frequency must be completed to ensure that the Indicator data is relevant to the risk or Control.

Where possible the source of the data (data owner) should be independent to the risk owner. Overlapping Indicators can be used to provide a level of assurance on data integrity.

If the data or source changes during the life of the Indicator, the data is required to be revalidated to ensure reporting of the Indicator against a consistent baseline.

### Tolerances

Tolerances are set based on the Town's Risk Appetite. They may be set and agreed over three levels:

- Green – within appetite; no action required.
- Amber – the Indicator must be closely monitored and relevant actions set and implemented to bring the measure back within the green tolerance.
- Red – outside risk appetite; the Indicator must be escalated to the CEO & Senior Staff Group where appropriate management actions are to be set and implemented to bring the measure back within appetite.

### Monitor & Review

All active Indicators are updated as per their stated frequency of the data source.

When monitoring and reviewing Indicators, the overall trend should be considered over a longer timeframe than individual data movements. The trend of the Indicators is specifically used as an input to the risk and control assessment.

## Risk Acceptance

Day-to-day operational management decisions are generally managed under the delegated authority framework of the Town.

Risk Acceptance outside of the appetite framework is a management decision to accept, within authority levels, material risks which will remain outside appetite framework (refer Appendix A – Risk Assessment & Acceptance Criteria) for an extended period of time (generally 3 months or longer).

The following process is designed to provide a framework for those outside appetite framework identified risks.

The 'Risk Acceptance' must be in writing, signed by the relevant Manager and cover:

- A description of the risk.
- An assessment of the risk (e.g. Impact consequence, materiality, likelihood, working assumptions etc)
- Details of any mitigating action plans or treatment options in place
- An estimate of the expected remediation date.

Reasonable action should be taken to mitigate the risk. A lack of budget to remediate a material risk outside of appetite is not sufficient justification in itself to accept a risk.

Accepted risks must be continually reviewed through standard operating reporting structure (i.e. Senior Staff Group)

## Appendix A – Risk Assessment and Acceptance Criteria

Town of East Fremantle Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
<b>Insignificant (1)</b>	Near-Miss or First Aid	Less than \$10,000	No material service interruption	Minor regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential damage.	Contained, reversible impact managed by on site response
<b>Minor (2)</b>	Medical type injuries	\$10,001 - \$50,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
<b>Moderate (3)</b>	Lost time injury >14 Days	\$50,001 - \$250,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
<b>Major (4)</b>	Long-term disability / multiple injuries	\$250,001 - \$1,000,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
<b>Extreme (5)</b>	Fatality, permanent disability	More than \$1,000,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

Town of East Fremantle Measures of Likelihood			
Level	Rating	Description	Frequency
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

Town of East Fremantle Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Extreme
Likelihood		A?	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Town of East Fremantle Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
<b>LOW (1-4)</b>	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
<b>MODERATE (5-9)</b>	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
<b>HIGH (10-16)</b>	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
<b>EXTREME (17-25)</b>	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

Town of East Fremantle Existing Controls Ratings		
Rating	Foreseeable	Description
<b>Effective</b>	There is little scope for improvement.	Processes (Controls) operating as intended and / or aligned to Policies & Procedures; are subject to ongoing maintenance and monitoring and are being continuously reviewed and tested.
<b>Adequate</b>	There is some scope for improvement.	Whilst some inadequacies have been identified; Processes (Controls) are in place, are being addressed / complied with and are subject to periodic review and testing.
<b>Inadequate</b>	A need for corrective and / or improvement actions exist.	Processes (Controls) not operating as intended, do not exist, or are not being addressed / complied with, or have not been reviewed or tested for some time.



# Appendix B – Risk Profile Template

Risk Theme	Date
<p><b><u>This Risk Theme is defined as:</u></b>  <i>Definition of Theme</i></p>	

<p><b><u>Potential causes include:</u></b>  <i>List of potential causes</i></p>
---

Controls	Type	Date	Town Rating
<i>List of Controls</i>			

<b>Overall Control Ratings:</b>	
---------------------------------	--

Consequence Category	Risk Ratings	Town Rating
	<b>Consequence:</b>	
	<b>Likelihood:</b>	

<b>Overall Risk Ratings:</b>	
------------------------------	--

Indicators	Tolerance	Date	Overall Town Result
<i>List of Indicators</i>			

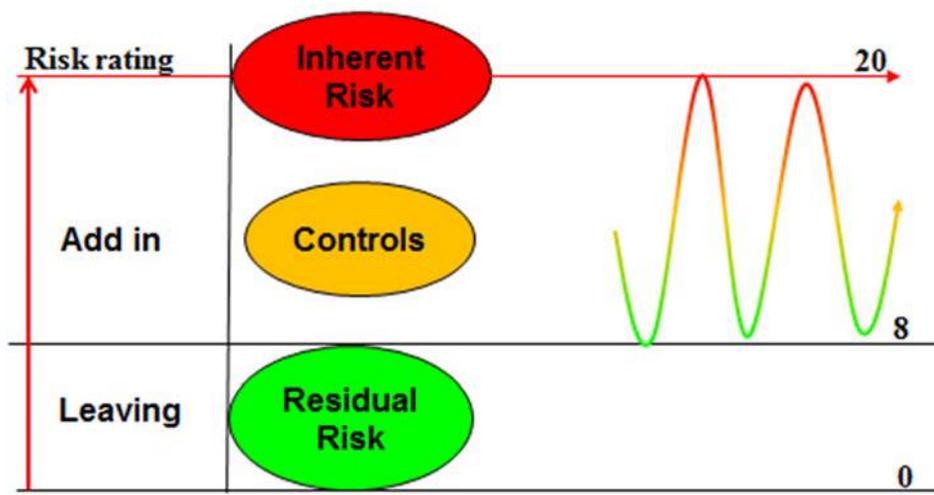
<p><b><u>Comments</u></b>  <i>Rationale for all above ratings</i></p>
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Current Issues / Actions / Treatments	Due Date	Responsibility
<i>List current issues / actions / treatments</i>		



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### The importance of controls



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### MEASURES OF CONSEQUENCE (PROJECT)

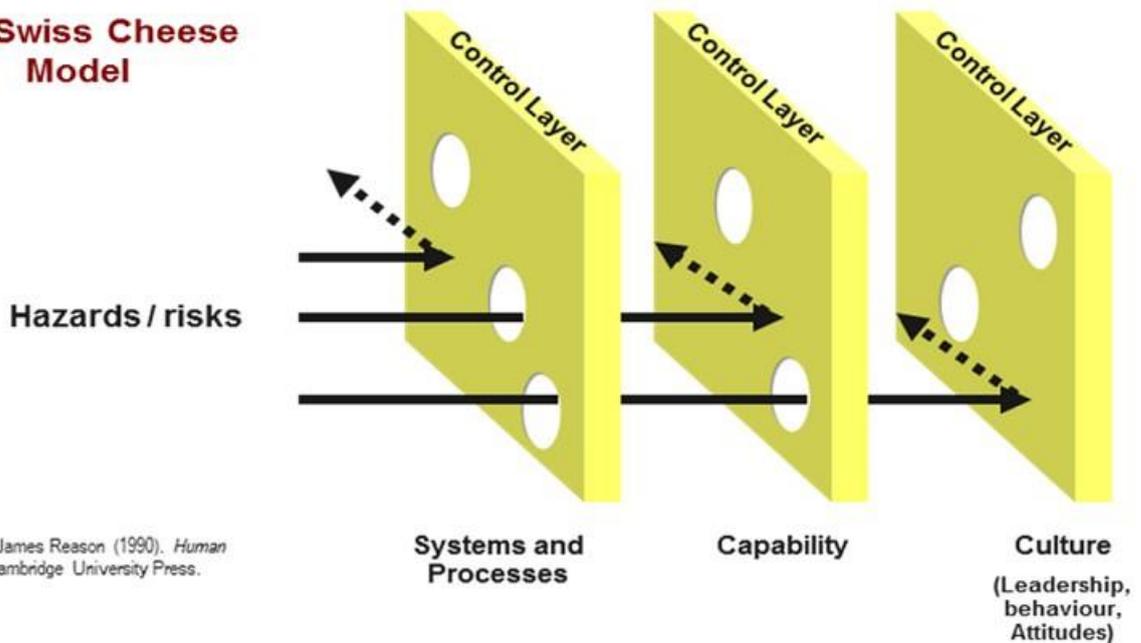
LEVEL	RATING	Project TIME	Project COST	Project SCOPE / QUALITY
1	Insignificant	Exceeds deadline by >5% of project timeline	Exceeds project budget by 2%	Minor variations to project scope or quality
2	Minor	Exceeds deadline by >10% of project timeline	Exceeds project budget by 5%	Scope creep requiring additional work, time or resources. Reduced perception of quality by Stakeholders.
3	Moderate	Exceeds deadline by >15% of project timeline	Exceeds project budget by 7.5%	Scope creep requiring additional work, time and resources or shortcuts being taken. Stakeholder concerns.
4	Major	Exceeds deadline by >20% of project timeline	Exceeds project budget by 15%	Project goals, deliverables, costs and/or deadline failures. Project no longer aligned with the project scope Stakeholder intervention in project.
5	Extreme	Exceeds deadline by 25% of project timeline	Exceeds project budget by 20%	Failure to meet project objectives. Project outcomes negatively affecting the community or the environment. Public embarrassment, third party actions.



Programme:	
Programme Owner:	
Project Ref:	
Project Name:	
Project Manager:	
Directorate:	
Business Unit:	
Date of Assessment:	
Assessor:	

Context	Screening Question	Yes/No	Project Impact	Yes/No	Level of Project Risk	Instructions	Organisational Impact	Yes/No	Level of Organisational Risk	Instructions	Additional Supporting Comments
Health & Safety	1. Is there a risk that the project may cause harm to persons (staff, contractor, public)										
Financial	2. Is there a risk that the project may exceed budget?										
Time	3. Is there a risk that the project deadline is exceeded?										
Scope / Quality	4. Is there a risk that the project scope or quality may vary?										
Environment	5. Is there a risk that the project may impact the natural environment?										

**The Swiss Cheese Model**



Source: James Reason (1990). *Human Error*. Cambridge University Press.

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## 12.3 GOVERNANCE

### 12.3.1 Strategic Community Plan 2020-2030

<b>Applicant</b>	Town of East Fremantle
<b>File ref</b>	A/RSCP
<b>Prepared by</b>	Karen Dore, Coordinator Community Engagement
<b>Supervised by</b>	Gary Tuffin, Chief Executive Officer
<b>Date of Meeting</b>	8 December 2020
<b>Voting requirements</b>	Absolute Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Town of East Fremantle Strategic Community Plan 2020-2030 (draft)</li><li>2. Summary of Informing Plans</li><li>3. Engagement Checklist</li></ol>

#### **Purpose**

The purpose of this report is for Council to consider adopting the Town of East Fremantle Strategic Community Plan 2020-2030 ('the Plan').

#### **Executive Summary**

A local government's Strategic Community Plan is a long-term planning document that captures the community's vision, value, aspirations and priorities for the future. It is a high-level summary of key strategies and provides Council with a focus in order to achieve these ambitions.

Consultants, Learning Horizons, worked with the community, Elected Members and staff on a major review of the Town's existing Strategic Community Plan 2017-2027. Engagement was primarily via four workshops and a survey with multiple access points, along with reference to existing informing strategies.

#### **Background**

Learning Horizons were engaged to undertake the quadrennial major review of the Plan.

The Plan is part of our fulfilment of the Integrated Planning and Reporting (IPR) Framework. All local governments in Western Australia are required to implement the IPR. The Plan is a long-term planning document setting out the community's vision, aspirations for the future, and the key strategies Council will need to focus on to achieve its aspirations.

The reviewed Plan will continue to be used to:

- guide Council decision-making and priority setting;
- engage local residents and ratepayers, local businesses, community groups, and education providers that contribute to the future of our community;
- inform decision-making with respect to other partners and agencies, including the State Government, other local governments, WALGA, and the private sector;
- provide a clear avenue to pursue funding and grant opportunities by demonstrating how projects align with the aspirations of our Council, and within the strategic direction outlined in this Plan;
- inform future partners of Council's key priorities, and the ways in which it seeks to grow and develop; and

- provide a framework for monitoring progress against the community's vision and aspirations.

### Consultation

Prior to undertaking consultation with the community for this plan, Learning Horizons prepared a Summary of Informing Strategies (Attachment 2) to identify and cross-reference relevant initiatives. Reference was also made to the Town's biennial Community Perception Survey (2019).

The engagement aspects of the Plan review have included;

- Survey, 220 participants (159 adults, 54 young people and 7 aged)
- Two Community Workshops (1 day / 1 evening), 48 attendees
- Business Breakfast, 22 attendees
- Young People, 115 participants (via Youth Think Tank and Upper Primary In-Class Activity)
- Executive (staff) Workshop
- Elected Member Presentation

Total participation for 2020 was 405 people, more than double the 2017 participation of 154.

Attachment 3, the project's Engagement Checklist, details the promotion undertaken.

### Statutory Environment

Section 5.56 of the Local Government Act 1995 states;

#### **5.56 Planning for the future**

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Local Government (Administration) Regulations 1996

#### **19C Strategic community plans, requirements for (Act s. 5.56)**

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
  - (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
  - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
  - (c) *demographic trends.*
- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*

- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*
- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

*\*Absolute majority required*

**19D.** *Adoption of plan, public notice of to be given*

- (1) *After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).*
- (2) *The local public notice is to contain —*
  - (a) *notification that —*
    - (i) *a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and*
    - (ii) *details of where and when the plan may be inspected;*
  - or*
  - (b) *where a strategic community plan for the district has been modified —*
    - (i) *notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and*
    - (ii) *details of where and when the modified plan may be inspected.*

**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. Financial implications relevant to the strategies contained within the Plan will be addressed through the Annual Budget and Corporate Business Plan processes.

**Strategic Implications**

The Integrated Planning and Reporting Framework sets out the requirements for three levels of integrated strategic planning:

- Level 1: Strategic Community Plan (10+ years);
- Level 2: Corporate Business Plan (4+ years); and
- Level 3: Operational Plans (1 year).

The Plan articulates the community's vision and priorities for the future. It guides Council as to how to make progress over a ten-year period.

**Site Inspection**

Not applicable.

**Comment**

In line with Local Government (Administration) Regulations 1996 regulation "19D. Adoption of plan, public notice of to be given" following adoption of the Plan public notice will be given that the Plan has been adopted by Council and will be published on the website.

**12.3.1 OFFICER RECOMMENDATION**

**That Council adopt the Town of East Fremantle Strategic Community Plan 2020-2030.**

## SUMMARY OF INFORMING PLANS

Strategy	Future Impacts	Initiatives
<p><b>Asset – Foreshore Master Plan 2016</b></p> <p>Strategic vision for the protection and enhancement of the Swan River foreshore</p> <p>Identify and review risks to public amenity values, safety, infrastructure and environment. Action plan outlining projects – prioritised and costed to meet Council and Community strategic expectations.</p>	<p>Coherent and sustainable foreshore environment</p> <p>Enhanced recreation use</p> <p>Generate civic pride</p> <p>Potential for increased revenue</p>	<p>22 recommendations of which 8 were high priority and developed into quantified projects.</p> <p>Maintenance program over 8 years – asset protection and enhancement.</p> <p>Improvements to several parks – asset repurposing and public amenity improvements.</p> <p>Cliff management, vegetation and foreshore access.</p>
<p><b>Asset – Preston Point Precinct Master Plan 2020</b></p> <p>Strategic guide for sustainable future development of the reserve for active and passive community recreation.</p>	<p>Support anticipated growth in participation of outdoor sports and organised activities</p> <p>Greater emphasis on joint use facilities and rationalisation, reduced infrastructure and increased sustainability</p> <p>Sustainable irrigation and landscaping practices</p>	<p>Refurbish, upgrade or replace facilities and infrastructure.</p> <p>Playing fields to be improved, new netting for cricket and lacrosse to enhance public safety.</p> <p>Investigate potential site for mobile café.</p> <p>Improved water storage and water supply for use by patrons.</p>

<p><b>Asset – East Fremantle Oval Precinct Revitalisation Vision 2018</b></p> <p>Proposal to modify and adapt the oval precinct to encourage wider community access and use.</p>	<p>Visually and functionally improved precinct</p> <p>Enhanced recreation use and public amenity as a community hub</p> <p>Retention of Class A Reserve status</p> <p>Remain the home of the East Fremantle Football Club (The Sharks)</p>	<p>Staged development providing a program of diverse funding opportunities.</p> <p>Facilities improvements and new buildings.</p> <p>Parkland and passive recreation facilities.</p>
<p><b>Asset – Leeuwin Vision Plan 2016</b></p> <p>Proposal to re-develop the former Leeuwin Barracks site now surplus to requirements for the Department of Defence.</p>	<p>Preservation and interpretation of the site’s heritage, maintain locality character – ‘vibe’</p> <p>Provide sustainable living with multi-generational dwellings in a series of precincts with enhanced community connectedness</p>	<p>Site to be sold – new purchaser will be provided with a framework to guide further master planning and zoning processes.</p>
<p><b>Asset – Strategic Resource Plan 2019-2034</b></p> <p>Strategic view combining long term financial plans and asset management plans to support a key strategic priority – the continued provision of community infrastructure.</p>	<p>Funding challenges for the adequate maintenance, renewal and upgrading of significant community assets</p> <p>Continued provision of social, community and economic benefit through assets and infrastructure</p>	<p>Significant capital works program over the term of the plan totalling in excess of \$20 million.</p> <p>Projects include buildings, precincts, parks and ovals, roads, drainage, public art and other improvements.</p>
<p><b>Asset – Public Art Strategy 2017 (Residence to River vision)</b></p> <p>Develop engaging public art that captures the spirit of East Fremantle.</p>	<p>Public art creating enjoyable spaces throughout the town, valued by community and visitors, and related to the identity of East Fremantle.</p>	<p>An annual public art action plan (refer CBP 1.3.3.1)</p>

<p><b>Finance – Corporate Business Plan (CBP) 2020-2024</b></p> <p>Together with the Strategic Community Plan 2017-2027, the CBP is the Town of East Fremantle’s plan for the future under the IPR framework.</p>	<p>Major expenditure in accordance with Strategic Resource Plan and considerations of:</p> <ul style="list-style-type: none"> <li>• Increasing community expectations</li> <li>• Rapid changes in information technology</li> <li>• Changing legislative environment</li> <li>• Cost shifting by Federal and State Governments</li> <li>• Effects of COVID on funding availability</li> <li>• Climate change</li> <li>• State Government recycling rates</li> <li>• Objectives in the current SCP</li> <li>• HR levels and staff retention</li> <li>• Stakeholder and community engagement</li> <li>• Financial capacity of the Town (COVID effects)</li> <li>• Allocation of resources to achieve priority strategic outcomes</li> <li>• Maintenance of corporate records.</li> </ul> <p><i>Out years’ figures to be updated due to COVID-19 impacts on underlying assumptions in 2020-21</i></p>	<p>Capital projects for 20-21 – 10 projects budget of \$909,181</p> <p>Service delivery including: 28 strategies under the 5 strategic priority categories; A total of 79 actions are listed for 20-21.</p>
<p><b>Strategic Community Plan 2017-2027</b></p> <p>Outlines the Town’s broad goals and sets key priorities. Used as a guide to decision making and priority setting. Provide community engagement in future planning. Provide a clear avenue for pursuit of funding opportunities. Provides a framework for monitoring progress.</p>	<p>Vision -</p> <p>Inclusive, diverse and connected community</p> <p>Natural Environment Protection including river and foreshore</p> <p>Balanced growth, valued heritage and unique places</p> <p>Transparent and accountable governance</p>	<p>Strategic Priority One – <b>Social</b> – A socially connected, inclusive and safe community;</p> <p>Strategic Priority Two – <b>Economic</b> – Sustainable, “locally” focused and easy to do business with;</p> <p>Strategic Priority Three – <b>Built Environment</b> – Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces;</p> <p>Strategic Priority Four – <b>Natural Environment</b> – Maintaining and enhancing our river foreshore and other green, open spaces with a focus on environmental sustainability and community amenity;</p> <p>Strategic Priority Five – <b>Leadership and Governance</b> – A proactive, approachable Council which values community consultation, transparency and accountability.</p>

<p><b>Communications and Engagement Strategy 2020-2024</b></p> <p>Four key strategies – Inform, Consult, Involve, Collaborate.</p>	<p>Community fully informed regarding events, issues, plans, projects and services</p> <p>Community input and feedback on strategic plans, directions, issues, priorities and projects is captured</p> <p>Ongoing collaboration with Community to ensure that ideas, concerns and aspirations are listened to, understood and utilised for best outcomes</p> <p>To work in partnership with specialists and Community providing input into the planning and decision-making processes.</p>	<p>Information on the Town’s services and processes accessible to all groups via electronic and hard copy communication media.</p> <p>Issue dependent – Information stalls; Public Meetings/Forums; Surveys/Questionnaires.</p> <p>Issue dependent – Focus groups; Referenda/Ballots; Workshops.</p> <p>Issue dependent – Council committees; Working groups such as Community Design Advisory Committee or Community Grants Advisory Committee.</p>
<p><b>Disability Access Inclusion Plan 2016-2020</b> (Current review with Council)</p> <p>Requirement under the Disability Services Act.</p> <p>Council must ensure that people with disability have equal access to its facilities and services.</p>	<p>Equal access to quality services, events, buildings and facilities for people with disability.</p> <p>Information provided to people with disability in an accessible format as readily as other people are able to access it, and participate in public consultations.</p> <p>Equal opportunities to obtain and maintain employment with the Town for people with disability.</p>	<p>Current plan contains 7 outcomes and 33 strategies implemented in an ongoing basis to improve access and ensure inclusion for people with disability.</p> <p>Plan review being presented to Council August 2020.</p>

<p><b>Public Health Plan 2018-2022 (See below)</b></p> <p>A five-year strategic plan meeting legislative obligations under the WA Public Health Act 2016.</p> <p>To protect, promote and enhance the health, wellbeing and quality of life of East Fremantle’s community.</p>	<p>Responding to future health and wellbeing needs</p> <p>Developing collaborative partnerships</p> <p>Integrating public health into existing services and programs</p> <p>Alignment through strategic links and relationships with broader government agencies.</p>	<p>Key Area 1: Healthy People and Community (28 initiatives including –</p> <ul style="list-style-type: none"> <li>• programs promoting healthy lifestyle; continuation of the Act-Belong-Commit partnership; defibrillator installation and monitoring;</li> <li>• alcohol free venues &amp; events; water fountain installations;</li> <li>• smoke free precincts; cigarette butt litter survey &amp; education program;</li> <li>• planting urban, edible gardens; Healthy Eating Grant partnerships;</li> <li>• promoting mental health;</li> <li>• prevent avoidable injuries);</li> </ul> <p>Key Area 2: Healthy Places and Spaces (13 initiatives including –</p> <ul style="list-style-type: none"> <li>• investigate CCTV network; yet to form working review group; suggestion to prepare a Community Safety &amp; Crime Prevention Plan;</li> <li>• facilities maintenance such as paths &amp; cycleways; footpath works covered by capital works program;</li> <li>• enhance recreational facilities, open spaces, parks, reserves inc. Swan River foreshore; Preston Point reserve redevelopment; multi-age play spaces; public arts program; foreshore works; developing business case for revitalisation of East Fremantle Oval precinct; headland works and river clean-ups ongoing;</li> <li>• provide initiatives to deliver safer community; still to prepare a plan and implement; Emergency Plan due for review;</li> <li>• improve recycling rates and landfill rates); 95% completion of the rollout of Food</li> </ul>
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		<p>Organics &amp; Green Organics waste collection and disposal; general education via local schools and community groups;</p> <p>Key Area 3: Healthy Partnerships (4 initiatives including –</p> <ul style="list-style-type: none"> <li>• support and collaborate with a network of local service providers; four initiatives funded but affected by COVID 19; annual events calendar interrupted;</li> <li>• Council staff support through development package to create healthy workplace; OSH committee formed; training for elected members and CEO in governance, cultural awareness and legislative matters;</li> <li>• incentives to support new and existing local businesses;</li> <li>• strong leadership putting health and wellbeing central to Town’s culture.</li> </ul>
<p><b>Recreation and Community Facilities Strategy 2016</b></p> <p>A comprehensive Recreation Plan for the next 20 years.</p>	<p>Policies to provide a consistent and equitable approach to provision and development of recreation facilities for the whole community</p> <p>Increased focus on cycling and walking</p> <p>Sustainably managed passive open spaces.</p>	<p>Redevelopment of the East Fremantle Oval Precinct;</p> <p>Improved amenity and design of major parks along foreshore areas;</p> <p>Parks and playgrounds with multi age play spaces;</p> <p>Trails for walking and cycling;</p> <p>Develop a community hub;</p> <p>Strategy to include adequate public open space in Leeuwin Barracks redevelopment.</p>

<p><b>SMHS Pathway to Healthy Community 2017 (See above Public Health Plan)</b></p> <p>WA Public Health Act 2016 Each local government is to prepare a local public health plan that applies to its local government district. Local public health plans must be consistent with the State public health plan and must address a range of specified matters. Local public health plans may be prepared in conjunction with plans for the future of the local government district prepared under section 5.56 of the Local Government Act 1995.</p>	<p>The five stated ‘priorities for health promotion in the 21st century’ are to:</p> <ul style="list-style-type: none"> <li>• promote social responsibility for health</li> <li>• increase investments for health development</li> <li>• consolidate and expand partnerships for health</li> <li>• increase community capacity and empower the individual</li> <li>• secure an infrastructure for health promotion.</li> </ul> <p>Derived from the WHO (UN): What is health and wellbeing? ‘a state of complete physical, mental and social wellbeing not merely the absence of disease or infirmity’.</p>	<ul style="list-style-type: none"> <li>• ensure that all public policies, not just health policies, contribute in some way to improving people’s health</li> <li>• create social and physical environments that encourage and support wellbeing</li> <li>• develop people’s personal skills and knowledge about their own health and wellbeing</li> <li>• strengthen communities to support health and wellbeing improvement</li> <li>• ensure that services are effective, efficient and accessible to all - and have a stronger role in preventing illness and disease.</li> </ul>
<p><b>Workforce Plan 2019</b></p> <p>Identifies the workforce implications of the SCP. Outlines strategies for addressing these implications. Establishes implementation of strategies and monitoring of results.</p>	<p>Key workforce strategies to meet future requirements seek to focus on retention of staff and include:</p> <ul style="list-style-type: none"> <li>• Employee benefits – achieve parity with employee benefits offered by councils of a similar size</li> <li>• Organisational culture – improve leadership development and training</li> <li>• Capability – better performance feedback, review of policies and procedures.</li> </ul>	<ul style="list-style-type: none"> <li>• Participation in annual WALGA Salary Benchmarking Surveys</li> <li>• Introduction of similar benefits as identified in the survey results</li> <li>• Change management and leadership development workshops</li> <li>• Introduction of e-learning platform to deliver HR based compliance modules such as OSH, EEO and Bullying and Harassment</li> <li>• Improved performance feedback framework and Manager support.</li> </ul>

<p><b>Local Planning Strategy 2019</b> (Draft awaiting approval from WAPC – replacing 2003 version)</p> <p>Long term planning framework for the Town addressing social, environment, economic and heritage factors within the context of the State and regional planning policies and legislation*.</p> <p>*(Informed by <i>Directions 2031 and Beyond</i> [WAPC 2020] and <i>Perth and Peel @3.5 million land use planning and infrastructure framework</i> [WAPC 2018])</p>	<ul style="list-style-type: none"> <li>• Desirable residential environment while accommodating the broader State Government’s long-term housing targets – infill targets for East Fremantle by 2050 will be additional 890 dwellings</li> <li>• Conserved and enhanced natural environment</li> <li>• Conserved heritage character – streetscapes and buildings</li> <li>• Integrated transport with land use development</li> <li>• Enhanced Public access to river foreshore</li> <li>• Effective public involvement in planning issues and processes</li> </ul>	<ul style="list-style-type: none"> <li>• George Street designated heritage area including the heritage listed Royal George Hotel</li> <li>• Integrated traffic management and movement strategy 2020 includes Parking Management Plan, Traffic Management and Movement Plan and Active Transport Plan</li> <li>• Urban streetscape and public realm style guide 2020</li> <li>• Climate action reference group – prepare community to mitigate and adapt to impacts of climate change</li> <li>• East Fremantle Oval re-development</li> <li>• Niergarup Track restoration</li> <li>• Preston Point Oval releveling</li> <li>• Riverside road landscaping – Swan River crossing project</li> <li>• Planning approvals for several aged care developments including the Woodside Hospital site</li> <li>• Leeuwin Barracks site redevelopment.</li> </ul>
<p><b>George Street Designated Heritage Area</b> (Fact Sheet referring to the Local Planning Policy 3.1.6)</p>	<ul style="list-style-type: none"> <li>• Provide guidance for development within the George Street Heritage Area</li> <li>• Retention and conservation of current heritage buildings which contribute to the character of the designated area</li> <li>• Protection for established heritage character.</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate development guidelines including requirement for a Heritage Impact Statement</li> <li>• Guidelines for maintenance, restoration and additions to existing heritage buildings</li> <li>• Comprehensive heritage catalogue of existing buildings.</li> </ul> <p><i>Also under Local Planning Strategy 2019</i></p>

<p><b>Integrated Traffic Management and Movement Strategy</b> (Fact sheet referring to the yet to be completed strategy)</p>	<ul style="list-style-type: none"> <li>• Define future transport requirements according to the needs of individual land uses, precincts and corridors</li> <li>• Integrated transport plans focused on future land-use decisions, parking, public transport, road and pedestrian/cycling infrastructure.</li> </ul>	<p>Strategy framework will consist of three plans:</p> <ul style="list-style-type: none"> <li>• Parking Management Plan</li> <li>• Traffic Management and Movement Plan</li> <li>• Active Transport Plan</li> </ul> <p>To be consistent with the Department of Planning’s Guidelines for Preparation of Integrated Transport Plans</p> <p>Assessment of existing network has been completed – data to inform the strategy before community consultation.</p>
<p><b>Urban Streetscape and Public Realm Style Guide</b> (Fact sheet referring to the yet to be completed guide)</p>	<p>Clear foundation and rationale for future development and future works in the Town’s public spaces.</p>	<p>Contextual analysis to provide a foundation on which to base key principles:</p> <ul style="list-style-type: none"> <li>• Consistency</li> <li>• Character</li> <li>• Safety and comfort</li> <li>• Quality</li> </ul> <p>Yet to be completed and submitted for community consultation.</p>



TOWN of  
EAST FREMANTLE

# Community Engagement Checklist

## Strategic Community Plan Review (Major) 2020

*Project Name*

<b>Project Lead</b>	Karen Dore, Coordinator Community Engagement + consultant, Helen Hardcastle, Learning Horizons			<b>Engagement Level:</b>
				<b>INVOLVE</b>
<b>Engagement Objective:</b>	Inform the community of the opportunity for involvement in the review, including educating them on the purpose of the Plan, providing a clear timeline for the project.			
<b>Engagement Timeline:</b>	<b>Start Date:</b>	01/09/20	<b>Est. Completion:</b>	16/10/20
<b>Project Statement:</b>	<p><b>Help us set the future direction for East Fremantle</b>          The East Fremantle Strategic Community Plan 2017-2027 is being reviewed. Your input can help improve the quality of the updated plan. Your valuable local knowledge and insights are key to us developing and refining community aspirations for our Town's future.</p>			
<b>Project Timeline:</b>	<b>Start Date:</b>	06/08/20	<b>Outcomes By:</b>	15/12/20
<b>Stakeholders</b>				
<b>Stakeholders to be considered:</b>	Aged Businesses Children Community Groups Disabled People Families Indigenous		Ratepayers (all / targeted) Residents (all / targeted) Sporting Clubs Unemployed Volunteers Workers Youth	
<b>Project Team/s:</b>	Office of the CEO		Consultant: Learning Horizons	
<b>Access / Inclusion Considerations:</b>	For example, availability in alternative languages, large print, non-electronic, print copy, phone assistance.		Survey available online, print version and over the phone. Two workshops held at public venues with low mobility access.	
<b>Proximity / Special Interest:</b>	Stakeholders who might be more directly affected by the project.		N/A	
<b>Internal Advice</b>				
<b>Level 1-2 Inform / Consult (or targeted only)</b>				
<b>Notification to Executive Leadership Team (via email)</b>			Complete	
<b>Notification to Relevant Staff (via EFFI)</b>			Complete	
<b>Notification to Elected Members (ELT email via CEO EA)</b>			Complete	
<b>Level 3-4 Involve / Collaborate</b>				
<b>Relevant Staff and Executive (Lunchtime learning)</b>			03/09/20	
<b>Elected Members (Forum prior to launch)</b>			08/09/20	

Community Engagement Plan			
Methods	Responsible	Date Due	Complete / Notes
<b>INFORM</b>			
E News Bulletin	CMO	01/09/20	<a href="https://mailchi.mp/63fdbf5d69e6/setting-our-future-direction-1-september-2020">https://mailchi.mp/63fdbf5d69e6/setting-our-future-direction-1-september-2020</a>
E News	CMO	11/09/20	<a href="https://mailchi.mp/e19e7af4eea9/latest-news-from-the-town-of-east-fremantle-7891865?e=ee53c01764">https://mailchi.mp/e19e7af4eea9/latest-news-from-the-town-of-east-fremantle-7891865?e=ee53c01764</a>
Direct Email (Invitation)	Project Lead	01/09/20	<ul style="list-style-type: none"> <li>• Business List –Local Ops update x 2, newsletter and reminder</li> <li>• Clubs/Groups List – Local Ops update x 2</li> <li>• Glyde In Members (aged) - - hard copy survey</li> <li>• Richmond Primary School – activity organised</li> <li>• Tricolore Clients (aged) - hard copy survey</li> <li>• Youth List (70) – direct email, email with video + reminder email</li> </ul>
Email Signature	CMO	01/09/20	
Talk of the Town	CMO	11/09/20	Hard copy, and online <a href="https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Talk_of_the_Town_newsletter_September_2020.pdf">https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Talk_of_the_Town_newsletter_September_2020.pdf</a>
Website – News Item	CMO	01/09/20	<a href="https://www.eastfremantle.wa.gov.au/news/east-freo-sets-future-direction-for-next-decade-community-invited-to-participate/10366">https://www.eastfremantle.wa.gov.au/news/east-freo-sets-future-direction-for-next-decade-community-invited-to-participate/10366</a>
Website – Own Page	Project Lead	31/08/20	<a href="https://www.eastfremantle.wa.gov.au/community/community-consultations/east-fremantle-strategic-community-plan.aspx">https://www.eastfremantle.wa.gov.au/community/community-consultations/east-fremantle-strategic-community-plan.aspx</a>
Website – Events Calendar	Project Lead	28/08/20	<a href="https://www.eastfremantle.wa.gov.au/events/scp-review-community-workshop-1/665">https://www.eastfremantle.wa.gov.au/events/scp-review-community-workshop-1/665</a> <a href="https://www.eastfremantle.wa.gov.au/events/scp-review-community-workshop-2/666">https://www.eastfremantle.wa.gov.au/events/scp-review-community-workshop-2/666</a> <a href="https://www.eastfremantle.wa.gov.au/events/scp-review-barefoot-bowls/667">https://www.eastfremantle.wa.gov.au/events/scp-review-barefoot-bowls/667</a> <a href="https://www.eastfremantle.wa.gov.au/events/scp-review-business-breakfast/668">https://www.eastfremantle.wa.gov.au/events/scp-review-business-breakfast/668</a>
Website – Consultations	Project Lead		<a href="https://www.eastfremantle.wa.gov.au/consultations/community-consultation-and-feedback/strategic-community-plan-review-(major)-2020">https://www.eastfremantle.wa.gov.au/consultations/community-consultation-and-feedback/strategic-community-plan-review-(major)-2020</a>
Social Media	CMO (post)	01/09/20	<a href="https://www.facebook.com/townofeastfremantle/posts/2858289700966583">https://www.facebook.com/townofeastfremantle/posts/2858289700966583</a>
		09/09/20	<a href="https://www.facebook.com/watch/?v=376634160403897">https://www.facebook.com/watch/?v=376634160403897</a>
		11/09/20	<a href="https://www.facebook.com/townofeastfremantle/posts/2887686368026916">https://www.facebook.com/townofeastfremantle/posts/2887686368026916</a>
		11/09/20	<a href="https://www.facebook.com/townofeastfremantle/photos/a.484397635022480/2888681107927442/">https://www.facebook.com/townofeastfremantle/photos/a.484397635022480/2888681107927442/</a>
		12/09/20	<a href="https://www.facebook.com/townofeastfremantle/posts/2890556454406574">https://www.facebook.com/townofeastfremantle/posts/2890556454406574</a>
		12/09/20	<a href="https://www.facebook.com/watch/?v=782731782480273">https://www.facebook.com/watch/?v=782731782480273</a>
		15/09/20	<a href="https://www.facebook.com/watch/?v=328534308588836">https://www.facebook.com/watch/?v=328534308588836</a>
	Project Lead (links)	25/09/20	Youth Video – shared to 9 groups <a href="https://www.facebook.com/20531316728/posts/10154009990506729/">https://www.facebook.com/20531316728/posts/10154009990506729/</a> East Fremantle Business Community (TEF) East Fremantle Community (KD) East Fremantle Community Chat (TEF – LB) + Facebook comment under School Holiday listings East Fremantle Football Supporters (TEF) East Freo 6158 (TEF) Fremantle Chat (KD) Freo Massive (TEF) People of Plympton (TEF) Richmond Quarter Community (KD)
	25/09/20	<a href="https://www.facebook.com/watch/?v=339395920810643">https://www.facebook.com/watch/?v=339395920810643</a>	
	08/10/20	<a href="https://www.facebook.com/townofeastfremantle/posts/2968238179971734">https://www.facebook.com/townofeastfremantle/posts/2968238179971734</a>	
Facebook Events	Project Lead	31/08/20	W/S Comm 1 <a href="https://www.facebook.com/events/251160265938455">https://www.facebook.com/events/251160265938455</a> W/S Comm 2 <a href="https://www.facebook.com/events/637627740491484">https://www.facebook.com/events/637627740491484</a> W/S Youth <a href="https://www.facebook.com/events/232243078161553">https://www.facebook.com/events/232243078161553</a> W/S Business <a href="https://www.facebook.com/events/737717236962307">https://www.facebook.com/events/737717236962307</a>
Fact Sheet	Project Lead	12/08/20 31/08/20	Version 1 for Open House Version 2 for Launch / Staff Information
Signage	Project Lead	31/08/20	Front screen

Video Interview	CMO	15/09/20 25/09/20	Mayor + Youth, shared via You Tube and socials
Noticeboards (4)	Project Lead	01/09/20	Complete
Mail out	CMO	Sept 2020	Inclusion in print version of newsletter
<b>CONSULT</b>			
Information Stall	Project Lead	12/08/20	Town Hall Open House
Survey	Project Lead	01/09/20 to 16/10/20	Community <a href="https://www.surveymonkey.com/r/EFSCP20">https://www.surveymonkey.com/r/EFSCP20</a> Aged: CHSP manual with clientele + Glyde In
			Youth <a href="https://www.surveymonkey.com/r/EFSCP20Y">https://www.surveymonkey.com/r/EFSCP20Y</a> Youth List + Children
<b>INVOLVE</b>			
Workshop (tickets & RSVP via Eventbrite)	Project Lead	16/09/20 6.30pm EFYC	Community 1 <a href="https://www.eventbrite.com.au/e/strategic-community-plan-review-2020-community-workshop-1-tickets-118864726597">https://www.eventbrite.com.au/e/strategic-community-plan-review-2020-community-workshop-1-tickets-118864726597</a> Attendee Reminder – via Eventbrite Attendee Thank You – via Eventbrite
		24/09/20 1.00pm EFLTC	Community 2 <a href="https://www.eventbrite.com.au/e/strategic-community-plan-review-2020-community-workshop-2-tickets-118871532955">https://www.eventbrite.com.au/e/strategic-community-plan-review-2020-community-workshop-2-tickets-118871532955</a> Attendee Reminder – via Eventbrite Attendee Thank You – via Eventbrite
		09/10/20 10.00am EFBC	Youth <a href="https://www.eventbrite.com.au/e/strategic-community-plan-review-2020-youth-workshop-tickets-118872592123">https://www.eventbrite.com.au/e/strategic-community-plan-review-2020-youth-workshop-tickets-118872592123</a> Attendee Reminder – via Eventbrite Attendee Thank You – via Eventbrite
		15/10/20 7.00am SYC	Business <a href="https://www.eventbrite.com.au/e/strategic-community-plan-review-2020-business-workshop-tickets-118874576057">https://www.eventbrite.com.au/e/strategic-community-plan-review-2020-business-workshop-tickets-118874576057</a> Attendee Reminder – – via Eventbrite Attendee Thank You – – via Eventbrite

### 12.3.2 Climate Action Reference Group Expressions of Interest Review

<b>File ref</b>	H/CCAP
<b>Prepared by</b>	Connor Warn, Waste and Sustainability Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting Date:</b>	8 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Application for Climate Action Reference Group

#### **Purpose**

The purpose of this report is for Council to consider a late Expression of Interest submitted for the Climate Action Reference Group (CARG) and to endorse the membership of Roger Hughes for the CARG.

#### **Executive Summary**

The CARG is a community led reference group whose purpose is to assist in identifying targets, corporate and community projects as well as actions that the Town can undertake with community and local businesses to build the community's capacity to identify and address (where practicable) climate-based issues.

#### **Background**

On 19 November 2019 at the Ordinary Council meeting, Council recognised the Climate Emergency and supported the call to action for all levels of government in the goal of minimising the impacts of climate change.

On 25 February 2020 at the Annual Electors' meeting, a resolution was passed to develop a Community Climate Action Plan (CCAP). At the subsequent Council meeting, Council resolved to support the development of a CCAP. On the 16 June, Council accepted the Terms of References for the CARG and authorised the CEO to call for nominations to appoint up to 10 community/expert members. On 18 June the Town released the Expressions of interest (EOI) for community members to make application to the CARG.

On the 18 August, Council formally accepted nine local subject matter experts as members of the new Climate Action Reference Group. CARG is currently in the process of formulating a Climate Emergency Strategy which will consist of high-level goals and aims relating to the future of the Town. In late November, an additional expression of interest was presented to the Town which would fulfill the maximum 10 members for the CARG.

#### **Consultation**

Nil.

#### **Statutory Environment**

Nil.

#### **Policy Implications**

Nil.

### Strategic Implications

Town of East Fremantle Strategic Community Plan 2017-2027:

#### **Strategic Priority 4: Natural Environment**

##### **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

Members of CARG assist in identifying targets, actions and projects for the Town's Climate Emergency Strategy for both Council and community. These actions strive to mitigate environmental impacts and adapt the community of East Fremantle to the future effects of climate change in the Town.

The initial Expressions of Interest period was open to the public for 23 days and resulted in nine submissions for a maximum of 10 available positions. It is recommended that the applicant be permitted to join the existing committee ensuring good attendance at each meeting/workshop. It is recommended based on the ability and experience of the applicant that they be appointed to the Climate Action Reference Group.

#### **12.3.2 OFFICER RECOMMENDATION**

##### **That Council:**

- 1. appoint Roger Hughes as a member of the Climate Action Reference Group.**
- 2. instruct the CEO to advise the applicant of his appointment to the Climate Action Reference Group.**

<b>Climate Action Reference Group Expression of Interest</b>	
First Name:	Surname:
Phone:	Email:
Postal address:	
<b>Briefly explain why you are interested in becoming a member of the Climate Action Reference Group (CARG)?</b>	
<b>Please provide details of any relevant qualification or experience in environmental sustainability or climate change (Qualification &amp; experience is not an essential requirement)</b>	
<b>Any other relevant information to support your EOI</b>	

Signed \_\_\_\_\_

Dated \_\_\_\_\_



### 12.3.3 Endorsement of Town of East Fremantle Draft Waste Plan 2020

<b>File ref</b>	H/HRW5
<b>Prepared by</b>	Principal Environmental Health Officer Shelley Cocks
<b>Supervised by</b>	Executive Manager Regulatory Services Andrew Malone
<b>Meeting Date</b>	8 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Town of East Fremantle Draft Waste Plan and Implementation Plan

#### **Purpose**

The purpose of this report is for Council to endorse Council's Draft Waste Plan and the Implementation Plan.

#### **Executive Summary**

The [Waste Avoidance and Resource Recovery Strategy 2030](#) (Waste Strategy) includes a headline strategy to "implement local government waste plans, which align local government waste planning processes with the Waste Strategy".

Consistent with the Waste Strategy, the Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has exercised his powers under section 40(4) of the [Waste Avoidance and Resource Recovery Act 2007](#) (WARR Act), by written notice (CEO notice), to require local governments and regional councils to include a waste plan for the future.

The Town of East Fremantle became the first metropolitan local government to move to a three (3) bin FOGO system in July 2019. The Town has therefore already met the main strategy of the Waste Plan.

The Draft Waste Plan has been approved in principle by the Waste Plan Team at DWER, which will ensure the Town has met an additional aim of the strategy. All that remains is for Council to endorse the Implementation Plan and submit to DWER by March 2021.

The Town of East Fremantle currently has one of the highest levels of diversion from landfill of all Councils in the Perth metro area with 65% of waste being diverted from landfill. The FOGO system aims to assist the Town achieve the State Government target of 65% of household waste being diverted from landfill by 2020.

As the Town measures its diversion from landfill and recovery rates through SMRC, the Town has met another of the key Strategies. The Town has committed to reviewing and updating data collection and reporting systems to allow for enhanced performance assessment as part of the Waste Plan.

Council is required to approve the proposed Implementation Plan (Part 2) of the Waste Plan, prior to final submission to DWER by 31 March 2021.

#### **Background**

Local governments and regional councils in the Perth and Peel regions and major regional centres which provide waste services are required to prepare a waste plan. The plan outlines how waste services will be managed, to achieve consistency with the Waste Strategy and protect public health and the environment.

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Two CEO notices have been issued to relevant local governments and regional councils:

- The first notice, issued in November 2019, set out the requirements and timelines for waste plans and the CEO's powers in relation to these.
- The second notice, issued in May 2020, revised the key deadlines for waste plans due to COVID.

### **Consultation**

Discussion regarding this proposal has been undertaken with the following groups and stakeholders:

- DWER Waste Plan Team
- WALGA Waste and Environment Team
- South Metropolitan Regional Council Waste Education and Communications Committee
- Executive Manager Regulatory Services
- Principal Environmental Health Officer
- Waste Education Officer
- Elected members via a previous discussion paper
- Cities of Melville and Fremantle

### **Statutory Environment**

Waste Avoidance and Resource Recovery Act 2007

### **Policy Implications**

Nil

### **Financial Implications**

The financial implications of the waste plan encompass every aspect of waste management including verge collection service, bulk verge and green waste collection, Council's member contribution to the SMRC, Council's contribution to the City of Fremantle for the Recycle Centre, Councils contribution to the City of Cockburn for tip passes, and all associated expenditure such as staff costs, purchase of bins, purchase of compostable liners for kitchen caddies, compostable pet waste bags and other associated costs.

The waste plan puts emphasis on monitoring and recording all data associated with waste management in the Town such as litter incidents, illegal dumping, waste generated by operational services, waste generated by events and festivals, hazardous waste and all other waste that has not been traditionally recorded in the past. The recording and administration of these details may impact on staff costs.

The waste plan places emphasis on Council policies and procedures that have an impact on waste and sustainability.

Council is required to develop and implement sustainable procurement policies, sustainable events policies and is encouraged to put a sustainable lens on all aspects of Council operations. Council has recently endorsed a sustainable events policy and is on track to further pursue sustainable actions across all areas.

Council is also working with a Climate Action Reference Group to form a Climate Emergency Strategy which will have a focus on mitigating the impact of future waste and adaptation of the Town to future waste needs.

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### Strategic Implications

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

Since Council considered the Discussion Paper on Local Government Waste Plans in November 2020, Waste to Energy has been added to the Implementation Plan to reflect a proposed contract with SMRC and Avertas Energy in Kwinana whereby residual waste will be diverted from landfill by 2022.

The Draft Plan has also been reviewed by the SMRC and comments received have been incorporated into the Plan. SMRC have been included in relation to a continuing provision of waste educational material, waste calendars, bin tagging and audit results and in relation to the Waste to Energy proposal.

In conclusion, the main strategies the Waste Authority has set in which to meet the targets are:

1. Develop state-wide communications to support consistent messaging on waste avoidance, resource recovery and appropriate waste disposal behaviours.
2. A consistent three bin kerbside collection system, which includes separation of food organics and garden organics (FOGO) from other waste categories, to be provided by all local governments in the Perth and Peel region by 2025 and supported by State Government through the application of financial mechanisms.
3. Implement sustainable government procurement practices that encourage greater use of recycled products and support local market development.
4. Implement local government waste plans, which align local government waste planning processes with the Waste Avoidance and Resource Recovery Strategy 2030.
5. Review and update data collection and reporting systems to allow waste generation, recovery and disposal performance to be assessed in a timely manner.
6. Undertake a strategic review of Western Australia's waste infrastructure (including landfills) by 2020 to guide future infrastructure development.
7. Review the scope and application of the waste levy to ensure it meets the objectives of Waste Avoidance and Resource Recovery Strategy 2030 and establish a schedule of future waste levy rates with the initial schedule providing a minimum five-year horizon.
8. Provide funding to promote the recovery of more value and resources from waste with an emphasis on focus materials.

**12.3.3 OFFICER RECOMMENDATION**

**That Council endorse the Draft Waste Plan and Implementation Plan for submission to DWER prior to 31 March 2021.**

## Local government waste plan

### Town of East Fremantle

## Part 1 - services and performance

### 1.0 Introduction

Part 1 of the Town of East Fremantle waste plan establishes the Town's waste profile and baseline information in relation to the objectives and targets set out in the Waste Avoidance and Resource Recovery Strategy 2030 (Waste Strategy):

**Avoid** - Western Australians generate less waste.

**Recover** - Western Australians recover more value and resources from waste.

**Protect** - Western Australians protect the environment by managing waste responsibly.

Where data was available, the Department of Water and Environmental Regulation (DWER) has pre-filled sections of Part 1. If any of the pre-filled information is incorrect, please amend accordingly and advise of the changes.

Please take the time to ensure that you complete each section, where relevant. In some tabs, you may need to scroll down to ensure that you have not missed any sections.

# Part 1 - Services and performance

## 2.0 Integrated planning and reporting

All local governments plan for the future<sup>1</sup> through the development of strategic community plans and corporate business plans. Waste plans form part of local government integrated planning and reporting as an issue-specific informing strategy.

Table 1: Links between plan for the future and waste management (Please complete the table, even if the answer is "waste isn't mentioned in our SCP or CBP")

<b>Strategic Community Plan</b>	
Title:	Town of East Fremantle Strategic Community Plan 2017 - 2027
Came into force:	2017
Date of next review:	2027
Waste-related priorities:	Reduce waste through sustainable waste management practises
<b>Corporate Business Plan</b>	
Title:	Town of East Fremantle Corporate Business Plan 2019 -2023
Came into force:	2019
Date of next review:	2023
Waste-related priorities:	Objective 4.2 Enhance environmental values and sustainable natural resource use 4.2.1 Reduce waste through sustainable waste management practices 4.2.1.1 Implement Food Organics and Green Organics (FOGO) waste collection and disposal services 4.2.1.2 Partner with the City of Fremantle to provide free community access to the Fremantle Recycling Centre 4.2.1.3 Ongoing implementation of the Regional Waste Strategy

<sup>1</sup> 'Plan for the future' means a plan made under section 5.56 of the *Local Government Act 1995* and Division 1 and 3 of Part 5 of the Local Government (Administration) Regulations 1996.

## Part 1 - Services and performance

### 3.0 Avoid

Avoidance of waste generation is the preferred waste management option in the waste hierarchy. This section looks at waste generation rates and the reduction required to contribute to the state’s waste generation reduction targets - **2025**: Reduction in MSW generation per capita by 5%, **2030**: Reduction in MSW generation per capita by 10%.

Reviewing this data is a critical element of waste planning as it can show how waste generation has changed, identify potential reasons for changes and indicate areas to target in *Part 2 – Implementation plan* (Table 21).

Table 2: Town of East Fremantle population, households and waste generation compared with state averages and targets for 2025 and 2030

*(Local government to review prefilled data)*

	Actual					Targets	
	2014-15 (baseline)	2015-16	2016-17	2017-18	2018-19	2024-25	2029-30
<b>Population</b> <sup>(1)</sup>	7,904	7,770	7,834	7,898	7,898	8,586	9,326
<b>Households</b> <sup>(1)</sup>	3,162	3,108	3,134	3,159	3,185	3,434	3,730
<b>Total domestic waste generated</b> <sup>(2)</sup>	3,914	3,624	3,925	3,904	3,705		
<b>Waste generation per capita/year (kg)</b> <sup>(2)</sup>	495	466	501	494	469	470	446

(1) Source (except 2014-15): Western Australia Tomorrow Population Report No. 11 <https://www.dph.wa.gov.au/information-and-services/land-supply-and-demography/western-australia-tomorrow-population-forecasts>. Population for 2014-15 from Western Australia Tomorrow Population Report No. 10. Population for intercensal years extrapolated. Households estimated using 'Average people per households' from 2016 ABS Census Quickstats.

(2) Source: Local Government Census data - domestic waste

**Additional comments** *(local government to insert any additional comments that may be applicable)*

WA Tomorrow projected population at 2026 is 8,710.

## Part 1 - Services and performance

### 4.0 Recover

Where waste generation is unavoidable, efforts should be made to maintain the circulation of materials within the economy. Table 3 gives the overall recovery rate for your local government compared to Waste Strategy targets and the state average. This is broken down into the proportion of the recovery which was materials recovery (reuse, reprocessing or recycling) or energy recovery. The Waste Strategy includes a target that from **2020**, energy should only be recovered from residual waste (see *Guidance Document – Table 1*, for more information).

Table 3: Town of East Fremantle population, households and recovery rate compared with state averages and targets for 2020, 2025 and 2030

*(LG to review the pre-filled data and amend/update if necessary. Add additional comments if necessary.)*

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020 target	2025 target	2030 target
Population <sup>(1)</sup>	7,904	7,770	7,834	7,898	7,898	7,898			
Households <sup>(1)</sup>	3,162	3,108	3,134	3,159	3,185	3,185			
Overall recovery % <sup>(2)</sup>	68%	64%	62%	61%	65%	50%	65%	67%	70%
Materials recovery	68%	64%	62%	61%	61%		>80%	>80%	>80%
Energy recovery	0%	0%	0%	0%	0%	0%	<20%	<20%	<20%
Perth metro average <sup>(3)</sup>	36%	38%	40%	41%					

(1) Source (except 2014-15): Western Australia Tomorrow Population Report No. 11 <https://www.dph.wa.gov.au/information-and-services/land-supply-and-demography/western-australia-tomorrow-population-forecasts>. Population for 2014-15 from Western Australia Tomorrow Population Report No. 10. Population for intercensal years extrapolated. Households estimated using 'Average people per households' from 2016 ABS Census Quickstats.

(2) Source: Local Government Census data - domestic

(3) Source: Waste Authority data fact sheets <http://www.wasteauthority.wa.gov.au/programs/data/data-fact-sheets/>

**Additional comments** *(local government to insert any additional comments that may be applicable)*

## Part 1 - Services and performance

### 5.0 Protect

Objective 3 of the Waste Strategy is to protect the environment by managing waste responsibly, with targets for achieving better practice, reducing litter and illegal dumping. **By 2030 all waste is managed by and/or disposed to better practice facilities, by 2030 move towards zero illegal dumping and zero**

#### 5.1 Better practice

Adoption of better practice approaches to waste management is an important way in which local government can better protect the environment from the impacts of waste, and contribute to achievement of the targets under objective 3 of the Waste Strategy. See *Guidance Document - 5.0 Better practice, Table 4*

Table 4: Better practice approaches and programs adopted by the Town of East Fremantle (LG to complete the table)

Waste management activity/service	Waste Authority better practice guideline or program	Date of adoption/implementation	Comment
FOGO waste Service	Better Bins Plus Go FOGO Program	1/07/2019	Rollout of the FOGO service to all residential properties excluding large MUDS and commercial properties
FOGO Community Education	Better Bins Plus Go FOGO Program	1/06/2019	The Town ran waste education workshops and seminars at local community groups, Shopping centres and at the Town hall. The Town also ran a stall at the Lions Community markets
FOGO School Education	SMRC and Recycle Right, consistent with the Waste Sorted Toolkit	9/08/2019	The Town initially introduced FOGO to Richmond Primary with a assembly presentation followed by a School Education Program delivered to all clases at from Kindergarten to Year 6. The Town also provided education to the East Fremantle Kindergarden which consisted of 2 classes of 20 students.
Internal FOGO Education	SMRC and Recycle Right, consistent with the Waste Sorted Toolkit	Commenced May 2019	The Town ran various education seminars for both Council and depot Staff as well as Councilors. The aim of the education program was to ensure consistency and efficiency across all members of council
Development of Comms and Education materials to support the FOGO rollout	SMRC and Recycle Right, consistent with the Waste Sorted Toolkit	Commenced May 2019	Community Engagement plan, Project Plan, social media posts and public notices. The use of VMB messaging during rollout and publications in 2 separate newspapers. The Town also formulated a FOGO internal Reference group that met weekly in the lead up to the FOGO rollout. Development of three bin system calendars and proposal to undertake bin tagging on behalf of member councils in 2020.
Green waste and Bulk Waste Collection	WALGA Guidelines on Better Verge Collection Practises	Planned	The Town is investigating a containerised or valet on-demand verge collection service to replace the traditional bulk and green waste collection in the future.

Table 4.1: Other initiatives implemented by the Town of East Fremantle

Waste management activity/service	Other programs	Date of adoption/implementation	Comment
Collection of lightbulbs, batteries, bottle lids, bread tags and pens and ink cartridges for the public		1/07/2019	The Town installed a collection point for batteries, ink cartridges, mobile phones, bottle lids, bread tags and pens in the Town hall, 135 Canning Highway.
Riverside Cleanups of the Swan River		4th May 2019	On the 4th of May 2019 MUESA conduted a cleanup at the sea scouts at camp Waller Jerret Drive, East Fremantle.
Cleanup Australia Day		Mar-10	Various locations around the River, conducted by community groups, council staff and friends of East Fremantle.
Fremantle Recycle Centre	Accepted items include HHW and bulk waste	1-Aug-18	Residents in East Fremantle have access to the facilities at the Fremantle Recycle Centre to ensure best practice waste management of household hazardous waste.

**5.2 Litter**

The data in Table 5 was reported by the your local government in the 2017-18 local government census. Additional information to be provided by the local government in Table 6 if available.

Table 5: 2017-18 litter data

	Response and comments	
Litter hotspot used on a regular basis for littering in 17-18	The Swan River - regular cleanups of the River	
What are the main items littered at these hotspots?	Bottles, tyres, fishing line	
Current measures aimed at contributing towards the zero littering target	Ranger patrols, increased education in relation to littering and improved signage.	
Estimated cost of cleanup (due to collection, disposal, education, infrastructure and enforcement)	\$250	

Source: Local government Census data 2017-18

Additional comments (local government to insert any additional comments that may be applicable)

**5.3 Illegal dumping**

The data in Table 7 was reported by your local government in the 2017-18 local government census. Additional information to be provided by the local

Table 7: 2017-18 Illegal dumping data (LG to review prefilled data and complete the table)

	Response and Comments	
Cost of cleaning up illegally dumped waste during 2017-18	\$ 25,000	This is a cost associated with cleaning the Council bund where discarded items and green waste are stored temporarily before being taken to landfill on a monthly basis. This cost is the combined cost relating to both green and bulk waste that is collected by the Depot. We make an addumption that council generated greenwaste represents 75% of the total waste. Therefore 25% of the total accounts for the cost of illegally dumped waste is \$25,000 in 2017/18
Sites used on a regular basis for illegal dumping in 2017-18. Where possible, please provide site address/es	0	
What are the main items dumped at these sites?	Junk, furniture, asbestos and green waste.	
Current measures aimed at contributing towards the zero illegal dumping target	Due to the Town's restricted space Illegal dumping is not a severe issue and is managed on a report basis. The Town aims to improve data collection on illegal dumping.	

Source: Local government Census data 2017-18

Additional comments

Table 6: Additional litter information (LG to complete the table where information is available)

Is littering increasing or decreasing in your local government authority?	Unknown
How were the costs associated with cleaning up litter calculated? Employee time? Dollar value? Both?	Unknown
Does the city have a litter strategy? If not, what is the ETA for completing one?	The Town to investigate adopting a litter strategy in the future.
Have any of the city's compliance and waste education officers undergone training on litter prevention? If so, what training?	No
What current policies and guidelines does your council enact to prevent litter? E.g. Event planning guidelines on the use of balloons in council facilities and the release of helium balloons; no cigarettes on the beach; no single use plastics at events.	No smoking Signage at selected parks and reserves, Balloon Policy referred to in Reserve Hire Agreements as well as Waste avoidance with the use of Zero Waste practises at the annual George Street Festival. Standard operating procedure wherby the Town provided litter bins in parks and reserves which are emptied up to 3 times a week depending on seasons to ensure reduced litter and to reduce litter ending up in reserves and areas of the river.
How does your local government measure the effectiveness and impact of programs designed to reduce littering and illegal dumping?	The visual reduction and complaints recived in relation to overflowing bins and reduction in the litter reports. The number of infringements issues in relation to ranger services.
Which division/unit/section of your organisation is responsible for litter management/prevention? Waste services? Compliance (e.g. Rangers)? Infrastructure?	Regulatory services, Operational Services and Ranger Services.
How important is litter management to your organisation? (1 - Not at all important; 5 - Highly important).	5 Highly Important.

Table 8: Additional illegal dumping information (LG to complete the table where data is available)

Is illegal dumping increasing or decreasing in your local government authority?	
How does your local government measure the effectiveness and impact of programs designed to reduce illegal dumping?	
Which division/unit/section of your organization is responsible for illegal dumping management/prevention? Waste services? Compliance (e.g. Rangers)? Infrastructure?	Rangers and Operations Services.

Table 9 indicates the type of detailed data local governments may collect to enable better targeted monitoring and enforcement of illegal dumping. Please provide this

Table 9: Detailed illegal dumping data collection by the Town of East Fremantle (LG to complete the table if data available)

Date of data collection: \_\_\_\_\_

Waste Type	# of incidents	Total approximate Weight (tonnes)	Change from previous year	Regulatory notices issued
C&I				
C&D				
E-waste				
Household waste				
Mulch & green waste				
Scrap metal				
Soil & excavated material				
Hazardous/problem waste				
Other				
<b>TOTAL</b>				
<b>Cleaned up by</b>	<b>% of total incidents</b>	<b>Cleanup costs (\$)</b>		
Local government				
Land owner				
Offender				
<b>TOTAL</b>				

## Part 1 - Services and performance

### 6.0 Waste management tools

#### 6.1 Waste services

Local government data relating to the waste collected, recovered and landfilled is presented in Table 10. It is important to review this data when developing *Part 2 – Implementation Plan*, as it can:

- provide an understanding of how different systems are performing (e.g. recovery levels)
- highlight the need for any new collection systems or infrastructure
- identify the timing and capacity of any new collection systems or facilities required to meet the changing needs of local governments.

In working towards alignment with the Waste Strategy, the local government should focus on the materials resources with the greatest potential to support the objectives and targets of the Waste Strategy.

NB: DWER is currently developing a range of better practice guidelines. Better practice rates will need to be updated as the guidelines are released.

Table 10: Significant sources and generators of waste in 2017-18 (LG to review pre-filled data and amend/update if necessary. Add additional comments if necessary)

Service/Sources	Tonnes collected	Tonnes recovered	Recovery rate	Better Practice rate	Target rate 2025	Target rate 2030
Kerbside	mixed waste	2,422	1,210	60%	%	
	comingled recyclables	1,065	885			
	green waste	-	-			
	FOGO	-	-			
Vergeside	green waste	265	265	69%	%	
	hard waste	152	23			
Drop-off	mixed waste	-	-	NA	%	55% major regional centres
	dry recyclables	-	-			
	green waste	-	-			
	hard waste	-	-			
	hazardous waste	-	-			
Public place	mixed waste	-	-	NA	%	67% Perth and Peel
	comingled recyclables	-	-			
Special event	mixed waste	-	-	NA	%	70% Perth and Peel
	comingled recyclables	-	-			
Commercial	mixed waste	-	-	#DIV/0!	n/a	
	comingled recyclables	-	-			
	paper/cardboard	-	-			
Local government waste	Illegal dumping clean up	-	-	#DIV/0!	%	
	street sweepings	-	-			
	roadworks	-	-			
	other C&D activities	-	-			
	roadside pruning	-	-			
other	-	-				
<b>TOTAL</b>	<b>3,904</b>	<b>2,383</b>	<b>61%</b>			

Source: Local Government Census Data 2017/18

Additional comments
Commercial Waste services is included in the Kerbside collection. Other commercial properties may undertake their own waste operations and collections through 3rd party partners. The audit data is included in the SMRC Draft Waste Plan which has been submitted to DWER.

Table 11 provides space for the local government to include bin audit information for kerbside waste services, if available. Bin audits can help local governments understand the material composition in kerbside bins, highlight where additional efforts are required to increase performance and assist in planning for future service options such as FOGO collection. **See Appendix for full breakdown of composition categories**

Table 11: Compositional audit data for kerbside waste services (Complete if data is available. Add additional comments if necessary).

General waste bin	
Yield per household (kg/hhl/week)	No Audit Data Available
Per capita (kg/per capita/week)	
Audit year	
Composition	Total %
Recyclables (paper, cardboard, plastics, steel, aluminium, glass)	No Audit Data Available
Organics (organics, wood/timber, textiles, earth)	
Hazardous (medical, sanitary/ hygiene, nappies, chemicals, paint, batteries, fluorescent tubes, light bulbs, oil, building material)	
Other (electronic waste, miscellaneous)	

Recycling bin	
Yield per household (kg/hhl/week)	No Audit Data Available
Per capita (kg/per capita/week)	
Audit year	
Composition	Total %
Recyclables (paper, cardboard, plastics, steel, aluminium, glass)	No Audit Data Available
Organics (organics, wood/timber, textiles, earth)	
Hazardous (medical, sanitary/ hygiene, nappies, chemicals, paint, batteries, fluorescent tubes, light bulbs, oil, building material)	
Other (electronic waste, miscellaneous)	

Garden organics or FOGO bin	
Yield per household (kg/hhl/week)	No Audit Data Available
Per capita (kg/per capita/week)	
Audit year	
Composition	Total %
Recyclables (paper, cardboard, plastics, steel, aluminium, glass)	No Audit Data Available
Organics (organics, wood/timber, textiles, earth)	
Hazardous (medical, sanitary/ hygiene, nappies, chemicals, paint, batteries, fluorescent tubes, light bulbs, oil, building material)	
Other (electronic waste, miscellaneous)	

# Part 1 - Services and performance

## 6.0 Waste management tools

### 6.2 Waste infrastructure

The number, type, capacity and location of key existing local government owned and/or operated waste and resource recovery infrastructure is required to understand the future need for different facility types. **This section is not relevant to local governments that do not own/operate waste facilities.**

Table 12: Current waste and resource recovery infrastructure operated by the local government (LG to complete the table)

Facility name (and licence number if applicable)	Facility Type	Location	Managed by	Licence category and approved production or design capacity	Material type	Service/activity	Remaining Capacity (if applicable)	Anticipated Closure (year)
Other								

Table 13 provides space for local governments to provide information about planned waste and resource recovery infrastructure, if relevant.

Table 13: Planned waste and resource recovery infrastructure (LG to complete the table)

Location	Managed by	Licence category and approved production or design capacity (if known)	Waste type	Service/activity	Estimated operation start date

**Additional comments**

The Town does not own or operate any waste facilities.

# Part 1 - Services and performance

## 6.0 Waste management tools

### 6.3 Policy and procurement

#### 6.3.1 Contracts

Information on your local government's existing waste contracts should be detailed in Table 14. When reviewing services, it is a good opportunity to evaluate how they are performing, opportunities for regional collaboration and to identify any opportunities for improvement, review or renegotiation.

Table 14: Existing waste management contracts (LG to complete the table)

Contractor	Services	Contract commencement and expiry	Notes/comments
Contractor - SUEZ	MSW	2015 - present	Suez completes the Kerbside collection of both Recycling and General Waste. This waste is then processed at the SMRC, RRRC facility in Canning Vale.
	RECYCLING		
Contractor - STEANN PPT	BULK	2010- present	Green Waste is Processed at the SMRC while the Bulk and white goods is divided into metal, and sent to Sims Metal. The Mattresses and sent to Soft Landing for recycling. E waste is sent to Total Green Recycling for re purposing. All remaining waste is processed at the Cockburn Waste Recovery Park and sent to landfill.
	GREEN VERGE		
SMRC	RECYCLING & MSW & GW (now FOGO)	2000 - Present	SMRC process all MSW, Recycling and GW from Town Kerbside bins at the Canning Vale Resource Recovery Centre (RRRC) Since the implementation of FOGO the RRRC has processed FOGO waste also.

#### 6.3.2 Waste local laws and policies

Information on your local government's existing local laws, strategies or policies that may complement/support this waste plan and contribute to the Waste Strategy objectives should be detailed in Table 15.

Table 15: Existing waste-related local laws, strategies and policies (LG to complete the table)

Type of local law, strategy or policy	Name of local law, strategy or policy	Came into force	Due for review	Comments
Law	Waste Local Law	2017		The aim of this Law is the management of residential and commercial waste removal.
Plan	SMRC Strategic Waste Management Plan	Feb-16		The aim of this Plan was to manage the future of waste collection and processing for all SMRC member councils
Policy	Sustainable Procurement Policy			The aim of this policy is to ensure Contractor provided procurement is ethical and sound and sustainably justified.
Policy	Sustainable Event Policy	not yet adopted		The aim of this policy is to reduce single use plastics at any events in the Town of East Fremantle (a copy has been provided)

#### 6.3.3 Land use planning instruments

Information on your local government's existing local planning instruments which contribute to the management of waste should be detailed in Table 16.

Table 16: Existing waste-related land use planning instruments related to waste management (LG to complete the table)

Local Planning Strategy	TITLE:	Town of East Fremantle Local Planning Strategy
	ENDORSED BY WAPC:	YES 2003
	NEXT REVIEW DUE:	2020- A draft has been prepared and awaiting consent form the WAPC for public comment
	Is waste considered and reflected in the Local Planning Strategy?	NO Please provide details below:
	Does the Local Planning Strategy identify current and future waste facility sites?	NA Please provide details below:
	Does the Local Planning Strategy identify buffers around existing and/or future sites to avoid land	NA

	use conflict?	There is no existing or future sites within the Town	
Local Planning Scheme	TITLE:	NIL Town of East Fremantle Local Planning Scheme No. 3	
	GAZETTED:	3-Nov-04	
	NEXT REVIEW DUE:	Currently underway 2020	
	Are resource recovery facilities, waste disposal facility and waste storage facility defined as land uses (as per <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> ) and included in the council Local Planning Scheme zoning table, with either a P/I/D/A/X permissibility?	NO	
	If these land uses are not defined and not in the zoning table, how does the Scheme deal with such land uses (i.e. is an alternative definition used to that in the <i>Regulations 2015</i> ? Or are these land uses zoned as "Use not listed")?	Please provide details below: Use not Listed	
Does the Local Planning Scheme identify statutory buffers as Special Control Areas for strategic waste infrastructure facilities to avoid encroachment by incompatible land uses?	NO		If NO please provide comments below: NA: There are no sited within the Town
Local planning policies	TITLE:	NIL	
	ADOPTED BY COUNCIL:		
	RELATIONSHIP TO WASTE STRATEGY:		
	Does the local government have any local policies which relate to the objectives of the Waste Strategy (reduce generation, increase recovery, protect the environment)?	YES NO	If YES please provide comments:
Other	TITLE:	NA	
	ADOPTED BY COUNCIL:		
	RELATIONSHIP TO WASTE STRATEGY OBJECTIVES:		

6.3.4 Sustainable procurement

Local governments can be significant consumers whose purchasing decisions and procurement policies can have positive impacts. This section reviews activities relating to procurement of

Table 17: Existing sustainable procurement policies and practices (LG to complete the table)

Sustainable procurement policy or practice	Date adopted by council	Actions implemented e.g. switching to recycled printer paper	Alignment with Waste Strategy targets, objectives or focus materials
Purchasing Policy 2.1.3	16/8/16  Ammended 15/9/20  Available here <a href="https://www.eastfremantle.wa.gov.au/council/management-and-governance/town-of-east-fremantle-policy-manual.aspx">https://www.eastfremantle.wa.gov.au/council/management-and-governance/town-of-east-fremantle-policy-manual.aspx</a>	Preferred suppliers are those that demonstrate sustainable business practices and high levels of corporate social responsibility	Where appropriate, the Town endeavours to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace corporate social responsibility. All new bins, compost bins and park seats are made from recycled plastic. the Town is planning a staged approach to the incorporation of a sustainability clause into future contracts.

<p>Acquisition of new bins during the FOGO rollout</p>	<p>Jul-19</p>	<p>During the roll out of the three bin FOGO system, all new bins acquired through Mastec were partially made from recycled plastic. All old General Waste bins were sent to Mastec to be washed, pelletised and used in the construction of new bins.</p>	<p>Aligns with circular economy principles contained in the Waste Strategy. Increasing demand for recycled products. Sustainable procurement.</p>
<p>Sustainable Event Policy</p>	<p>The Policy has been accepted pending public comment period of 30 days. During which time comments have been received.  A copy of the policy has been provided to DWER.</p>	<p>Under the policy: i.Events organised by the Town or contractors employed by the Town to produce an event are to: a.Provide clearly labelled Recycling, FOGO and General Waste Bins; and b.Exclude: •Provision, sale, distribution or use of balloons and confetti as part of the event; •Use of Polystyrene and Styrofoam in the sale and distribution of food or beverages at the event; and •Provision, sale or distribution of single-use plastics at the event. This includes: straws, cutlery, cups, coffee cups, bottles (including individual single use water bottles), plates, containers and bags. ii.Provide an easily accessible alternative to bottled water which enables patrons to refill empty drink bottles with drinking water free of cost. iii.Restrict promotional material, decorations and supplies to those which can be reused and/or recycled. iv.Minimise the use of printed promotional material for example posters, flyers, business cards and newspaper inserts by maximising the use of social media platforms and local publications for the distribution and dissemination of promotional material. v.Incorporate: a.Promotion of walking, cycling and public transport options. b.Provision of adequate bike parking for all large scale events. c.Provide reusable alternatives for single use items including cups, plates, cutlery, coffee cups (GO2Cup).</p>	<p>Aligns with circular economy principles contained in the Waste Strategy. Increasing demand for recycled products. The policy is consistent with the three objectives of the Waste Strategy - Avoid, Recover and Protect.</p>

**Additional comments**

The Town has a sustainability clause within it's purchasing policy. The Town is commmitted to providing a preference to suppliers that demonstrate sustainable business practices and high levels of corporate social responsibility. Where appropriate, the Town shall endeavour to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace Corporate Social Responsibility (CSR). Sustainable and CSR considerations must be balances against value for money outcomes in accordance with the Town's sustainability objectives.

During the Rollout of the Three Bin FOGO system, all new bins acquired through Mastec were partially made from recycled plastic. All old General Waste bins were sent to Mastec to be washed, pelletised and used in the construction of new bins. The Town currently supplies compostable liners to residents for use in their FOGO bins.

# Part 1 - Services and performance

## 6.0 Waste management tools

### 6.4 Behaviour change programs and initiatives

Communication and engagement with waste generators and managers underpins many local government waste management activities, and are vital in driving behaviour change needed to achieve the objectives. Information on the local government's existing waste behaviour change programs or initiatives should be detailed in Table 18. This may include participation in Waste Authority funded programs, or

Table 18: Behaviour change programs and initiatives, including Waste Authority programs and other local government initiatives (LG to complete the table)

Local government program/initiative	Description	Outcomes achieved as a result of the program (Qualitative/quantitative)	Evaluation method	What's worked/not worked	Suggested improvements
Containers For Change	The Town has assisted businesses, Community Groups, Clubs and Schools with the development of donation points in the Town.	Program yet to commence	Information from City of Fremantle in regards to the amount of containers collected, number of collection points in the Town and total income produced.	TBD	TBD
FOGO waste Service	Rollout of the FOGO service to all residential properties excluding large MUDS and commercial properties	Total number of households on FOGO service Low levels of contamination in waste streams (all)	Council Statistics and Rollout Data Waste Stream data as reported back via SMRC, waste Audits and future bin tagging	Single unit dwellings have been a simple and efficient process	Rollout to sporting and community groups in 2020/21, rollout to MUDS in 2021/22, rollout to businesses between 2020/2023
FOGO Community Education	The Town ran waste education workshops and seminars at local community groups, shopping centres and at the Town hall. The Town also ran a stall at the Lion's Community markets	Number of workshops, participants and activities and community events.	Feedback from residents during the initial rollout and further. Council regularly seeks feedback from residents from residents during their Community Perceptions Survey prior to the Strategic Community Planning Process. Council regularly updates on Facebook on waste matters and participates in ongoing dialogue with interested residents.	Workshops and Tours were had a high success in supporting the community in reducing the anxiety relating to the altered waste service.	Regular public perception surveys. The increase in Social media traffic in relation to waste related material and overall interest of residents and the wider community.
FOGO School Education	The Town's waste Education Officer and FOGO engagement team developed and implemented a Community Engagement plan, Project Plan, social media posts and public notices. The use of Variable Message Boards during rollout and publications in 2 separate newspapers. The Town also formulated a FOGO Internal Reference Group that met weekly in the	Education to all students of all ages in the whole town including kindergartens and Schools	Feedback from teachers and parents in to how the children had absorbed the information	Children would take back the information they had received and ensure the correct methods were being undertaken at home	Ongoing relationship with the school to ensure students are aware of waste management best practise. Branching into other environmental initiatives.
Internal FOGO Education	The Town ran various education seminars for both Council and depot Staff as well as Councillors. The aim of the education program was to ensure consistency and efficiency across all members of council	A consistent and sound staff understanding, ensuring a consistency in communication to rate payers and the community	Testing and feedback from staff and overall engagement in the process	It worked as all member of staff were required to undertake training as well as Councillors.	Ensure Depot staff use correct waste bins.

Collection of lightbulbs, batteries and ink cartridges for the public	The Town installed a collection point for batteries, ink cartridges and mobile phones in the refurbishment of the Town hall, 135 Canning Highway. The Town has included the collection points into their information campaigns to improve awareness and included the collection points into their waste education program.	A reduction of household hazardous waste entering into the FOGO 3 bin service which has resulted in a decrease of contamination into kerbside bins, as reported to Council by the SMRC.	The recorded weights of various items diverted from landfill and the corresponding decrease in contamination into kerbside bins.	Ensuring there were enough collection points around the Town to ensure residents were correctly serviced	The installation of battery bin at East Fremantle Kindergarten
Riverside Cleanups of the Swan River by Community Groups such as Sea Shepherd and Muensa.	On the 4th of May 2019 MUESA conducted a cleanup at the sea scouts at camp Waller Jerret Drive, East Fremantle and supported by the Council by provision of a skip bin, bbq for volunteers and promotion on social media to raise awareness for the community.	The collection of Marine waste that would otherwise have detrimental effects on the river ecosystems and associated water quality.	The quantities of waste collected and photographs of the waste collected. Utilising the data for an information and awareness campaign to educate river users to not dispose of waste directly into the river.	The Collection of waste, a 10m Skip was filled. Future cleanups will record the forms of waste recovered	Future cleanups will record the forms of waste recovered. Promote the results of data collected. Educate the public in correct waste management to prevent waste ending up in the river all together.
Cleanup Australia Day - council participation in this national campaign.	Various locations around the River, conducted by community groups, council staff and friends of East Fremantle.	The collection of Litter that would otherwise have detrimental effects on the wildlife in East Fremantle. Mitigating the risk of waste entering the river ecosystem	The quantities of waste collected and photographs of the waste collected.	Record the Number of bags of waste collected. Number of community participants.	Analysis of the forms and types of waste collected
Fremantle Recycle Centre	Residents in East Fremantle were given access to the facilities at the Fremantle Recycle Centre to provide a free HHW drop off point, free recycling drop off point and 4 free junk waste drop offs per annum.	The improved waste streams from the reduced quantities of HHW present in kerbside bins.	Number of residents who utilise the service yearly. The service is available 3 days per week and residents are permitted 4 bulk waste drop-offs and unlimited HHW and Recycling drop-offs.	Previous issues with the Town's mailing list have been resolved with the creation of a current accurate mailing list.	The improved promotions of opening hours, accepted items and the use of Recycle Letter to inform number of residents using the service. The letter represents permitted number of visits - 4 bulk waste and unlimited recycling allowed per annum.

**Additional comments** *(local government to insert any additional comments that may be applicable)*

*In 2020 the Town of East Fremantle will be undertaking waste audits to almost all properties in the area. This will give key baseline data to how the community is performing with the new service.*

*The SMRC Comms Committee developed a range of resources suitable to a range of LGA's across the Perth Region, including flyers, fact sheets, guide to FOGO, Fridge Magnets and educational materials.*

**6.5 Data**

Table 19 provides an opportunity to assess existing waste data practices, identify strengths and gaps and consider the kinds of data activities which could be included in the *Part 2 – Implementation Plan* to improve. Where 'no', please comment on:

- the kinds of data that is missing, where data gaps exist
- barriers to collecting or accessing adequate data
- the kinds of data collection, analysis or reporting practices that are not currently in place which would assist local government waste management functions.

Table 19: Assessment of waste data (LG to complete the table)

	Please ✓		Comment
	YES	NO	
Does the local government have access to adequate waste data to complete Part 1 of the waste plan?	X		
Does the local government use waste data when undertaking planning activities for waste projects/programs?	X		
Does the local government have access to adequate waste data for this purpose?	X		
Does the local government use waste data when monitoring or assessing waste projects/programs?	X		
Does the local government have access to adequate waste data for this purpose?	X		
Does the local government use adequate waste data to measure progress toward the targets and objectives of the Waste Strategy?	X		
Does the local government have access to adequate waste data for this purpose?	X		
Does the local government have access to adequate waste data to fulfil annual data reporting obligations under the WARR Regulations? (previously undertaken through the Waste and Recycling Census)	X		The Town has removed illegally dumped material and tree prunings at a cost of approximately \$8,000 per annum.
Are there any types of waste data that the local government does not currently collect or have access to that would be helpful/useful?	X		The Town has commenced the recording of Batteries, Lightbulb, Printer Cartridges and Mobile Muster
Are there any ways which local government waste data collection, storage or use could be improved?	X		Council needs to record measurements of tonnages in relation to the \$8000 spent annually on removal of illegally dumped material and tree prunings.
Is the data collected by the local government accurate? Are any new strategies needed to improve accuracy?	X		
Does the pre-filled data provided in this template align with the data the local government has? i.e. is this pre-filled data accurate?	X		
Any additional comments?			

## Part 1 - Services and performance

### 7.0 Summary

The purpose of *Part 1* of the waste plan is to consolidate information about current waste management practices, to enable you to assess and identify:

- current waste management performance
- alignment between current waste management practices and the Waste Strategy
- strengths and successes, as well as gaps and opportunities for improvement.

Table 20 provides space to analyse the data and information presented in *Part 1*, and should be used to determine waste management priorities for the short, medium and long term, and translate these priorities into actions in *Part 2 – Implementation plan (Table 21)*.

Table 20: Assessment of current waste management performance and prioritisation of future actions *(Completing this table is optional)*

<b>Waste management achievements</b> (for example, performance/achievement against Waste Strategy targets or objectives or where particular waste management objectives have already been met)	FOGO system rolled out to 3,100 households commencing 1 July 2019. Partnered with City of Fremantle to share their Recycle Centre to reduce bulk verge collections, opportunity to maximise recycling opportunities and safely dispose of HHW. Partnered with SMRC for communication and educational materials, waste calendars and bin tagging. Data auditing provided by SMRC to member Councils.
<b>Opportunities for improvement</b> (for examples, where performance against Waste Strategy targets or objectives could be improved or where waste management objectives have not been met)	Instigate data collection of HHW collected by the Town. Policies and Procurement: Sustainable Event Policy was endorsed by Council in August 2020 and is currently being advertised for public consultation for 30 days.
<b>Priority areas for action in Part 2 – Implementation plan</b>	Behaviour change Program and Initiatives: Garage Sale Trail, Clean Up Australia Day, Dive Club Clean Ups. Maintain participation in National Initiatives and continue to
	Rollout FOGO to businesses and MUDS. Rollout FOGO to sporting clubs.

Part 2 - Implementation plan

This implementation plan outlines the actions which your local government will take over the next 5+ years to contribute to the achievement of relevant Waste Strategy targets and objectives. It is where the priorities described in the summary (Part 1 – 7.0 Summary, Table 20)

Table 21: Implementation plan

Waste Management Tool	Action (OR link to existing local government plan/document that details this activity)	Is the action new or existing?	Detailed actions/sub-actions (OR link to existing local government plan/document that details this activity)	Milestones (SMART - Specific, Measurable, Achievable, Relevant, Timed)	Target (SMART)	Timeframe for delivery (completion date)	Cost of implementation incorporated into annual budget and Corporate Business Plan? Y/N - (if not, why?)	Aligns to Waste Strategy Objective/s			Responsibility for implementation (branch, team or officer title, not the names of individual officers)	Identified risks (Impact/consequences and mitigation strategies)
								Avoid	Recover	Protect		
Waste services	FOGO System Rollout Rollout commenced 1 July 2019 to 3100 households to enable the town to comply with the Waste Strategy 2030. Since the rollout, FOGO has been provided to an additional 100 households. The rollout will be completed by 2023 with the inclusion of four MUDS, commercial businesses and ten sporting clubs. The Town, through its membership of SMRC is currently going through a tender process to supply red bin material (residual waste) to Avertas Energy (Kwinana) by 2022.	New/Existing. Waste to Energy will be a new project.	- The Town rolled out the FOGO Waste service on the 1st of July 2019 to 3100 households. The business case was presented to Council prior to the rollout. - The rollout will be completed by 2023 with the inclusion of MUDS, commercial businesses and sporting clubs. The Town has already rolled out the FOGO waste service to a number of commercial properties, local schools and clubs. Waste to Energy may commence in 2022 for residual waste generated in the Town.	- Better practice kerbside guidance reviewed by December 2018. - Business Case developed by March 2019. - Comprehensive education and behaviour change program developed April 2020. - New waste education officer commenced at the Town 2 months ahead of the rollout. - FOGO rolled out to 3100 households commencing 1 July 2019. - Rollout to MUDS, commercial businesses and sporting clubs completed by 2023. - The FOGO service was continually monitored and evaluation commenced February 2020 until March 18 2020 due to COVID-19. The evaluation, in the form of bin tagging was recommenced August 2020 and will conclude in December 2020. Waste to Energy will result in less waste to landfill and the opportunity to recover approximately 12-25% of bottom ash and	100% application within the Town. Waste to Energy	Ongoing.	150000. The cost of Waste to energy will replace current cost of landfill.		X		Operations Services and Regulatory Services	Risk: Contamination of the waste sources leading to lower recovery rates. Mitigation: Targeted education to non complying households identified through bin tagging program.  Risk: Processing failure Mitigation: Investigation of alternative processing facilities
Waste infrastructure	Increase disposal of household hazardous waste at Fremantle Recycle Centre (FRC)  In 2017 Council investigated the possibility of partnering with the City of Fremantle so that East Fremantle residents can access the FRC on an annual fee basis.	Existing	- Continued promotion and communications regarding disposal options - Annual notification of households regarding service in the form of a Recycling Letter, 4 bulk waste drop off tokens and information relating to the items accepted at the Town Hall and at the FRC	- Council investigated the possibility of partnering with the City of Fremantle so that East Fremantle residents could access the City of Fremantle Recycle Centre on an annual fee basis. - Agreement reached in 1 July 2018 - Town residents could access the City of Fremantle Recycle Centre from 1 July 2018 - Council notifies every household about service on an annual basis.	100% application within the Town  All residents diverting hazardous waste to FRC	Ongoing. Waste to energy will commence in 2022 and will be ongoing.	\$95,000.00			X	Operations Services and Regulatory Services	Risk: Residents place Household Hazardous Waste (HHW) into kerbside bins. Mitigation: Ensure good communication and promotion of the facility.
Policies and procurement	Develop Sustainable Event Policy  The purpose of the policy is to reduce the use of single use plastic and other items at the Town's events, minimise the use of printed promotional materials and provide for clearly labelled bins (FOGO, recycling and general waste).	New	Policy devised to limit plastic waste associated with events. Policy devised to encourage sustainable events associated with Town events and events held in the Town.	- Policy implemented. - Elimination of single use plastic at Town events and events held within the Town. See attached draft policy "Sustainable Events Policy"	Eliminate plastic use at events therefore minimising waste plastic.  The George Street Festival was held in December 2019 saw waste collection reduce from approximately 40 MGB bins to 8 MGB bins.	Sustainable Event Policy endorsed by Council October 2020.	Incorporated into officer duties		X	X	Regulatory Services, Corporate Services and Operation Services.	Risk: Residents and visitors continue to use single use plastic. Mitigation: Restrict access and supply and offer attractive alternatives.
	Develop Sustainable Procurement Policy for the Town	New	- Review and identify gaps in existing procurement policy. - Updated procurement policy to align with the Waste Strategy. - Include targets in procurement policy to increase purchase of recycled products. - Implement policy and monitor use. Available here <a href="https://www.eastfremantle.wa.gov.au/council/management-and-governance/town-of-east-fremantle-policy">https://www.eastfremantle.wa.gov.au/council/management-and-governance/town-of-east-fremantle-policy</a>	The Purchasing Policy is reviewed on an annual basis. The most recent review which included a sustainability clause resulted in the existing policy which was endorsed by Council on 15 September 2020.	Maximise sustainable procurement opportunities.	1 March 2021						
Data	Maintain records of hazardous waste (batteries, ink cartridges, mobile phones and light globes) as well as plastic bottle caps, bread tags and pens collected at the Town Hall.	New/Existing	Weigh and record batteries, weigh ink cartridges, Mobile Muster records and weigh light globes on a monthly basis.	- Commence data collection commencing January 2019 to develop baseline data for future measurement against. - Compare annual tonnages/numbers of HHW collected to test success of the program and promotional material in relation to the program.	The Town is aiming to capture greater amounts of residential HHW from the Town Hall - weights of materials are now captured and has been since January 2019.	From 1 January 2020, Ongoing	Incorporated into officer duties		X	X	Operations Services and Regulatory Services	Risk: Lack of resources/barriers to securing data from facilities  Mitigation - Ongoing education in relation to correct disposal of HHW waste and the benefits of improved data.
	Collect litter and illegal dumping data.  As part of this initiative data will be collected from Ranger Services (number of incidents, type of litter, number of Notices issued and cost of removal) and Operations Services (annual cost of removal and disposal of illegally dumped waste).	New/Existing	- Consult with Ranger and Operation Services on data available - Design data collection form - Distribute data collection form - Train staff in data collection - Data is collected - Data is analysed and used to inform mitigation strategies.	- Analyse existing illegal dumping data to identify data gaps and recommend improvements by December 2020/ Jan 21. - Hold meetings with key stakeholders to refine scope of database. - Train staff on data collection/recording. - Implement data collection program. - Program will commence DEC/Jan 2021	Work with Ranger and Operation Services to collect litter and illegal dumping data.	From 1 January 2021, Ongoing	Incorporated into officer duties					
	Continue to implement FOGO Waste Education program via member partnership with SMRC and funding from Waste Authority, Better Bins and Better Bins Plus.  FOGO waste education to be provided to commercial businesses, MUDS and sporting clubs moving onto the FOGO system. Waste education to comprise pre rollout bin audit, provision of printed information including FOGO waste calendar, fridge magnets and How to Fogo information booklet, posters for common areas (MUDS), bin stickers (sporting clubs) and one on one coaching to commercial businesses on request.	New/Existing	- FOGO waste education to be provided to commercial businesses, MUDS and sporting clubs moving onto the FOGO system. - Waste education to comprise pre rollout bin audit, provision of printed information including FOGO waste calendar, fridge magnets and How to Fogo information booklet, posters for common areas (MUDS), bin stickers (sporting clubs) and one on one coaching to commercial businesses on request.	Better practice kerbside guidance to be applied to non-residential premises. Rollout to be completed by July 2023.	FOGO is rolled out to all premises within the Town by July 2023 supported by a FOGO Waste Education Program.  The Town will see an improvement in separation of Waste compared to when the Town operated on a 2 bin system with greater recovery rates and reduced waste going to landfill.	July 2023	Incorporated into officer duties		X		Regulatory Services and Operations Services	Risk: Businesses and MUDS continuing with two bin system which is more expensive and less environmental. Contamination and/or overweight bins. Mitigation: Assisting businesses and MUDS to progress to FOGO by providing information and one on one education.

Behaviour change programs and initiatives	Garage Sale Trail (GST)	Existing	Council has committed to it's ongoing involvement in the GST. Council continues to apply for 50/50 waste authority grant funding to promote the GST to the community.	During November 2020 the Town will begin its media campaign for the Garage Sale Trail. Engagemnet will be tracked.  Measurable data to compare community involvement and amount of waste kept out of landfill on an annual basis.	Target is to see an increase in the following:  Number of garage sales held in the town, number of sellers and quantity of goods changing hands which are reported to Council by Garage Sale Trail on an annual basis.	Ongoing	\$2,600.00		X		Regulatory Services	Risk: Community not engaging. Mitigation: Improve promotion and communication to residents.
	Plastic Free July	New	Develop and promote Plastic Free July initiatives and options to community on the Town's communication platforms.	Implementing annual initiatives within the Town to support Plastic Free July. Plastic Free July initiatives promoted annually. Data on community involvement and amount of waste kept out of landfill collected annually.	Receive Plastic Free July Council Report and utilise data as baseline community participation in the program for comparison with future Plastic Free July's data.  Increase in resident registration for Plastic Free July from the first year vs second year.	Ongoing	\$250.00		X	X	Regulatory Services	Risk: Community not engaging. Mitigation: Improve promotion and communication to residents.
Other	Clean Up Australia Day	Existing	- Investigate areas in the Town as suitable for annual Clean Up Days including all lands under the care and control of Council. - The Town reaches out to community groups for example Murdoch Dive Team (MUD), Friends of the Foreshore, CARG, Sea Shepard and Tangaroa Blue to secure participation. - Plastic Free July events are facilitated. - Data collected is then passed onto Tangora Blue for analysis and reporting.	- Hotspots identified - Volunteer organisations supported - Events facilitated - Data collected	Litter hotspots are cleaned.	Ongoing	\$250.00			X	Regulatory Services	Risks: No volunteers wanting to do clean ups on land or in River. Mitigation: Support community and dive groups by facilitation of cleanup events and pay for BBQs.
	River Dive Club Clean Ups	Existing	- Support dive club cleanups - provide bulk bins, BBQs etc - Promote Postive relationships with community and volunteers. - Maintain data of all cleanups for the future	Measure and photograph removed waste from river beds and compare with future/previous cleanups to measure success.  Data to be presented to Tangora Blue to set a baseline for each cleanup in the Town.	Clean up river beds at specific areas e.g., Sea Scouts Building, John Tonkin Park, portions of Riverside Road.	Ongoing	\$250.00			X	Regulatory Services	
	Install Gross Pollution Traps	New	- Investigate which stormwater drains require GPTs to be installed. - Prioritise and include in the Town's Corporate Business Plan for inclusion in Council's budget in 2021/22. - Priority GPTs installed.	- Review stormwater drains and work towards amalgamating drains to reduce unused drainage. - Install GPT's on an ongoing basis over the next 10 years. - The Town will begin to track and record the waste that ends up in the GPT's.	Reduce litter entering River, when the GTP is emptied the Town will record the items captured. The GTP is yet to be emptied and so the information is yet to be recorded.	1 January 2025	Capital Works Budget Item			X	Operation Services	Risk : Litter entering the river Mitigation - River cleanups, Gross Pollutant Trap's being installed.

#### 12.3.4 Withdrawal of Caveat for Lot 168 on Plan 3954 and Lot 1 Part Lot 501 on Plan S50473

<b>File ref</b>	H/CCAP
<b>Prepared by</b>	Executive Manager Corporate Services
<b>Supervised by</b>	Chief Executive Officer
<b>Meeting Date:</b>	8 December 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Nil

#### **Purpose**

The purpose of this report is to seek Council's authority for the Mayor and CEO to sign and affix the Common Seal to a Withdrawal of Caveat for the following properties:

- Lot 168 on Plan 3954
- Lot 1 Part Lot 501 on Plan S50473

#### **Executive Summary**

The Town registered a caveat against the aforementioned land arising from the non-payment of rates.

The first property has now been sold (settlement date 30 November 2020) and rates have been paid in full. This has triggered the requirement to withdrawal the caveat

Council resolved to commence sale proceedings on the second property which prompted contact by the owner and full payment of rates.

#### **Background**

Pursuant to Council's Debt Collection Policy, where payment of rates or service charges imposed in respect of any land is in arrears of more than three (3) years, the Town of East Fremantle has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land.

#### **Statutory Environment**

Section 9.49A of the *Local Government Act 1995* provides;

##### **9.49A. Execution of documents**

- (1) *A document is duly executed by a local government if —*
  - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
  - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
  - (a) *the mayor or president; and*
  - (b) *the chief executive officer or a senior employee authorised by the chief executive officer,**each of whom is to sign the document to attest that the common seal was so affixed.*

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**Financial Implications**

All outstanding rates for the property(s) have now been paid in full.

**Risk Implications**

No significant risk identified.

**Comment**

A Withdrawal of Caveat form has been prepared and requires the Common Seal to be attached. This matter is considered to be administrative in nature.

Council is requested to authorise the Mayor and CEO to sign and affix the Common Seal to a Withdrawal of Caveat for:

- Lot 168 on Plan 3954
- Lot 1 Part Lot 501 on Plan S50473

**12.3.4 OFFICER RECOMMENDATION**

**That Council authorise the Mayor and Chief Executive Officer to affix the Common Seal to the Withdrawal of Caveat form for:**

- **Lot 168 on Plan 3954.**
- **Lot 1 Part Lot 501 on Plan S50473**

- 13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 14. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING**
- 15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
- 16. NEW BUSINESS OF AN URGENT NATURE**
- 17. MATTERS BEHIND CLOSED DOORS**
- 18. CLOSURE**