TOWN OF
EAST FREMANTLE

AGENDA

Council Meeting

Tuesday, 20 July 2021 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.
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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.

Deputations	**Presentations**
A formal process where members of the community request permission to address Council or Committee on an issue.	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.

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 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 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.

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, 20 July 2021 in the Council Chamber, 135 Canning Highway, East Fremantle and your attendance is requested.

GARY TUFFIN
Chief Executive Officer

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. ANNOUNCEMENT TO GALLERY
"Members of the gallery are advised that no Council decision from tonight's meeting will be communicated or implemented until 12 noon on the first clear working day after this meeting, unless Council, by resolution carried at this meeting, requested the CEO to take immediate action to implement the decision."

4. RECORD OF ATTENDANCE
4.1 Attendance
4.2 Apologies
4.3 Approved

5. DISCLOSURES OF INTEREST
5.1 Financial
5.2 Proximity
5.3 Impartiality

6. PUBLIC QUESTION TIME
6.1 Responses to previous questions from members of the public taken on notice
Nil.

6.2 Public Question Time

7. PRESENTATIONS/DEPUTATIONS
7.1 Presentations
Nil.

7.2 Deputations

8. APPLICATIONS FOR LEAVE OF ABSENCE

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 Meeting of Council (15 June 2021)

9.1 OFFICER RECOMMENDATION

That the minutes of the Ordinary meeting of Council held on Tuesday, 15 June 2021 be confirmed as a true and correct record of proceedings.

10. ANNOUNCEMENTS BY THE PRESIDING MEMBER

11. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

12. REPORTS AND RECOMMENDATIONS OF COMMITTEES

12.1 Town Planning Committee Meeting (6 July 2021)

File ref	C/MTP1
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	20 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Town Planning Committee Minutes 6 July 2021

Purpose
To submit the minutes and delegated decisions of the Town Planning Committee for receipt by Council.

Executive Summary
The Committee, at its meeting on 6 July 2021, exercised its delegation in one statutory development application where at least four members voted in favour of the Reporting Officer's recommendation. The officer's recommendation in a second development application for 148 George Street wasn't supported by the Committee and therefore has been referred to Council for consideration (Refer Agenda Item 13.1.1).

Consultation
Town Planning Committee.

Statutory Environment
Nil.

Policy Implications
Nil.

Strategic Implications
Nil.

Site Inspection
Not applicable.

Comment
The unconfirmed minutes of the Town Planning Committee meeting are now presented to Council to be received.

12.1 COMMITTEE RECOMMENDATION

That the unconfirmed Minutes of the Town Planning Committee Meeting, held on 6 July 2021 be received.

TOWN OF EAST FREMANTLE

MINUTES

Town Planning Committee

Tuesday, 6 July 2021 at 6.30pm

Disclaimer

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Whilst the Committee 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.
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MINUTES FOR TOWN PLANNING MEETING
TUESDAY, 6 JULY 2021

TOWN OF EAST FREMANTLE

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MINUTES OF TOWN PLANNING MEETING
TUESDAY, 6 JULY 2021

TOWN OF EAST FREMANTLE

MINUTES OF THE ORDINARY MEETING OF THE TOWN PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY, EAST FREMANTLE ON TUESDAY, 6 JULY 2021.

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

Presiding member opened the meeting at 6.32 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. ANNOUNCEMENT TO GALLERY

"Members of the gallery are advised that no Committee decision from tonight's meeting will be communicated or implemented until 12 noon on the first clear working day after this meeting."

4. RECORD OF ATTENDANCE

4.1 Attendance

The following members were in attendance:

Cr C Collinson	Presiding Member
Cr J Harrington	
Cr A Natale	
Cr D Nardi	
Cr A Watkins	

The following staff were in attendance:

A Malone	Executive Manager Regulatory Services
J Bannerman	Planning Officer
K Culkin	Minutes Secretary
A Padberg	Administrative Officer

4.2 Apologies

Mayor J O'Neill

4.3 Leave of Absence

Nil

5. MEMORANDUM OF OUTSTANDING BUSINESS

Nil

6. DISCLOSURES OF INTEREST

6.1 Financial

Nil

6.2 Proximity

Nil

6.3 Impartiality

Nil

7. PUBLIC QUESTION TIME
Nil

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

7.2 Public Question Time
Nil

8. PRESENTATIONS/DEPUTATIONS

8.1 Presentations
Nil

8.2 Deputations
Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 Town Planning Committee (1 June 2021)

9.1 OFFICER RECOMMENDATION

Moved Cr Nardi, seconded Cr Natale

That the minutes of the Town Planning Committee meeting held on Tuesday, 1 June 2021 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

10. ANNOUNCEMENTS BY THE PRESIDING MEMBER
Nil

11. REPORTS OF COMMITTEES
Nil

12. REPORTS OF OFFICERS (COMMITTEE DELEGATION)

12.1 George Street No 148 (Lot 78) Proposed double storey dwelling

Owner	R Campbell
Applicant	Aintree Holdings P/L T/A Beaumonde Homes
File ref	P21/21
Prepared by	James Bannerman, Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	6 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Location plan and advertising 2. Site photos 3. Place record form 4. Plans date stamped 18 June 2021 5. Community consultation checklist 6. Submissions, letters from owner and neighbour and email from neighbour 7. Photos from applicant of other residences within precinct to indicate consistency of existing and established built form

Purpose
The purpose of this report is for Council to consider a development application for a proposed double storey dwelling at No 148 (Lot 78) George Street, East Fremantle. This proposal with amendments is being presented to Town Planning Committee for the second time.

Executive Summary
Following on from the previous Town Planning Committee meeting in June where the Committee decided to defer a decision *"to a later Committee meeting subject to the applicant progressing further discussions with the Town to achieve development outcomes that address the proposed variations such that it is designed to be better integrated with the surrounding properties"*. The applicant and owners met with Town officers to discuss and progress the development application.

It was agreed that further amendments would be made to the plans presented at that previous Committee meeting to increase the articulation of the May Street façade of the dwelling and reduce the dominance of the building on this side. The following changes were made;

- Setting the rear garage back further from the May Street boundary;
- Planting along the May Street wall (which is set back further from the May Street boundary)
- Introduction of articulation to the western building line such that the May Street wall of the ground floor theatre room is increased.

The applicant and owners have attempted to build in compromises into their design to make it acceptable to both the Town Planning Committee and the Community Design Advisory Committee.

Additional submissions were received by the owners for inclusion in this report.

This development application proposes a new double storey dwelling at 148 George Street (and on the corner of May Street). It is a large residence with 5 bedrooms, studio, theatre, living, study and 4

bathrooms as well as a rear garage that faces May Street. The majority of the variations have an impact on the street and as a result have an influence on the overall character of the area. Due to the corner location of the property, the design is considered to have a visual impact to two streets, however the revised design and landscaping does better integrate the proposal into the adjoining streets.

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 – Eastern wall – Upper Storey – Dressing and Ensuite - 1.5m required, 1.2m provided
(ii) Clause 5.3.7 – Residential Design Codes – Excavation – Maximum 0.5m required, more than 0.5m provided
(iii) Clause 5.3.8 – Residential Design Codes – Retaining Walls – Maximum 0.5m required, more than 0.5m provided
(iv) Clause 3.7.11.5 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 5 degrees provided
(v) Clause 5.1.4 – Residential Design Codes - Open Space – 50% required, 48.4% provided

Whilst it is considered there is an impact to the character of the area, the variations are not considered to cause such an impact as to warrant refusal of the development. As stated previously, the proponents have worked to amend the design such that it is acceptable to the Town Planning Committee. It is considered that the above variations can be supported subject to conditions of development approval being imposed.

It is noted that the new amended Residential Design Codes Volume 1 came into force on 3 July and all development applications are required to be assessed in accordance with this policy. As part of this the previous requirement for a maximum wall height of 6m has been amended to 7m and maximum roof height of 8m for a skillion roof in accordance with Category B from Table 3. For this reason, the proposed development is now within the maximum wall heights required for development.

Background
Zoning: Residential R20
Site area: 678m²
Heritage: Category C

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

Consultation
Internal Consultation
Comment was sought from the Technical Services Department within the Town regarding issues around traffic and garage location and the following comments were received;

The proposed footprint although closer to the boundary on the May Street frontage maintains a similar setback from the George Street frontage. Also, the fence at the George Street / May Street corner is reduced in height. A west bound vehicle positioned appropriately at the giveaway line at the roundabout, will have adequate visibility to look right (north) up May Street for approaching vehicles. The combination of the George Street setback with the reduced fence height assists in the visibility.
The proposal to relocate the driveway from the George Street frontage to the May Street frontage moves the driveway to a more suitable location. There are several benefits, some of which include increasing the

distance for vehicles leaving the roundabout to see a vehicle exiting the driveway, and reducing the risks associated with a reversing vehicle entering the roundabout.

Advertising
The application was advertised to surrounding landowners from 19 March to 16 April 2021. Four submissions were made following advertising. Submissions are included as an appendix.

Additional correspondence has been received by the owners address concerns raised by the neighbours and the Committee and provides justification for the proposal.

A letter of support was also submitted.

Community Design Advisory Committee (CDAC)
The application was referred to CDAC twice (12 April & 3 May 2021). The following comments were made.

12 April 2021

(a) The overall built form merits;

- The Committee did not support the proposed design.
- The Committee believed that the design was inappropriate and out of context for the street and the area, resulting in a design in conflict with the established character of May and George Street.
- The Committee stated the proportions of the building, including height, scale and bulk do not suit the adjacent heritage buildings/ street character and the overall design compromises the heritage significance of surrounding buildings.
- The Committee does not support the demolition of the existing Category C heritage dwelling unless it is replaced with a building with high architectural merit.
- The Committee believed that proposal represented overdevelopment of the site.
- The Committee requested an opportunity to review any modifications to the design of the structure.

(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.
- The Committee believed that as the proposal is a large double storey dwelling (compared to the existing single storey dwelling) and that there will be significant impacts on the overall character of the area, including to the visual interpretation of the streetscape.
- The Committee considered the large boundary wall dominates the length of the property, with the proposed design and setbacks increasing the bulk of the building to both George Street and May Street.

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

- The Committee noted that proposal is unsympathetic to the streetscape and is excessively large compared to surrounding dwellings. As a result, the scale of the building needs to be reduced.
- There are significant visual impacts on George and May Street.

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

- The Committee does not support the demolition of the Category C heritage dwelling unless the replacement home is of an appropriate architectural quality.

- Variations to the Residential Design Codes and the Residential Design Guidelines should be supported for proper and orderly planning purposes. This proposal was not considered orderly planning.
- The Committee believed that the existing development on the opposite side of May Street to this proposal was considered an appropriate design and the limit to double storey dwellings for the surrounding area.

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

- No comment.

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

- No comment.

3 May 2021

(a) The overall built form merits;

- The Committee note and appreciates the efforts of the applicant to modify the design, however, there is still significant concern about the bulk and scale of development, particularly the significant bulk and scale of the development on May Street (western elevation)
- The Committee welcomed the addition of timber features on the front facade but felt that there is a need to break up or reduce the bulk of development further.
- The Committee recommends that the design be revisited, and several suggestions are made to improve the design included flipping the design, pulling the single storey rear section away from the front double storey section to provide a break in bulk on May Street, increase the garage setback, or move the garage to George Street.

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

- It is critical that the proposed design is reduced in size, bulk, and scale to meet the character of surrounding homes within the precinct, specifically those dwellings on George Street and May Street.

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

- The design does not address May Street and there is a need to provide passive surveillance from a habitable room to May Street. Additional openness and improved presentation of the dwelling needs to be achieved for the May Street elevation.

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

- 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 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;

- See above.

Applicant Response to CDAC

(a)

- The Committee's appreciation of the changes is noted. However, the comment regarding the need for significant changes to the dwelling is unsubstantiated given the existing built form within the area and given a number of similar developments approved by the Town (including approved by the East Fremantle Town Council).
- It should be noted that the proposed dwelling on the subject land complies with the building height provisions and contains an overall building height that is less than a number of dwellings along George Street, May Street and Richmond Circus. It should be noted that the dwelling on the adjoining northern property comprises retaining wall along the land's May Street frontage and is elevated above the street level. Given this, the roofline of the proposed dwelling would be lower that the roofline of the existing dwelling on the adjoining property.
- The Committee's comments are noted. The timber elements to the dwelling provides for improved visual interest to the dwelling and reflects a similar material usage within the area.
- The Committee's suggestion of flipping the dwelling would result in the outdoor living area being exposed to the harsh western summer sun and reduced privacy/amenity along May Street, which is a poor planning outcome. The current design of the dwelling provides for a better passive solar design layout (given the north-south orientation of the lot) and being more energy efficient than the Committee's suggestion to flip the dwelling to expose both the outdoor and internal living areas to the harsh afternoon summer sun.
- By locating the outdoor living area to May Street, then a solid fence would be required to provide privacy for the future occupants of the dwelling. The current design comprises a visually permeable fence, landscaping and major opening to habitable rooms orientated towards May Street, which is less bulky than a solid fence.
- Any suggestion of shifting sections of the upper floor elsewhere would still involve similar mass. This would be evident if the upper floor was to be made narrower, but longer over the ground floor footprint of the dwelling to provide a suggested greater setback from May Street. This approach would detract from the symmetry and aesthetics of the front elevation.
- The future landowners want the ability for internal access to the garage from the dwelling and not a separation between the dwelling and the garage, as suggested by the Committee. The dwelling has been designed to provide a varying setback to the May Street boundary, use of varying materials, landscaping, visual permeable fencing and a number of windows. In addition, the building height and roof structure have been reduced (through cut the floor level of the dwelling into the site and a lower pitched roof). This provides for articulation and visual interest of the May Street façade when viewed from the street.
- The garage setback complies with the R-Codes. In fact, the garage setback from the secondary street is greater than the minimum required setback prescribed within the R Codes. As such, the Committee's recommendation to increase the garage setback is unsubstantiated.
- The Committee has failed to recognize the 'deemed to comply requirements' of Element 5.3.5 C5.1 ('Vehicular access') of the R-Codes, which requires vehicular access for a corner site to be from the secondary street and not the primary street. As such, the layout of the proposed development complies with the R-Codes.
- In addition to the above point, relocating the garage to George Street (as suggested by the Committee) would result in the crossover being located closer to the intersection (round about), therefore

compromising traffic safety. Given this, the Committee's suggest is contrary to the R-Codes and is a poor recommendation in terms of traffic safety and streetscape. It is assumed that the Committee's suggestion in regard to relocating the vehicular access point for the new dwelling from May Street to George Street is driven by the submission made by the owner of the adjoining northern property and not having due regard for orderly and proper planning.

- Consultation has been undertaken throughout the design stage with the Water Corporation in regard to the sewer infrastructure to the rear of the site. The Corporation insisted that the garage be located to the rear of the site due to the sewer. This includes a construction method that will allow for access to the sewer infrastructure.
- To conclude, the current design layout of the new dwelling on the land provides for better security, a greater level of privacy for the future occupants, provides for better environmental performance and provides for improved traffic safety than the suggestion made by the Committee.

(b)

- The Committee has failed to acknowledge a number of recent developments within the area which comprise a similar bulk and scale to the proposed new dwelling on the subject land. A review of recent development activity within the immediate area, including along Allen Street and George Street, has identified a number of new dwellings which comprise a modern design, a two-storey built form and lesser front setbacks than the traditional historical dwellings within the area. Given this, it is contended that the proposed development is consistent with a number of recent approved developments within the area and is not out of character. This is reflective of a number of applications recently considered and approved by the East Fremantle Town Council that are modern in nature and are contrary to the recommendations made by the Design Advisory Committee.
- It should be noted that the proposed dwelling complies with the relevant development standards applicable to building height, setbacks and open space. These are key development standards that control building bulk. As such, the Committee's comment to reduce building bulk is unsubstantiated and fails to have due regard to the planning framework.
- The Committee has failed to have due regard for the existing built form for the old Richmond Raceway development on the southern side of George Street which comprises a number of two storey dwellings with modern architecture that does not reflect the heritage or historical character of East Fremantle. From a review of the comments made by the Committee, it appears that only the built form along a part of May Street has been reviewed and the portion of Richmond Circus which extends from May Street and would form part of a streetscape analysis (which comprises a wider range of built form, architecture, setbacks, building height and era of development) has not been considered.
- As previously mentioned, the precinct comprises an eclectic mix of dwelling types, setbacks, material usage and bulk. Given this, it can be argued that this part of the East Fremantle locality does not comprise a consistent character and built form and that the proposed development on the subject land is not contrary to the existing and emerging built form within the area.
-

(c)

- The Committee's comments are confusing and questionable. The proposed development has been designed to comprise a number of major openings to habitable rooms orientated towards May Street to provide for improved passive surveillance of the street. In addition, the May Street frontage of the dwelling will include landscaping and a visually permeable fence.
- It is significant to note that the proposed dwelling comprises a greater number of windows (including major openings) orientated towards May Street than the existing dwelling on the land and any of the existing dwellings at the intersection of May Street/Richmond Circus and George Street.
- The Committee has also failed to recognize that May Street is the secondary street and that the dwelling is required to address the primary street not the secondary street. In addition, a number of

openings have been provided along the dwelling's May Street frontage. In addition to the above points, the proposed dwelling complies with the R-Codes in terms of the minimum required setback to the secondary street.

- The Committee has not taken into account the character of the area in its entirety and has only referred to section of the immediate locality that comprises the older housing stock. The Committee has not recognized that a number of new dwellings have been constructed within the immediate area, include those dwellings along Richmond Circus which are not reflective of the older heritage character of East Fremantle. Given this, it is conceded that the proposed dwelling is consistent with the emerging built form within the area.
-

(d)

- See response above.
- The Committee and Council should note that the applicant and the landowners have been liaising extensively with the Town's planning staff (i.e. Mr James Bannerman) before and throughout the assessment process (including meeting with the Town's staff) to address any key issues raised by the staff as part of its assessment of the application. This has resulted in a number of amended plans and changes to the design layout of the dwelling to address any key issues/matters raised by the Town (including reducing building height, lowering floor levels, include an additional skillion roof structure, changing fencing along the street frontages, including additional landscaping, including feature timber panels, altering the proposed colour/materials for the dwelling etc.). Throughout the process, the Town's planning staff have been supportive of the design layout, external design and appearance of the dwelling. In short, the landowner and applicant has worked closely and together with the Town's planning staff throughout the process.
- In addition to the above points, the dwelling has addressed both the 'deemed to comply requirements' and 'design principles criteria' of the R-Codes and any relevant local planning policies.

(e)

- Whilst we recognize that the Committee has not commented, it should be noted that the dwelling has been designed to include northern orientation for the outdoor living area. The design also allows for the morning eastern sun and northern winter sun to penetrate into the dwelling, which will assist with reducing energy costs.
- In addition to the above, the outdoor living area has been designed to be located along the eastern side of the subject land to provide protection for the hot western summer sun. In addition, the location of the outdoor living area to the eastern side of the lot, away from May Street, will provide some protection for traffic noise generated at the intersection of May Street and George Street. The proposed dwelling has been designed with a number of major opening on both side of the dwelling to allow for good cross ventilation, therefore providing for less reliance on artificial ventilation.
- In light of the above points, the dwelling has been designed to conserve resource and have due regard for the climate.

(f)

- Refer to all responses above.

Officer Response

The comments are noted from both CDAC and the applicant. It is noted the applicant has attempted to minimise impacts to the streetscape and has altered the plans, including additional materials to minimise perceived scale and bulk.

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 2020 – 2030 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.*
- *3.1.3 Plan for improved streetscapes.*

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 within resource capabilities.*
- *3.3.2 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.*
- *4.1.3 Improve and protect the urban forest and tree canopy.*

4.2 Enhance environmental values and sustainable natural resource use.
- *4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.*

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. Should the application be refused, the application can be appealed to the State Administration Tribunal for review.

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	6m	6.219m	A
Secondary Street Setback	1.5m	1.5m	A
Lot Boundary Setbacks			
Eastern wall – ground floor – ensuite 2 & summer suite	1m	1m	A
Eastern wall – ground floor – family room, alfresco & gym	1.5m	3.02m	A
Northern wall – ground floor – garage & gym	1m	1.003m	A
Eastern wall – upper storey – dressing and ensuite	**1.5m**	**1.2m**	**D**
Northern wall - upper floor – bed 4	1.2m	18m	A
Open Space	**50%**	**48.4%**	**D**
Wall height	7m	6.5m	A
Roof height	8m	7m	A
Setback of Garage	1.5m	3.34m	A
Car Parking	2 car bays	2 car bays	A
Site Works	**Excavation maximum 0.5m**	**>0.5m**	**D**
Retaining Walls	**Maximum height 0.5m**	**>0.5m**	**D**
Visual Privacy			N/A
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	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	**D**
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	Area 3 – no requirements
3.7.15.3.3 Garages and Carports	A

This development application proposes a new double storey dwelling at 148 George Street (corner of May Street). It is a large residence with 5 bedrooms, studio, theatre, living, study and 4 bathrooms as well as a rear garage that faces May Street. Multiple variations are requested to the requirements of the Residential Design Codes and the Residential Design Guidelines.

The applicant has modified the design in an attempt to minimise the impact of the development to George and May Street including moving the garage further back than required by the Residential Design Codes, adding articulations in the wall facing May Street, having a garden bed along the May Street boundary line, including timber panelling on both the May and George Street facades, and proposing to excavate to lower the whole building.

All the changes have attempted to moderate the design and produce a dwelling that is more acceptable to the Town Planning Committee. The variations as detailed below include matters related to lot boundary setbacks, retaining wall height and excavation on site, roof pitch, and open space.

<u>Demolition of Category C Heritage Dwelling</u>
The current dwelling is a Category C heritage property. It is proposed to demolish the property. As it is a Category C property it is not protected in the same manner as Category A and B heritage properties on the Town's heritage list and it is able to be demolished with a demolition permit only. There is no legislative reason to stop the demolition of the Category C dwelling. It is noted the dwelling has significant amounts of asbestos and the owners want to remove this, therefore the integrity and heritage value of the dwelling will be diminished.
<u>Lot Boundary Setback - Eastern wall – Upper Storey – Dressing and Ensuite</u>
The Residential Design Codes deemed to comply clause 5.1.3 C3.1 requires that a 9.08m long wall that is 5.4m high without major openings is 1.5m from the side boundary. In this case the eastern wall of the dressing room and ensuite on the upper floor is 1.2m from the side boundary. In accordance with design principles 5.1.3 P3.1 the reduced lot boundary setback can be supported for the following reasons;

- The variation is considered minor and the overall length and height of the wall to the upper storey is considered to have minimal impact from building bulk on eastern neighbour,
- Adequate sunlight and ventilation can be accessed by the building and open spaces on site and to adjoining properties, and
- There is minimal overlooking or loss of privacy to adjoining properties.

To reduce the impact of development on the neighbouring site excavation is to be undertaken to reduce the impact of development on the neighbouring properties. As detailed above the second storey has been located so as to have the least impact to the eastern neighbour, however the design impact to the street

is considered to be inconsistent with the wider area. That being said if the bulk was to be moved, the overall impact to May Street may be considered to have a greater detrimental impact. There are a number of properties along George Street that have had recent additions with reduced setbacks, and development of a significant scale is located within the Richmond Raceway precinct already.

Roof Pitch

The roof pitch of structures within 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 is 5 degrees and despite the variation the roof pitch can be supported based on performance criteria 3.7.8.3 P4 as the roof of the new building complements the traditional form of surrounding development in the immediate locality. The roof pitch is subtle and reduces the overall height of the dwelling to well below what the maximum height could be. Acceptance of the roof pitch also demonstrates that this property is not attempting to mimic heritage dwellings and nor does it conflict with surrounding roof forms.

Site Works - Excavation

A significant amount of excavation is proposed to be undertaken on site. Excavation is to be undertaken more than 0.5m in height. Although it does not achieve deemed to comply clause 5.3.7 C7.1 it does achieve design principles 5.3.7 P7.2 such that the excavation proposed to be undertaken respects the natural ground levels at the lot boundary of the site (street level) and as viewed from the street. It is noted that the excavation reduces the height of the dwelling and in turn reduces the impact of development on neighbouring properties and the overall impact on the character of the area. For this reason the excavation is supported.

Site Works – Retaining Walls

Retaining walls are proposed to be constructed along the northern and eastern boundaries of the property. In accordance with the Residential Design Codes deemed to comply clause 5.3.7 C7.2 retaining walls can be constructed up to 0.5m in height above natural ground level. In this case the walls are more than 0.5m above natural ground level. These walls are up to 1.528m in height along the boundary and 0.978m within 0.6m of the site boundary. The retaining walls achieve design principles 5.3.8 P7.3 as it creates land that can be used for the benefit of residents and does not detrimentally affect adjoining properties, nor does it result in a loss of privacy to neighbouring properties (due to the reduction in site level that precipitated the need for retaining walls).

Open Space

Following amendment of the plans to address issues relating to the proposed dwellings presence on May Street the garage setback from the May Street boundary was increased. A repercussion of this change was the loss of one side opening to the rear alfresco area. Under the Residential Design Codes for this area to be included as open space it is necessary for the alfresco to be open on 2 sides. For this reason, the open space area on site has decreased to 48.4% and an additional variation has had to be requested to address the increase in site coverage and reduction in open space below the Residential Design Codes deemed to comply clause 5.1.4 C4 requirement of 50%. In accordance with design principles 5.1.4 P4 the open space that is proposed for the site is acceptable for the site in that it provides access to natural sunlight, provides an attractive setting for the buildings, landscape, vegetation and streetscape, provide opportunities for residents to use space external to the dwelling for outdoor pursuits and access within and around the site and provide space for external fixtures and essential facilities. In reality there is no change in the amount of space that is built over on-site, the reduction in open space results because of a technical requirement from the R-Codes and the same amenity is provided to the owners, as such this reduction in open space is recommended for support.

Design Modifications

Following CDAC's response to the original design the proponents met with the Town to discuss possible amendments. The design was amended to reduce the bulk of the development and address concerns relating to the look of the dwelling from George and May Streets. Further excavation on site is proposed to remove soil from the site and lower the building. Timber was added to the George and May Street facades recognising the Town's Timber Encouragement Policy. The concealed roof on the eastern front side of the dwelling was changed to a skillion roof to provide some balance to the roof design. The height of the wall along May Street was reduced below the original height of 3m to the required 1.8m and setback 0.5m from the western boundary on May Street to create a garden bed and reduce building bulk on this side. Images were presented that show the retention of trees on site to soften the design and its look from George Street, as well as a site plan showing additional landscaping in the garden.

The height of the exterior walls of the dwelling meet the requirements of deemed to comply clause 5.1.6 of the Residential Design Codes. The walls rise to 6.5m where a maximum height of 7m is permitted. The dwelling is lower than what it possibly could be in terms of maximum roof height (7m compared to 8m) and therefore has a lesser impact on neighbouring properties, which assists with light and ventilation. The design of the building has also been reduced by design modifications to the roof and by further excavation of the lot.

After the proposal was deferred at the June Town Planning Committee discussions were held with the applicant and further amendments were made by the proponents to produce outcomes that were considered acceptable to the Town's officers. In an effort to further reduce building bulk and provide greater articulation to the May Street side of the building the garage was setback further such that it is now located 3.34m from May Street which reduces the impact on the northern neighbouring property. The setback of the theatre room wall was increased to 2.75m and there is increased planting of vegetation on site with the aim of reducing the bulk and scale of development along the May Street side of the dwelling and soft the side elevation through sufficient planting.

A planner acting on behalf of the applicant and owner provided additional information to clarify certain matters discussed at the previous Town Planning Committee meeting. The following comments are made in relation to this.

A number of photos were provided that show that the development is consistent with the existing and established built form within the precinct. (refer attachment 7)

It is emphasised that the Residential Design Guidelines requires that new development should respect the immediate locality and should not replicate traditional buildings located within the precinct. It is contended by the applicant that the proposed development does not imitate heritage properties but does respect the immediate locality. As shown in the assessment completed for the design the proposed development does not exceed minimum setbacks from the George Street or May Street boundaries and the roof height does not exceed the maximum allowed.

As noted by comments received from the Town's engineers and following a specific request from the applicant to investigate there is not a traffic issue or a sightline issue. Vehicles can safely travel down George or May Street and the proposed development does not impact on sightlines from the roundabout at the intersection of George and May Streets. The location of the garage to the rear of the property is considered an improved location to the current dwelling's garage location. The garage has been located further back from May Street than originally proposed with a setback of 3.34m from the western boundary.

It should also be noted that although the proposed development is within the Woodside precinct the house is part of the May Street and Richmond Circus streetscape. The adjacent property on the corner of

George Street and Richmond Circus comprises a large two storey element along the secondary street. Given this, the proposed new dwelling at No.148 George Street is consistent with the existing built form along Richmond Circus and May Street.

A number of concerns have been addressed by the applicant through design modifications. The current design whilst considered by some to be inconsistent with the area, is not considered so inconsistent as to warrant refusal of the proposal. Through appropriate landscaping and use of materials and colours and increased setback of the garage and theatre room wall the proposal will better integrate with the wider heritage character of the area.

On balance the proposed development in its amended form is an improvement on previous designs and is worthy of support from the Committee. Demolition of the Category C dwelling is permitted.

It is noted that a letter and email were received from 2 neighbours in support of the owners and the owners themselves submitted a letter arguing for Council's support of the proposed development. These documents are included as additional attachments to this report.

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 development conditions.

12.1 OFFICER RECOMMENDATION

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

(i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Eastern wall – Upper Storey – Dressing and Ensuite - 1.5m required, 1.2m provided

(ii) Clause 5.3.7 – Residential Design Codes – Site Works - Excavation – Maximum 0.5m, more than 0.5m provided

(iii) Clause 5.3.7 – Residential Design Codes – Site Works - Retaining Walls – Maximum 0.5m, more than 0.5m and less than required setback provided

(iv) Clause 3.7.11.5 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 5 degrees provided

(v) Clause 5.1.4 – Residential Design Codes – Open Space – 50% required, 48.4% provided

for a new double storey dwelling at No. 148 (Lot 78) George Street, East Fremantle, in accordance with the plans date stamped received 18 June 2021, subject to the following conditions:

(1) Prior to the submission of a building permit application written approval is to be received from the Water Corporation for works over the rear sewer line and submitted to the Town.

(2) The crossover widths are not to exceed the width of the crossovers indicated on the plans date stamped received 18 June 2021 and to be in accordance with Council's crossover policy as set out in the Residential Design Guidelines and the Town's Crossover Specifications.

(3) The existing crossover on George Street is to be removed and the verge, kerb and footpath are to be made good to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owners.

(4) All front fencing is to be in compliance with the front fence provisions of the Residential Design Guidelines including a maximum pier height of 1.8m from the footpath, a maximum solid height of 1.2m from the footpath and a maximum infill height of 0.6m which must be visually permeable to a level of 60%.

(5) The works are to be constructed in conformity with the drawings and written information 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.

(6) 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 development approval unless otherwise amended by Council.

(7) 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 development approval, without those changes being specifically marked for Council's attention.

(8) 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.

(9) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment is 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.

(10) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.

(11) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified, or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

(12) This development 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.

(vi) any works that require the closure of the adjacent footpath will require submission of a pedestrian management plan for the consideration of the Town.

(vii) a traffic management plan to demonstrate contractor parking arrangements, loading, and unloading of equipment and materials and storage of materials and equipment on the verge will be required to be submitted for the consideration of the Town.

(viii) A demolition permit will be required to be submitted to the Town prior to the demolition of any structures on-site and all asbestos is to be removed and disposed of in accordance with government regulations associated with the management and disposal of asbestos products pursuant to the Health (Asbestos) Regulations 1992 and as amended.

- Dr Tandy (neighbour) raised concerns about bulk, sight lines and vehicular movement and spoke against the officer's recommendation.
- Mr Strong (neighbour) spoke against the officer's recommendation stating that the revised design is out of sympathy with houses in the street.
- Mr Sinclair (neighbour) spoke against the officer's recommendation.
- Ms Gwynne (neighbour) raised the issue of the heritage value of the residence and spoke against the officer's recommendation.
- Mrs Campbell (Owner) spoke in favour of the officer's report.
- Mr Famiano (Consultant Principal Town Planner) spoke in favour of the officer's recommendation.

Moved Cr Watkins
The adoption of the officer's recommendation

(THE MOTION LAPSED THROUGH WANT OF A SECONDER).

PROCEDURAL MOTION
Moved Cr Harrington, seconded Cr Nardi
That the meeting be adjourned at 7.32pm to allow further consideration of this matter.
(CARRIED UNANIMOUSLY)

PROCEDURAL MOTION
Moved Cr Harrington , seconded Cr Natale
That the meeting be reconvened at 7.45pm with all present prior to the adjournment in attendance.
(CARRIED UNANIMOUSLY)

12.1 George Street No 148 (Lot 78) Proposed double storey dwelling (Continued)
Moved Cr Watkins, seconded Cr Collinson
The adoption of the Officer's recommendation as follows:
That development approval is granted and Council exercises its discretion regarding the following;

(i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Eastern wall – Upper Storey – Dressing and Ensuite - 1.5m required, 1.2m provided
(ii) Clause 5.3.7 – Residential Design Codes – Site Works - Excavation – Maximum 0.5m, more than 0.5m provided
(iii) Clause 5.3.7 – Residential Design Codes – Site Works - Retaining Walls – Maximum 0.5m, more than 0.5m and less than required setback provided
(iv) Clause 3.7.11.5 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 5 degrees provided
(v) Clause 5.1.4 – Residential Design Codes – Open Space – 50% required, 48.4% provided
for a new double storey dwelling at No. 148 (Lot 78) George Street, East Fremantle, in accordance with the plans date stamped received 18 June 2021, subject to the following conditions:

(1) Prior to the submission of a building permit application written approval is to be received from the Water Corporation for works over the rear sewer line and submitted to the Town.

(2) The crossover widths are not to exceed the width of the crossovers indicated on the plans date stamped received 18 June 2021 and to be in accordance with Council's crossover policy as set out in the Residential Design Guidelines and the Town's Crossover Specifications.

(3) The existing crossover on George Street is to be removed and the verge, kerb and footpath are to be made good to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owners.

(4) All front fencing is to be in compliance with the front fence provisions of the Residential Design Guidelines including a maximum pier height of 1.8m from the footpath, a maximum solid height of 1.2m from the footpath and a maximum infill height of 0.6m which must be visually permeable to a level of 60%.

(5) The works are to be constructed in conformity with the drawings and written information 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.

(6) 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 development approval unless otherwise amended by Council.

(7) 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 development approval, without those changes being specifically marked for Council's attention.

(8) 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.

(9) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment is 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.

(10) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.

(11) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified, or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

(12) This development 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.

(vi) any works that require the closure of the adjacent footpath will require submission of a pedestrian management plan for the consideration of the Town.

(vii) a traffic management plan to demonstrate contractor parking arrangements, loading, and unloading of equipment and materials and storage of materials and equipment on the verge will be required to be submitted for the consideration of the Town.

(viii) A demolition permit will be required to be submitted to the Town prior to the demolition of any structures on-site and all asbestos is to be removed and disposed of in accordance with government regulations associated with the management and disposal of asbestos products pursuant to the Health (Asbestos) Regulations 1992 and as amended.

(LOST 3:2)

As 4 Committee members did not vote in favour of the officer's recommendation, this application will be referred to the Council meeting, scheduled for 20 July 2021.

12.2 Oakover Street No 84 (Lot 311) Proposed alterations and additions

Owner	Peter & Marion Drummond
Applicant	Peter Drummond
File ref	P40/21
Prepared by	James Bannerman, Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	6 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Location plan and advertising 2. Site photos 3. Plans date stamped 28 May 2021 4. Community consultation checklist

Purpose
The purpose of this report is for Council to consider a development application for proposed alterations and additions at No 84 (Lot 311) Oakover Street, East Fremantle.

Executive Summary
This development application proposes alterations and additions to the rear of the property at 84 Oakover Street. Additions completed previously at the rear of the existing dwelling are proposed to be removed. The works are concentrated towards the rear of the development and include the creation of a new alfresco area, kitchen, living and dining area, as well as the conversion of the existing kitchen into a bedroom, and the addition of new bathrooms, laundry, and study. Some alterations to internal walls are also proposed to be undertaken.

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

(i) Clause 5.3.7 – Residential Design Codes – Site Works – 1m high retaining wall 1m setback required, 0.8m high retaining wall, less than 1m setback provided

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

Background
Zoning: Residential R12.5
Site area: 984m²
Heritage: Category C

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

Consultation
Advertising
The application was advertised to surrounding landowners from 13 May to 28 May 2021. No submissions were received from advertising.

Community Design Advisory Committee (CDAC)
The application was not referred to CDAC. 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 2020 – 2030 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.
3.1.3 Plan for improved streetscapes.
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 within resource capabilities.
3.3.2 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.
4.1.3 Improve and protect the urban forest and tree canopy.

4.2 Enhance environmental values and sustainable natural resource use.
4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.
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 – carport, bed2, bed 3, boot room, laundry	1m	1.3m	A
Eastern - wall – laundry, office, bathroom, kitchen	6m	17.5m	A
Northern wall – lounge, bed 4, family, alfresco	1.5m	3.09m	A
Open Space	55%	68%	A
Wall height	7m	4m	A
Roof height	10m	5.899m	A
Setback of Carport			N/A
Car Parking			N/A
Site Works	**Retaining wall – 1m setback**	**<1m setback**	**D**
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	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
3.7.15.4.3.1 Fremantle Port Buffer Area	N/A
3.7.15.3.3 Garages and Carports	N/A

This development application proposes alterations and additions to the rear of the property at 84 Oakover Street. The works are concentrated towards the rear of the development and include the creation of a new alfresco area, kitchen, living and dining area, as well as the conversion of the existing kitchen into a bedroom, and the addition of new bathrooms, laundry, and study. Additions completed previously at the rear of the existing dwelling are proposed to be removed and some alterations to internal walls are proposed to be undertaken.

The proposed demolition of existing rear additions does not impact on the characteristics of the existing heritage dwelling (Category C dwelling). It is noted that the dwelling has 2 chimneys, and these will have to be retained as part of future development. One variation is requested to the requirements of the Residential Design Codes related to site works.

Site Works

In accordance with the Residential Design Codes deemed to comply clause 5.3.7 C7.2 there is a requirement that retaining walls up to 1m high are located at least 1m from the lot boundaries. In this case the proposed retaining wall on the eastern side of the proposed dwelling additions is 0.8m above ground level built up to the lot boundary perpendicular to both the southern and northern side boundaries. This can be supported under design principles 5.3.7 P7.2 in that there is minimal excavation and use of retaining walls respects the natural ground levels at the lot boundary of the site and as viewed from the street. There is not a change in the higher site level at the top of the retaining wall and minimal loss of visual privacy or amenity to the neighbouring properties from the construction of the retaining wall and for this reason the proposed variation can be supported.

It is noted that the existing dwelling is a Category C heritage dwelling. It is not protected under the Town's heritage list, however, the applicants have chosen to retain the heritage dwelling. An additional condition has been included in the final recommendation to ensure retention of both chimneys on site which are considered an important characteristic of the heritage dwelling. The amended plans that were submitted show retention of the 2 chimneys that are part of the original heritage dwelling.

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 development conditions.

12.2 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP010721:

Moved Cr Nardi , seconded Cr Harrington

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

(i) Clause 5.3.7 – Residential Design Codes – Site Works – 1m high retaining wall 1m setback required, 0.8m high retaining wall, less than 1m setback provided

for alterations and additions at No. 84 (Lot 311) Oakover Street, East Fremantle, in accordance with the plans date stamped received 10 May 2021, subject to the following conditions:

(1) The 2 existing chimneys within the dwelling are to be retained.

(2) The works are to be constructed in conformity with the drawings and written information 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.

(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 development approval unless otherwise amended by Council.

(4) 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 development 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 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 is 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 development 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).

(i) matters relating to dividing fences are subject to the Dividing Fences Act 1961.

(CARRIED UNANIMOUSLY)

Note: As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 20 April 2021, this application is deemed determined, on behalf of Council, under delegated authority.

13. MATTERS BEHIND CLOSED DOORS

Nil

14. CLOSURE OF MEETING

There being no further business the Presiding Member declared the meeting closed at 8.14pm.

I hereby certify that the Minutes of the ordinary meeting of the Town Planning Committee of the Town of East Fremantle, held on 6 July 2021, Minute Book reference 1 to 14 were confirmed at the meeting of the Committee on:

.....

_____

Presiding Member

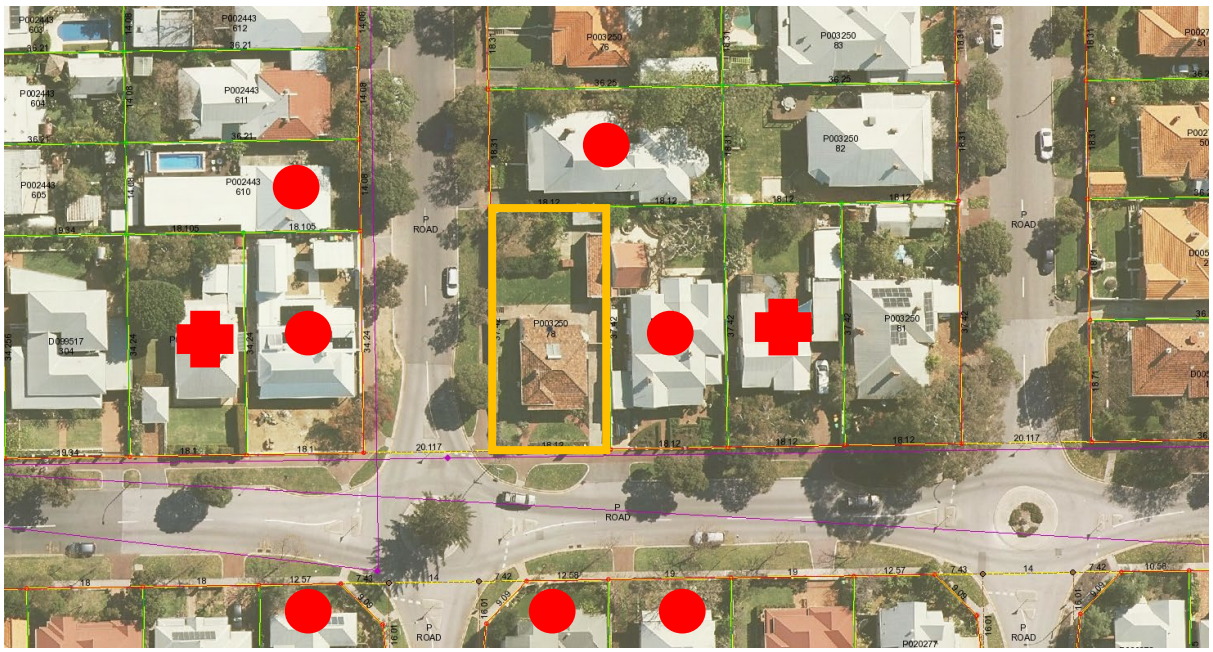
TOWN of EAST FREMANTLE

ATTACHMENTS TO TOWN PLANNING COMMITTEE MINUTES

6 JULY 2021

Minute No.	Subject
12.1	148 George Street – Double storey dwelling
12.2	84 Oakover Street – Alterations and additions

148 George Street – Location and Advertising Plan



148 George Street – Site Photos

PLACE RECORD FORM

PRECINCT	Woodside
ADDRESS	148 George Street
PROPERTY NAME	N/A
LOT NO	Lot 78
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1919
ARCHITECTURAL STYLE	Inter-War Austerity
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category C
PHYSICAL DESCRIPTION	No 148 George Street is a single storey house constructed in timber framing, weatherboard and fibrous cement cladding with a hipped tiled roof. It is a simple expression of the Inter-War Austerity style. The front elevation is asymmetrically planned with a thrust bay and a part width skillion roofed verandah. The verandah is supported on timber posts. The verandah roof extends over the thrust bay to act as a sun hood. The thrust bay features a set of casement windows. There is a central door flanked by a set of casement windows. The weatherboards go to sill height with fibrous cement cladding above. The roofscape features a brick chimney.

	The place retains its basic form and details. There are additions to the rear.
	The place is consistent with the building pattern in the Precinct. The place plays an important role in the pattern of development of a middle class suburb.
HISTORICAL NOTES	Woodside is a relatively cohesive precinct where most of the places were constructed following the subdivision of W.D. Moore's Estate commencing in 1912. Most of the lots were sold between 1912 and 1929 and the majority of buildings were completed in this time. Residences were substantial and of various Federation period styles distinguishing the area from the small worker's cottages of Plympton. The Inter-War Californian Bungalow style residence is also represented in Woodside.
	The Woodside Precinct remains largely intact in terms of original housing with little infill subdivision or replacement housing.
OWNERS	Unknown
HISTORIC THEME	Demographic Settlements - Residential Subdivision
CONSTRUCTION MATERIALS	Walls – Timber framing, weatherboard and fibrous cement cladding
	Roof – Tiles
PHYSICAL SETTING	The residence is situated on a gently sloping site with a low brick fence at the lot boundary.
STATEMENT OF SIGNIFICANCE	No 148 George Street is a single storey house constructed in timber framing, weatherboard and fibrous cement with a tiled roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominantly Federation period houses and associated buildings. The place contributes to the local community's sense of place.
	The place has some heritage value for its intrinsic aesthetic value as an Inter-War Austerity style house. The place retains a moderate to high degree of authenticity and a high degree of integrity.
	The additions to the rear have no significance.
AESTHETIC SIGNIFICANCE	No 148 George Street has some aesthetic value as an Inter-War Austerity style house. It retains most of the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 148 George Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of W. D. Moore's Woodside Estate from 1912.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 148 George Street has some social value. It is associated with a significant area of middle class Federation and Inter-War period development which contributes to the community's sense of place.
RARITY	No 148 George Street is not rare in the immediate context but Woodside has rarity value as a cohesive middle class suburb.
CONDITION	No 148 George Street is in good condition.
INTEGRITY	No 148 George Street retains a high degree of integrity.
AUTHENTICITY	No 148 George Street retains a moderate to high degree of authenticity.
MAIN SOURCES	

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Licensed Surveyors ©
87-89 Guthrie Street, Osborne Park, Western Australia
Telephone: (08) 9446 7361 Facsimile: (08) 9445 2998
Email : perth@cottage.com.au Website: www.cottage.com.au

J/N:	DATE:	SCALE:	DRAWN:
400310	29 Jul 16	1:200	F.Croasdale

Builder : Riverstone Custom Homes
CLIENT : Dodd
LOT 78 #148 George Street, East Fremantle
Plan3250

OLD AREA

LEGEND
- SEC Dome
- Power Pole
- Phone
- Conc. Path
- Conc. slabs

DISCLAIMER:
Lot boundaries drawn on survey are based on landgate plan only. Survey does not include title search and as such may not show easements or other interests not shown on plan. Title should be checked to verify all lot details and for any easements or other interests which may affect building on the property.

DISCLAIMER:
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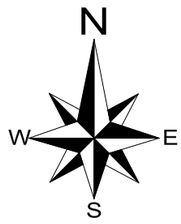
NOTE:
WATER METER NOT LOCATED ADJACENT TO LOT AT TIME OF SURVEY.

LOT MISCLOSE
0.000 m

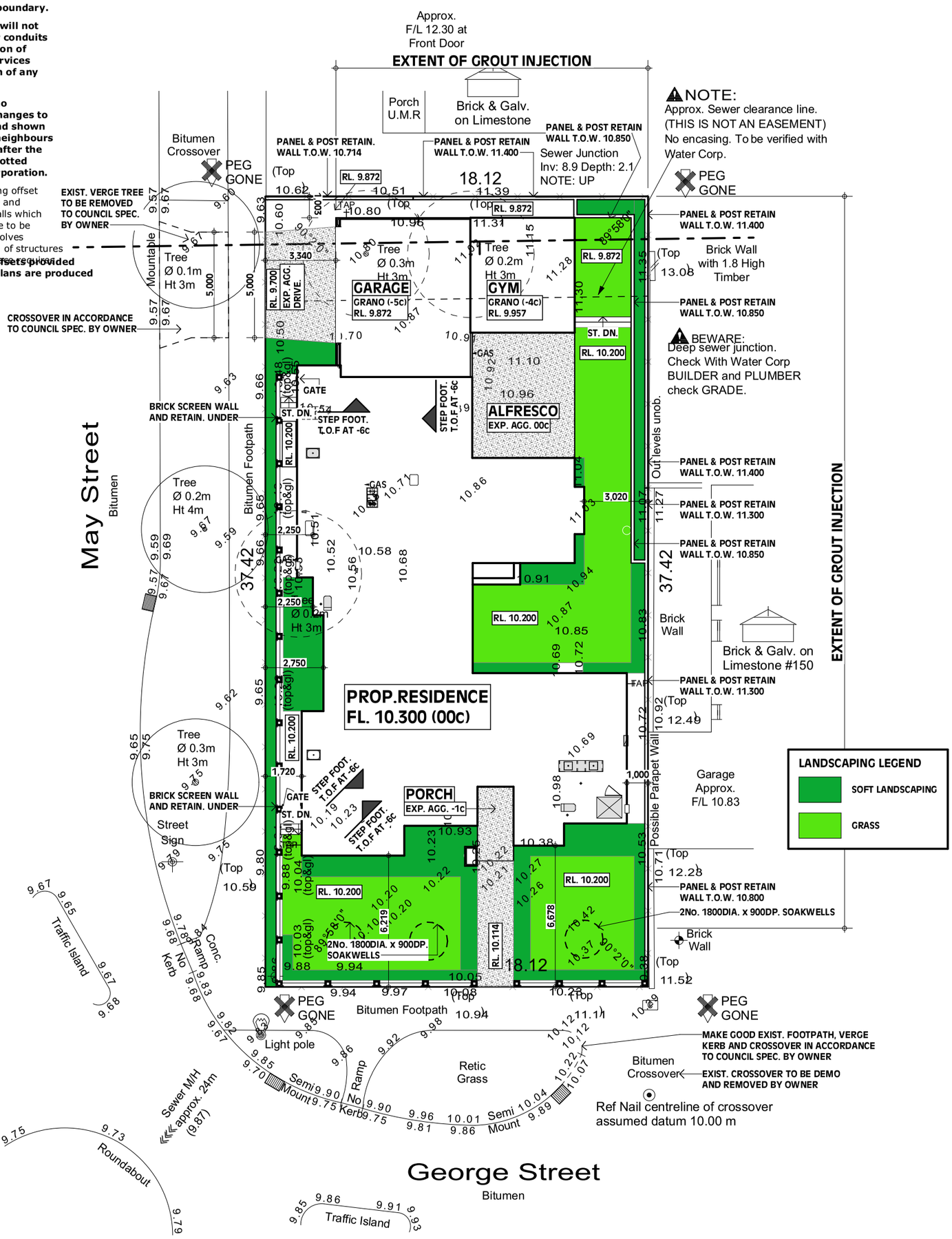
SOIL DESCRIPTION
Sand
Refer to Survey



SITE COVERAGE

ZONED	R20
% ALLOWED	50%
SITE AREA	678.05m²
SITE COV. AREA	328.06m²

SITE COV. =48.4%



REVISION:
-PLANNING DWG. NJ 16.12.20
-VO2 NJ 12.04.21
-FRONT SCRN. WALL. NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
-THEATRE REDUCE NJ 11.06.21

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6. Unless otherwise noted,retaining walls,demolition,sewer piling, subsoil drains,blasting or other site works are all at Owner expense.

BEAUMONDE HOMES
BUILT ON REPUTATION SINCE 1986
A DIVISION OF AINTREE HOLDINGS PTY LTD REG No:7082
SUITE 1, 30 HASLER ROAD,
OSBORNE PARK, WA. 6017
TEL: (08) 9446 3388 FAX: (08) 9446 3348
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HOUSE MODEL:	DRAWING:	FINAL PLANS DATE: .....
LAKE LUGANO	SITE PLAN	OWNER: ..... WITNESS:.....
CLIENT: CAMPBELL RESIDENCE	ADDRESS: LOT 78 (#148) George Street, East Fremantle	OWNER: ..... WITNESS:.....
		BUILDER: .....
SCALE: 1:200	JOB NO: 4237	PRINTED: 17/06/2021 SHEET: 1 of 10

ATTACHMENT 1
ATTACHMENT 4

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Builder : Riverstone Custom Homes
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LOT 78 #148 George Street, East Fremantle
Plan3250

OLD AREA

LEGEND: SEC Dome, Power Pole, Phone, Conc. Path, Conc. slabs

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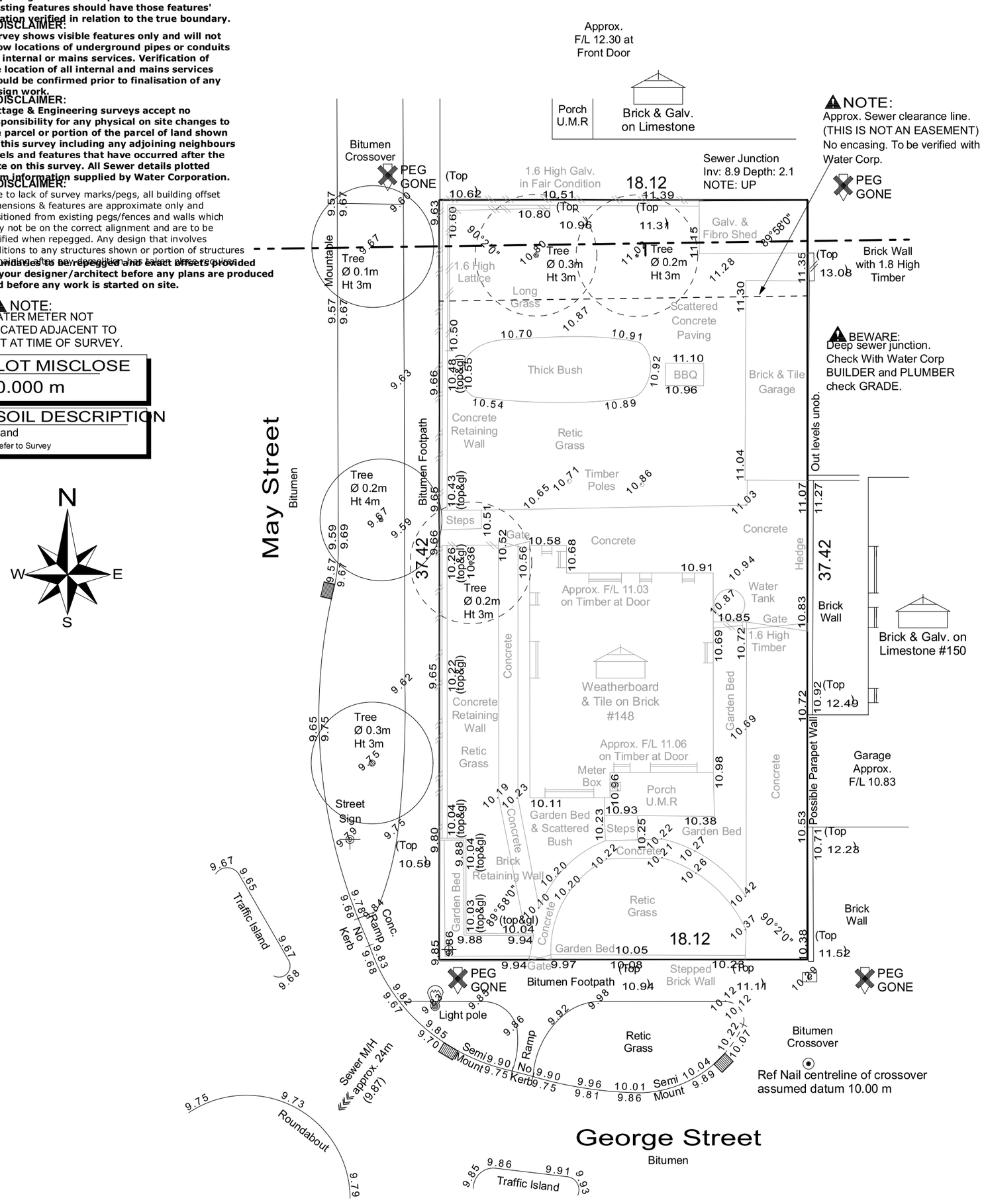
WATER METER NOT LOCATED ADJACENT TO LOT AT TIME OF SURVEY.

LOT MISCLOSE
0.000 m

SOIL DESCRIPTION
Sand
Refer to Survey



REVISION:
-PLANNING DWG. NJ 16.12.20
-VO2 NJ 12.04.21
-FRONT SCRN. WALL. NJ 12.04.21
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HOUSE MODEL:	DRAWING:	FINAL PLANS DATE: .....
LAKE LUGANO	**CONTOUR**	
CLIENT:	ADDRESS:	OWNER: ..... WITNESS:.....
CAMPBELL RESIDENCE	LOT 78 (#148) George Street, East Fremantle	OWNER: ..... WITNESS:.....
		BUILDER: .....
SCALE: 1:200	JOB NO: 4237	PRINTED: 17/06/2021 SHEET: 2 of 10

ATTACHMENT 1
ATTACHMENT 4

NAME	AREA(m²)
GROUND FLOOR	279.97
GARAGE	47.90
ALFRESCO	28.76
PORCH	6.56
	363.19 m²

NAME	PERIM. (m)
GROUND FLOOR	116.62

NORTH

SUMMER SUN · WINTER SUN · HOT DRY WINDS · PREVAILING WIND & RAIN

LINE OF SEWER

30,700

GYM 4.80 X 4.94 CEILING AT 28c GRANO SLAB -4c

ALFRESCO 4.85 X 5.93 CEILING AT 33c + WP VERSILUX EXP. AGG. 00c

FAMILY ROOM 6.61 X 4.50 CEILING AT 33c + WP

FIRE PLACE PROV. TV OVER

BLADE WATER FEATURE

GARAGE 6.14 X 7.45 CEILING AT 28c GRANO SLAB -5c

DINING 4.86 X 3.97 CEILING AT 33c + WP

KITCHEN CEILING AT 28c

LAMINATE UPSTAND WITH OPEN SHELVES

MUD CEILING AT 28c

LAUNDRY CL AT 28c

SCUL CL AT 28c

PTY

PDR 1 CL AT 28c

FOYER VOID OVER

STORE UNDER

SUMMER SUITE 4.91 X 3.80 CEILING AT 32c CEILING AT 28c CEILING RECESS

ENS 2

DRESSING

ENTRY CL AT 32c

PORCH CL AT 31c

THEATRE 3.51 X 4.84 CEILING AT 32c CEIL. RECESS CEILING AT 28c

OFFICE 3.40 X 3.73 CEILING AT 31c

STUDIO 4.36 X 4.75 CEILING AT 32c

WIR

FIRST FLOOR OVER

5c BRICK BUILD-UP

PANEL LIFT REMOTE SECT. DOOR

REMOTE SECTIONAL DOOR

BBQ REC. GAS

REC. SILL

REC. IN WALL

INST. GAS HWU.

TAP

GAS

BEAUMONDE HOMES

BUILT ON REPUTATION SINCE 1986

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3. Do not scale from drawings.
4. Owner to note that all sizes shown are without plaster (where applicable) and should be allowed for.
5. The Builder reserves the right to alter dimensions on site to suit construction requirements, site conditions, etc.
6. Unless otherwise noted retaining walls, demolition, sewer piling, subsoil drains,blasting or other site works are all at Owner expense.

REVISION:

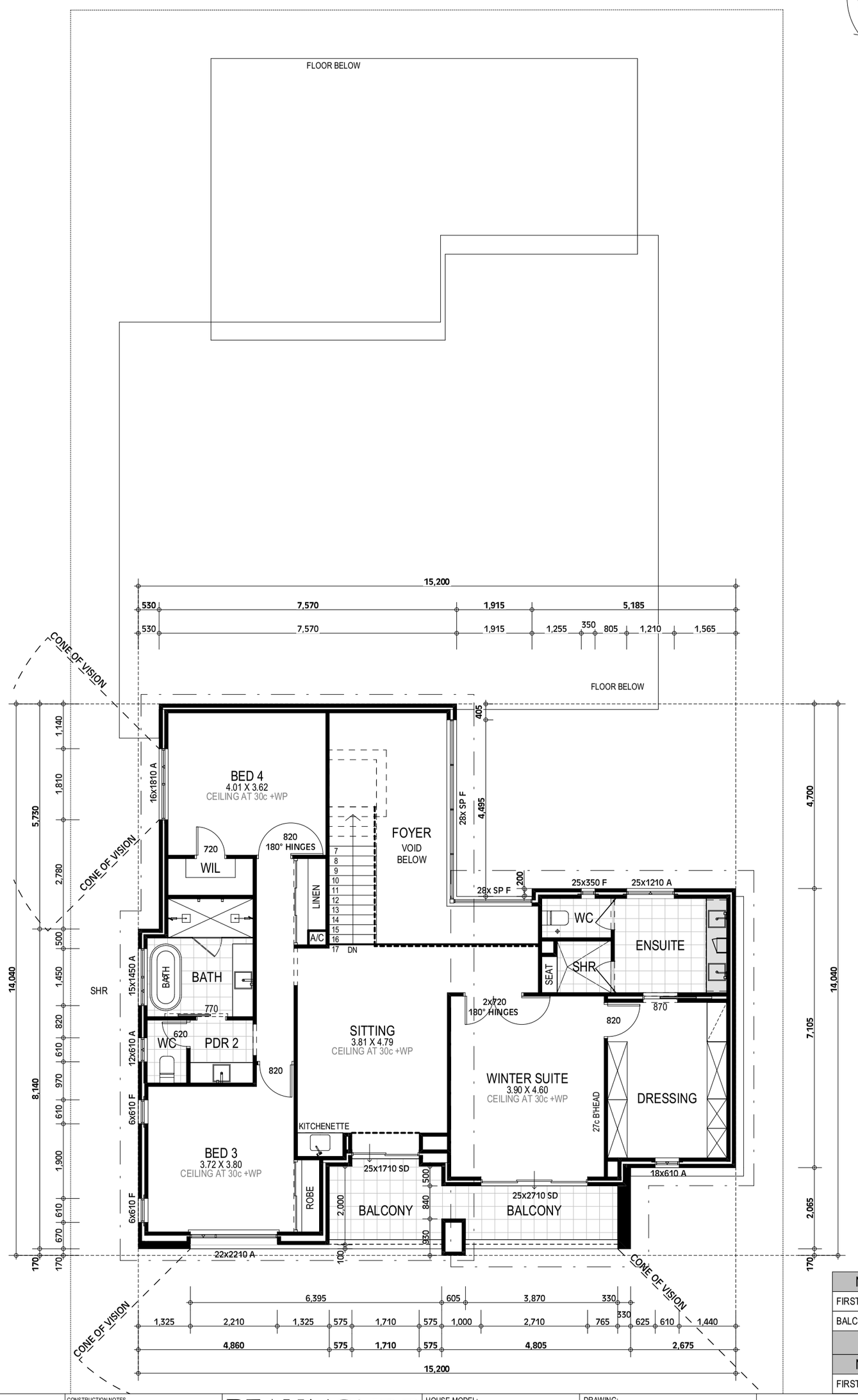
-PLANNING DWG. NJ 16.12.20
-V02 NJ 12.04.21
-FACADE MAT SCRN WALL. NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
-THEATRE REDUCE NJ 11.06.21

HOUSE MODEL:	LAKE LUGANO
CLIENT:	CAMPBELL RESIDENCE
DRAWING:	FLOOR GROUND
ADDRESS:	LOT 78 (#148) George Street, East Fremantle
JOB NO:	4237
SCALE:	1:100
PRINTED:	17/06/2021
SHEET:	3 of 10

FINAL PLANS DATE: ..... OWNER: ..... WITNESS: .....

OWNER: ..... WITNESS: .....

BUILDER: .....



NAME	AREA(m²)
FIRST FLOOR	154.49
BALCONY	14.12
	168.61 m²

NAME	PERIM. (m)
FIRST FLOOR	59.92

REVISION:

-PLANNING DWG. NJ 16.12.20
-V02 NJ 12.04.21
-FRONT SCRN. WALL. NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
-THEATRE REDUCE NJ 11.06.21

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A DIVISION OF AINTREE HOLDINGS PTY LTD REG No:7082
SUITE 1, 30 HASLER ROAD,
OSBORNE PARK. WA. 6017
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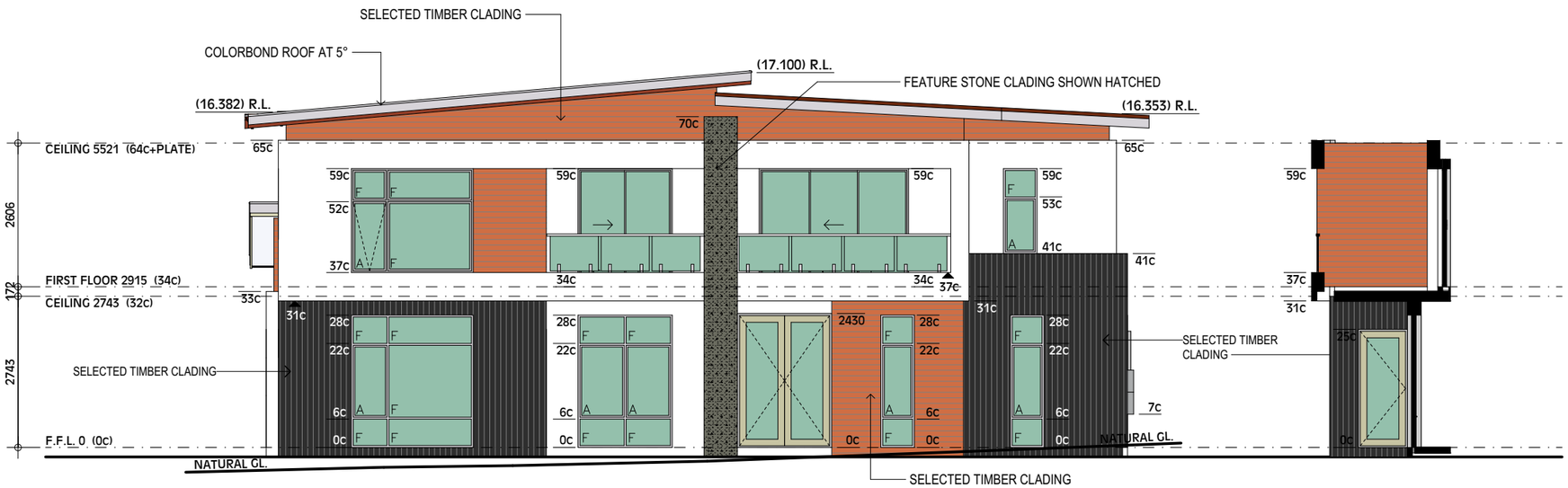
HOUSE MODEL: LAKE LUGANO
CLIENT: **CAMPBELL RESIDENCE**
SCALE: 1:100

DRAWING: **FLOOR FIRST**
ADDRESS: LOT 78 (#148) George Street, East Fremantle
JOB NO: 4237

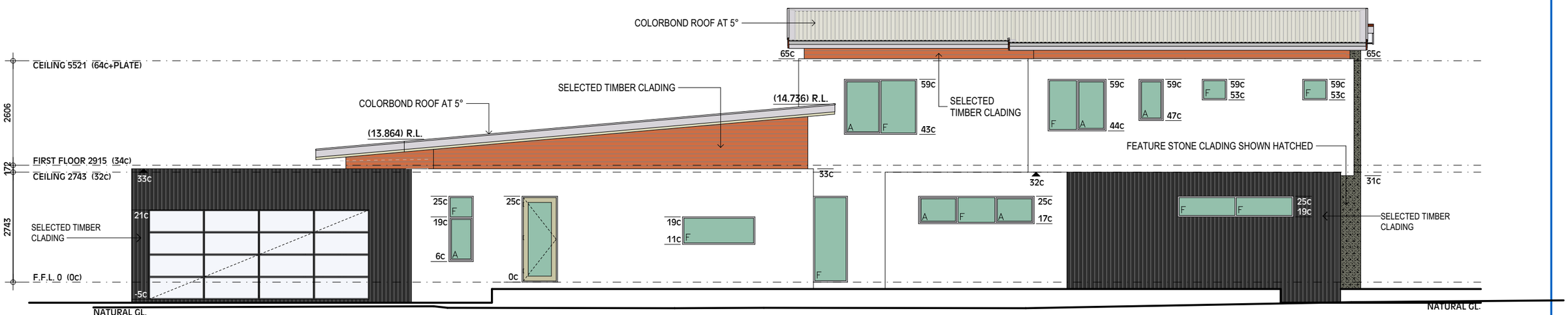
FINAL PLANS DATE: .....
OWNER: ..... WITNESS: .....
OWNER: ..... WITNESS: .....
BUILDER: .....
PRINTED: 17/06/2021
SHEET: 4 of 10

ATTACHMENT 1
ATTACHMENT 4



ELEVATION 1

ELEVATION 7



ELEVATION 2

REVISION:
-PLANNING DWG. NJ 16.12.20 -VO2 NJ 12.04.21 -FRONT SCRN. WALL. NJ 12.04.21 -GARAGE AMEND. NJ 10.06.21 -THEATRE REDUCE NJ 11.06.21

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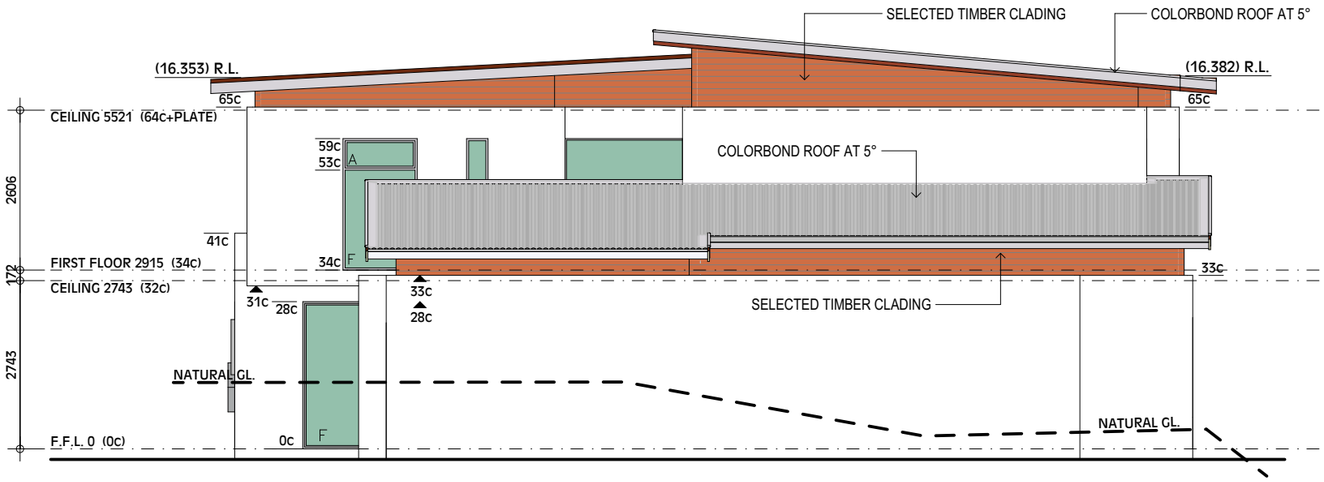
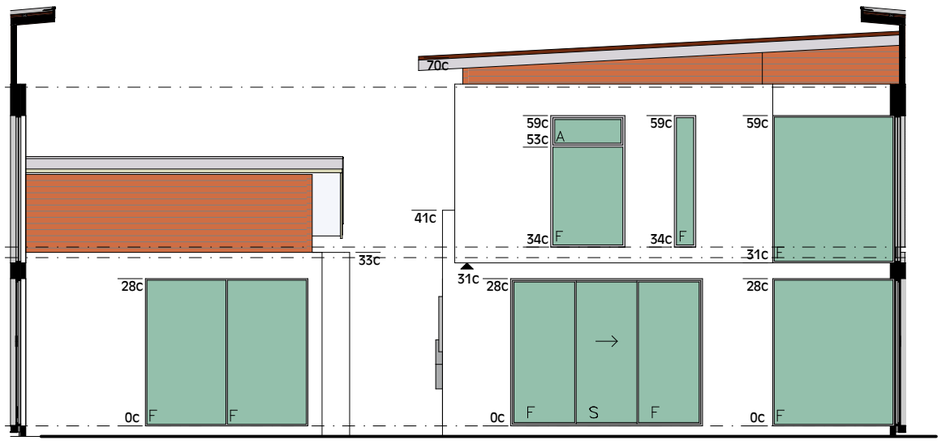
HOUSE MODEL: LAKE LUGANO
CLIENT: **CAMPBELL RESIDENCE**
SCALE: 1:100

DRAWING: **ELEVATIONS 1**
ADDRESS: LOT 78 (#148) George Street, East Fremantle
JOB NO: 4237

FINAL PLANS DATE: .....
OWNER: ..... WITNESS: .....
OWNER: ..... WITNESS: .....
BUILDER: .....
PRINTED: 17/06/2021

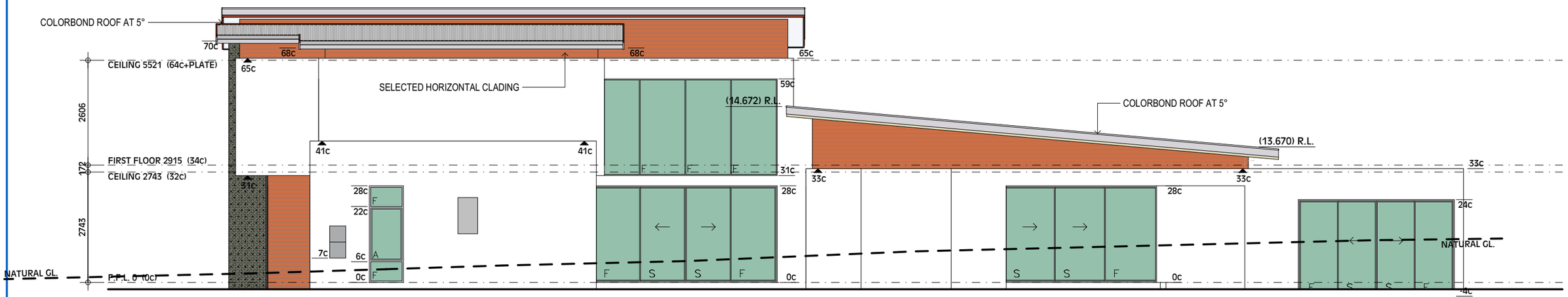


ELEVATION 3



ELEVATION 5

ELEVATION 6



ELEVATION 4

REVISION:

-PLANNING DWG. NJ 16.12.20
-VO2 NJ 12.04.21
-FRONT SCRN. WALL. NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
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HOUSE MODEL: LAKE LUGANO
CLIENT: **CAMPBELL RESIDENCE**
SCALE: 1:100

DRAWING: **ELEVATIONS 2**
ADDRESS: LOT 78 (#148) George Street, East Fremantle
JOB NO: 4237

FINAL PLANS DATE: .....
OWNER: ..... WITNESS: .....
OWNER: ..... WITNESS: .....
BUILDER: .....
PRINTED: 17/06/2021 SHEET: **46** of 10

REVISION:

-PLANNING DWG. NJ 16.12.20
-VO2 NJ 12.04.21
-FRONT SCRN. WALL. NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
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HOUSE MODEL: LAKE LUGANO

CLIENT: **CAMPBELL RESIDENCE**

SCALE:

DRAWING: **3D STREETSCAPE 1**

ADDRESS: LOT 78 (#148) George Street, East Fremantle

JOB NO: 4237

FINAL PLANS DATE: .....

OWNER: ..... WITNESS: .....

OWNER: ..... WITNESS: .....

BUILDER: .....

PRINTED: 17/06/2021

REVISION:

-PLANNING DWG. NJ 16.12.20
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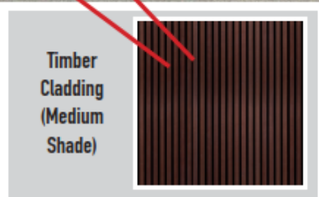
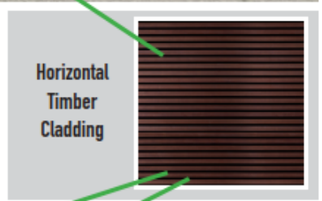
HOUSE MODEL: LAKE LUGANO
CLIENT: **CAMPBELL RESIDENCE**
SCALE:

DRAWING: **3D STREETSCAPE 2**
ADDRESS: LOT 78 (#148) George Street, East Fremantle
JOB NO: 4237

FINAL PLANS DATE: .....
OWNER: ..... WITNESS:.....
OWNER: ..... WITNESS:.....
BUILDER: .....
PRINTED: 17/06/2021





REVISION:

-PLANNING DWG. NJ 16.12.20
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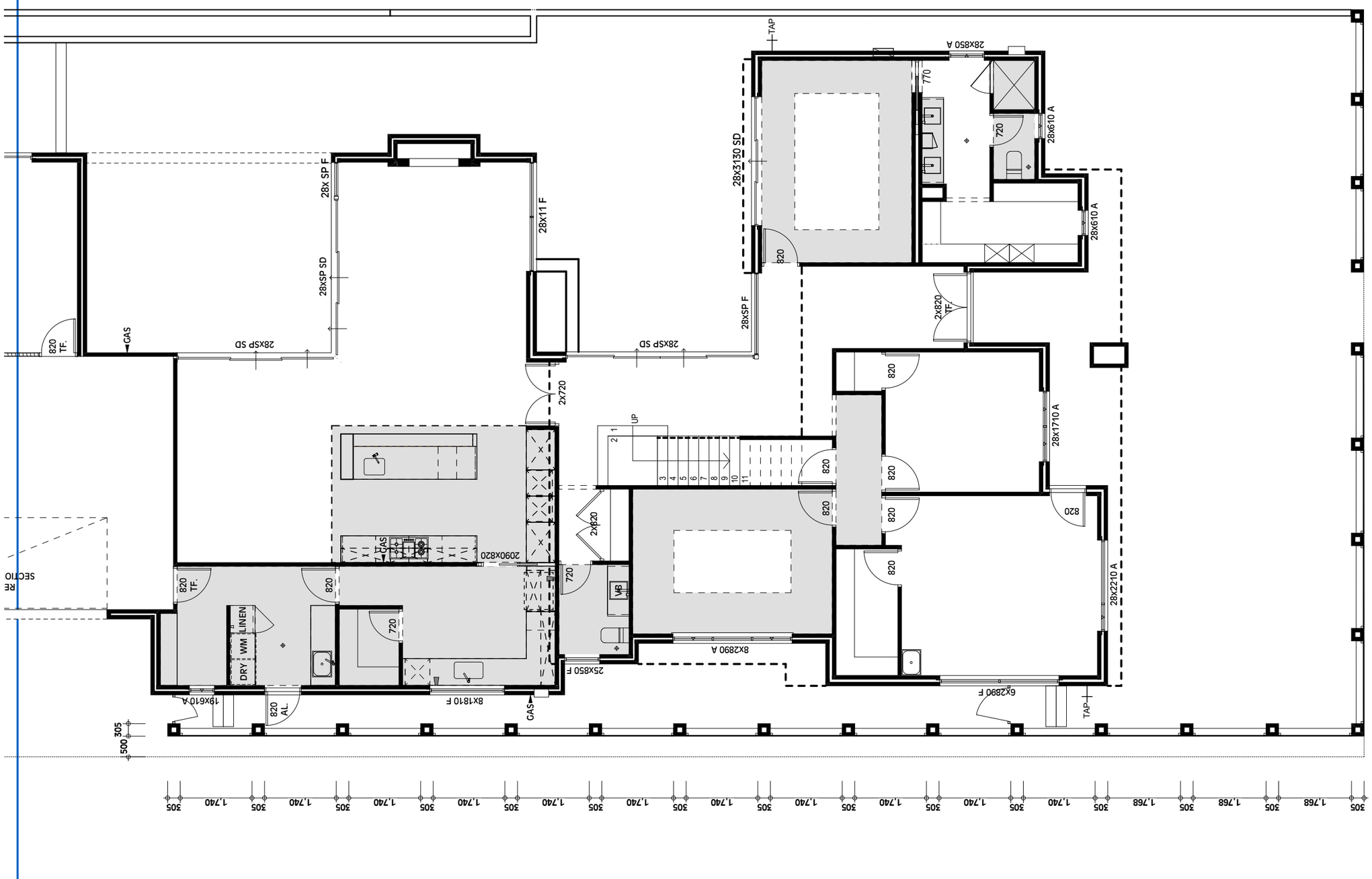
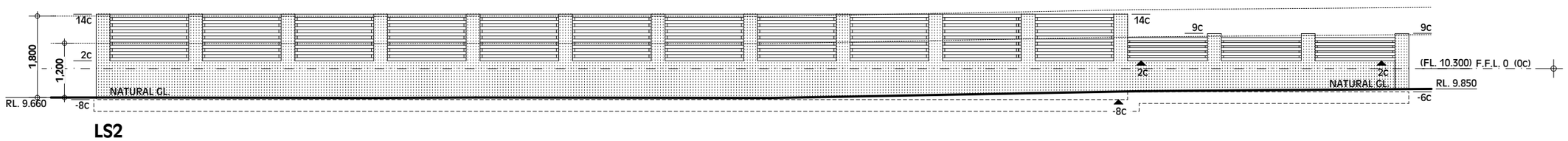
HOUSE MODEL: LAKE LUGANO
CLIENT: **CAMPBELL RESIDENCE**
SCALE:

DRAWING: **MATERIALS**
ADDRESS: LOT 78 (#148) George Street, East Fremantle
JOB NO: 4237

FINAL PLANS DATE: .....
OWNER: ..... WITNESS: .....
OWNER: ..... WITNESS: .....
BUILDER: .....
PRINTED: 17/06/2021





LS2

LS1

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REVISION:
-PLANNING DWG. NJ 16.12.20
-V02 NJ 12.04.21
-FRONT SCRN WALL NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
-THEATRE REDUCE NJ 11.06.21

HOUSE MODEL: LAKE LUGANO
CLIENT: CAMPBELL
RESIDENCE
SCALE: 1:100

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FINAL PLANS DATE:
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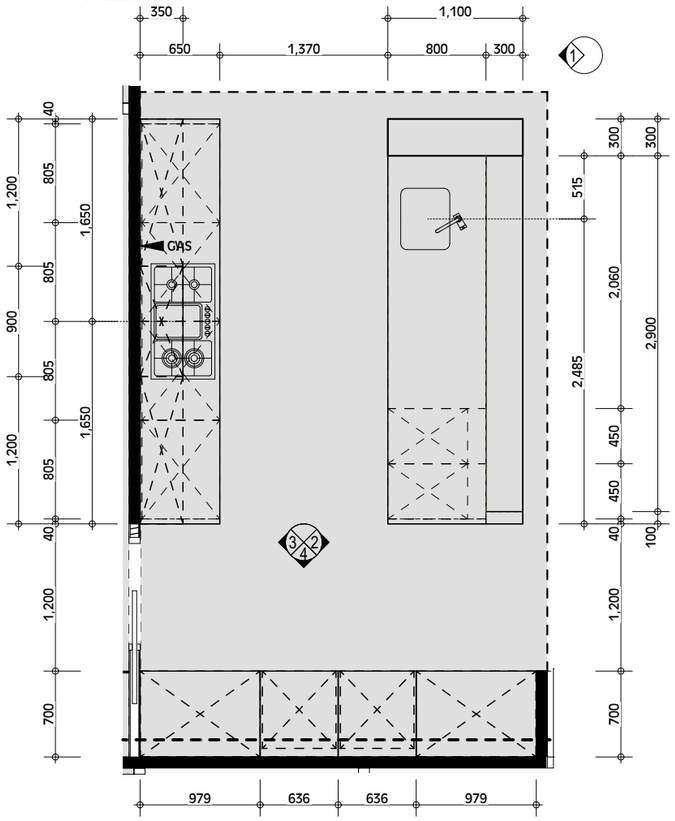
OWNER: WITNESS:
BUILDER:

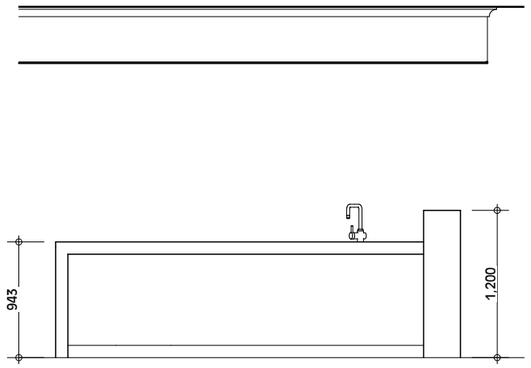
DRAWING: SCREEN WALL
ADDRESS: LOT 78 (#148) George Street, East Fremantle

PRINTED: 17/06/2021
SHEET: 10 of 10
JOB NO: 4237

ITEM 12.1 ATTACHMENT 4



KITCHEN LAYOUT



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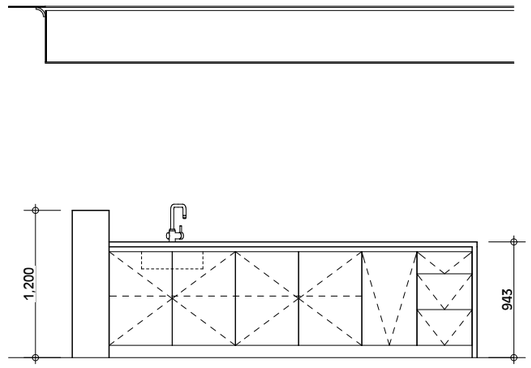

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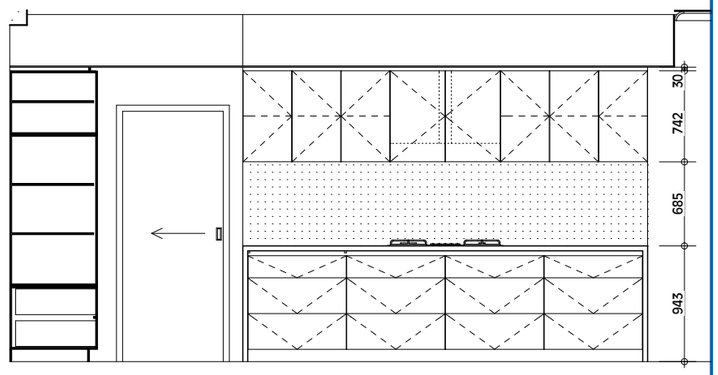

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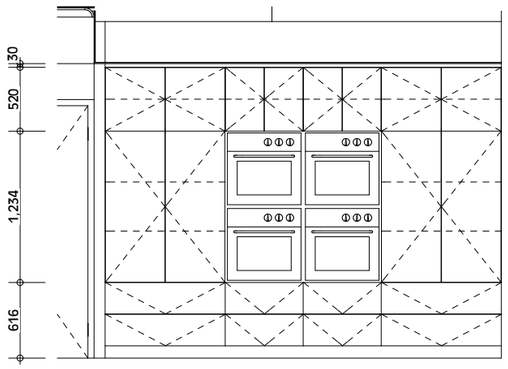

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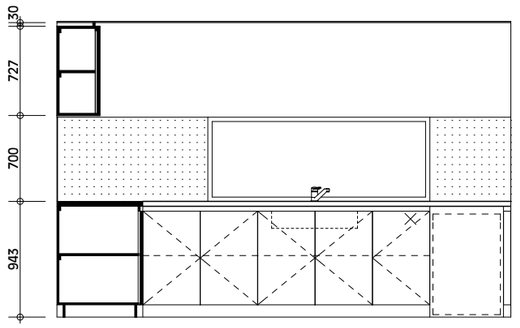

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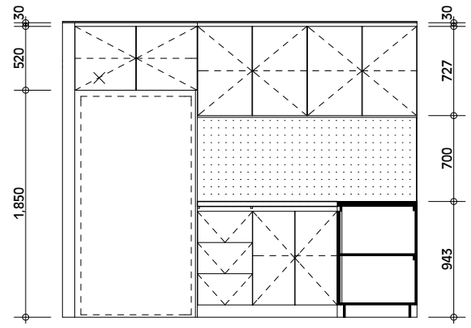

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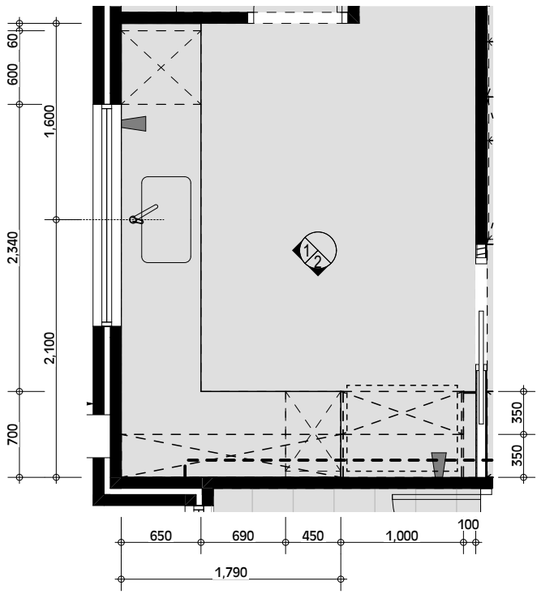

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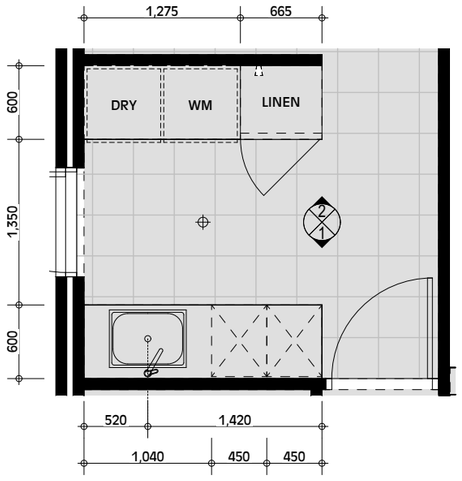
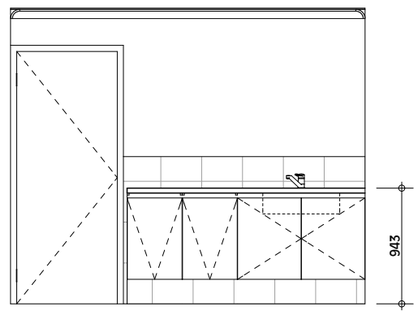
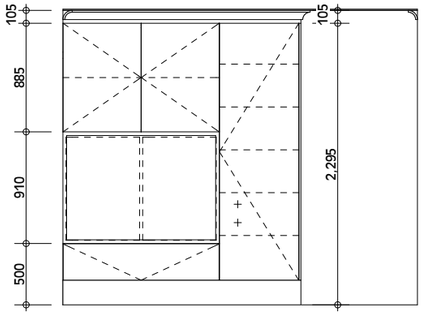


LAUNDRY LAYOUT



L/1



L/2

REVISION:

-PLANNING DWG. NJ 16.12.20
-VO2 NJ 12.04.21
-FRONT SCRN. WALL. NJ 12.04.21
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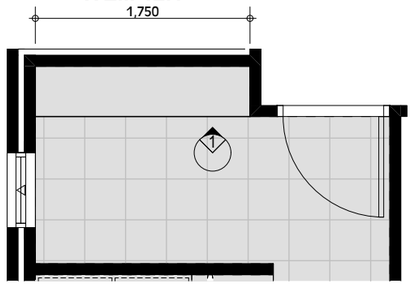
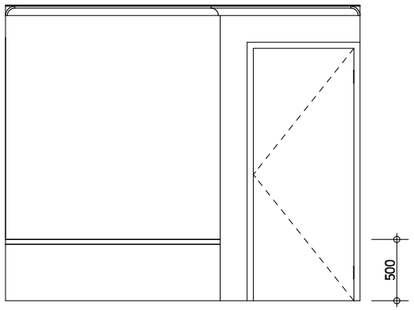
HOUSE MODEL: LAKE LUGANO
CLIENT: **CAMPBELL RESIDENCE**
SCALE: 1:50

DRAWING: **INTERNALS 1**
ADDRESS: LOT 78 (#148) George Street, East Fremantle
JOB NO: 4237

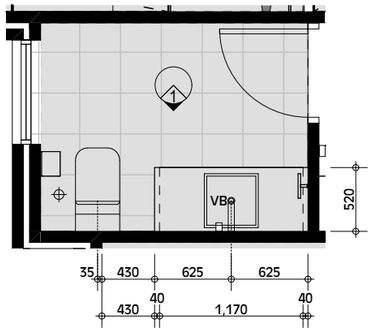
FINAL PLANS DATE: .....
OWNER: ..... WITNESS: .....
OWNER: ..... WITNESS: .....
BUILDER: .....
PRINTED: 17/06/2021
SHEET: 516 of 10



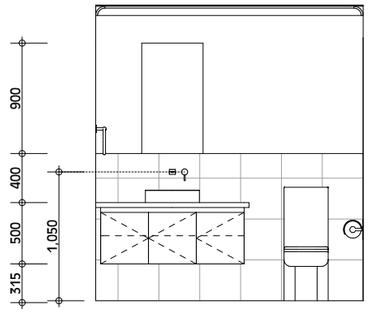
MUD LAYOUT



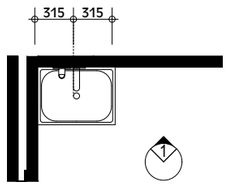
M/1



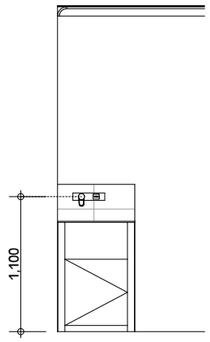
POWDER 1 LAYOUT



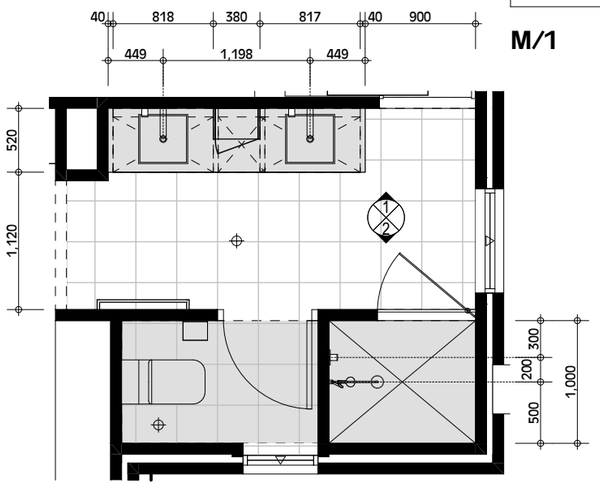
P1/1



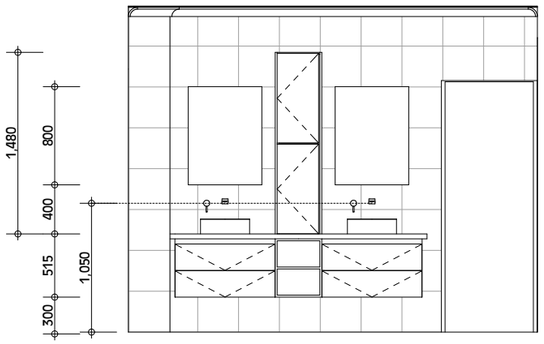
STUDIO LAYOUT



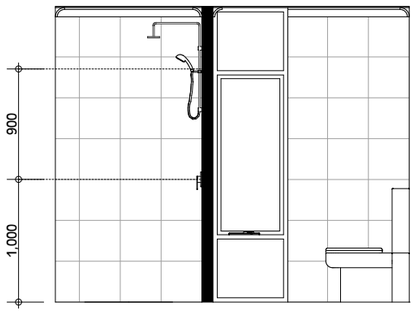
ST/1



ENSUITE 2 LAYOUT



E2/1



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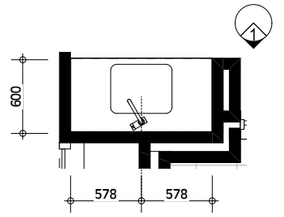
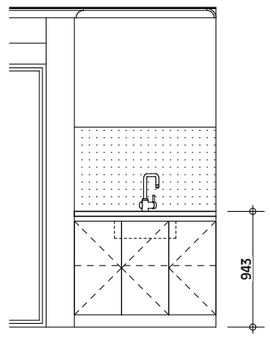
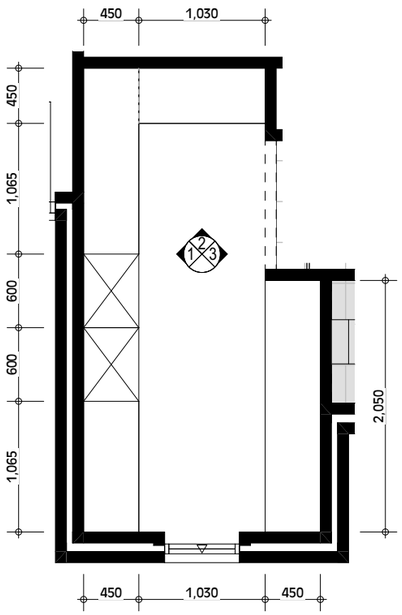


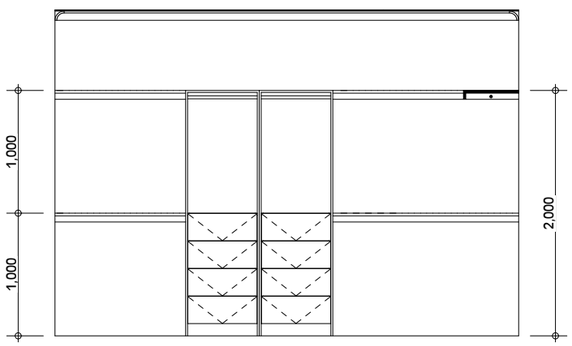
KITCHENETTE LAYOUT



KI1



DRESSING 2 LAYOUT



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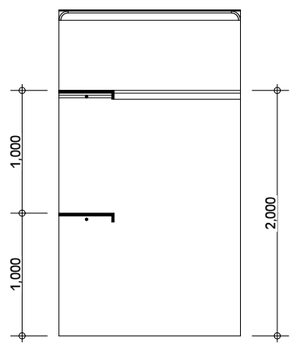

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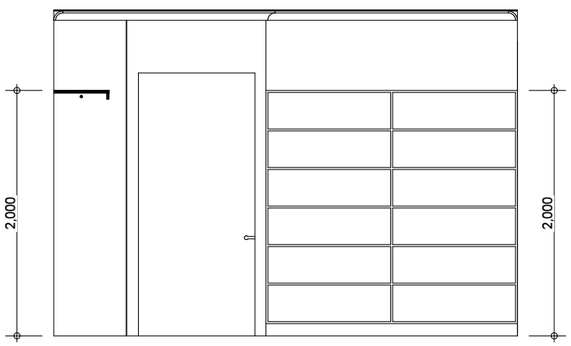

D2/3

REVISION:

-PLANNING DWG. NJ 16.12.20
-VO2 NJ 12.04.21
-FRONT SCRN. WALL. NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
-THEATRE REDUCE NJ 11.06.21

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A DIVISION OF AINTREE HOLDINGS PTY LTD REG No:7082
SUITE 1, 30 HASLER ROAD,
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HOUSE MODEL: LAKE LUGANO

CLIENT: **CAMPBELL RESIDENCE**

DRAWING: **INTERNALS 2**

ADDRESS: LOT 78 (#148) George Street, East Fremantle

SCALE: 1:50

JOB NO: 4237

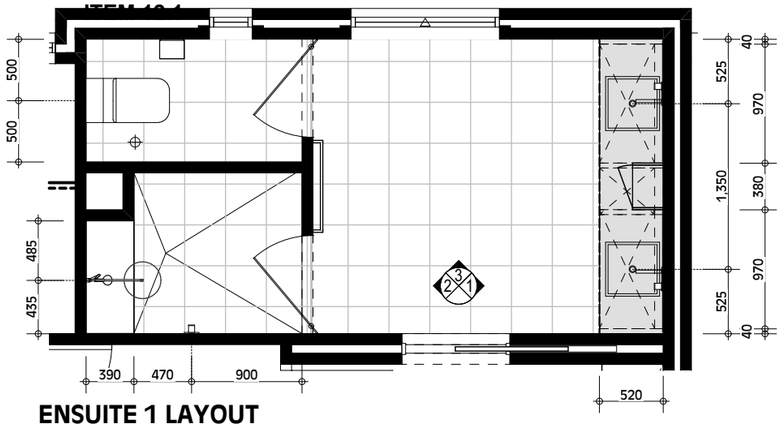
FINAL PLANS DATE: .....

OWNER: ..... WITNESS: .....

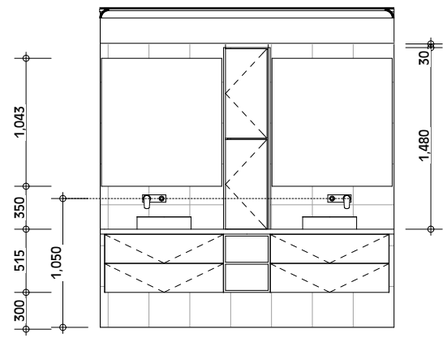
OWNER: ..... WITNESS: .....

BUILDER: .....

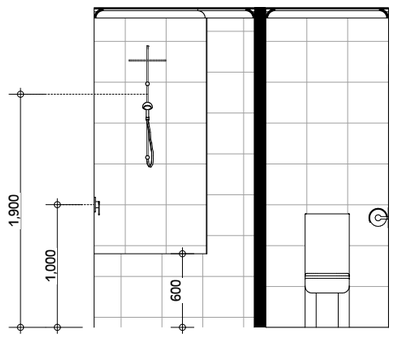
PRINTED: 17/06/2021



ENSUITE 1 LAYOUT



E1/1



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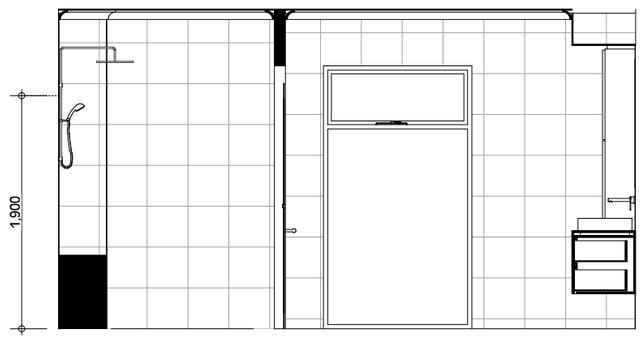

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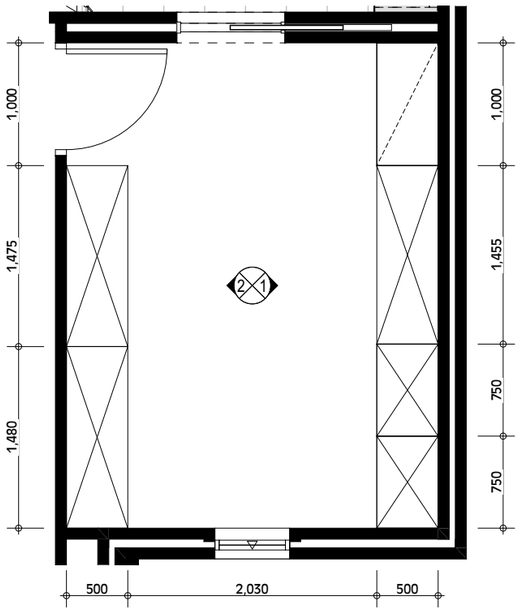

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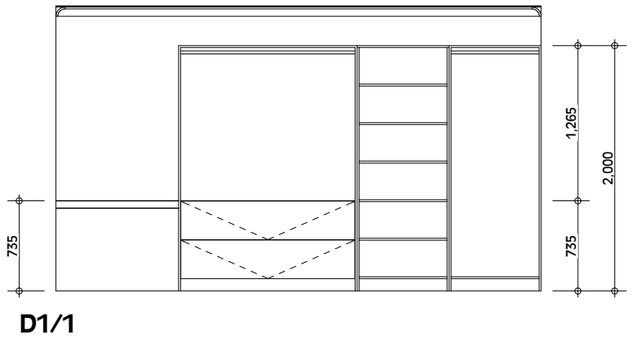

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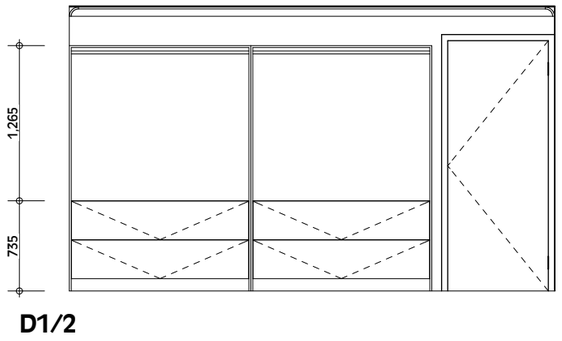

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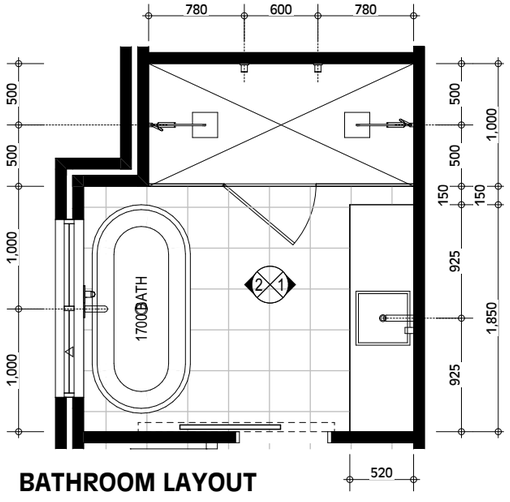
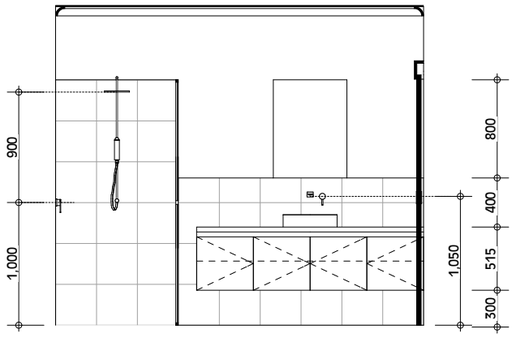
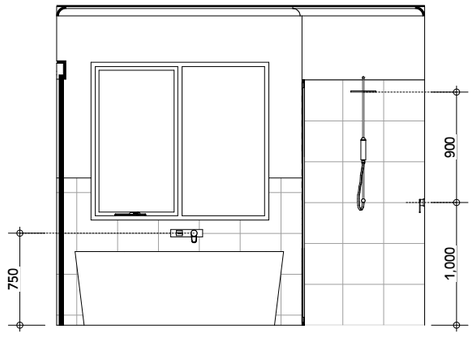


BATHROOM LAYOUT



B1



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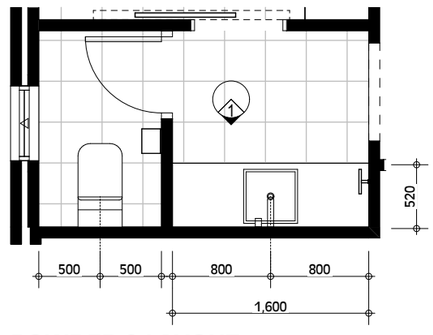
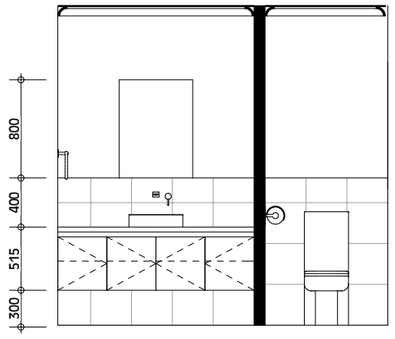


POWDER 2 LAYOUT



P2/1

REVISION:

-PLANNING DWG. NJ 16.12.20
-VO2 NJ 12.04.21
-FRONT SCRN. WALL. NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
-THEATRE REDUCE NJ 11.06.21

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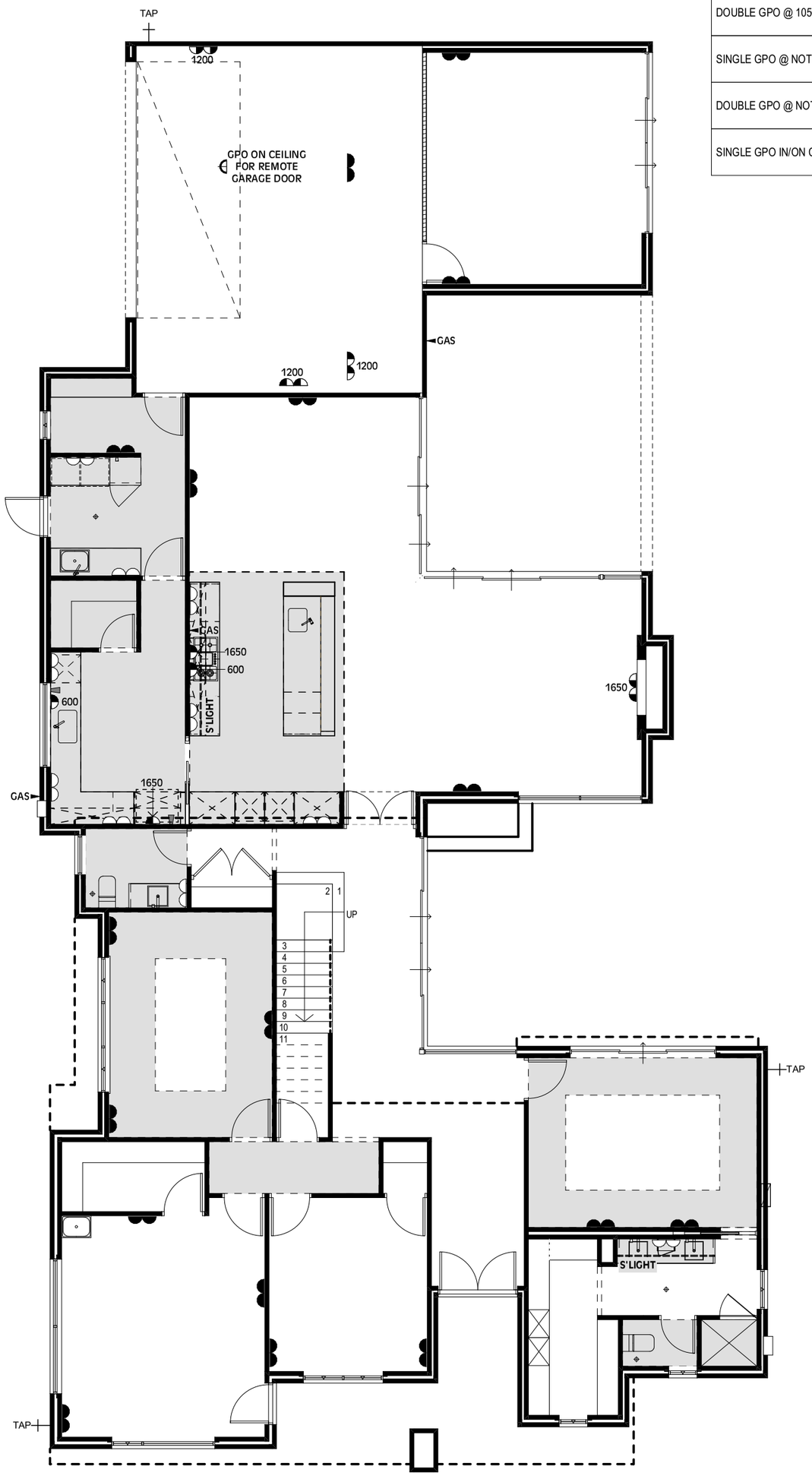
HOUSE MODEL: LAKE LUGANO
CLIENT: **CAMPBELL RESIDENCE**
SCALE: 1:50

DRAWING: **INTERNALS 3**
ADDRESS: LOT 78 (#148) George Street, East Fremantle
JOB NO: 4237

FINAL PLANS DATE: .....
OWNER: ..... WITNESS: .....
OWNER: ..... WITNESS: .....
BUILDER: .....
PRINTED: 17/06/2021

ELECTRICAL LEGEND - GROUND		
DOUBLE GPO @ 300 AFL		17
DOUBLE GPO @ 1050 AFL		10
SINGLE GPO @ NOTED HT		4
DOUBLE GPO @ NOTED HT		4
SINGLE GPO IN/ON CEILING		1



REVISION:

-PLANNING DWG. NJ 16.12.20
-VO2 NJ 12.04.21
-FRONT SCRN. WALL. NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
-THEATRE REDUCE NJ 11.06.21

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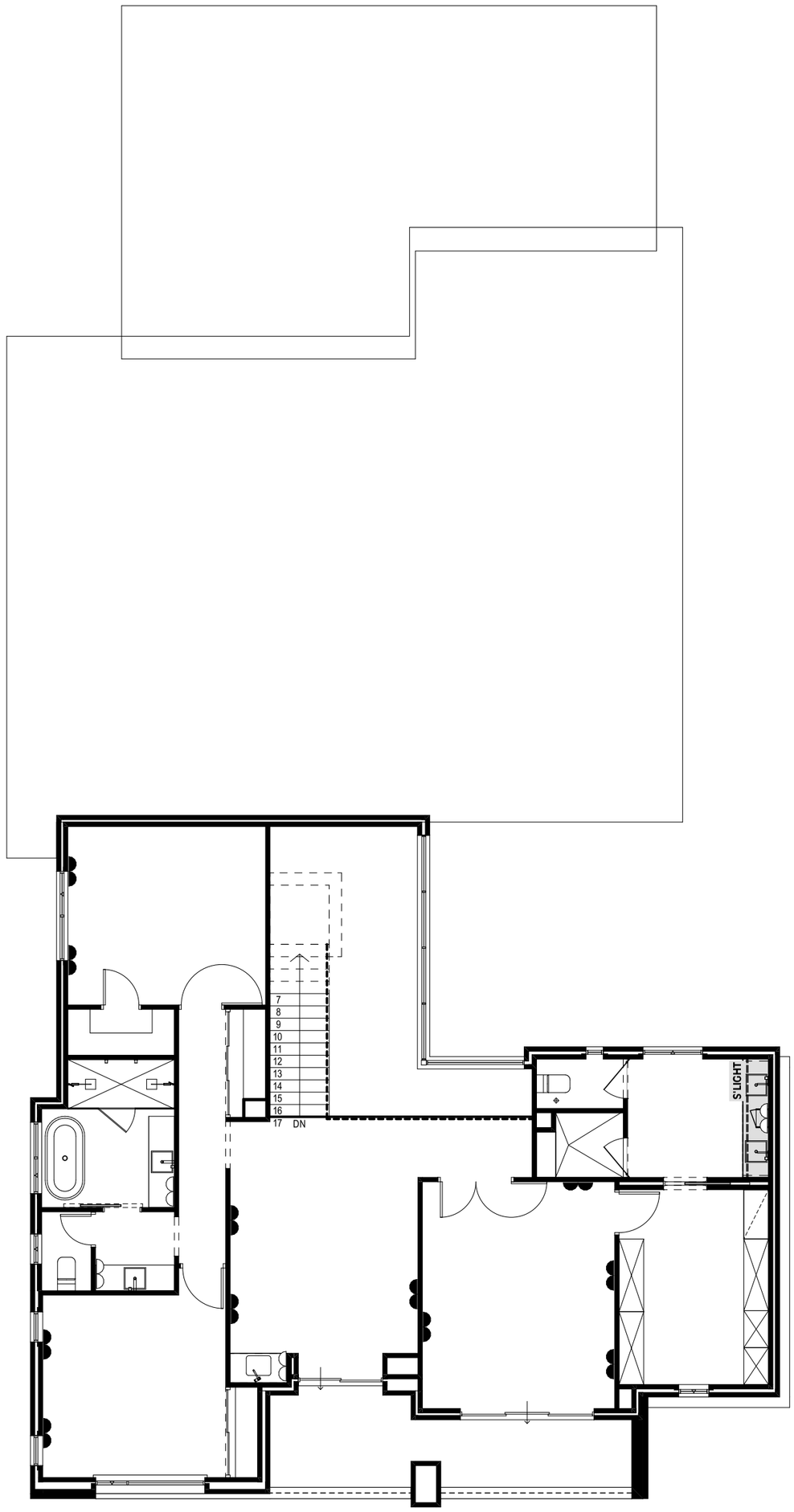
HOUSE MODEL: LAKE LUGANO
CLIENT: **CAMPBELL RESIDENCE**
SCALE: 1:100, 1:1

DRAWING: **ELECT GROUND**
ADDRESS: LOT 78 (#148) George Street, East Fremantle
JOB NO: 4237

FINAL PLANS DATE: .....
OWNER: ..... WITNESS: .....
OWNER: ..... WITNESS: .....
BUILDER: .....
PRINTED: 17/06/2021
SHEET: 19 of 10

ELECTRICAL LEGEND - FIRST		
DOUBLE GPO @ 300 AFL		11
DOUBLE GPO @ 1050 AFL		4



REVISION:

-PLANNING DWG. NJ 16.12.20
-V02 NJ 12.04.21
-RETAINT SCRN. WALL. NJ 12.04.21
-GARAGE AMEND. NJ 10.06.21
-THEATRE REDUCE NJ 11.06.21

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HOUSE MODEL: LAKE LUGANO
CLIENT: **CAMPBELL RESIDENCE**
SCALE: 1:100, 1:1

DRAWING: **ELECT FIRST**
ADDRESS: LOT 78 (#148) George Street, East Fremantle
JOB NO: 4237

FINAL PLANS DATE: .....
OWNER: ..... WITNESS:.....
OWNER: ..... WITNESS:.....
BUILDER: .....
PRINTED: 17/06/2021
SHEET: 20 of 10

TOWN of EAST FREMANTLE

Community Engagement Checklist

Development Application P21/21 - 148 George Street

Project Name

Objective of Engagement:	Neighbour Consultation			
Lead Officer:	Regulatory Services			
Timeline:	**Start Date:**	22/03/2021	**Outcomes By:**	7/4/2021

Stakeholders				
Stakeholders to be considered. *Please highlight those to be targeted during engagement.*	Aged	☐	Ratepayers (all / targeted)	☐
	Businesses	☐	Residents (all / targeted)	☒
	Children *(School / Playgroup)*	☐	Service Providers	☐
	Community Groups	☐	Unemployed	☐
	Disabled People	☐	Visitors	☐
	Environmental	☐	Volunteers	☐
	Families	☐	Workers	☐
	Govt. Bodies	☐	Youth	☐
	Indigenous	☐		☐
	Neighbouring LGs	☐		☐
Staff to be notified:	Office of the CEO	☐	Councillors	☐
	Corporate Services	☐	Consultant/s	☐
	Development Services	☐		☐
	Operations (Parks/Works)	☐		☐

Community Engagement Plan			
Methods	**Responsible**	**Date Due**	**Reference / Notes**
1.1 E News	☐ Communications		☐
1.2 Email Notification ~	☐ Relevant Officer		☐
1.3 Website	☐ Communications		☐
1.4 Facebook	☐ Communications		☐
1.5 Advert - Newspaper	☐ Communications		☐
1.6 Fact Sheet	☐ Communications		☐
1.7 Media Rel./Interview	☐ Communications		☐
2.1 Information Stalls	☐ Relevant Officer		☐
2.2 Public Meeting/Forum	☐ Executive Direction		☐
2.3 Survey/Questionnaire	☐ Relevant Officer		☐
3.1 Focus Group	☐ Executive Direction		☐
3.2 Referendum/Ballot	☐ Executive Direction		☐
3.3 Workshop	☐ Relevant Officer		☐
4.1 Council Committee	☐ Executive Direction		☐
4.2 Working Group	☐ Executive Direction		☐
* Statutory Consultation	☒ Relevant Officer		☒ Advertised to 7 surrounding properties. Information only letter also posted to 2 surrounding properties.
# Heritage Consultation	☐ Regulatory Services		☐
^ Mail out (note: timeliness)	☐ Communications		☐
	☐		☐

	☐		☐
Evaluation			
Summary of...		**Date Due**	**Complete / Attached**
Feedback / Results / Outcomes / Recommendations		7/4/2021	
Outcomes Shared			
Methods	**Responsible**	**Date Due**	**Complete / Attached**
E-Newsletter	☐ Communications		☐
Email Notification	☐ Relevant Officer		☐
Website	☐ Communications		☐
Facebook	☐ Communications		☐
Media Release	☐ Communications		☐
Advert - Newspaper	☐ Communications		☐
	☐		☐
	☐		☐
Notes			

Appendix Submissions from Advertising

Submission	Applicant Response	Officer Response
Submission 1 I object to the proposal on the following points. The design is two storeys high and immediately adjacent to the corner of George St. and May St. As such: - The new height will greatly reduce the visibility of traffic approaching from the north along May St. and turning left (east) onto George St. at the roundabout. Vehicles already "slipstream" around this corner at speed with little knowledge that pedestrians are crossing George St. or that residents are moving their cars off their driveways onto George St. This potential for accidents is especially a problem for 150 and 151 George St. - Those of us who cross the road at the crossing in front of the proposed development at 148 George St. and move our cars onto George St. at this junction, will be less able to see the traffic coming from May St. Accident risk will be significantly increased without the council placing speed calming effects on the road to reduce traffic speed. - The proposed new garage directly on May street is not set back from the road via a driveway. This means traffic to and from 148 George St. will be immediately impacting directly onto the road at a busy junction. - The current single house at 148 George St., although having the appearance of some disrepair, is at least in keeping with the heritage character of the north side of George St. The proposed new two-storey design is totally out of keeping with this heritage.	The objector has failed to demonstrate how the height of the new dwelling would impact vehicle sightlines at the intersection of May Street and George Street. The second storey for the dwelling is located above the ground floor, therefore it is well clear of the sightlines at the intersection. The proposed street setback for the new dwelling complies with the R-Codes for land coded R20. It should be noted that the R20 coding allows for a minimum front setback of 3 metres and a minimum secondary street setback of 1.5 metres. The proposed new dwelling accords with these requirements and in fact provides a far greater minimum front setback than that required by the R-Codes. Similar setbacks are provided for the existing dwellings at No.147 & 149 George Street. Any suggestion of illegal vehicle movements within the area would need to be addressed by the WA Police Department and is not a planning matter. No.151 George Street is a residential zoned property and not a commercial zoned property. Further investigation should be undertaken by the Town is regard to the extent of the business operating from No.151 George Street and whether it is consistent with the home occupation requirements or whether the use has an adverse impact on the surrounding residential area and should be relocated to an appropriate zone. Refer to the above points regarding sightlines and the intersection. The issue regarding traffic calming devices to address the current traffic movement issues within the area is not a matter that should be considered as part of this application. Any issues regarding the current road network, vehicular access and traffic calming needs to be addressed as a separate request to the Town's Engineering Department and not through a development application process for a single dwelling on the subject land. The objectors comment is confusing and appears to be incorrect. The	The proposed dwelling is setback from the front boundary more than the minimum distance that is required by deemed to comply requirements of the Residential Design Codes (6m) and at a very similar distance to the existing dwelling on site. The proposed development is within the boundaries of the lot at 148 George Street and does not stop drivers seeing oncoming vehicles approaching the intersection of George and May Streets. The roundabout is designed to slow traffic travelling along George and May Streets. The proposed garage at the rear of 148 George Street and located off May street is setback further from the intersection of George and May Street than the current driveway located off George Street – the proposed garage is located approximately 30m from the intersection compared to the current location which is 15m from the intersection. The Residential Design Guidelines state that new development should not attempt to mimic heritage properties and faux heritage properties are specifically discouraged.

	location of the proposed garage for the new dwelling complies with the R-Code in that it proposes access from the secondary street in lieu of the primary street. In addition, the proposed setback from the secondary street boundary complies. A crossover will be constructed to provide vehicular access for the new dwelling. The objectors comments are misleading and unsubstantiated. There are a number of two storey dwellings within the area, including the adjacent property. A review of the immediate area has indicated that there is an eclectic mix of housing styles ranging from some example of character homes to modern two storey dwellings. Given this, it is concluded that the area has a mix of built form and that the proposed new dwelling on the subject land will not have an adverse impact on the local streetscape. In light of the above responses, it is contended that the comments made are unsubstantiated and should be dismissed.	
Submission 2 I object to the proposal. Although I did not receive a letter regarding the Application seeking approval for the proposed two storey dwelling Lot 78, 148 George Street, East Fremantle, WA 6158 I do object to the proposal and support the reasons set by my neighbours at 151 George Street. My main concern is that this double storey house is set as far forward on the block as permissible. Being a corner block this I believe restricts visibility when cars turn east into George Street. Speeding traffic along George Street is a recognised problem as it is utilised as a "rat run" between Marmion Street and Canning Highway.	Refer to the response to 'Submission 1' above. The current issues regarding traffic within the area and traffic arrangements ('rat runs') is noted but is not a matter that should be considered at part of this application. Any issue regarding the current road network and vehicular access to certain streets within the locality needs to be addressed as a separate request to the Town's Engineering Department and not through the development application process for a single dwelling on the subject land. In addition, any suggestion of illegal vehicle movements within the area would need to be addressed by the WA Police Department. In light of the above responses, the comments are unsubstantiated, invalid and should be dismissed.	The proposed dwelling is setback from the front boundary more than the minimum distance that is required by deemed to comply requirements of the Residential Design Codes (6m) and at a very similar distance to the existing dwelling on site. The proposed development is within the boundaries of the lot at 148 George Street and does not stop drivers seeing oncoming vehicles approaching the intersection of George and May Streets. The roundabout is designed to slow traffic travelling along George and May Streets. George Street is a public road and as such can be used by all licensed motor cars. Traffic along George Street is not necessarily travelling to Canning Highway – there are many people that access the commercial area along May Street, Silas Street and Council Place by travelling along George Street.
Submission 3 I hereby submit my objections to the proposed building to be considered at the meeting of the	The objectors comments are noted, but the Town has the discretion to grant approval for the demolition of existing dwellings within the area to	It is the right of the owner of a property that is not heritage listed (Category A or B) to demolish the

Town Planning Committee on Tuesday 1 June 2021. 1. The building is entirely at odds with the surrounding houses in one of the most historic precincts of the town. Along with the Plympton Ward, the area from Silas St to Moss St on this side of Stirling represents the core of the original East Fremantle township, the first subdivision to be developed from the town of Fremantle as a consequence of the 1890s goldrush. It is notable that, with one exception, other developments on May St and on the historic northern side of George St have been required to, or have chosen to, retain the original dwelling, with modern extensions behind same. In this application, the building is a standard builder's home of concrete and glass that shows no sympathy in its size and materials for the surrounding historic dwellings and streetscape. 2. Driving out of my driveway is already a risky business because of the speed with which cars turn left from May St into George St. The size and scale of this proposed dwelling will further obscure the view of any traffic from May St and make my exiting my driveway even more dangerous. 3. The large glass windows proposed for the north-east corner of the proposed house appears to enable overlooking into my back garden for persons ascending the stairs to the first-floor foyer. 4. The great size of the proposed dwelling, occupying almost the entirety of the lot, means that, unlike all the other houses on either George or May Streets, there is comparatively little front garden, further demonstrating the building's lack of appropriateness to the surrounding streetscape. The Council has demonstrated a concern to preserve the heritage of East Fremantle in its recent initiatives, including the establishment of a heritage register, heritage trail, the heritage section on the town website, and its requirements for virtually all the recent developments in this part of the town to retain the façade of the original dwellings. Should this proposal be approved by the Council it will be contrary to its own	allow for the construction of new dwellings. Whilst the history of the area is noted, there are a number of examples of new dwellings and large additions to existing dwellings (as identified by the objector) that has eroded the character of the area. This has further been exacerbated by the construction of front fencing and carports within the front setback area of numerous dwellings, which were not part of built form typical of the late 1890's. Given this, it needs to be recognized that the original character of the area has changed and will continue to do so in the future. A review of the immediate area has indicated that there is an eclectic mix of housing styles ranging from some example of character homes to modern two storey dwellings. Given this, it is concluded that the area has a mix of built form and that the proposed new dwelling on the land will not have an adverse impact on the local streetscape. The proposed dwelling has been designed to provide adequate front and secondary street setback. Given this, sufficient sightlines will be provided to enable vehicles from the subject land and those on the adjoining properties to safely access and egress the street. Any suggestion of illegal vehicle movements (vehicle speeds) within the area would need to be addressed by the WA Police Department and is not a planning matter. The subject land currently comprises a solid fence along its May Street frontage where it abuts the adjoining northern property. The proposed new dwelling on the land will remove the solid fence and provide a 1.5 x 1.5 metre truncation for the existing driveway on the adjoining northern property. Given this, the proposal will in fact improve visual sightlines for the existing dwelling on the adjoining property. The windows in question are for an ensuite and a void. Furthermore, the proposed new dwelling on the subject land meets the 'deemed to comply requirements' of Element 5.4.1 C1.1 ('Visual privacy') of the R-Codes.	existing dwelling on site and construct a new dwelling. The Residential Design Guidelines state that new development should not attempt to mimic heritage properties and faux heritage properties are specifically discouraged. The proposed development is within the boundaries of the lot at 148 George Street and does not stop drivers seeing oncoming vehicles approaching the intersection of George and May Streets. The roundabout is designed to slow traffic travelling along George and May Streets. The proposed dwelling achieves the privacy setbacks required by the Residential Design Codes. The proposed dwelling is setback from the front boundary more than the minimum distance that is required by deemed to comply requirements of the Residential Design Codes (6m) and at a very similar distance to the existing dwelling on site. Stairs are not considered part of a habitable room under the Residential design Codes and as a result are not considered when assessing privacy setbacks between neighbouring properties.

requirements and erode this historic part of East Fremantle.	The proposed new dwelling has been provided with adequate primary and secondary street setbacks, along with a sufficient outdoor living area that reflects a typical development on an R20 coded lot. The extent of setback and garden area along the secondary and primary street setback areas are consistent with other dwellings on the adjacent corner lots. In addition, sufficient front setback has been provided for the new dwelling provides sufficient space to include landscaping and the planting of mature trees. Whilst the objectors comments regarding the heritage value of the area are noted, the façade of the existing dwelling on the land does not comprise any heritage value that significantly contributes to the heritage character evident within parts of the East Fremantle locality. It is noted that specific character homes could be retained and this is achieved by listing dwellings on the Town's Municipal Heritage Inventory (MHI) with a high category to assist with preservation. A blanket approach to retaining houses within the area (even if they do not contain specific heritage value), is considered to be inappropriate. In this instance, the dwelling on the subject land does not comprise a high level of heritage value. In light of the above responses, the concerns have been addressed and the comment should be dismissed	
Submission 4 I hereby submit a list of objections and 'considerations' to the proposed building development at 148 George Street, East Fremantle. Please consider the attached items at the council meeting to be held on Tuesday, 1st June 2021. I trust that the members of the committee will carefully examine and discuss the objections and consideration points I have outlined for you. I have been a resident at 46 May Street for 44 years and my family have lived at this address since 1932.	The objectors comments regarding the proposed setback is incorrect. The new dwelling will comprise a minimum setback of 1.5 metres to the western boundary, with portions being setback 1.72 metres and 2.25 metres. Element 5.1.2 C2.2 ('Street setbacks') allows for a minimum setback of 1.5 metres from the secondary street for the entire length of the dwelling. The proposed new dwelling provides greater than the minimum requirements of the R-Codes. The proposed dwelling has been provided with varying setbacks to the secondary street to provide articulation, visual interest and sufficient space to allow for landscaping.	It is the right of the owner of a property that is not heritage listed (Category A or B) to demolish the existing dwelling on site and construct a new dwelling. The Residential Design Guidelines state that new development should not attempt to mimic heritage properties and faux heritage properties are specifically discouraged. There are currently no protections afforded to trees on private property within East Fremantle, although the Town discourages the removal of vegetation from privates lots. Proposed development often proposes design elements that do not meet the deemed to comply

I desire to see the historic and unique building heritage of the area preserved for the generations that follow us. I have endeavoured to preserve the streetscape and integrity ofthe house at 46 May Street. I am relying on my elected council members to preserve and protect our suburb from unsympathetic development. I commend the council for guiding the development of 35 May Street which demonstrates both thoughtful preservation and development. This is a fine example of what can be achieved to enhance our suburb. I hope you will be able to preserve 148 George Street in the same way. OBJECTION We consider the building at 148 George St worthy of preservation. The 75 year old house is a fine example of post WW2 workers homes. It has a neat facade of pleasing proportions, a good sized veranda and some modest wooden detailing representative of the period. Although it has had some interior alterations recently, for much of its life Mr Wells maintained underlying structures of the building in good repair. The four main rooms are large and there are Jarrah floors. Some of the original decorative features remain. The surrounding houses on the northern side of George Street form a coherent 19th and early 20th century collection of heritage registered homes. The proposal to build a large, modern two storey home is incompatible with the existing homes surrounding it. We commend the current restoration of 35 May St, a rundown Homes West house that will soon be a worthy addition to the street scape. Consideration: • Any proposed building should be sympathetic to the surrounding buildings. • New buildings should be constructed of materials which reference the	The considerations offered by the objector has not considered the R-Code requirements and refers to an incorrect setback.' Comment regarding reflectivity is noted. The proposed roof will be colorbond. Comment regarding solar panels is noted. This application does not indicate the installation of solar panels, therefore the comments should be dismissed. The issue regarding construction over the sewer infrastructure is a matter that will be addressed by the Water Corporation. The proposed new dwelling on the subject land has been designed to meet the modern needs of the future occupants. The design will allow for adequate front and secondary street setbacks	requirements but do achieve the design principles of the Residential Design Codes. The applicant/owner will have to seek approval from the Water Corporation with regards to development over the existing sewer line. Open space meets the deemed to comply requirements of the Residential Design Codes.

surrounding structures • A new build should not be excessively bulky or tall. • Consider preserving the existing house as the council has done at 30 May Street. OBJECTION The block is approximately one metre higher than the May Street level. A full height two storey building will appear to tower over May Street. The house will dominate the corner, ruining the streetscape and casting large shadows over the area. 150 George Street will be particularly impacted. Consideration: • The building is too tall. The height of the block should be considered when calculating the total height of the structure. The allowable height of the building should be calculated from ground level in May Street. OBJECTION A perfectly adequate crossover and driveway exist in George Street. A new crossover and driveway in May St will reduce valuable street parking. The loss of street parking will adversely impact surrounding houses and the local businesses who use all the available parking space on a regular basis. The 30 year old street tree and three existing trees on the lot will need to be removed to construct anew crossover, garage and gym. Consideration: • The construction of a new driveway is unnecessary. • Parking spaces are at a premium and need to be preserved. • Street trees and existing vegetation will be lost. OBJECTION. The garage will be too close to the footpath. A full view of the footpath from the garage will be obscured by the existing boundary fence at 46 May St. The garage will be too close to the boundary fence of 46 May Street. It will obscure the vista from my		

verandah. Consideration: • The location of the garage will be a hazard to pedestrians. • A clear view of the pavement and road will be not be safely afforded. OBJECTION The location of the garage will be too close to the footpath. adversely impacting the streetscape. Consideration: • There is garage close to the footpath in at 42 May St. but it is a replacement for the 80 year old garage which was structurally dangerous and no longer useable. • Any new structure should follow the line of existing buildings in May Street. Therefore any garage should be at least 4 metres from the western boundary on May Street. OBJECTION The house is too close to the western boundary, leaving only one metre between the house and the side fence which will not allow for any landscaping. Locating the house one metre from the boundary will destroy the streetscape, leaving the viewer with a monolith towering above the footpath and road. From May Street looking south toward the roundabout the vista will be destroyed, adversely impacting the streetscape. Consideration: • Any new house should follow the footprint of the existing structure. This will minimize the building's impact and help preserve the streetscape. • The house should be set further away from the boundaries to allow more green space and land- scaping to soften the building's visual impact. OTHER POINTS FOR DISCUSSION: • All roof materials should be non-reflective. • Any solar panels are positioned so as not to reflect		

light onto neighbouring properties. • The plans indicate building on top of the existing sewer line. Having lived in the house at 46 May Street, for 45 years I know that this line has been blocked on a number of occasions. There may be ongoing issues with the sewerage pipes below the block. • The plans indicate a building of 530 square metres allowing for very little greenery or land-scaping which the council actively promotes. The size of this structure and the loss of green space is of great concern.		

14/6/21 Personal statement from Dr R Campbell, with regards to 148 George Street East Fremantle

My husband and I have had strong links with the East Fremantle area and community for the past 14 years. I have been practicing from my allied health clinic on Marmion Street since 2007, and we have lived on the Fremantle side of Marmion Street for over 7 years. We have a number of long-term friends who live in the Woodside and Plympton precincts and make regular use of the amenities on Silas and George Streets, such as the GP clinic, physio clinic and other local businesses.

We feel a real sense of connection with the area and it is our intention to remain living in the area. We have, over the past few years, become increasingly aware that our current house may not suit our needs in the future, as my mother lives independently currently, but as she ages, our current house is neither large enough or accessible enough to enable multi-generational care.

When 148 George Street came onto the market in Aug/Sept 2020, we were immediately interested due to its location in an area we love, but upon inspecting the property, we noted that the existing dwelling would not suit our needs.

The previous owner, Mr Dodd, had tenanted out the property since he acquired it in 2003, with the intention of demolition and building of the “forever home” for himself and his wife, who worked for the builder Riverstone Construction. However, when they learned that their daughter was expecting a baby, they decided to retire to the south-west to be near her, and made the property available on the market. They kindly gave us the Survey documents they had commissioned. Being a rental property for the past 17 years meant that the property was poorly maintained although structurally sound. We were also alerted to the high likelihood of asbestos, which contributed to our decision to build a new house rather than extend the existing dwelling.

Before submitting an offer, we took the step of contacting the council’s town planning officer in September 2020, who sent us the Place Record Form, and R-code documents. We had always appreciated the eclectic architectural styles in the Woodside precinct, but noted a number of heritage-listed properties in the area of a Federation style. I asked the TP officer whether our build should also aim for a Federation style, and was made aware that the R-code regulations prohibit imitation of faux-heritage designs, as this de-values existing heritage properties. We fully understand this and appreciate the logic behind this guideline, and have endeavoured to develop a design that is not mock-heritage.

Since acquiring the property, our builders have liaised back and forth with the town planning officer in developing our plans according to the R-code requirements, and discussing any minor variations to code. The builders have also liaised with the Water Corp regarding the sewer to the rear of the property.

Upon submission of the design, we have met with town planning officers to respond to feedback from CDAC, and following a number of amendments, which are detailed in the town planning officer’s supportive report, the design was submitted to the TP committee.

Following the TP committee meeting, during which voting was deferred to allow further consultation, we have met again with town planning staff to decrease the perceptions of bulk along May Street, such as lengthening the driveway, setting back the garage, and the addition of a small green courtyard on the May Street side. These amendments, in addition to previously-made amendments such as increasing the amount of timber cladding to the exterior, adding an extra

skillion roof, and excavation to lower the building, have all been cooperatively negotiated and indicate our willingness to go above and beyond the R-code compliance requirements to develop an acceptable design.

We hope that our willingness to engage in consultation and arrive at these compromises demonstrates our good faith and intentions, and that the newly amended plans are approved.

[redacted]

13 June 2021

Dear City of East Fremantle Town Planning Committee

I am writing this letter to support the town planning application of [redacted] 148 George St, East Fremantle. My family and I have lived in the Plympton Ward of East Fremantle for 10 years and across the road from the proposed build in George Street for 1 year. We do not have any objection to the proposed development and believe it will add character to the very eclectic mix of old and new housing on George Street.

I have known [redacted] for over almost 30 years since meeting [redacted] initially at University in 1992. Since completing her studies [redacted] has become a well respected Psychologist running her practice out of her Palmyra rooms for 14 years. [redacted] have lived in Fremantle for 8 years and have established themselves as good friends and helpful neighbours in the area they currently reside.

Yours sincerely
[redacted]

To whom it may concern,

I live on Moss St, East Fremantle, and I'm writing in support of [redacted] Campbell's planning application. The Campbells are a positive, creative, civic-minded couple who have lived in the Fremantle area for many years, and who strongly value their community. I look forward to welcoming the to the neighbourhood, where I know they will make a positive contribution.

Best regards,

[redacted]

156 George Street - Garage and loft addition (4 houses along from 148 George Street)

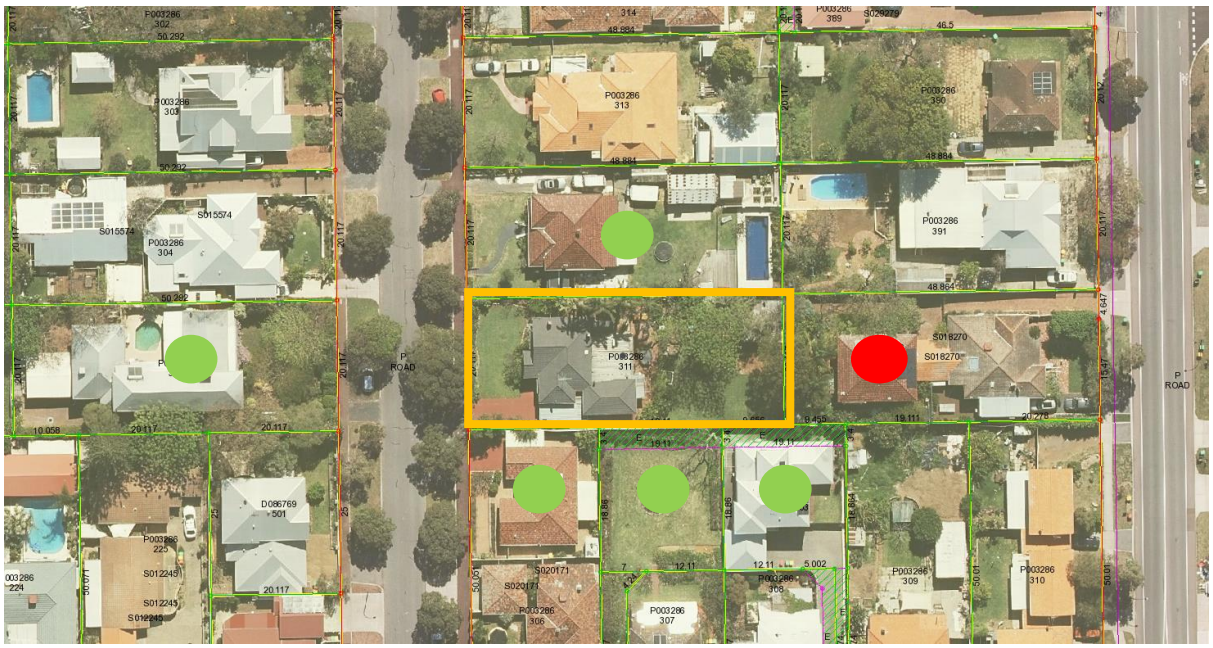
39 Fortescue Street

16 Allen Street

9 Fletcher Street

1B Fletcher Street

84 Oakover Street – Location and Advertising Plan



84 Oakover Street – Site Photos

PLACE RECORD FORM

PRECINCT	Woodside
ADDRESS	84 Oakover Street
PROPERTY NAME	N/A
LOT NO	Lot 311
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1940
ARCHITECTURAL STYLE	Inter-War Porch
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category C
PHYSICAL DESCRIPTION	No 84 Oakover Street is a single storey house constructed in limestone and brick with a hipped and gable tiled roof. It is an expression of the Inter-War Porch style. It is asymmetrically composed with a thrust gable bay and a gable roofed porch. The porch is supported on brick columns over a brick balustrade. The elements are all detailed in brick and barges. The guttering contributes to the detail. The porch is flanked by casements and fixed lights under tiled awnings. The place is set on limestone foundations. The place retains its form and most of its details. There are additions to

	the rear and a carport to the south. The place is consistent with the building pattern in the Precinct. The place plays an important role in the pattern of development of a middle class suburb.
HISTORICAL NOTES	Woodside is a relatively cohesive precinct where most of the places were constructed following the subdivision of W.D. Moore's Estate commencing in 1912. Most of the lots were sold between 1912 and 1929 and the majority of buildings were completed in this time. Residences were substantial and of various Federation period styles distinguishing the area from the small worker's cottages of Plympton. The Inter-War Californian Bungalow style residence is also represented in Woodside. The Woodside Precinct remains largely intact in terms of original housing with little infill subdivision or replacement housing.
OWNERS	Unknown
HISTORIC THEME	Demographic Settlements - Residential Subdivision
CONSTRUCTION MATERIALS	Walls – Limestone and brick Roof – Tiles
PHYSICAL SETTING	The residence is situated on a sloping lot with a brick wall and steel palisade fence on the lot boundary.
STATEMENT OF SIGNIFICANCE	No 84 Oakover Street is a single storey house constructed in limestone and brick with a tiled roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominantly Federation period houses and associated buildings. The place contributes to the local community's sense of place. The place has some aesthetic value as an Inter-War Porch style house. The place retains a moderate to high degree of authenticity and a high degree of integrity. The carport and additions have no significance.
AESTHETIC SIGNIFICANCE	No 84 Oakover Street has some aesthetic value as an Inter-War Porch style house. It retains most of the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 84 Oakover Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of W. D. Moore's Woodside Estate from 1912.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 84 Oakover Street has some social value. It is associated with a significant area of middle class Federation and Inter-War period development which contributes to the community's sense of place.
RARITY	No 84 Oakover Street is not rare in the immediate context but Woodside has rarity value as a cohesive middle class suburb.
CONDITION	No 84 Oakover Street is in good condition.
INTEGRITY	No 84 Oakover Street retains a high degree of integrity.
AUTHENTICITY	No 84 Oakover Street retains a moderate to high degree of authenticity.
MAIN SOURCES	

Note:
All dimensions are approx only
and should be checked on site prior to
commencing any work

NOTE:
Both Chimneys to remain as is

Lounge
Kitchen
L'dry
Dining
Entry
Bath
Study
Family
Master Bedroom
Bed 2 (timber)
Bed 3 (timber)
METAL CARPORT
concrete
CONCRETE DRIVEWAY
EXISTING RESIDENCE
CARPORT
PORCH
garden bed
grass
LIMESTONE RET. WALL
BUSH
metal fence
sewer main & junction
SEWER JUNCTION
IN 1.5
RL 28.79 (TO INVERT)
EXISTING BRICK RETAINING WALL
PEG GONE

remove whole laundry
remove whole wc
remove frame
remove window & walls
A/c on roof
remove window for relocation
remove window, doors & walls
remove door,frame & form opening
remove wall
form opening
remove window
remove external leaf bwk
remove retaining walls
remove pizza oven
remove steps
remove retaining walls
remove retaining walls

COASTLINE
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Version 2
26/05/21 Both Chimneys to remain as is

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Proposed Addition & Alterations for
Marion & Peter Drummond
84 Oakover Street
East Fremantle

SCALE: 1:100

DATE: April 2021 (26/05/21)

DRAWING NO: Planning Dwg
21-952
Dwg 1 of 7

Note:
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and should be checked on site prior to
commencing any work

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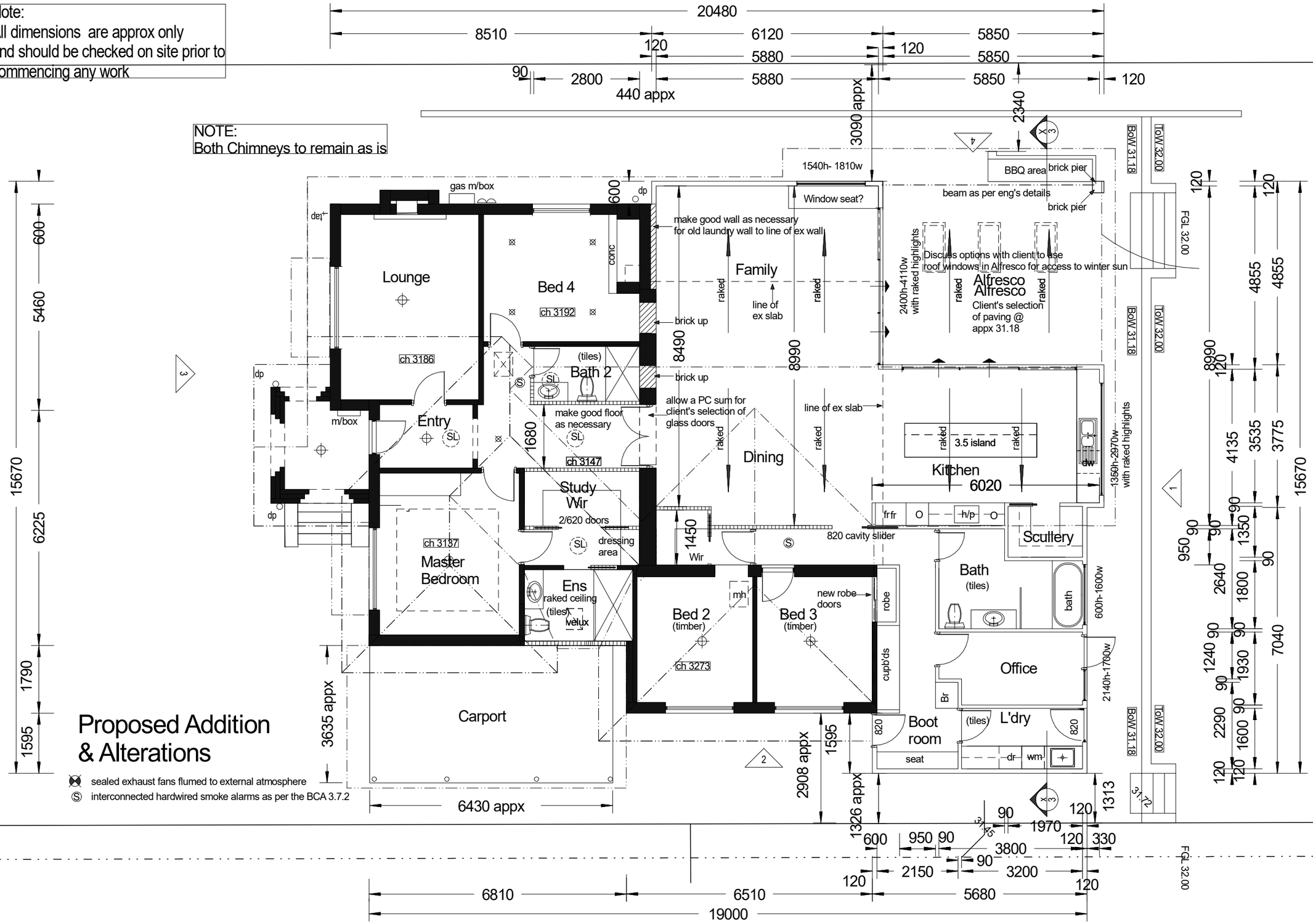
Both Chimneys to remain as is



Proposed Addition & Alterations

- sealed exhaust fans flumed to external atmosphere
- interconnected hardwired smoke alarms as per the BCA 3.7.2

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DRAWING NO: Planning Dwg 21-952 Dwg 2 of 7

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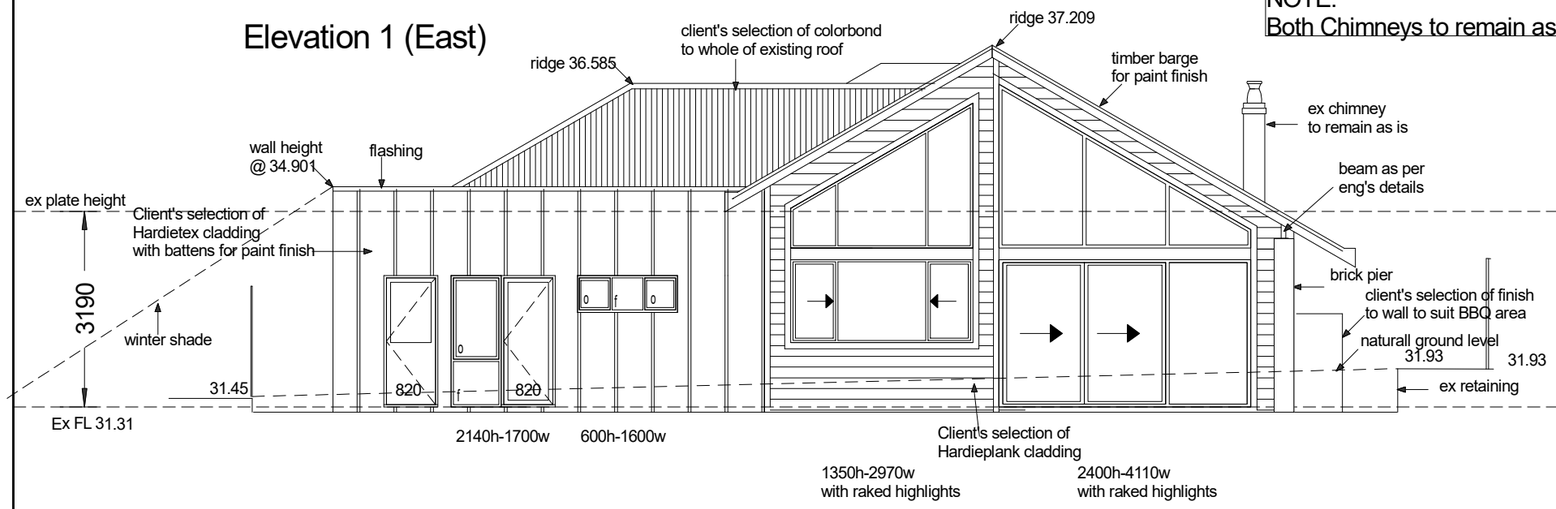
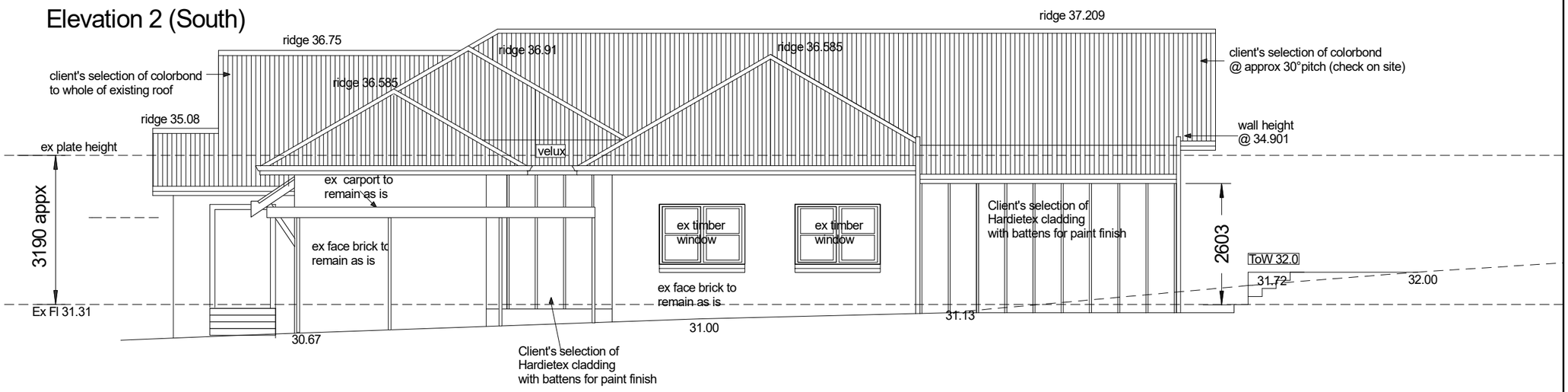
Elevation 1 (East)



Elevation 2 (South)



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21-952
Dwg 3 of 7

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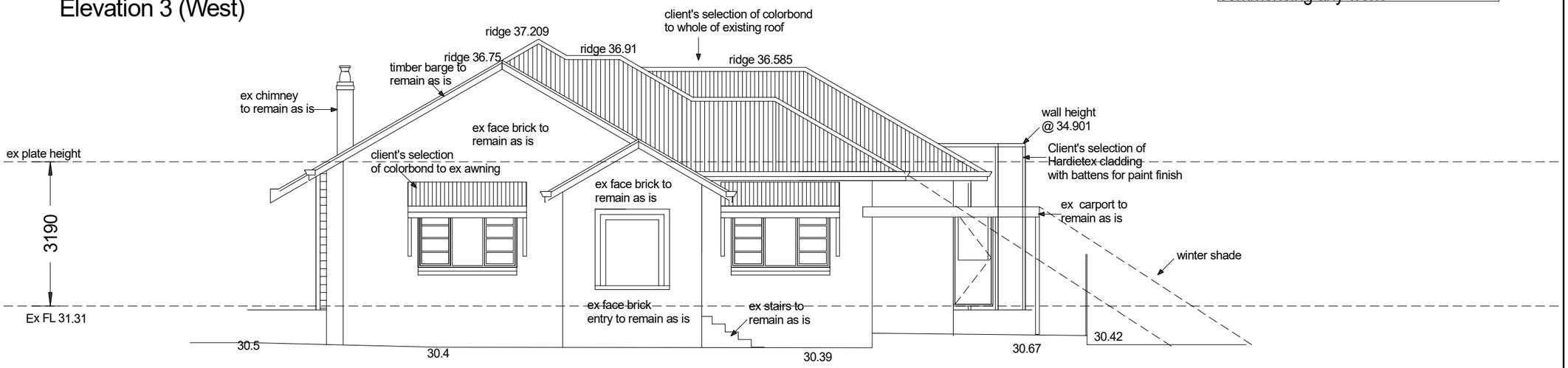
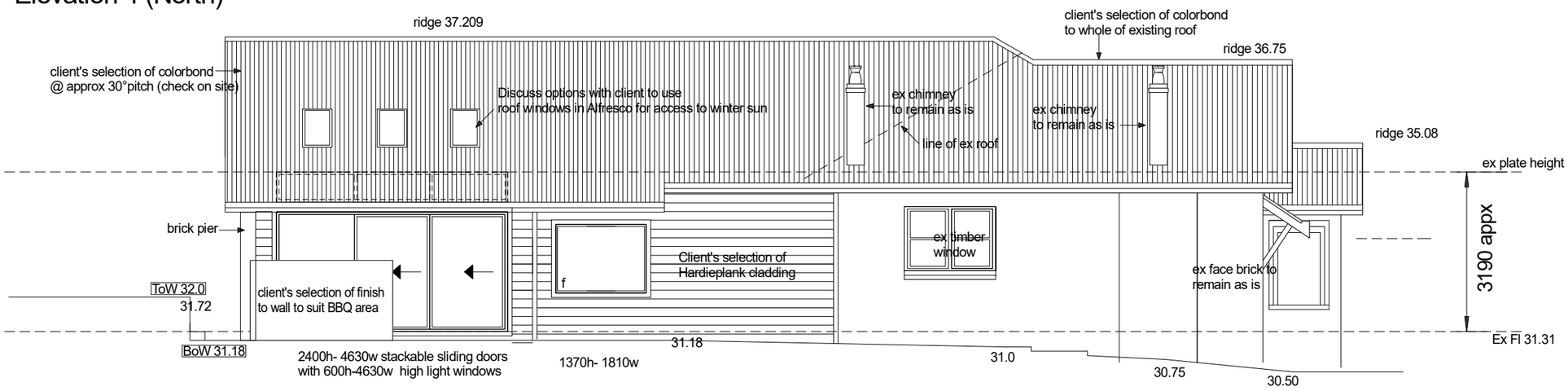
Elevation 3 (West)



NOTE:
Both Chimneys to remain as is

Elevation 4 (North)



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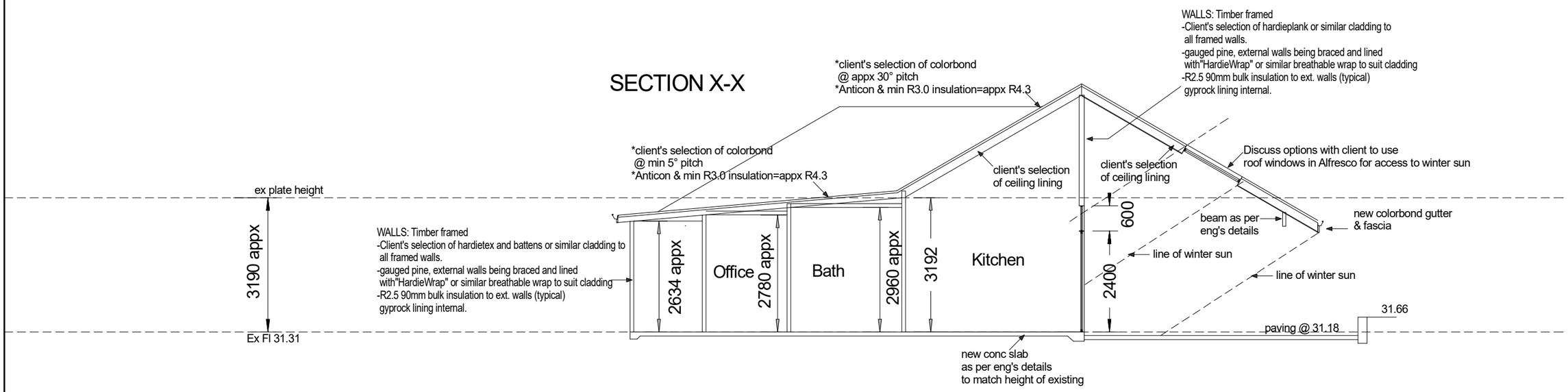

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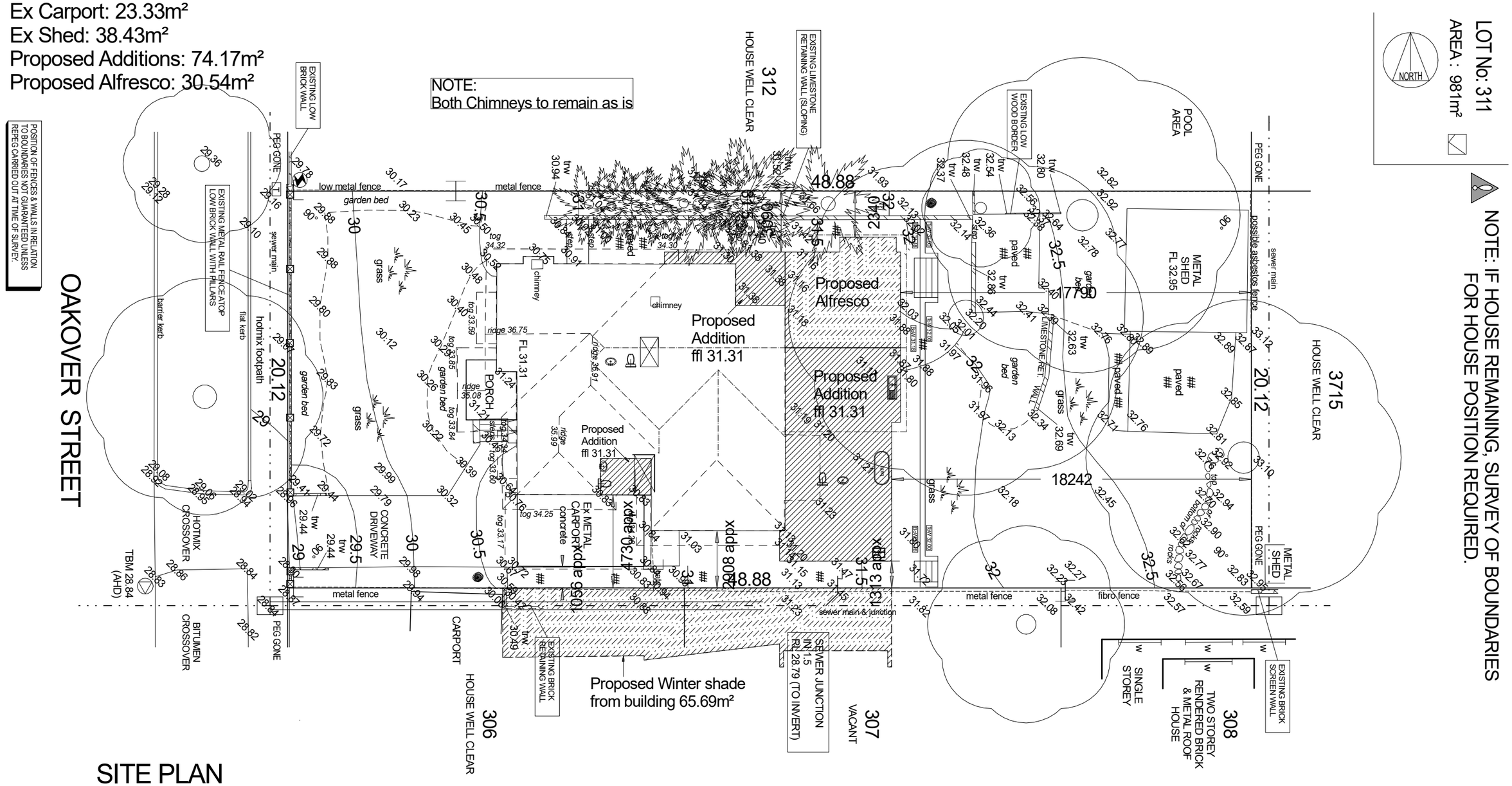
SCALE: 1:100

DATE: April 2021 (26/05/21)

DRAWING NO: Planning Dwg
21-952
Dwg 5 of 7

Area:
Site: 981m²
Ex Residence: 173.82m²
Ex Porch: 7.21m²
Ex Carport: 23.33m²
Ex Shed: 38.43m²
Proposed Additions: 74.17m²
Proposed Alfresco: 30.54m²

Site cover: 316.96m² of the 981m² block= 32%
Open space: 664.04m² = 68% of block
Proposed Alfreso: 30.54m² = 4% covered open space



SITE PLAN

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Proposed Addition & Alterations for
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84 Oakover Street
East Fremantle

SCALE: 1:200

DATE: April 2021 (26/05/21)

DRAWING NO: Planning Dwg 21-952 Dwg 6 of 7

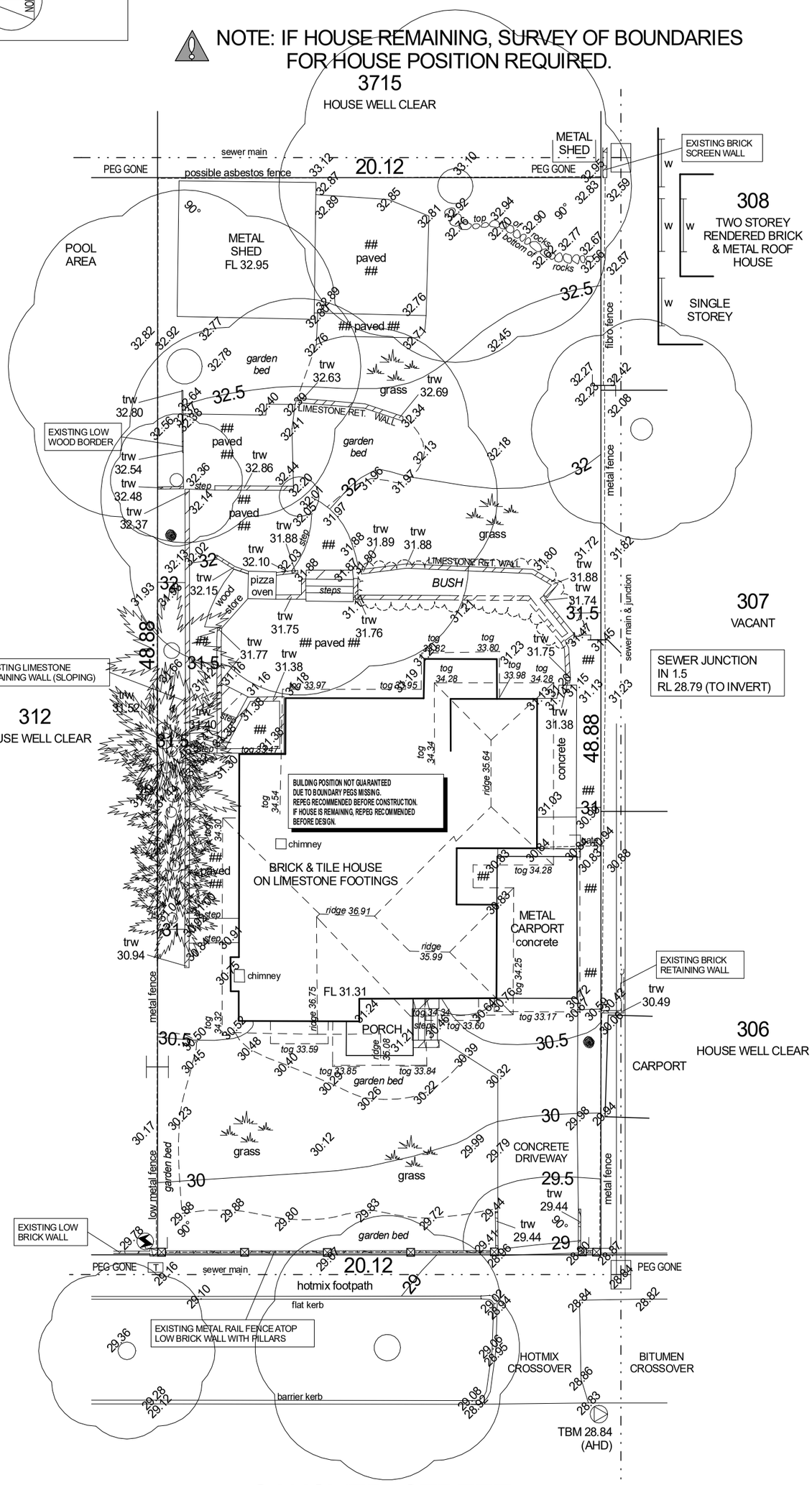
LOT No: 311

AREA : 981m²

NORTH

Proposed Addition & Alterations for Marion & Peter Drummond 84 Oakover Street East Fremantle	SCALE: 1:100 DATE: April 2021 (26/05/21)	DRAWING NO: Planning Dwg 21-952 Dwg 7 of 7

NOTE: IF HOUSE REMAINING, SURVEY OF BOUNDARIES FOR HOUSE POSITION REQUIRED.



POSITION OF FENCES & WALLS IN RELATION TO BOUNDARIES NOT GUARANTEED UNLESS REPEG CARRIED OUT AT TIME OF SURVEY.

POSITION OF FEATURES IN RESPECT TO BOUNDARIES NOT GUARANTEED. PEGS MISSING AT TIME OF SURVEY.

DIAL BEFORE YOU DIG www.1100.com.au

AUSTRALIAN HEIGHT DATUM (AHD) DERIVED FROM SSM FREMANTLE 43.

BUILDER:

CLIENT/s:
DRUMMOND

SITE ADDRESS:
LOT 311 (#84) OAKOVER STREET, EAST FREMANTLE

LOCAL AUTHORITY : TOWN OF EAST FREMANTLE

BUILDER DWN BY : DATE :

SHEET No : 1 of

JOB No : 70754

I /WE THE OWNER /S AGREE TO THE CONTENTS OF THIS DOCUMENT AND ALL INITIALLED SHEETS

OWNER /S :

WITNESS :

BUILDER :

WITNESS :

DATE :

VARIATIONS - all sheets

DETAILS	DWN	DATE	CHK
-	-	-	-

SURVEYOR SITE INSPECTION REPORT

ELECTRICITY:	UNDERGROUND	GAS:	YES
TELECOM:	YES	WATER:	YES (LHS - not sighted)
SEWERAGE:	YES, ABOUT 2.65m DEEP (TO INVERT)		
ROAD:	BITUMEN		
KERB:	BARRIER / FLAT		
FOOTPATH:	HOTMIX		
VEGETATION:	ESTABLISHED GARDENS, TREES & PALMS		
SOIL:	SAND & POSSIBLE LIMESTONE AT DEPTH		
VIEWS:	NIL		
REPEG:	REQUIRED	REPEG TYPE:	OLD SURVEY AREA

ONLY OBVIOUS VISIBLE SERVICES HAVE BEEN LOCATED. PRIOR TO ANY EXCAVATION, CONSTRUCTION OR DEMOLITION THE RELEVANT SERVICE AUTHORITIES MUST BE CONTACTED TO CONFIRM THE LOCATION OF ALL UNDERGROUND SERVICES.

TITLE DETAILS

LOT NOs:	311	C/T VOL:	1072
PLAN:	3286(2)	FOL:	36

LEGEND

N	NBN		TREE	G	GAS
T	TELECOM PIT		PALM TREE	H	HYDRANT
	POWER DOME		TREE STUMP	SV	STOP VALVE
	POWER POLE		IRRIGATION	W	PRE-LAID WATER PIPE
	FENCE END		STREET LAMP	W	WATER METER
	PILLAR		GRATED DRAIN		SEWERAGE MANHOLE
tog	TOP OF GUTTER		SIDE ENTRY PIT		SEWERAGE MANHOLE
trw	TOP OF RETAINING WALL		DRAINAGE MANHOLE	S	SEWERAGE INSPECTION LID

NOTES

BLOCK LOCATED MORE THAN 1 KILOMETRE FROM THE OCEAN.

IMPORTANT NOTE

ALL SEWER DETAILS PLOTTED FROM INFORMATION SUPPLIED BY WATER CORPORATION SPATIAL INFORMATION MANAGEMENT. REFER TO THE DISCLAIMER NOTE ON WATER CORP E-PLAN.

PLUMBING CONTRACTORS TO CONFIRM SEWER DEPTHS BEFORE PIPE LAYING.

LOCATION OF BOUNDARY PEGS & IMPROVEMENTS NOT GUARANTEED UNLESS BOUNDARIES ARE REPEGGED AT TIME OF SURVEY.

POSITION OF FENCES & WALLS IN RELATION TO BOUNDARIES NOT GUARANTEED UNLESS REPEG CARRIED OUT AT TIME OF SURVEY.

CHECK TITLE FOR EASEMENTS, CAVEATS & COVENANTS.

R. G. LESTER & ASSOCIATES
LICENSED LAND & ENGINEERING SURVEYORS
NORTH BEACH PLAZA
SHOP 7 / 1 NORTH BEACH ROAD
NORTH BEACH WA 6020
PH: 9448 5009 FX: 9203 6722
admin@lestersurveys.com.au

REF NO: 70754 FILE NO: 6671 DATE: 20.01.21 DRAWN: AC

SITE PLAN 1:200 at A3

0 5 10 15

C:\CAD\Active Jobs 2021\Drummond\Drummonds May Planning Dwg 7 of 7.SKF

TOWN of EAST FREMANTLE

Community Engagement Checklist

Development Application P40/21 - 84 Oakover Street

Project Name

Objective of Engagement:	Neighbour Consultation			
Lead Officer:	Regulatory Services			
Timeline:	**Start Date:**	13/05/2021	**Outcomes By:**	28/5/2021

Stakeholders				
Stakeholders to be considered. *Please highlight those to be targeted during engagement.*	Aged	☐	Ratepayers (all / targeted)	☐
	Businesses	☐	Residents (all / targeted)	☒
	Children *(School / Playgroup)*	☐	Service Providers	☐
	Community Groups	☐	Unemployed	☐
	Disabled People	☐	Visitors	☐
	Environmental	☐	Volunteers	☐
	Families	☐	Workers	☐
	Govt. Bodies	☐	Youth	☐
	Indigenous	☐		☐
	Neighbouring LGs	☐		☐
Staff to be notified:	Office of the CEO	☐	Councillors	☐
	Corporate Services	☐	Consultant/s	☐
	Development Services	☐		☐
	Operations (Parks/Works)	☐		☐

Community Engagement Plan			
Methods	**Responsible**	**Date Due**	**Reference / Notes**
1.1 E News	☐ Communications		☐
1.2 Email Notification ~	☐ Relevant Officer		☐
1.3 Website	☐ Communications		☐
1.4 Facebook	☐ Communications		☐
1.5 Advert - Newspaper	☐ Communications		☐
1.6 Fact Sheet	☐ Communications		☐
1.7 Media Rel./Interview	☐ Communications		☐
2.1 Information Stalls	☐ Relevant Officer		☐
2.2 Public Meeting/Forum	☐ Executive Direction		☐
2.3 Survey/Questionnaire	☐ Relevant Officer		☐
3.1 Focus Group	☐ Executive Direction		☐
3.2 Referendum/Ballot	☐ Executive Direction		☐
3.3 Workshop	☐ Relevant Officer		☐
4.1 Council Committee	☐ Executive Direction		☐
4.2 Working Group	☐ Executive Direction		☐
* Statutory Consultation	☒ Relevant Officer		☒ Advertised to 1 surrounding property. Signed plans from 5 neighbouring properties provided.
# Heritage Consultation	☐ Regulatory Services		☐
^ Mail out (note: timeliness)	☐ Communications		☐
	☐		☐

	☐		☐
Evaluation			
Summary of...		**Date Due**	**Complete / Attached**
Feedback / Results / Outcomes / Recommendations		28/5/2021	
Outcomes Shared			
Methods	**Responsible**	**Date Due**	**Complete / Attached**
E-Newsletter	☐ Communications		☐
Email Notification	☐ Relevant Officer		☐
Website	☐ Communications		☐
Facebook	☐ Communications		☐
Media Release	☐ Communications		☐
Advert - Newspaper	☐ Communications		☐
	☐		☐
	☐		☐
Notes			

12.2 Audit Committee Meeting (15 July 2021)

File ref	C/MTP1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	20 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Amended Terms of Reference *(Audit recommendation 12.2.3 below)* 2. Purchasing Policy (Further amended in line with comments made at the Audit Meeting) *(Audit recommendation 12.2.4 below)* 3. Audit Committee Minutes 15 July 2021

Purpose
To:

- submit the minutes of the Audit Committee for receipt by Council
- consider Audit Committee recommendations for Minute Nos 10.1, 10.2 & 10.5

Executive Summary
The Committee, at its meeting on 15 July 2021, considered matters relating to its terms of reference with three items being referred to Council for consideration.

Consultation
Audit Committee.

Statutory Environment
Nil.

Policy Implications
Nil.

Strategic Implications
Nil.

Site Inspection
Not applicable.

Comment
The unconfirmed minutes of the Audit Committee meeting are now presented to Council to be received.

12.2.1 COMMITTEE RECOMMENDATION

That the unconfirmed Minutes of the Audit Committee Meeting, held on 15 July 2021 be received.

10.1 Interim Audit Management Letter

12.2.2 COMMITTEE RECOMMENDATION

The Audit Committee recommend Council:

1. **receive the Audit Management Letter from the Interim Audit for the Year Ended 30 June 2021, as presented as attachment 1 to this report.**
2. **note that the key audit findings will be incorporated into the standing Status Report and will be presented to the Audit Committee for ongoing monitoring.**

10.2 Terms of Reference – Audit Committee

12.2.3 COMMITTEE RECOMMENDATION

The Audit Committee recommend that Council adopt the amended Terms of Reference as presented as Attachment 1, with the Town to subsequently invite expressions of interest from independent external members for appointment to the Audit Committee.

10.5 Procurement Review – Requisitions/Purchase Orders over $5K

12.2.4 COMMITTEE RECOMMENDATION

The Audit Committee recommend to Council the adoption of the amended Purchasing Policy which includes exemption from quote for the following supply categories; labour hire, uniform, stationery, and accounting and strategic financial advice.

Town of East Fremantle

Audit Committee

Terms of Reference

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Audit Committee Terms of Reference

1. Purpose of the Terms of Reference

The purpose of the terms of reference is to facilitate the operation of the Audit Committee.

2. Introduction

The Audit Committee is an advisory committee formally appointed by the Council and is responsible to the Council. The Audit Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any financial responsibility. The Audit Committee does not have any management functions and is therefore independent of management.

The Audit Committee objective is to assist the Town of East Fremantle Council in liaising with the auditor and overseeing the external audit function and promoting the transparency and accountability of the Town's financial management systems and reporting. The role of the Committee is to report to the Council and provide appropriate advice and recommendations on matters relevant to its terms of reference in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.

3. Objectives

The objectives of the Audit Committee are to oversee council's obligations under the *Local Government Act 1995*, and *Local Government (Audit) Regulations 1996, more specifically*;

3.1 The integrity of external financial reporting, including accounting policies.

3.2 The scope of work, objectivity, performance and independence of the external and internal audit charter.

3.3 Ensure the Town has established effective controls and systems to safeguard the Town's financial and physical resources.

3.4 The systems or procedures that are designed to ensure that the Town and its subsidiaries comply with relevant statutory and regulatory requirements.

3.5 The process for recognising risks arising from the Town's operations and strategies, and consider the adequacy of measures taken to manage those risks.

3.6 The process and systems which protect the Council against fraud and irregularities.

The Audit Committee must also add to the credibility of Council by promoting ethical standards through its work.

4. Authority

The Audit Committee has the authority to:

4.1 Review the internal and external auditor's annual audit plans and the outcomes/results of all audits undertaken.

4.2 Formally meet with the Town's appointed external auditors as necessary.

4.3 Seek resolution on any disagreements between management and the external auditors on financial reporting.

4.4 Advise Council on any or all of the above as deemed necessary.

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Audit Committee Terms of Reference

5. Composition

5.1 The Audit Committee will comprise ~~of a minimum of~~ six (6) elected members and a maximum of 8 ~~elected members~~members in total inclusive of the external independent members..

5.2 The Audit Committee will comprise of up to two (2) external independent members. An external member will be a person independent to the local government and will not have provided paid services to the Town either directly or indirectly.

5.3 External independent members will be selected based on the following criteria:

a) A demonstrated high level of expertise and knowledge in financial management, reporting, governance and audit; and
b) Relevant skills and experience in providing independent expert advice.

5.4 Appointments of external independent members will be made following a public advertisement. The Chief Executive Officer will evaluate potential members and make a recommendation to Council.

5.5 External members shall be appointed for a period of up to two (2) years terminating on the day of the Local Government Ordinary Elections, unless Council resolves otherwise

5.~~2~~6 In accordance with 7.1A (3) of the Local Government Act, "*A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.*"

5.~~3~~7 The Council will appoint Audit Committee members. Voting requirement of Council is an *Absolute Majority*.

5.~~4~~8 The Presiding Member and Deputy Presiding Member will be appointed by the Audit Committee, biennially by election by all committee members after the Ordinary Local Government Election.

5.~~5~~9 The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the Town. At least one member of the committee will have accounting or related financial management experience with an understanding of accounting and auditing standards in a public sector environment.

5.~~6~~10 A quorum will be a minimum of 50% of the membership.

5.~~7~~11 Audit Committee members are required by the *Local Government Act 1995* and Code of Conduct in observing the requirements of declaring any proximity, financial or impartiality interests that relate to any matter to be considered at each meeting.

5.~~7~~12 New members will receive relevant information and briefings on their appointment to assist them to meet their committee responsibilities.

6. Meetings

6.1 The Audit Committee will meet at least three (3) times per year, with the dates to be set each year by Council, with authority to convene additional meetings, as circumstances require.

6.2 Meetings may be called by the Presiding Member of the Audit Committee, or at the request of the Mayor or Chief Executive Officer.

6.3 The Audit Committee meetings are generally open to the public unless the Presiding

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Member or Chief Executive Officer deem it necessary to proceed behind closed doors pursuant to Section 5.23 of the Local Government Act 1995.

6.4 All Elected Members are invited to attend each Audit Committee meeting.

6.5 All Audit Committee members are expected to attend each meeting in person.

6.6 The Chief Executive Officer will facilitate the meetings of the Audit Committee and invite members of management, internal and external auditors or others to attend meetings as observers and to provide pertinent information, as necessary.

6.7 The Audit Committee will develop a forward meeting schedule that includes the dates, location, and proposed work plan for each meeting for the forthcoming year, that cover all the responsibilities outlined in this terms of reference.

6.8 Meeting agendas will be prepared and provided at least one week in advance to members, along with appropriate briefing materials.

6.9 A decision of the Audit Committee is to be made by a simple majority.

6.10 Minutes will be taken at each meeting and presented to the subsequent meeting for confirmation.

7. Responsibilities

The Audit Committee will carry out the following responsibilities:

7.1 Risk management

7.1.1 Review whether management has in place a current and comprehensive enterprise risk management framework and associated procedures for effective identification and management of the Town's business and financial risks, including fraud.

7.1.2 Determine whether a sound and effective approach has been followed in managing the Town's major risks including those associated with individual projects, program implementation, and activities.

7.1.3 Review the process of developing and implementing the Town's fraud control arrangements and satisfy itself the Town has appropriate processes and systems in place to detect, capture and effectively respond to fraud-related information.

7.2 Business continuity

7.2.1 Determine whether a sound and effective approach has been followed in establishing the Town's business continuity planning arrangements, including whether business continuity and disaster recovery plans have been periodically updated and tested.

7.3 Internal Control

7.3.1 Review whether management has in place relevant policies and procedures and that they are periodically reviewed and updated.

7.3.2 Review whether appropriate policies and supporting procedures are in place for the management and exercise of delegations.

7.4 Financial Report

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7.4.1 Review with management and the external auditors the results of the audit, including any difficulties encountered.

7.4.2 Review the annual financial report and performance report of the Town of East Fremantle and its subsidiaries, and consider whether it is complete, consistent with information known to Audit Committee members, and reflects appropriate accounting principles.

7.4.3 Review the process for the consolidation of financial information of the Town related entities into the financial reports of the Town.

7.4.4 Review with management and the external auditors all matters required to be communicated to the Audit Committee under the Australian Auditing Standards.

7.4.5 Review the draft Annual Financial Statements and recommend the adoption of the Annual Financial Statements to Council.

7.5 Compliance

7.5.1 Keep informed of the findings of any examinations by regulatory agencies and any auditor (external) observations and monitor management's response to these findings.

7.5.2 Obtain regular updates from management about compliance matters.

7.6 Internal Audit Charter

7.6.1 Review and recommend the annual internal audit plan for approval by the Council and all major changes to the plan.

7.6.2 Monitor that the internal annual plan is linked with and covers the material business risks.

7.6.3 Review all audit reports and provide advice to the Council on significant issues identified in audit reports and action to be taken on issues raised, including identification and dissemination of good practice.

7.6.4 Monitor management's implementation of audit recommendations.

7.7 External Audit

7.7.1 Note the external auditor's proposed audit scope and approach for financial performance audits, including any reliance on internal auditor activity.

7.7.2 Consider the findings and recommendations of relevant Performance Audits undertaken by the external auditor and ensure the Town implements relevant recommendations.

7.7.3 Provide an opportunity for the Audit Committee to meet with the external auditors to discuss any matters that the Audit Committee or the external auditors believe should be discussed privately.

7.7.4 Annually review the performance of external audit including the level of satisfaction with external audit function.

7.7.5 Monitor management's implementation of external audit recommendations.

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7.8 Reporting Responsibilities

7.8.1 Report regularly to the Council about Audit Committee activities, issues, and related recommendations through circulation of minutes.

7.8.2 Monitor that open communication between the external auditors, and the Town's management occurs.

7.8.3 To review a report given to it by the CEO under regulation 17(3) of the Local Government (Audit) Regulations and is to —

(i) report to the council the results of that review; and

(ii) give a copy of the CEO's report to the council.

7.9 Other Responsibilities

7.9.1 Perform other activities related to this terms of reference as requested by the Council or as required by *Local Government Act 1995 or Local Government (Audit) Regulations 1996*.

7.9.2 Annually review and assess the adequacy of the Audit Committee terms of reference, request Council approval for proposed changes, and ensure appropriate disclosure as might be required by legislation or regulation.

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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 relevantlegislation;
- 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: • an existing panel of pre-qualified suppliers administered by the Town; or • a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government Common Use Arrangement (CUA); or

	• from the open market. The purchasing decision is to be based upon assessment of the suppliers response to: • a brief outline of the specified requirement for the goods; services or works required; and • value for money criteria, not necessarily the lowest price. • The procurement decision is to be represented using the Brief Evaluation Report Template.
Over $5,001 and up to $20,000 (exc GST)	Request at least two (2) written quotations from suppliers following a brief outlining the specified requirement, either from: • an existing panel of pre-qualified suppliers administered by the Town; or • a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government CUA; or • from the open market. The purchasing decision is to be based upon assessment of the suppliers response to: • a written brief outline of the specified requirement for the goods; services or works required; and • value for money criteria, not necessarily the lowest price. The procurement decision is to be represented using the Brief Evaluation Report Template.
Over $20,001 and up to $50,000	Request at least three (3) written quotations from suppliers following a brief outlining the specified requirement, either from: • an existing panel of pre-qualified suppliers administered by the Town; or • a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or • from the open market. The purchasing decision is to be based upon assessment of the suppliers response to: • a written brief outline of the specified requirement for the goods; services or works required; and • value for money criteria, not necessarily the lowest price. The procurement decision is to be represented using the Brief Evaluation Report Template.
Over $50,001 and up to $250,000 (exc GST)	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. Quotations within this threshold may be obtained from:

	• an existing panel of pre-qualified suppliers administered by the Town; or • a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government CUA; or • from the open market. 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. The purchasing decision is to be based upon assessment of the suppliers response to: • a detailed written specification for the goods, services or works required and • pre-determined evaluation criteria that assesses all best and sustainable value considerations. The procurement decision is to be represented using the Evaluation Report template.
Over $250,000 (exc GST)	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. The purchasing decision is to be based upon the suppliers response to: • 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 • pre-determined evaluation criteria that assesses all best and sustainable value considerations. The procurement decision is to be represented using the Evaluation Report template.

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. This supply category is exempt from the minimum quotation requirements.

Procurement of labour hire

The Town of East Fremantle will ensure due diligence is carried out when procuring labour hire from recognised personnel providers in the market, with suppliers to be registered with WALGA. The Town will undertake to ensure the most qualified and suitable person is hired under an arrangement with the labour hire provider. Whilst cost will be considered as part of the evaluation of suppliers, the most important criteria will be that the hired person is best fit for the Town and someone who will carry out their duties and responsibilities in-line with the Town's ethos. This does not preclude the value for money section of the Town's purchasing policy. This supply category is exempt from the minimum quotation requirements.

Purchasing from Uniform Providers

Purchasing for Corporate Uniforms and Protective Clothing is exempt from the general requirements of this Policy, and only requires one quote be obtained. All purchases are still subject to a value for money judgement prior to issuing a Purchase Order.

Purchasing from Stationery Suppliers

The Town of East Fremantle will utilise either the WALGA preferred supplier contract or Social Enterprises (Disability and Aboriginal Corporations) for stationery purchases. The Town will endeavour to ensure value for money is realised as well as purchasing sustainable office supplies where possible. This supply category is exempt from the minimum quotation requirements.

Purchasing of Accounting and Strategic Financial Services

The Town of East Fremantle will utilise the WALGA preferred supplier contract for Accounting and Strategic Financial Services. The selection of the service provider will be undertaken by the Chief Executive Officer or relevant ExecutiveManager (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. This supply category is exempt from the minimum quotation requirements.

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. 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, 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, 15/9/20, 8/12/20, 22/6/21
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
   - Executive Manager Technical Services; Limit $50,000
   - Operations Supervisor; Limit $15,000
   - Supervisor Infrastructure and Assets, Limit $15,000
   - Manager Administration and Finance, Limit $15,000
   - HR Coordinator; Limit $5,000
   - Coordinator Corporate Services; Limit $5,000
   - Executive Assistant to CEO; Limit $5,000
   - Coordinator Regulatory Services; Limit $5,000
   - Coordinator – Operations; Limit $5,000
   - Coordinator CHSP (CHSP related purchases only); Limit $5,000
   - Coordinator Communications & Marketing; $5,000
   - Senior Ranger; Limit $2,000
   - Principal Environmental Health Officer; Limit $1,500
   - Community Engagement Officer; Limit $1,500

   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.

TOWN OF EAST FREMANTLE

MINUTES

Audit Committee Meeting

Thursday, 15 July 2021 at 6.30pm

Disclaimer

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 I) 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.

Copyright

The Town wishes to advise that any plans or documents contained within the Minutes may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. The Town wishes to advise that any plans or documents contained within this Agenda may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

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TOWN OF EAST FREMANTLE

MINUTES OF THE ORDINARY MEETING OF THE AUDIT COMMITTEE HELD IN THE POD, 135 CANNING HIGHWAY EAST FREMANTLE ON THURSDAY, 15 JULY 2021.

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

The Presiding Member opened the meeting at 6.27pm.

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

3.1 Attendance

The following members were in attendance:

Cr A Natale	Presiding Member
Mayor Jim O'Neill	
Cr J Harrington	
Cr A Watkins	

The following staff were in attendance:

Mr P Kocian	Executive Manager Corporate Services
Ms Bron Browning	Minute Secretary

3.2 Apologies

Cr A McPhail	
Cr M McPhail	
Mr G Tuffin	Chief Executive Officer

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

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 Audit Committee (8 March 2021)

8.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A010721

Moved Cr Harrington, seconded Cr Watkins

That the minutes of the Audit Committee meeting held on Monday 8 March 2021 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER
Nil

10. REPORTS

10.1 Interim Audit Management Letter

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	15 July 2021
Voting requirements	Simple Majority
Documents tabled	At the time of the meeting, the Town had not received the final copy of the Interim Management Letter. The Executive Manager Corporate Services tabled the draft letter and discussed the findings with the Committee.
Attachments	1. Interim Audit Management Letter for Year Ended 30 June 2021 (to be sent out as a late attachment)

Purpose
The purpose of this report is for the Audit Committee to receive the Audit Management Letter from the 2021 interim audit.

Executive Summary
Interim Audit results for the year ended 30 June 2021 are presented to the Audit Committee in the attached management letter. The focus of the interim audit was to evaluate the Town's overall control environment and to obtain an understanding of the key business processes, risks and internal controls relevant to the audit of the annual financial report.

Background
In accordance with section 7.2 of the *Local Government Act 1995,* the accounts and annual financial report of a local government for each financial year are required to be audited by an Auditor.

Part 7 of the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* addresses the situation of audit. In relation to the duties of the local government with respect to audits –

a. the local government is to do everything in its power to –
  i. assist the auditor to conduct an audit and carry out his or her other duties under the Act; and
  ii. ensure that audits are conducted successfully and expeditiously;

b. a local government is to meet with its auditor at least once in every year;

c. a local government is to examine the report of the auditor and is to –
  i. determine if any matters raised require action to be taken by the local government; and
  ii. ensure that appropriate action is taken in respect of those matters;

d. local government is to –
  i. prepare a report on any actions taken in respect of any matters raised in the report of the auditor; and
  ii. forward a copy of that report to the Minister by the end of the next financial year, or six months after the last report prepared by the auditor is received by the local government, whichever is the latest in time.

The primary role of the Audit Committee is to support Council in fulfilling its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, internal and external audit functions and ethical accountability. The Committee should critically examine the audit and management reports provided by the external auditor and then determine if matters raised in the reports require action to be taken by the local government administration.

Consultation
Chief Executive Officer

Statutory Environment
Part 7 of the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* applies to audit in local government.

Policy Implications
The Department of Local Government has published Operational Guideline No. 9 Audit in Local Government that covers the appointment, functions and responsibilities of Audit Committees.

Financial Implications
The annual budget includes an allocation of $25,000 for internal audit project work. There may be a cost associated with implementing some of the audit findings.

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)
Key findings from the interim and annual audits are not actioned	Possible (3)	Moderate (3)	Moderate (5-9)	Compliance	Control through Audit Committee monitoring of status report

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

Strategic Implications
Strategic Priority 5 – Leadership and Governance
5.1 Strengthen organisational accountability and transparency
5.3 Strive for excellence in leadership and governance

Comment
All of the key findings from the interim and annual audit will be incorporated into the standing Status Report and will be presented to the Audit Committee for ongoing monitoring.

10.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A020721

Moved Cr Watkins, seconded Mayor O'Neill

That the Audit Committee recommend Council:

1. **receive the Audit Management Letter from the Interim Audit for the Year Ended 30 June 2021, as presented as attachment 1 to this report.**
2. **note that the key audit findings will be incorporated into the standing Status Report and will be presented to the Audit Committee for ongoing monitoring.**

(CARRIED UNANIMOUSLY)

10.2 Terms of Reference – Audit Committee

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	15 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Terms of Reference (with tracked changes)

Purpose
It is recommended that the Audit Committee endorse the attached Terms of Reference, which makes provision for the appointment of up to two (2) independent external members to the Committee.

Executive Summary
At the March 2021 Audit Committee, the Chair Cr Natale requested that a report be submitted to the July meeting considering the appointment of independent external members to the Committee. Amendments have been made to the Committee's Terms of Reference to make provision for the appointment of external members, as contained in attachment 1 to this report.

Background
The Audit Committee is established under section 7.1A of the *Local Government Act 1995*. Regulation 16 of the Local Government (Audit) Regulations 1996 outlines the Audit Committee functions:

16. Functions of audit committee

An audit committee has the following functions —

(a) to guide and assist the local government in carrying out —

(i) its functions under Part 6 of the Act; and

(ii) its functions relating to other audits and other matters related to financial management;

(b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;

*(c) to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —*

(i) report to the council the results of that review; and

(ii) give a copy of the CEO's report to the council;

(d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —

(i) regulation 17(1); and

(ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);

(e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;

(f) to oversee the implementation of any action that the local government —

(i) is required to take by section 7.12A(3); and

(ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and

(iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and

(iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);

(g) to perform any other function conferred on the audit committee by these regulations or another written law.

The Audit Committee last reviewed its Terms of Reference in July 2019.

Consultation
Chief Executive Officer

Statutory Environment
Part 7 of the *Local Government Act 1995* deals with the audit of the financial accounts of local governments including the conduct of audits. Division 1A deals with Audit Committees.

The Department of Local Government, Sport and Cultural Industries has published Operational Guideline Number 09 – The appointment, function and responsibilities of Audit Committees.

Policy Implications
There are no Council Policies relevant to this item.

Financial Implications
There are no financial implications relevant to this item.

Strategic Implications
Strategic Priority 5 – Leadership and Governance
5.1 Strengthen organisational accountability and transparency
5.3 Strive for excellence in leadership and governance

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)
The Audit Committee may not be able to adequately meet its functions without skilled	**Possible (3)**	**Moderate (3)**	**Moderate (5-9)**	**COMPLIANCE Minor regulatory or statutory impact**	**Accept Officer Recommendation**

and qualified members					

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

Comment

The attached Terms of Reference outline the responsibilities and functions of the Audit Committee, as specified in the *Local Government Act 1995*, *Local Government (Audit Regulations) 1996*, and Departments Operational Guideline No 9.

The following insertions to the Terms of Reference have been made to make provision for the appointment of two (2) independent external members:

5.2 The Audit Committee will comprise of up to two (2) external independent members. An external member will be a person independent to the local government and will not have provided paid services to the Town either directly or indirectly.

5.3 External independent members will be selected based on the following criteria:

a) A demonstrated high level of expertise and knowledge in financial management, reporting, governance and audit; and
b) Relevant skills and experience in providing independent expert advice.

5.4 Appointments of external independent members will be made following a public advertisement. The Chief Executive Officer will evaluate potential members and make a recommendation to Council.

5.5 External members shall be appointed for a period of up to two (2) years terminating on the day of the Local Government Ordinary Elections, unless Council resolves otherwise.

10.2 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A030721

Moved Cr Harrington, seconded Mayor O'Neill

That the Audit Committee:

1. **endorse the amended Terms of Reference as presented as Attachment 1.**
2. **recommend that Council adopt the amended Terms of Reference as presented as Attachment 1, with the Town to subsequently invite expressions of interest from independent external members for appointment to the Audit Committee.**

(CARRIED UNANIMOUSLY)

Mayor O'Neill raised a question regarding payment for the independent external member. Cr Natale advised he would support payment for an independent external member if they had professional qualifications. The Executive Manager Corporate Services was requested to speak to the CEO about the matter.

10.3 Onboarding/Offboarding Process for Employees

File ref	F/AUD1
Prepared by	Bron Browning, Corporate Services Co-ordinator
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	15 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Onboarding/Offboarding processes 2. Onboarding/Offboarding User Account Access Form (Confidential Attachment) 3. Employee Items Check List

Purpose
It is recommended that the Audit Committee receive the attached Onboarding/Offboarding Process and User Account Access Form for employees.

Executive Summary
The Town's 2019 General Computer Control (GCC) Audit identified the requirement for a comprehensive Onboarding/Offboard process for employees to ensure appropriate controls are executed.

Background
The 2019 GCC audit identified limited controls in relation to the access to IT systems including physical access to hardware. Some levels of permissions had been established to network access to software and data, however, the level of documentation to support these restrictions was varied across the organisation.

The Town has undertaken a comprehensive IT security review, articulated current practices and has implemented new controls to meet the findings of the review. This has included the implementation of new permissions, and the establishment of new user groups to inform access levels.

Consultation
Human Resource Co-ordinator

Statutory Environment
Regulation 17 of the *Local Government (Audit) Regulations 1996* requires the CEO to review the appropriateness and effectiveness of a local governments systems and procedures in relation to risk management, internal control and legislative compliance separately or all at the one time, on the provision that each matter is reviewed at least once every three years. The CEO is also required to report the results of that review to Council.

Policy Implications
Council has adopted Policy 2.2.4 Risk Management.

Financial Implications
There are no financial implications relevant to this item.

Strategic Implications
Strategic Priority 5 – Leadership and Governance
5.1 Strengthen organisational accountability and transparency
5.3 Strive for excellence in leadership and governance

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)
A major function of the Audit Committee is to oversee the treatment/management of extreme risks. Failure to do so may result in adverse consequences.	Unlikely (2)	Major (4)	Moderate (5-9)	SERVICE INTERRUPTION Prolonged interruption of services - additional resources; performance affected < 1 month	Manage by actively monitoring

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	8
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment
This revised process will ensure that appropriate internal controls are implemented to manage access to IT systems. Permission levels and full documentation has now been established to manage network access to software and data, and this audit finding is now considered to be closed.

10.3 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A040721

Moved Cr Watkins, seconded Cr Harrington

That the Audit Committee receives the Onboarding/Offboarding process and the User Account Access form for employees.

(CARRIED UNANIMOUSLY)

10.4 Operational and Strategic Risk Registers

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	15 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Operational Risk Register 2. Strategic Risk Register

Purpose
It is recommended that the Audit Committee receive the attached Operational and Strategic Risk Registers.

Executive Summary
The Town's most recent Financial Management Review identified the requirement for a comprehensive Risk Register to be developed and presented to the Audit Committee as a standing item. This project has now been completed, with an Operational Risk Register and Strategic Risk Register appended to this report.

Background
Operational Risk Register
A report providing background to the Town's Risk Management Governance Framework was considered by the Audit Committee at its meeting of 7 November 2019. A risk assessment tool has since been adopted by Council, and features in all Council agenda items. Any item with a risk rating over 16 is required to be included in the attached Operational Risk Register.

The 2019 General Computer Control (GCC) Audit also included a finding that *"a register to track and record the Town's information risks does not exist"*. An Information Systems risk profile has now been incorporated into the Operational Risk Register and includes all findings from the GCC Audit.

Strategic Risk Register
Local Government Insurance Services (Risk Management Team) was engaged to assist the Town to identify potential strategic risks, facilitate the assessment and development of mitigation activities for prioritised strategic risks, and to provide a documented format for the ongoing management and reporting of strategic risks.

The above project work has resulted in the development of a Strategic Risk Dashboard Report (see attached Strategic Risk Register). Five key strategic risks have been identified by the Executive Team:

- Waste Recycling
- Inadequate provision of facilities or services
- East Fremantle Oval Precinct Project
- Strategic Planning
- Stakeholder Engagement

The inherent risk (risk prior to implementation of any controls) is considered to be high or extreme for all of the aforementioned. A number of actions and timeframes have been attached to each of the Strategic Risks, the status of which will be reported to the Audit Committee on a reoccurring basis.

Consultation
Executive Team

Statutory Environment
Regulation 17 of the *Local Government (Audit) Regulations 1996* requires the CEO to review the appropriateness and effectiveness of a local governments systems and procedures in relation to risk management, internal control and legislative compliance separately or all at the one time, on the provision that each matter is reviewed at least once every three years. The CEO is also required to report the results of that review to Council.

Policy Implications
Council has adopted Policy 2.2.4 Risk Management.

Financial Implications
There are no financial implications relevant to this item.

Strategic Implications
Strategic Priority 5 – Leadership and Governance
5.1 Strengthen organisational accountability and transparency
5.3 Strive for excellence in leadership and governance

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)
A major function of the Audit Committee is to oversee the treatment/management of extreme risks. Failure to do so may result in adverse consequences.	**Unlikely (2)**	**Major (4)**	**Moderate (5-9)**	**SERVICE INTERRUPTION Prolonged interruption of services - additional resources; performance affected < 1 month**	**Manage by actively monitoring**

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	8
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

The Dashboard reports from the Risk Registers identify a number of actions to be completed within the next 12-months. The Committee's attention is drawn to these items and any queries/concerns/prioritised actions will be documented in the minutes from this meeting and reported against by staff at the next meeting.

10.4 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A050721

Moved Cr Watkins, seconded Mayor O'Neill

That the Audit Committee receives the Operational Risk Register and Strategic Risk Register as appended to this report and note that the current actions and timeframes contained within this document will be reviewed by the Committee on a reoccurring basis.

(CARRIED UNANIMOUSLY)

Cr Harrington asked if COVID could be listed as a separate risk on the Register. The Executive Manager Corporate Services advised that the implementation of COVID Safety Plans was an action under the Business and Community Disruption Risk Profile, but would further discuss with the CEO whether a separate risk profile is required.

Cr Natale queried if all Town staff had completed the online training for external threats and fraud. The Executive Manager Corporate Services advised he would check with the Human Resource Coordinator and report back to the Committee.

Cr Natale queried if the vulnerability scan had been undertaken. The Executive Manager Corporate Services advised that a purchase order had been released to the Town's IT Provider to undertake the scan, using the same software as what is used by the Office of Auditor General during the General

Computer Control audit. The cost of the scan is $1,800 and the Town will assess after the first scan has been completed whether there will be a need to conduct more than one scan per calendar year.

Cr Natale queried how many of the service contracts had gone to market and was advised by the Executive Manager Corporate Services that he would follow up with Executive Manager Technical Services and report back to the Committee. He further advised that he has started the process of compiling the documentation for the ICT Tender and that he was hoping to go to market in early August. He advised the Committee that the Town would also undertake an 'In House" bid to assess the viability of an in-house service.

10.5 Procurement Review – Requisitions/Purchase Orders over $5k

File ref F/AUD1
Prepared by Sam Dolzadelli, Finance Project & Business Improvement Officer
Supervised by Peter Kocian, Executive Manager Corporate Services
Meeting Date: 15 July 2021
Voting requirements Simple Majority
Documents tabled Nil
Attachments
1. Procurement Review (Confidential Attachment)
2. Amended Purchasing Policy

Purpose
The Audit Committee is requested to receive the assessment of all supplier purchases greater than $5k for the period 1 July 2020 to 24 June 2021, for compliance against Council's Purchasing Policy.

Executive Summary
Between the period 1 July 2020 and 24 June 2021, the Town released 110 purchase orders over $5k. Full information is provided as confidential attachment 1, and is summarised as follows:

Amount	Purchasing Requirement	No. Purchase Orders	No. Compliant with Purchasing Policy or Exempt i.e. Sole Supplier	% Compliant
Over $5,001 and up to $20,000	Attempt to obtain 2 written quotes	84	79	94%
Over $20,001 and up to $50,000	Attempt to obtain 3 written quotes	17	15	88%
Over $50,001 and up to $250,000	Attempt obtain 3 written quotes under a Request for Quotation	8	8	100%
Over $250,000	Request for Tender unless exempt	1	1	100%
Total		110	103	94%

Background
The Independent Auditors Report dated 13 December 2019 (attachment 2) included the following significant audit finding:

For 75% of purchases we sampled below the tender threshold, there was inadequate or no evidence that a sufficient number of quotations was obtained to test the market, and no documentation to explain why other quotes were not sought. This practice increases the likelihood of not receiving value for money in procurement. This could also result in favouring certain suppliers, although our audit did not identify any instances.

In response to the above finding, management provided the following comment, extracted from the minutes of the Special Council Meeting dated 4 February 2020 (attachment 3):

The Town's purchasing policy states that where the value of a purchase is between $5,001 and $20,000 (ex. GST), efforts should be made to obtain at least two written quotes.

During the Auditor's procurement testing, 6 purchases were identified in this range, out of a sample of 8, where there was insufficient documentation to indicate that the requisite number of quotations had been obtained.

A purchase requisition system implemented in June 2019. Staff are now required to upload evidence of quotations for purchases in excess of $5,000 against a requisition request, which is converted into a purchase order only after it has been reviewed and approved by a Manager.

The Internal Audit Work Plan for 2020 also proposes that an internal audit of all requisitions over $5,000 be completed, and presented to the Audit Committee in July 2020. This will ensure a complete sample and identify all instances of non-compliance. Findings will then inform areas for improvement, education, and if deemed appropriate, removal of financial delegation.

Consultation
Finance team

Statutory Environment
Section 5.41 of the *Local Government Act 1995* details the functions of the CEO.
Regulation of the *Local Government (Financial Management) Regulations 1996* details the CEOs duties as to the financial management of the local government.
Regulation 11A of the *Local Government (Functions and General) Regulations 1996* requires local governments to prepare and adopt a Purchasing Policy.

Policy Implications
Council's Purchasing Policy applies.
The following requirements apply for purchases over $5,001:

Amount (ex GST)	Purchasing Requirement
Over $5,001 and up to $20,000	Attempt to obtain 2 written quotes
Over $20,001 and up to $50,000	Attempt to obtain 3 written quotes
Over $50,001 and up to $250,000 (previously $150,000)	Attempt to obtain 3 written quotes under a Request for Quotation
Over $250,000	Request for Tender unless exempt

Financial Implications
There are no financial implications relevant to this item.

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)
Non-compliance with Purchasing Policy, giving rise to risk of not receiving value for money or favouring certain suppliers.	Possible (3)	Moderate (3)	Moderate (5-9)	Compliance/ Financial	Treat through regular review/audit

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

Strategic Implications
Strategic Priority 5 – Leadership and Governance
5.1 Strengthen organisational accountability and transparency
5.3 Strive for excellence in leadership and governance

Comment
An internal audit of all purchases greater than $5k has been completed. Of 110 purchase orders, 103 or 94% demonstrated compliance with Council's Purchasing Policy by having a copy of the requisite number of quotes uploaded into the financial system or a proper explanation as per the table below.

Of the 7 purchase orders that did not demonstrate compliance with the requisite number of quotes, 5 required 2 quotes and 2 required 3 quotes.

No Purchase Orders	Explanation
85	Compliant
3	Inter-government transaction (i.e. Regional Council)
11	Sole Supplier Exemption
3	Supplier listed on WALGA preferred supplier panel or State Supply Commission Common User Agreement
0	Supplier is sole local provider registered in the Town of East Fremantle
1	Donation/Funding Agreement
7	Non-compliant
110	**Total**

In order to address the non-compliance, staff education and constructive reinforcement of purchasing requirements will be implemented.

The Purchasing Policy has also been reviewed to provide greater flexibility to take into account the aforementioned explanations. Specific exemptions to the requirements for the requisite number of quotes has been made, as per the tracked changes in attachment 2, including the following supply categories:

Procurement of labour hire
The Town of East Fremantle will ensure due diligence is carried out when procuring labour hire from recognised personnel providers in the market, with the supplier required to be registered with WALGA. The Town will undertake to ensure the most qualified and suitable person is hired under an arrangement with the labour hire provider. Whilst cost will be considered as part of the evaluation of suppliers, the most important criteria will be that the hired person is best fit for the Town and someone who will carry out their duties and responsibilities in-line with the Town's ethos. This does not preclude the value for money section of the Town's purchasing policy. All purchases will be in accordance with Council's adopted budget and within the financial delegation limit of Purchasing Officer's.

Purchasing from Uniform Providers
Purchasing for Corporate Uniforms and Protective Clothing is exempt from the general requirements of this Policy, and only requires one quote be obtained. All purchases are still subject to a value for money judgement prior to issuing a Purchase Order. The provider must be registered with WALGA.

Purchasing from Stationery Suppliers
The Town of East Fremantle will utilise either the WALGA preferred supplier contract or social enterprises including Disability and Aboriginal Corporations for stationery purchases. The Town will

endeavour to ensure value for money is realised as well as purchasing sustainable office supplies where possible.

Purchasing of Accounting and Strategic Financial Services

The Town of East Fremantle will utilise the WALGA preferred supplier contract for Accounting and Strategic Financial 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.

10.5 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A060721

Moved Cr Harrington, seconded Mayor O'Neill

That the Audit Committee:

1. **receive the procurement review of all purchases over $5k, as detailed in the confidential attachment, for assessment of compliance against Councils Purchasing Policy.**

2. **recommend to Council the adoption of the amended Purchasing Policy which includes exemption from quote for the following supply categories; labour hire, uniform, stationery, and accounting and strategic financial advice.**

(CARRIED UNANIMOUSLY)

Cr Natale requested that the Executive Manager Corporate Services check with other councils regarding the purchasing of Rates Notices/Instalment Notices and asked that this supply category be removed as an exemption from the Purchasing Policy.

10.6 Audit Schedule for the Year Ended 30 June 2021

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	15 July 2021
Voting requirements	Simple Majority
Documents tabled	1. Audit Results Report – Annual 2019-20 Financial Audits of Local Government Entities
Attachments	1. ToEF Planning Summary 30 June 2021 (Confidential Attachment) 2. Project Plan – Annual Financial Report (Confidential Attachment)

Purpose
This report presents the Audit Committee the audit plan and schedule for the completion of the Annual Financial Report and the receipt of the Audit Opinion for the year ended 30 June 2021.

Executive Summary
The Office of Auditor General (OAG) released the "Audit Results Report – Annual 2019-20 Financial Audits of Local Government Entities" on 16 June 2021. OAG completed 65 of 132 audits by 31 December 2020. The main reason for the delay was that entities could not submit their finalised financial reports for audit on time. This was in part due to the late gazettal of regulation amendments (6 November 2020).

By 31 May 2021, OAG had completed a further 52 of the 67 audits that were incomplete as 31 December 2020, with 15 still outstanding.

It is therefore imperative that the Town is fully prepared for audit, to ensure timely audit clearance.

Background
Under section 6.4(3) of the *Local Government Act 1995*, entities must submit their annual financial reports to OAG by 30 September.

The Town has prepared a project plan to ensure preparedness for the timely completion of the Annual Financial Report, appended as attachment 2, with a scheduled lodgement date of 31 August with OAG. The Town will meet the requirements under section 6.4 (3) of the *Local Government Act 1995*.

The Town received its Audit Opinion for the year ended 30 June 2020 on the 22 December 2020. The following is the proposed audit schedule for the year ended 30 June 2021:

	Date
Audit planning	June 2021
Interim audit	14 June to 18 June
Interim management letter	By 16 July
Final trial balance	By 30 September
Receipt of annual financial report	By 30 September
Roads to Recovery certification audit (week ending)	8 October
Final audit	8 November to 3 December
Exit meeting (week ending)	10 December
Receipt of signed financial statements and management representation letter	10 December
Audit opinion issued	By 17 December (within 5 working days of the receipt of signed financial statements and management representation letter)

Consultation
Office of Auditor General – Entrance Meeting 1 July 2021

Statutory Environment
Part 7 of the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* applies to audit in local government.

Policy Implications
The Department of Local Government has published Operational Guideline No. 9 Audit in Local Government that covers the appointment, functions and responsibilities of Audit Committees.

Financial Implications
The audit fee for the 2020/21 financial year will be $44,300.

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)
Lack of preparedness for audit will result in a significant delay for audit sign off	Possible (3)	Major (4)	High (10-16)	Compliance	Manage by preparing a Project Plan identifying key activities and dates associated with the preparation of the Annual Financial Report
Not having access to qualified and	Possible (3)	Major (4)	High (10-16)	Compliance	Manage by continued professional

experienced staff leading to poor quality of financial reports					development of all staff
Changes in accounting standards or legislation impacting reporting requirements	Possible (3)	Major (4)	High (10-16)	Compliance	Manage by preparing a management assessment of new standards and determine whether the standard has been applied correctly and ensure that the AFR complies with the requirements of the new standard.

Risk Matrix

Consequence / Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Extreme 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	12
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Strategic Implications
Strategic Priority 5 – Leadership and Governance
5.1 Strengthen organisational accountability and transparency
5.3 Strive for excellence in leadership and governance

Comment
The Audit Committee's attention is drawn to the Audit Planning Summary (attachment 1) which explains OAGs approach to the audit of the annual financial report. Significant issues and risks that could impact the timeliness of audit are detailed on page 5 and 6 of the planning summary.

The Town is undertaking a fair value assessment of infrastructure assets as at 30 June 2021, and this accounting estimate will receive specific audit attention. The changes to the Australian Accounting Standards will not have a significant impact on the Town's accounts, and management will complete a formal assessment of these standards in a discussion paper for OAG.

Management is confident that the timelines will be met as per the proposed audit schedule, and the Audit Opinion will be issued before 31 December 2021.

10.6 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A070721

Moved Mayor O'Neill, seconded Cr Harrington

That the Audit Committee receive:

1. **the Audit Planning Summary for the Town of East Fremantle as appended as attachment 1 to this report.**
2. **the Project Plan for the completion of the Annual Financial Report for the year ended 30 June 2021 as appended as attachment 2 to this report.**

(CARRIED UNANIMOUSLY)

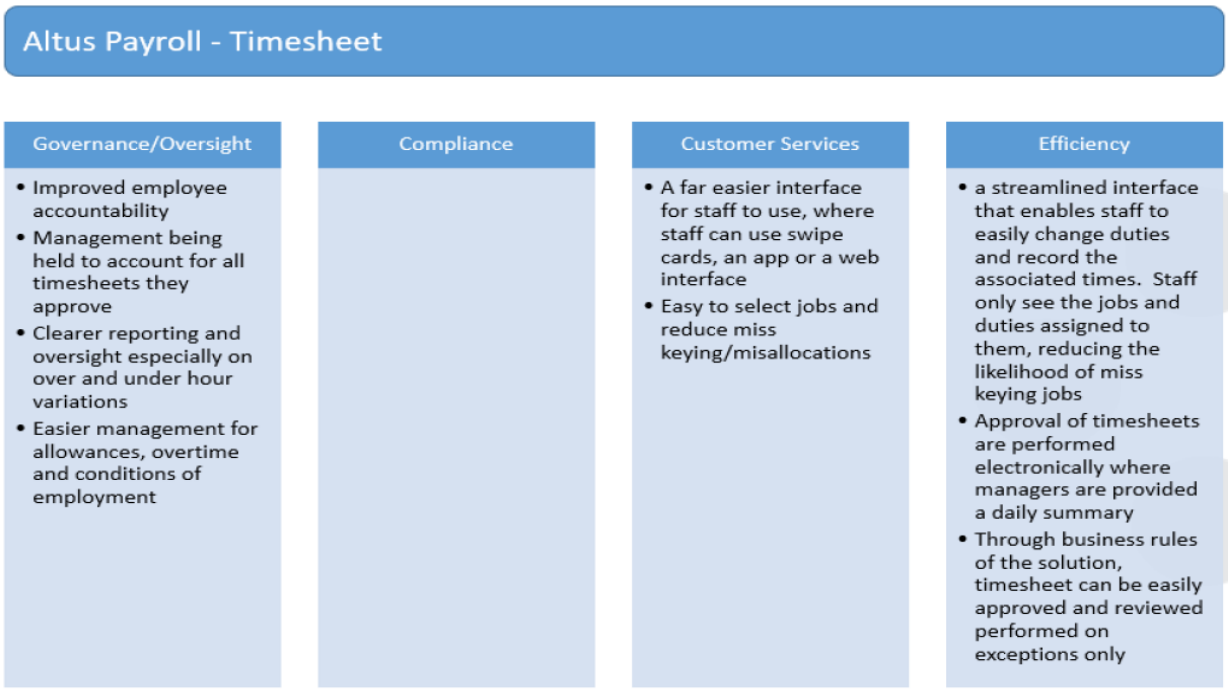
10.7 New Payroll Module - Definitiv

File ref	F/AUD1
Prepared by	Natalie McGill, Senior Finance Officer
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	15 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Issues Log

Purpose
The purpose of this report is to provide the Audit Committee with a closing report on the implementation of the Altus Payroll project (Definitiv).

Executive Summary
The Town's draft Business Improvements Plan identified the need for a new automated payroll system to gain efficiencies in not only the payroll process, but also provide a positive change to the organisations culture with a time saving benefit to all staff. The Definitiv payroll solution was chosen as the best fit for purpose solution.

Background
The following matrices were applied when undertaking due diligence to assess the appropriateness of the Definitiv payroll solution:



Altus Payroll – Payment Processing

Governance/Oversight	Compliance	Customer Services	Efficiency

• Improved employee and manger accountability
• Ability to report on under and over hours (variance reporting)
	• Accounting standards		• Current state;
			  • -Timesheets management 1.5 hours/day (payroll officer)
			  • - Pay day takes a full day (fortnightly)
			  • - Management reporting after each pay – 2 hours
			• Estimated future state
			  • –timesheet management 1/2 hour/day
			  • - Pay day to take 3 hours
			  • - Management Reporting less than 1 hour

Altus Payroll – Leave Management

Governance/Oversight	Compliance	Customer Services	Efficiency
•Improved reporting and monitoring of leave applications and balances •Auditing on leave can be easily managed •Single source of truth for leave management		•The customer service team can easily access an availability calendar, helping ensure that they direct a customer to staff member who is available. •Internal staff can raise and submit a request at any time of their choosing. •Through the self service portal employee can view their leave accruals at any time and their balance of accrual on forward dates.	•staff currently ask the payroll office for their future leave balances. This is no longer required in Altus Payroll as the solution forward calculates the balance. •When booking leave staff can see what colleagues have taken leave on their requested day(s) •Managers can easily approve or reject a leave application •It is estimated that over 300 request are made per year and each request take 30 minutes to process (request balance, confirm no conflict in coverage, submit form, management review and approve, central calendar updated. •Future state – leave request take less than 10 minutes to complete.

Altus Payroll – Payroll & People Management

Governance/Oversight	Compliance	Customer Services	Efficiency
• Improved alignment to the Town's policies	• EEO and OHS Acts and regulations		• The solution can easily enable management to issue out policies and gain acceptance through the app or web interface. Previously this was a manual process and policies like the 'Work Place Surveillance' policy took over 6 weeks to be distributed and accepted. • This policy function can also be used for refresher training or notifications including matters relating to EEO and work safe. This use will be performed with implementation of ELMO.

Altus Payroll – Employee Self Service

Governance/Oversight	Compliance	Customer Services	Efficiency
• Management have a clear insight of resourcing	• Local Government Industry Awards requires that all staff are rostered on for a minimum of 2 hours, which can be better managed through the Altus payroll rostering solution.	• Staff have 24/7 access to update their rosters	• with the increasing flexible work arrangements staff, casual and part time staff need to be able to update their availability easily. • This solution provides staff the ability to update their available times via the app or web interface

Consultation
Executive Management Group

Statutory Environment
Regulation 17 of the *Local Government (Audit) Regulations 1996* requires the CEO to review the appropriateness and effectiveness of a local governments systems and procedures in relation to risk management, internal control and legislative compliance separately or all at the one time, on the provision that each matter is reviewed at least once every three years. The CEO is also required to report the results of that review to Council.

Policy Implications
Procurement of the payroll solution was exempt from requirements for quote as it was deemed to be a sole supplier arrangement. The Town has legal advice on file which confirms that any add ons to our existing ERP, fits within the scope of sole supplier.

Financial Implications
Purchase Order 37554 was release for this project with a total cost of $45,903.77 (inclusive of GST). The project was delivered on budget and on time.

Strategic Implications
Strategic Priority 5 – Leadership and Governance
5.1 Strengthen organisational accountability and transparency
5.3 Strive for excellence in leadership and governance

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)
The Audit Committee is responsible to exercise oversight of managements processes for identifying and responding to the risks of fraud in the Town and the internal controls that management has established to mitigate these risks. The risk of payroll fraud is deemed to extremely low.	**Unlikely (2)**	**Moderate (3)**	**Moderate (5-9)**	**FINANCIAL IMPACT Less than $10,000**	**Treat through appropriate payroll controls.**

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	6
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

1 – Implementation

The implementation of Definitiv was a 12-week project timeline (as per attachment 1). A Project Plan and Change Management Plan were also prepared.

The Town and ItVision worked closely together to build the Award engine and fully customise the system to our specific requirements. Three parallel payroll runs were processed in both Definitiv and Synergysoft to ensure the integrity of output. This is an extra parallel run that is usually included in the implementation process, but it was only when the 3rd parallel run was 100% accurate, that the Town chose to 'go live' with Definitiv. Staff training was undertaken with both group and individual demonstrations and training sessions.

2 – Efficiencies

The primary drivers for implementing Definitiv, was to automate the time sheets and leave application processes for all staff. Payroll by exception was implemented for a majority of staff, thus eliminating the need for fortnightly timesheets, with the exception of those staff who are Casual employees, those who work variable or overtime hours and our Operations staff.

Town Staff took the opportunity to revise costings for our Operations staff and work through a very collaborative process to develop a new Works Costings Matrix (attachment 2), to better understand the distribution of costs across our job's accounts.

Tablets were purchased for Operations staff to enable them to enter time sheets whilst in the field. Opportunity also exists for these tablets to be used for other purposes, including maintenance requests using Snap, Send, Solve and also inspection of Council assets.

All staff are able to access the web based Definitiv platform from their laptops, or smart phones and tablets through the Definitiv App.

One of the main benefits of the implementation of the Definitiv system, is the amount of time saved across the organisation, but specifically the time reclaimed by the Senior Finance Officer. Prior to the implementation of Definitiv, payroll processing was a time intensive process over each fortnight, requiring daily processing of timesheets and leave forms, with an additional 2 whole days each fortnight required for payroll review and payday processing and reporting. This process has been reduced down to 2 half days (one full day) per fortnight. This includes all reviews, pay day processing and reporting. This massive time saving has allowed the Senior Finance Officer to concentrate on other areas, including Balance Sheet controls, supervision of staff members and more project based and reporting work.

3- Payroll Controls

The Town was recently subject to interim audit by Office of Auditor General; a large focus of which was testing the controls of the new Definitiv system. This included assessment of leave balances taken up as well as an assessment of the Award Engine and Organisation Structure. We will await the outcome of this year's audit in due course, however, at this point in time the OAG has not advised of any weaknesses in the controls of the payroll system.

Payroll processes are outlined in the procedure document that was created by the Senior Finance Officer. A copy of this document was provided to the OAG as part of their recent Audit. It should be noted that this document now forms the basis of procedures given to other Local Governments by ITVision.

4 – Issues Log

Whilst it has delivered significant benefits, Staff have identified several improvements that can be implemented to the Definitiv system. These are contained in the issues log (attachment 3). With the main area where issues have occurred, being the integration of a third-party software solution with our existing ERP. The Town is working proactively with the vendor for an appropriate solution.

5- Business Improvement program

It is the view of staff that the implementation of the new payroll solution was a great success and the transition from the existing payroll solution to the new one was relatively seamless. Staff have made comment on the ease of use of the new platform and the convenience of being able to submit information such as leave requests anytime, using the mobile app.

Town staff are committed to improving our business systems and to this end, an assessment of our existing ERP will be undertaken in the 21/22 financial year with a view of identifying a road map and priorities for investment in our business systems.

Summary

The implementation of a new payroll system resulted in the Town undertaking a full health check of the payroll system including an audit of all leave balances and pay rates, allowances and deductions.

Payroll expenses account for approximately 40% of the Towns operating cash expenses, and therefore it is critical that the Audit Committee receives an assurance that the appropriate internal controls exist to ensure the accuracy of payments to employees and to negate the risk of any fraud.

10.7 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A080721

Moved Mayor O'Neill, seconded Cr Watkins

That the Audit Committee receives the closing report on the implementation of the Altus Payroll project (Definitiv).

(CARRIED UNANIMOUSLY)

Cr Natale queried the annual cost of Definitiv and was advised by the Executive Manager that the cost is incorporated into the Town's Annual Licence Fees for SynergySoft and is charged at $10 per employee per month.

10.8 Recurrent Status Report – Risk Management, Internal Controls and Legislative Compliance

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	15 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Status Report

Purpose
It is recommended that the Audit Committee receive a status report on all outstanding matters raised in external audit reports, financial management reviews, performance audits, internal audit reports and any other review relevant to the Audit Committee's Terms of Reference.

Executive Summary
A status report has been prepared reporting against identified issues with respect to audit, risk management, internal controls, procurement matters and legislative compliance. The status report is not an exhaustive listing and will become a living document and updated as issues are identified. It is presented to the Audit Committee to assist in their role to report to Council and provide advice and recommendations on matters relevant to its terms of reference.

Background
The Department of Local Government has published an Operational Guideline on Audit in Local Government. Appendix 3 of this Guideline lists a number of matters that should be presented to an Audit Committee for review and monitoring:

Risk Management:

- Reviewing whether the local government has an effective risk management system;
- Reviewing whether the local government has a current and effective business continuity plan;
- Reviewing areas of potential non-compliance with legislation, regulations and standards and local governments policies;
- Reviewing the following; litigation and claims, misconduct, and significant business risks;
- Obtaining regular risk reports, which identify key risks, the status and the effectiveness of the risk management systems, to ensure that identified risks are monitored and new risks are identified, mitigated and reported;
- Assessing the adequacy of local government processes to manage insurable risks and ensure the adequacy of insurance cover, and if applicable, the level of self-insurance;
- Reviewing the effectiveness of the local governments internal control system with management and the internal and external auditors;
- Assessing whether management has controls in place for unusual types of transactions and/or any potential transactions that might carry more than an acceptable degree of risk;
- Assessing the local government's procurement framework with a focus on the probity and transparency of policies and procedures/processes and whether these are being applied.

Internal Control Systems:

- Separation of roles and functions, processing and authorisation;
- Control of approval of documents, letters and financial records;

- Limit of direct physical access to assets and records;
- Control of computer applications and information system standards;
- Regular maintenance and review of financial control accounts and trial balances;
- Comparison and analysis of financial results with budgeted amounts;
- Report, review and approval of financial payments and reconciliations;
- Comparison of the result of physical cash and inventory counts with accounting records.

Legislative Compliance:

- Monitoring compliance with legislation and regulations;
- Reviewing the annual Compliance Audit Return and reporting to Council the results of that review;
- Reviewing whether the local government has procedures for it to receive, retain and treat complaints, including confidential and anonymous employee complaints;
- Obtaining assurance that adverse trends are identified and review managements plans to deal with these;
- Reviewing management disclosures in financial reports of the effect of significant compliance issues;
- Considering the internal auditors role in assessing compliance and ethics risks in their plan;
- Monitoring the local government's compliance frameworks dealing with relevant external legislation and regulatory requirements.

Consultation
Chief Executive Officer
Manager Finance and Administration

Statutory Environment
Regulation 17 of the *Local Government (Audit) Regulations 1996* requires the CEO to review the appropriateness and effectiveness of a local governments systems and procedures in relation to risk management, internal control and legislative compliance separately or all at the one time, on the provision that each matter is reviewed at least once every three years. The CEO is also required to report the results of that review to Council.

Policy Implications
There are no Council Policies relevant to this item.

Financial Implications
There are no financial implications relevant to this item.

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 key findings are not actioned within a timely manner	Possible (3)	Moderate (3)	Moderate (5-9)	Compliance	Control through oversight by the Audit Committee and ensuring adequate budget allocation for resourcing

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. In accordance with previous Audit Committee discussions, items that have been completed with no further comment provided have been omitted from the matrix.

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

Strategic Implications
Strategic Priority 5 – Leadership and Governance
5.1 Strengthen organisational accountability and transparency
5.3 Strive for excellence in leadership and governance

Comment
The status sheet has been updated accordingly.

The following summary of completion is provided:

Risk Category	No. Issues	Completed	Underway	Not Commenced
High	9	5	3	1
Medium	11	2	6	3
Low	4	2	1	1
	24	**9**	**10**	**5**

10.8 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A090721

Moved Cr Harrington, seconded Cr Watkins

That the Audit Committee receives the status report on items relevant to its Terms of Reference.

(CARRIED UNANIMOUSLY)

11. MATTERS BEHIND CLOSED DOORS

Nil.

12. CLOSURE OF MEETING

The meeting closed at 7.28pm.

*I hereby certify that the Minutes of the ordinary meeting of the **Audit Committee** of the Town of East Fremantle, held on **15 July 2021**, Minute Book reference **1.** to 1**2.** were confirmed at the meeting of the Council on*

.....

Presiding Member

TOWN of EAST FREMANTLE

ATTACHMENTS TO AUDIT COMMITTEE MEETING MINUTES

15 July 2021

Minute No	Subject
10.2	Terms of Reference – Audit Committee
10.3	Onboarding Offboarding Process Attachment 1
10.3	Onboarding Offboarding Process Attachment 3
10.4	Operational Risk Register
10.4	Strategic Risk Register
10.5	Procurement Review Attachment 2
10.7	New Payroll Module – Definitiv
10.8	Recurrent Status Report – Risk Management, Internal Controls and Legislative Compliance

Town of East Fremantle

Audit Committee

Terms of Reference

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Audit Committee Terms of Reference

1. Purpose of the Terms of Reference

The purpose of the terms of reference is to facilitate the operation of the Audit Committee.

2. Introduction

The Audit Committee is an advisory committee formally appointed by the Council and is responsible to the Council. The Audit Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any financial responsibility. The Audit Committee does not have any management functions and is therefore independent of management.

The Audit Committee objective is to assist the Town of East Fremantle Council in liaising with the auditor and overseeing the external audit function and promoting the transparency and accountability of the Town's financial management systems and reporting. The role of the Committee is to report to the Council and provide appropriate advice and recommendations on matters relevant to its terms of reference in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.

3. Objectives

The objectives of the Audit Committee are to oversee council's obligations under the *Local Government Act 1995*, and *Local Government (Audit) Regulations 1996, more specifically*;

3.1 The integrity of external financial reporting, including accounting policies.

3.2 The scope of work, objectivity, performance and independence of the external and internal audit charter.

3.3 Ensure the Town has established effective controls and systems to safeguard the Town's financial and physical resources.

3.4 The systems or procedures that are designed to ensure that the Town and its subsidiaries comply with relevant statutory and regulatory requirements.

3.5 The process for recognising risks arising from the Town's operations and strategies, and consider the adequacy of measures taken to manage those risks.

3.6 The process and systems which protect the Council against fraud and irregularities.

The Audit Committee must also add to the credibility of Council by promoting ethical standards through its work.

4. Authority

The Audit Committee has the authority to:

4.1 Review the internal and external auditor's annual audit plans and the outcomes/results of all audits undertaken.

4.2 Formally meet with the Town's appointed external auditors as necessary.

4.3 Seek resolution on any disagreements between management and the external auditors on financial reporting.

4.4 Advise Council on any or all of the above as deemed necessary.

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Audit Committee Terms of Reference

5. Composition

5.1 The Audit Committee will comprise ~~of a minimum of~~ six (6) elected members and a maximum of 8 ~~elected members~~members in total inclusive of the external independent members..

5.2 The Audit Committee will comprise of up to two (2) external independent members. An external member will be a person independent to the local government and will not have provided paid services to the Town either directly or indirectly.

5.3 External independent members will be selected based on the following criteria:

a) A demonstrated high level of expertise and knowledge in financial management, reporting, governance and audit; and
b) Relevant skills and experience in providing independent expert advice.

5.4 Appointments of external independent members will be made following a public advertisement. The Chief Executive Officer will evaluate potential members and make a recommendation to Council.

5.5 External members shall be appointed for a period of up to two (2) years terminating on the day of the Local Government Ordinary Elections, unless Council resolves otherwise

5.~~2~~6 In accordance with 7.1A (3) of the Local Government Act, "*A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.*"

5.~~3~~7 The Council will appoint Audit Committee members. Voting requirement of Council is an *Absolute Majority*.

5.~~4~~8 The Presiding Member and Deputy Presiding Member will be appointed by the Audit Committee, biennially by election by all committee members after the Ordinary Local Government Election.

5.~~5~~9 The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the Town. At least one member of the committee will have accounting or related financial management experience with an understanding of accounting and auditing standards in a public sector environment.

5.~~6~~10 A quorum will be a minimum of 50% of the membership.

5.~~7~~11 Audit Committee members are required by the *Local Government Act 1995* and Code of Conduct in observing the requirements of declaring any proximity, financial or impartiality interests that relate to any matter to be considered at each meeting.

5.~~7~~12 New members will receive relevant information and briefings on their appointment to assist them to meet their committee responsibilities.

6. Meetings

6.1 The Audit Committee will meet at least three (3) times per year, with the dates to be set each year by Council, with authority to convene additional meetings, as circumstances require.

6.2 Meetings may be called by the Presiding Member of the Audit Committee, or at the request of the Mayor or Chief Executive Officer.

6.3 The Audit Committee meetings are generally open to the public unless the Presiding

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Member or Chief Executive Officer deem it necessary to proceed behind closed doors pursuant to Section 5.23 of the Local Government Act 1995.

6.4 All Elected Members are invited to attend each Audit Committee meeting.

6.5 All Audit Committee members are expected to attend each meeting in person.

6.6 The Chief Executive Officer will facilitate the meetings of the Audit Committee and invite members of management, internal and external auditors or others to attend meetings as observers and to provide pertinent information, as necessary.

6.7 The Audit Committee will develop a forward meeting schedule that includes the dates, location, and proposed work plan for each meeting for the forthcoming year, that cover all the responsibilities outlined in this terms of reference.

6.8 Meeting agendas will be prepared and provided at least one week in advance to members, along with appropriate briefing materials.

6.9 A decision of the Audit Committee is to be made by a simple majority.

6.10 Minutes will be taken at each meeting and presented to the subsequent meeting for confirmation.

7. Responsibilities

The Audit Committee will carry out the following responsibilities:

7.1 Risk management

7.1.1 Review whether management has in place a current and comprehensive enterprise risk management framework and associated procedures for effective identification and management of the Town's business and financial risks, including fraud.

7.1.2 Determine whether a sound and effective approach has been followed in managing the Town's major risks including those associated with individual projects, program implementation, and activities.

7.1.3 Review the process of developing and implementing the Town's fraud control arrangements and satisfy itself the Town has appropriate processes and systems in place to detect, capture and effectively respond to fraud-related information.

7.2 Business continuity

7.2.1 Determine whether a sound and effective approach has been followed in establishing the Town's business continuity planning arrangements, including whether business continuity and disaster recovery plans have been periodically updated and tested.

7.3 Internal Control

7.3.1 Review whether management has in place relevant policies and procedures and that they are periodically reviewed and updated.

7.3.2 Review whether appropriate policies and supporting procedures are in place for the management and exercise of delegations.

7.4 Financial Report

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7.4.1 Review with management and the external auditors the results of the audit, including any difficulties encountered.

7.4.2 Review the annual financial report and performance report of the Town of East Fremantle and its subsidiaries, and consider whether it is complete, consistent with information known to Audit Committee members, and reflects appropriate accounting principles.

7.4.3 Review the process for the consolidation of financial information of the Town related entities into the financial reports of the Town.

7.4.4 Review with management and the external auditors all matters required to be communicated to the Audit Committee under the Australian Auditing Standards.

7.4.5 Review the draft Annual Financial Statements and recommend the adoption of the Annual Financial Statements to Council.

7.5 Compliance

7.5.1 Keep informed of the findings of any examinations by regulatory agencies and any auditor (external) observations and monitor management's response to these findings.

7.5.2 Obtain regular updates from management about compliance matters.

7.6 Internal Audit Charter

7.6.1 Review and recommend the annual internal audit plan for approval by the Council and all major changes to the plan.

7.6.2 Monitor that the internal annual plan is linked with and covers the material business risks.

7.6.3 Review all audit reports and provide advice to the Council on significant issues identified in audit reports and action to be taken on issues raised, including identification and dissemination of good practice.

7.6.4 Monitor management's implementation of audit recommendations.

7.7 External Audit

7.7.1 Note the external auditor's proposed audit scope and approach for financial performance audits, including any reliance on internal auditor activity.

7.7.2 Consider the findings and recommendations of relevant Performance Audits undertaken by the external auditor and ensure the Town implements relevant recommendations.

7.7.3 Provide an opportunity for the Audit Committee to meet with the external auditors to discuss any matters that the Audit Committee or the external auditors believe should be discussed privately.

7.7.4 Annually review the performance of external audit including the level of satisfaction with external audit function.

7.7.5 Monitor management's implementation of external audit recommendations.

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7.8 Reporting Responsibilities

7.8.1 Report regularly to the Council about Audit Committee activities, issues, and related recommendations through circulation of minutes.

7.8.2 Monitor that open communication between the external auditors, and the Town's management occurs.

7.8.3 To review a report given to it by the CEO under regulation 17(3) of the Local Government (Audit) Regulations and is to —

(i) report to the council the results of that review; and

(ii) give a copy of the CEO's report to the council.

7.9 Other Responsibilities

7.9.1 Perform other activities related to this terms of reference as requested by the Council or as required by *Local Government Act 1995 or Local Government (Audit) Regulations 1996*.

7.9.2 Annually review and assess the adequacy of the Audit Committee terms of reference, request Council approval for proposed changes, and ensure appropriate disclosure as might be required by legislation or regulation.

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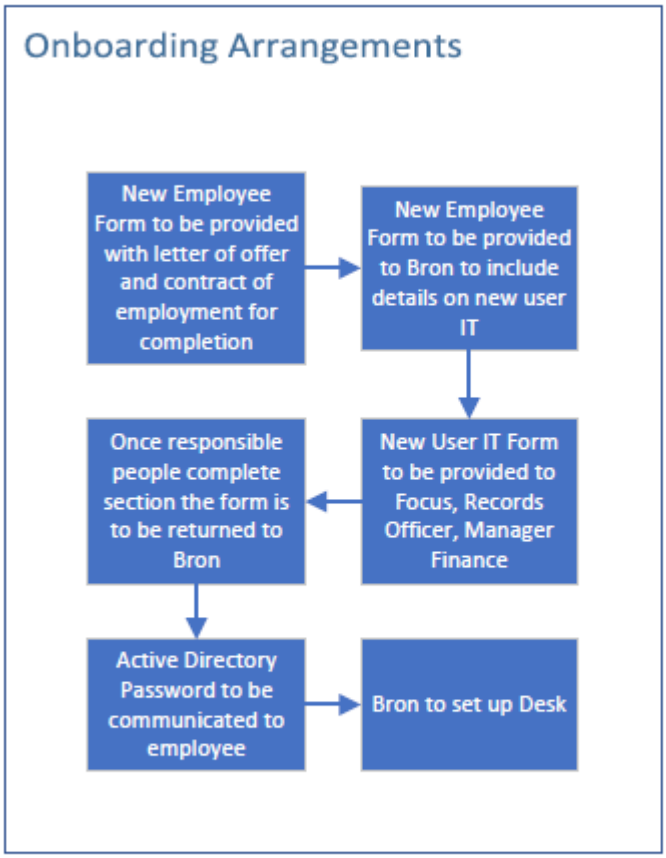
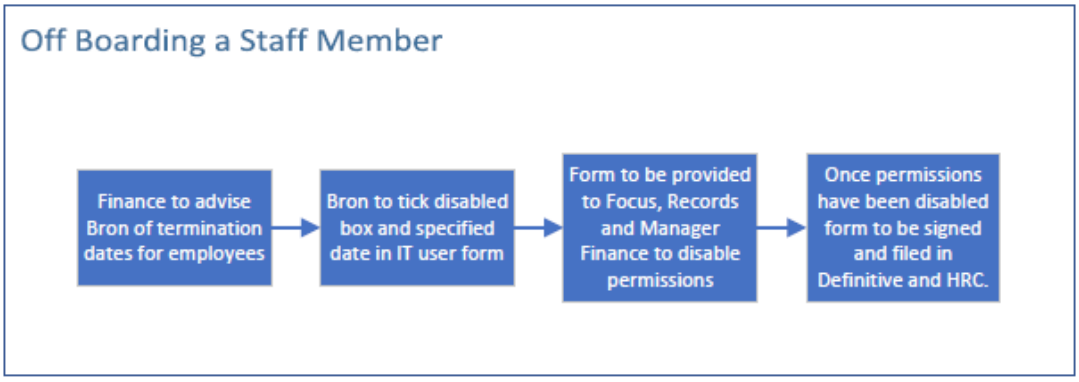

Onboarding Arrangements
New Employee Form to be provided with letter of offer and contract of employment for completion
New Employee Form to be provided to Bron to include details on new user IT
New User IT Form to be provided to Focus, Records Officer, Manager Finance
Once responsible people complete section the form is to be returned to Bron
Active Directory Password to be communicated to employee
Bron to set up Desk


Off Boarding a Staff Member
Finance to advise Bron of termination dates for employees
Bron to tick disabled box and specified date in IT user form
Form to be provided to Focus, Records and Manager Finance to disable permissions
Once permissions have been disabled form to be signed and filed in Definitive and HRC.

OUR REF: Personnel Record

TOWN of EAST FREMANTLE

Employee Name: _____

Employee Payroll Number: _____

Commencement Date: _____

Termination Date: _____

I certify that the items shown below were transferred to my possession on commencement / during my employment at the Town of East Fremantle and returned to Council on my termination of employment.

PARTICULARS	TOWN OF EAST FREMANTLE ITEMS HELD BY EMPLOYEE (please comment below if applicable)	TOWN OF EAST FREMANTLE ITEMS RETURNED ON TERMINATION (please comment below if applicable)
Office Keys/FOB/Depot Gate		
Council Vehicle / Keys		
Fuel Card		
Credit Card		
Trade Card		
Mobile Phone / Charger		
Tablet / Body Worn Camera		
Laptop		
Security Alarm Code		
CommBizz etoken/Deposit Card		
Town Security USB		
Ranger ID Wallet and Authorisation Card		

Employee Signature Date

Manager's Signature Date

Manager's signature confirms that all items have been returned and Focus Networks have been notified to close all IT accounts, including email.

Town of East Fremantle
Operational Risk Dashboard Report
June 2021

Executive Summary

Recommendations

Providing inaccurate Advice / Information (All Ems)	Risk	Control
	Moderate	Adequate

Incomplete, inadequate or inaccuracies in advisory activities to customers or internal staff.

Examples include;
-Incorrect planning, development or building advice
-Incorrect health or environmental advice
-Inconsistent messages or responses from Customer Service Staff
-Any advice that is not consistent with legislative requirements or local laws.

Current Issues / Actions / Treatments	Due Date	Responsibility
Review of Online Services	*Ongoing*	*TLCS*
FAQ - for front line staff	*Ongoing*	*EMCS/CCusS*
Implementation of Customer Service Improvement Program	*Ongoing*	*CEO/MCO*
Develop & Document complaints process	*Ongoing*	*TLCS*

Errors, omissions & delays (All staff)	Risk	Control
	Moderate	Adequate

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process. This includes instances of;
-Human error
-Inaccurate recording, maintenance, testing or reconciliation of data.
-Inaccurate data being used for management decision-making and reporting.
-Delays in service to customers
-Inaccurate data provided to customers
This excludes process failures caused by inadequate / incomplete procedural documentation - refer “Inadequate Document Management Processes”.

Current Issues / Actions / Treatments	Due Date	Responsibility
Heritage Review and Municipal Heritage Inventory Review	*Dec-21*	*EMRS*
Operational Information Sheets	*Jun-21*	*OM*
Delegation Review and Policies	*Annually*	*CEO*
Review of Complaints Handling process	*Underway*	*CCusS*
Monthly Customer Service Reporting	*Ongoing*	*CCusS*

Asset Sustainability practices (EMTS/EMCS)	Risk	Control
	Moderate	Adequate

Failure or reduction in service of infrastructure assets, plant, equipment or machinery.
These include fleet, buildings, roads, playgrounds, boat ramps and all other assets during their lifecycle from procurement to disposal. Areas included in the scope are;
-Inadequate design (not fit for purpose)
-Ineffective usage (down time)
-Outputs not meeting expectations
-Inadequate maintenance activities.
-Inadequate financial management and planning (capital renewal plan).
It does not include issues with the inappropriate use of the Plant, Equipment or Machinery. Refer Misconduct.

Current Issues / Actions / Treatments	Due Date	Responsibility
Review all asset management plans/policies	*Ongoing*	*OM/CEO*
Consultant to undertake ROMANS 2 desk top assessment (Oct) annually and every 3 years road inspection audit	*Ongoing*	*EMTS*

External theft & fraud (inc. Cyber Crime) (EMCS)	Risk	Control
	Moderate	Effective

Loss of funds, assets, data or unauthorised access, (whether attempted or successful) by external parties, through any means (including electronic), for the purposes of;
-Fraud: benefit or gain by deceit
-Malicious Damage: hacking, deleting, breaking or reducing the integrity or performance of systems
-Theft: stealing of data, assets or information

Current Issues / Actions / Treatments	Due Date	Responsibility
Ensure doors are locked at all times for the Computer Server Room and Records Room	*Ongoing*	*CCS*
Cyber Risk Health Assessment	*Aug-21*	*EMCS*

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Develop Asset Management Plans for Parks,Ovals and Drainage	*Ongoing*	*EMTS*
Annual revaluation of assets	*Ongoing*	*EMTS*
Capture legacy issues with aged assets such as the Town's drainage infrastructure	*Ongoing*	*EMTS*

Business & Community disruption (BCP)	**Risk**	**Control**
	Low	**Effective**

Failure to adequately prepare and respond to events that cause disruption to the local community and / or normal Town business activities. This could be a natural disaster, weather event, or an act carried out by an external party (e.g. sabotage / terrorism).
This includes;
-Lack of (or inadequate) emergency response / business continuity plans.
-Lack of training for specific individuals or availability of appropriate emergency response.
-Failure in command and control functions as a result of incorrect initial assessment or untimely awareness of incident.

Current Issues / Actions / Treatments	Due Date	Responsibility
Business Continuity Plan and IT Disaster Recovery Plan - review annually	*Annual*	*CEO*
IT Disaster Recovery Plan - annual testing	*Annual*	*EMCS*
Internal Emergency Management Plan - review annually	*Annual*	*EHO*
Evacuation exercise to be undertaken - annual	*Annual*	*OSH Committee*
Fire alarm/extinguishers/electrical tagging - check status - annual test	*Annual*	*EHO*
Implementation of COVID safety plans as required	*Ongoing*	*BCP*
Internal Audit Program	*Ongoing*	*EMCS*
Online learning fraud, corruption, social engineering and cyber risks	*Ongoing*	*HR*

Management of Facilities / Venues / Events (All staff)	**Risk**	**Control**
	Moderate	**Adequate**

Failure to effectively manage the day to day operations of facilities, venues and / or events. This includes;
-Inadequate procedures in place to manage quality or availability.
-Poor crowd control
-Ineffective signage
-Booking issues
-Stressful interactions with hirers / users (financial issues or not adhering to rules of use of facility)
Inadequate oversight or provision of peripheral services (eg. cleaning / maintenance)

Current Issues / Actions / Treatments	Due Date	Responsibility
Staff Training register	*Ongoing*	*HR*
Lease agreements with all tenants	*Ongoing*	*EMCS*
Develop annual playground inspection program	*Mar-21*	*TSM*
Investigate On-line booking system	*Mar-21*	*TLCS*
Investigate digital access to all community buildings to replace the current key system	*Underway*	*CCS*
Playground Condition Assessment - Annual Inspection report	*Sep-21*	*EMTS*

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Failure to fulfil Compliance requirements (statutory, regulatory) (EAs)	Risk	Control
	Low	Adequate

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public domain legal documentation. It includes (amongst others) the Local Government Act, Planning & Development Act, Health Act, Building Act, Privacy Act and all other legislative based obligations for Local Government.

Current Issues / Actions / Treatments	Due Date	Responsibility
Corporate Calendar	*Monthly*	*EACEO*
Develop standard operating procedures for each position	*Ongoing*	*All staff*
Review procedures manual every 12 months	*Jun-21*	*HR/Exe Managers/CEO*

Information Systems (EMCS)	Risk	Control
	Moderate	Effective

Instability, degradation of performance, or other failure of IT or communication system or infrastructure causing the inability to continue business activities and provide services to the community. This may or may not result in IT Disaster Recovery Plans being invoked. Examples include failures or disruptions caused by:
-Hardware or software
-Networks
-Failures of IT Vendors
This also includes where poor governance results in the breakdown of IT maintenance such as;
-Configuration management
-Performance monitoring

The Office of the Auditor General recently performed a General Computer Control Audit of the Town of East Fremantle (July 2019). The following is a summary of the audit methodology:

Scope: the audit focused on:
•Policies and procedures – The entity should ensure that they have appropriate policies and procedures in place for key areas such as IT risk management, information security, business continuity and change control.
•Management of IT risks - The entity need to ensure that IT risks are identified, assessed and treated within appropriate timeframes and that these practices become a core part of business activities.
•Information security - The entity should ensure good security practices are implemented, up-to-date and regularly tested and enforced for key computer systems. Agencies must conduct ongoing reviews for user access to systems to ensure they are appropriate at all times.
•Business continuity - The entity should have a business continuity plan, a disaster recovery plan and an incident response plan. These plans should be tested on a periodic basis.
•Change control - change control processes should be well developed and consistently followed for changes to computer systems. All changes should be subject to thorough planning and impact assessment to minimise the likelihood of problems. Change control documentation should be current, and approved changes formally tracked.
•Physical security – The entity should develop and implement physical and environmental control mechanisms to prevent unauthorised access or accidental damage to computing infrastructure and systems.

Current Issues / Actions / Treatments	Due Date	Responsibility
The Town to review and update The Information Technology Policy to appropriately address all relevant areas of Information security	*Jun-21*	*EMCS*
The Town to establish an appropriate information security awareness program to make sure individuals are aware of the Town's Information Security Policy, risks and personal requirements for protecting information	*Jun-21*	*EMCS*
The Town to document and implement an appropriate vulnerability management process. This process should ensure all relevant known software and security vulnerabilities are identified. These vulnerabilities along with remediation to address them should be appropiately assessed and tested. Following successful testing the relevant actions and updates should be applied to the IT Systems within a timely manner.	*Jun-21*	*EMCS*

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Review purchasing history (tender compliance)	*Completed*	*EMCS*	*The Town to develop, document and implement appropriate ICT change management procedures. This should include the use of a suitable change management system to maintain records of change details and authorisations.*	*Completed*	*EMCS*
Improvement Plan - Aud Reg 17 & FMR	*Dec-22*	*CEO*	*Server replacement/cloud assessment*	*Jun-21*	*EMCS*

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Document Management processes (RO)	Risk	Control
	Low	Adequate

Failure to adequately capture, store, archive, retrieve, provide or dispose of documentation. This includes:
-Contact lists.
-Procedural documents, personnel files, complaints.
-Applications, proposals or documents.
-Contracts.
-Forms or requests.

Current Issues / Actions / Treatments	Due Date	Responsibility
Undertake additional record training for all staff	*Ongoing*	*HRC*
Fully utilise Synergy	*Ongoing*	*RO*
Establish file sentencing structure for Y Drive, migrate records into EDRMS and disable File Server	*Jun-22*	*RO*
Assess full digitisation of Town Records and Update Record Keeping Plan accordingly	*TBD*	*RO*
Prepare a project plan for SharePoint Online with a view of replacing the EDRMS in Synergy Soft	*TBD*	*RO*

Misconduct (CEO)	Risk	Control
	Low	Adequate

Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority. This would include instances of:
-Relevant authorisations not obtained.
-Distributing confidential information.
-Accessing systems and / or applications without correct authority to do so.
-Misrepresenting data in reports.
-Theft by an employee
-Inappropriate use of plant, equipment or machinery
-Inappropriate use of social media.
-Inappropriate behaviour at work.
-Purposeful sabotage
This does not include instances where it was not an intentional breach - refer Errors, Omissions or Delays, or Inaccurate Advice / Information.

Current Issues / Actions / Treatments	Due Date	Responsibility
Internal Policy & Procedures	*Ongoing*	*HR*
Annual Licence Checks (develop form)	*Ongoing*	*HRC*
Staff to complete Online Learning Module on Public Interest Disclosure and Whistle Blower Policy, Fraud and Corruption Awareness, Accountable and Ethical Decision Making and Discrimination and EEO.	*Ongoing*	*HRC*

Employment practices (CEO/HRC)	Risk	Control
	Low	Adequate

Failure to effectively recruit, manage and lead human resources (full-time, part-time, casuals, temporary and volunteers).
This includes:
-Not having appropriately qualified or experienced people in the right roles.
-Insufficient staff numbers to achieve objectives.
-Breaching employee regulations.
-Discrimination, harassment & bullying in the workplace.
-Poor employee wellbeing (causing stress).
-Key person dependencies without effective succession planning in place.
-Industrial activity.

Current Issues / Actions / Treatments	Due Date	Responsibility
Embed Town Values	*Ongoing*	*HRC*
Develop an Organisational Development and Training Plan	*Ongoing*	*HRC*
Introduce new Online Learning & Induction Platform (LEARN RITE)	*Ongoing*	*HRC*
Annual Review of Workforce Plan	*Annual*	*HRC*

Project / Change management (All staff)	Risk	Control
	High	Adequate

Inadequate analysis, design, delivery and / or status reporting of change initiatives, resulting in additional expenses, time delays or scope changes. This includes:
-Inadequate change management framework to manage and monitor change activities.
-Inadequate understanding of the impact of project change on the business.
-Failures in the transition of projects into standard operations.
-Failure to implement new systems
-Inadequate handover process
This does not include new plant & equipment purchases. Refer "Inadequate Asset Sustainability Practices"

Current Issues / Actions / Treatments	Due Date	Responsibility
Project/Change Management Training	*Commenced*	*HRC*
Development of PM Framework	*Commenced*	*CEO*

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Review of CHSP	*Jul-21*	*EMCS*
Finalisation of Code of Conduct	*Aug-21*	*EACEO*

Engagement practices (CCE/CMO)	**Risk**	**Control**
	Moderate	**Adequate**

Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Key Private Sector Companies, Government Agencies and / or Elected Members. This includes activities where communication, feedback or consultation is required and where it is in the best interests to do so. For example;
-Following up on any access & inclusion issues.
-Infrastructure Projects.-
-Local planning initiatives.
-Strategic planning initiatives
This does not include instances whereby Community expectations have not been met for standard service provisions such as Community Events

Current Issues / Actions / Treatments	Due Date	Responsibility
Community Consultations Plan and Policies	*Commenced*	*CEO*
Implementation of Community Engagement Calendar	*Ongoing*	*CCE/CMO*

Safety and Security practices (OSH Committee)	**Risk**	**Control**
	Moderate	**Adequate**

Non-compliance with the Occupation Safety & Health Act, associated regulations and standards.
It is also the inability to ensure the physical security requirements of staff, contractors and visitors. Other considerations are:
negligence or carelessness.

Current Issues / Actions / Treatments	Due Date	Responsibility
Updated OHS management framework	*Ongoing*	*OSH Committee*
Updated Annual OSH Training Plan	*Jul-21*	*OSH Committee*
Staff Training Register	*Ongoing*	*HRC*
Review of safework method statements and regular staff inductions	*Ongoing*	*HRC*

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Environment management (SO/EHO)	Risk	Control
	Moderate	Adequate

Inadequate prevention, identification, enforcement and management of environmental issues.
The scope includes;
- Lack of adequate planning and management of foreshore erosion issues.
- Failure to identify and effectively manage contaminated sites (including groundwater usage).
- Waste facilities (landfill / transfer stations)- former sites
- Weed & mosquito / Vector control.
- Removal, damage to trees in the public domain
- Illegal dumping.
- Microbiological water quality

Current Issues / Actions / Treatments	Due Date	Responsibility
Implementation of Weed Management Plans (Foreshore Management/Neirgarup Track)	*Dec-22*	*OM*
Develop a foreshore/river erosion management plan (environmental project)	*Dec-22*	*EHO*
Annual River Wall inspection program	*Dec-21*	*OM*
Jerrat Drive foreshore - Develop Rehabilitation Plan in conjunction with key stakeholders - Subject to external funding	*Dec-22*	*SO/EHO*
Development of a Climate Action Plan	*Dec-21*	*SO/EHO*
Sustainability Projects	*Ongoing*	*SO/EHO*
Coastal Hazard Risk Management and Adaptation Plan (funding granted $48,000)	*Oct-21*	*SO/EHO*

Supplier / Contract management (All Managers)	Risk	Control
	Moderate	Adequate

Inadequate management of external Suppliers, Contractors, IT Vendors or Consultants engaged for core operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes. This also includes:
• Concentration issues (contracts awarded to one supplier)
• Vendor sustainability

Current Issues / Actions / Treatments	Due Date	Responsibility
Prepare RFQ Road Sweeping	*Aug-21*	*EMTS*
Prepare RFQ Electrical Services	*Aug-21*	*EMTS*
Review existing purchasing practices - ie No contracts	*Ongoing*	*EMTS/EMCS*
Develop procurement handbook including templates for all RFQs/RFTs	*Ongoing*	*EMCS/CSIM*
Prepare RFQ Managed ICT Services	*Jul-21*	*EMCS*
Ensure that Contract and Tender Register is up to date and meets statutory requirement	*Ongoing*	*MFA/CSIM*

Town of East Fremantle
Strategic Risk Dashboard

East Fremantle Oval Precinct Project (CEO)		
	Extreme	*High*
	High	Adequate

Inability to deliver the redevelopment of East Fremantle Oval Precinct project within an acceptable timeframe, within budget and meeting community expectations.

Current Actions	Due Date	
Department Approval	*Jun-21*	*EMS*
Appointment of positions	*June-Sept 21*	*CEO*
Negotiation of Funding Agreement with State Government	*Sep-21*	*CEO*
Project Risk Workshop	*Jul-Aug 21*	*CEO*
Secure additional Federal Funding or alternatively reduce the scope of works	*Jun 21 - Mar 22*	*CEO*

Inadequate provision of facilities or services (Ems)		
	Extreme	*High*
	Moderate	Adequate

Inability to continually provide and adapt services to meet community needs. Our capacity to provide facilities does not meet the growing demand.

Current Actions	Due Date	
Implementation of Preston Point Master Plan	*Ongoing*	*Exec Managers*
Complete liability assessment for Camp Waller	*August*	*Exec Managers*
Complete site plan for Camp Waller	*September*	*Exec Managers*

Stakeholder Engagement (Reputation) (CCE/CMO/TLCS)		
	High	*High*
	High	Adequate

Loss of the Town's reputation due to the inability to manage stakeholders' perception. This focusses on residential and commercial stakeholders who either live in, operate a business or use the Town's facilities.

Current Actions	Due Date	Responsibility
Refresh staff awareness of Community Engagement Plan & Corporate Branding Framework	*Ongoing*	*PC*
Facilitation of community information sessions	*Ongoing*	*Exec Managers*
Review and implement appropriate outcomes from the Technical Levels of Service Review	*Jun-21*	*Services Manager*
Configure service types within the Customer Service Module	*Ongoing*	*TLCS*

Waste Recycling (Sustainability Officer)	Risk Ratings		Risk Factors	
	Inherent	High	Influence	*High*
	Residual	Moderate	Controls	Adequate

Inability to meet State Government recycling rates.
Failure of Waste Energy Facility (Avertas) to be operational within agreed time frames

Current Actions	Due Date	Responsibility
Ensure SMRC are meeting residual targets ie State Waste Strategy	*Ongoing*	*Sustainability Officer*
Ongoing review of SMRC's performance	*Ongoing*	*CEO/EMCS/EMTS*

Strategic Planning (EMRS)	Risk Ratings		Risk Factors	
	Inherent	Extreme	Influence	*High*
	Residual	Moderate	Controls	Adequate

Inadequate or failed strategic development activity. Inadequate/failed commuity engagement

Current Actions	Due Date	Responsibility
Finalised Local Planning Strategy and submitted to WAPC (awaiting	*Jun-21*	*EMRS*
Review Local Planning Scheme	*Jul-21*	*EMRS*
Public Advertising of Local Planning Strategy	*Jun-21*	*EMRS*
Submit Amendment 17 to July OCM for final endorsement	*Jul-21*	*EMRS*

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 relevantlegislation;
- 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: • an existing panel of pre-qualified suppliers administered by the Town; or • a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government Common Use Arrangement (CUA); or

	• from the open market. The purchasing decision is to be based upon assessment of the suppliers response to: • a brief outline of the specified requirement for the goods; services or works required; and • value for money criteria, not necessarily the lowest price. • The procurement decision is to be represented using the Brief Evaluation Report Template.
Over $5,001 and up to $20,000 (exc GST)	Request at least two (2) written quotations from suppliers following a brief outlining the specified requirement, either from: • an existing panel of pre-qualified suppliers administered by the Town; or • a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government CUA; or • from the open market. The purchasing decision is to be based upon assessment of the suppliers response to: • a written brief outline of the specified requirement for the goods; services or works required; and • value for money criteria, not necessarily the lowest price. The procurement decision is to be represented using the Brief Evaluation Report Template.
Over $20,001 and up to $50,000	Request at least three (3) written quotations from suppliers following a brief outlining the specified requirement, either from: • an existing panel of pre-qualified suppliers administered by the Town; or • a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or • from the open market. The purchasing decision is to be based upon assessment of the suppliers response to: • a written brief outline of the specified requirement for the goods; services or works required; and • value for money criteria, not necessarily the lowest price. The procurement decision is to be represented using the Brief Evaluation Report Template.
Over $50,001 and up to $250,000 (exc GST)	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. Quotations within this threshold may be obtained from:

	• an existing panel of pre-qualified suppliers administered by the Town; or • a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government CUA; or • from the open market. 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. The purchasing decision is to be based upon assessment of the suppliers response to: • a detailed written specification for the goods, services or works required and • pre-determined evaluation criteria that assesses all best and sustainable value considerations. The procurement decision is to be represented using the Evaluation Report template.
Over $250,000 (exc GST)	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. The purchasing decision is to be based upon the suppliers response to: • 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 • pre-determined evaluation criteria that assesses all best and sustainable value considerations. The procurement decision is to be represented using the Evaluation Report template.

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.

Procurement of labour hire

The Town of East Fremantle will ensure due diligence is carried out when procuring labour hire from recognised personnel providers in the market. The Town will undertake to ensure the most qualified and suitable person is hired under an arrangement with the labour hire provider. Whilst cost will be considered as part of the evaluation of suppliers, the most important criteria will be that the hired person is best fit for the Town and someone who will carry out their duties and responsibilities in-line with the Town's ethos. This does not preclude the value for money section of the Town's purchasing policy.

Purchasing from Uniform Providers

Purchasing for Corporate Uniforms and Protective Clothing is exempt from the general requirements of this Policy, and only requires one quote be obtained. All purchases are still subject to a value for money judgement prior to issuing a Purchase Order.

Purchasing from Stationery Suppliers

The Town of East Fremantle will utilise the WALGA preferred supplier contract for stationery purchases. The Town will endeavour to ensure value for money is realised as well as purchasing sustainable office supplies where possible.

Purchasing of Rates Notices/Instalment Notices - ZipForm

Council has identified and declared ZipForm as a sole provider, therefore, purchasing from this entity is exempt from the general requirements of this policy, and only requires a quote be obtained. All purchases are still subject to a value for money judgement prior to issuing a Purchase Order.

Purchasing of Accounting and Strategic Financial Services

The Town of East Fremantle will utilise the WALGA preferred supplier contract for Accounting and Strategic Financial Services. The selection of the service provider will be undertaken by the Chief Executive Officer or relevant ExecutiveManager (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.

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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. 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, 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, 15/9/20, 8/12/20, 22/6/21
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
   - Executive Manager Technical Services; Limit $50,000
   - Operations Supervisor; Limit $15,000
   - Supervisor Infrastructure and Assets, Limit $15,000
   - Manager Administration and Finance, Limit $15,000
   - HR Coordinator; Limit $5,000
   - Coordinator Corporate Services; Limit $5,000
   - Executive Assistant to CEO; Limit $5,000
   - Coordinator Regulatory Services; Limit $5,000
   - Coordinator – Operations; Limit $5,000
   - Coordinator CHSP (CHSP related purchases only); Limit $5,000
   - Coordinator Communications & Marketing; $5,000
   - Senior Ranger; Limit $2,000
   - Principal Environmental Health Officer; Limit $1,500
   - Community Engagement Officer; Limit $1,500

   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.

PAYROLL ISSUES WITH ALTUS

ISSUES IDENTIFIED	CURRENT STATUS	REFERENCE # (IF APPLICABLE)	PRIORITY
UNIVERSAL JOURNAL NOT UPDATING	MATT WESTACOTT ORIGINALLY ADVISED THAT THE ISSUE WOULD BE FIXED WHEN WE UPDATED TO THE LATAEST VERSION OF SYNERGYSOFT - IT WASN'T	IVH-17374	1
	26/02/21 - MATT WESTACOTT HAS NOW ADVISED THAT THE PROBLEM IS A BUG WITH THE SYNERGYSOFT IMPORT PROCESS. HE HAS RAISED THE ISSUE WITH THE DEVELOPMENT TEAM AND HE WILL USE CASE IVH-17374, THAT I CREATED TO KEEP US INFORMED OF THE PROGRESS. HE HAS BEEN PROVIDING ME WITH A DATA FILE AFTER PAYROLL IS RUN THAT I CAN USE TO UPDATE SYNERGY. (SEE ATTACHED TAB)		
	ISSUE HAS BEEN RESOLVED		
OVERHEAD JOURNALS NOT PROCESSING	MATT WESTACOTT ORIGINALLY ADVISED THAT THE ISSUE WOULD BE FIXED WHEN WE UPDATED TO THE LATAEST VERSION OF SYNERGYSOFT - IT WASN'T		2
	03/03/21 - SAM HAS CONTACTED MATT AND REQUESTED THE HE PROCESS MANUAL JOURNALS - WAITING FOR FURTHER INFORMATION FROM MATT REGARDING REQUIRED CHANES TO THE SYSTEM		
	ISSUE NOT RESOLVED		
SUPERANNUATION DIRECT CREDIT BATCH NOT CREATING AUTOMATICALLY	MATT WESTACOTT ORIGINALLY ADVISED THAT THE ISSUE WOULD BE FIXED WHEN WE UPDATED TO THE LATAEST VERSION OF SYNERGYSOFT - IT WASN'T		3
	26/02/21 MATT ADVISED HE IS LOOKING INTO WHY THIS ISNT HAPPENING		
	ISSUE NOT RESOLVED		
FORTNIGHTLY PAYROLL REC - NOT RECONCILING RDO BALANCES WITH GL	10/02/21 JOHN LODGED AN SR IN RELATION TO THE FACT THAT THE GL DOES NOT BALANCE WITH PAYROLL REPORTS FROM DEFINITIV. A RESPONSE WAS RECEIVED FROM NATALIE JAHN WHO REVIEWED THE PROCESS AND ADVISED THAT "I have reconciled the TIL movements through Altus Payroll and checked that these reconcile with the TIL GL transactions that have been exported out of Altus and uploaded to GL account 10001290. They reconcile. "	IVH-17019	4
	JOHN AND I REVIEWED THE GL AND THE DEFINITIVE REPORTS EXTENSIVELY AND WERE NOT ABLE TO BALANCE. THIS ISSUE IS NOT YET RESOLVED		
	ISSUE NOT LIKELY TO BE RESOLVED		
ABILITY FOR STAFF TO CANCEL LEAVE APPLICATIONS AFTER LEAVE HAS BEEN TAKEN	MATT WESTACOTT HAS ADVISED THAT HE HAS RAISED THIS ISSUE WITH DEFINITIV AND THEY DO NOT SEE THIS AS A PRIORITY ISSUE.		5
	I HAVE DEVELOPED A REPORT TEMPLATE TO COMPARE LEAVE TAKEN TO CANCELELD LEAVE APLICATIONS AS A WORKAROUND		
	WILL NOT BE RESOLVED IN THE NEAR FUTURE-SOFTWARE ISSUE - WORKAROUND ESTABLISHED		
LEAVE CALENDAR SHOWS WITHDRAWN LEAVE - CLOGS UP CALLENDAR AND PROVIDES NO VALUE	GARY QUERIES WHY WITHDRAWN LEAVE APPLICATION REMAIN ON THE LEAVE CALENDAR. SAM RAISED A SR WITH ITV AND HE WAS ADVISED BY GRACE THAT THEY HAVE LODGED A TICKET WITH DEFINITIV AND HOPEFULLY IT WILL BE INCLUDED IN A FUTURE UPDATE, IF NOT itv WILL LODGE AN INDEPENDENT DEVELOPMENT REQUEST.	IVH-15852	6
	WILL NOT BE RESOLVED IN THE NEAR FUTURE -SOFTWARE ISSUE		

Audit Finding	Risk Assessment Category Risk Issue and Failure Modes	Risk Identified	Date of initial risk identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
3	Deposits recorded through the Trust Fund are deposited through the municipal bank account and transferred electronically the day after the funds appear in the municipal bank account. Regulations 8 & 10 of the Local Government (Financial Management) Regulations 1996 requires money received to be deposited into the established account where it is required to be held.	Lack of probity. Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Medium	**Planned action required**	Deposit funds required to be held in the Trust Fund directly into the Trust bank account established to account those funds.	Corporate Services	Daily receipting and bank deposit procedure to be reviewed. It is not practical to receipt occasional bonds to the trust fund. Periodic transfers are completed to transfer receipts between the municipal fund and the trust fund. Legislation pertaining to the Development and Planning Act changed on 5th July 2020. The Town may only be required to maintain in Trust the Proceeds from the Sale of Abandoned Motor Vehicles. Trust funds held for Developer Cash in Lieu will be transferred to Reserves in 21/22. Awaiting further advice from the Department and the OAG.
4	Through limited testing of payments, an instance was noted where a purchase order did not pre-date the invoice.	Lack of probity. Fraud risk	1/12/2019	FMR/Audit Reg 17 Review - December 2019	High	**Prioritised action required**	All procurement of goods or services should be undertaken in accordance with legislative requirements and the Purchasing Policy. Any instances where a purchase pre-dates a purchase order should be documented, reviewed and authorised to demonstrate controls have been developed to comply and ensure the purchasing policy has been adhered to.	Corporate Services	A payment requisition form has been implemented to authorise payments in instances where a purchase order has not been released. The process to be followed is where a purchase order had not been completed or if a purchase order is completed after the invoice is received (which should not occur) is to prepare a "Creditor Request for Payment Form" for Certification and Authorisation.
15	Changes to Supplier Master File		1/12/2019	2019 Audit Management Letter	High	**Prioritised action required**	"New/update creditor details form" to be completed by the supplier and entered into the Supplier Master File by the Finance Officer, which is then reviewed by the Manager Finance & Administration, then approved by Exec Manager Corporate & Community Services. Finance Officer also checks the Supplier Details to the ABN lookup to ensure correct ABN provided. Creation of a "Bank Audit Update Report" for suppliers. Automatic report generated fortnightly to verify suppliers who have been paid and their details.	Corporate Services	Ongoing. New/update creditors form has been implemented for all changes to the supplier master file. An ABN and ASIC search is undertaken on all new suppliers. (The Town is currently considering and in consultation with EFTSURE . It is a web based software solution which has two basic functions being vendor management and payment protection. Implementing this solution will enhance the integrity of the Supplier Master File.)
23	Cash count - lack of segregation of duties		1/12/2019	2019 Audit Management Letter	Low	**Planned action required**	One of the Customer Service Officers will do an initial cash count at end of day and then a member of the Finance team will re-count the cash takings for the day. Two officers to sign the "Daily Receipting Bank Deposit Listing" and the "Daily Settlement Checklist" reports, one of which will be a member of the Finance team.	Corporate Services	Completed (Manager Finance and Adminiatration to perform a spot check of daily reports to ensure this is being undertaken on an ongoing basis.
25	Absence of a risk-based internal audit plan		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Low	**Planned action required**	We will raise the absence of a risk-based internal audit plan with the Audit Committee and plan to recommend the appointment of Risk Management/Internal Audit Consultant to ensure that there is a risk-based internal audit plan implemented.	Office of CEO	An internal audit charter has been adopted by the Audit Committee. An annual work plan is endorsed by the Audit Committee at the beginning of each calendar year. This register is in fact a risk based internal audit plan. (The Town is in discussions with other Local Governments to implement a shared service for the internal audit function that will form assurance for the OAG to rely on the work undertaken).

Audit Finding	Risk Assessment Category Risk Issue and Failure Modes	Risk Identified	Date of initial risk identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
43	We noted limited controls in relation to the access to IT systems including physical access to hardware. Some levels of permissions have been established to network access to software and data, however the level of documentation to support these restrictions is varied across the organisation.	Loss of IT System. Internal control.	1/12/2019	2019 GCC Audit	High	**Prioritised action required**	Undertake a comprehensive IT security review, articulate current practices and implement findings of the review.	Corporate Services	1. A review of user access has been completed and new permissions implemented. Screen shots of all changes have been provided to the Office of Auditor General. 2. New user groups have been established to inform access levels. The 'New User' IT form includes a check box to assign permission levels within Synergy Soft. The new Onboarding/Offboarding IT Access Form has been developed and will be presented to the July 2021 Audit Committee Meeting.
44	End of month processes exist in the form of a month end audit file, and from staff representations are routinely performed, however we noted for the months July 2019 to October 2019, evidence of the review of supporting reconciliations by an authorised officer independent of their preparation was not available.	Compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	High	**Prioritised action required**	Review of reports prepared each month is a useful mechanism to detect and rectify errors or anomalies which may exist. It also provides an opportunity to ensure staff are performing and reporting duties as required. Management are strongly encouraged to adhere to documented checklists and procedures to demonstrate appropriate controls and reviews are in place with monthly reporting and procedures.	Corporate Services	Completed. End of Month Reconciliation checklists and supporting reconciliations are up to date as at May 2021. Year end June 2021 will be more comprehensive and include annual reconciliations required for final audit. The Finance Team is aware of the requirement to perform month end reconciliations on an ongoing basis.
46	Access Management	Increased risk of innapropriate or unauthorised access to the Town's IT systems and information	1/12/2019	2019 GCC Audit	Medium	**Planned action required**	The scope of the existing New User Account form will be expanded to include several new areas: - Account expiry date to allow for automatic account disablement - Date of Birth for account verification during password resets etc - Remove the option to copy existing account details Password controls will be reviewed and audited to ensure the limited use of "Password Never Expires" is reduced to a minimum. The account creation procedure will be modified to ensure generic passwords are not provided during initial logon. In additiion, new users will be required to call support in order to set their initial password and login details.	Corporate Services	Completed. The new Onboarding/Offboarding IT Access Form has been developed and will be presented to the July 2021 Audit Committee Meeting.
51	The Trust Fund currently includes several bonds and contributions.	Lack of probity. Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	High	**Prioritised action required**	Remove all funds which are not required by law to be held in the Trust Fund, and transfer to the Municipal Fund, in line with the Office of the Auditor General (OAG) position paper on Accounting for Work Bonds, Building Bonds and Hire Bonds released in July 2019.	Corporate Services	A review of all trust payees has occurred. Working bonds and deposits have been transferred to the balance sheet. A report of Unclaimed monies have been submitted to State Treasury 31 Jan 21. Funds to be remitted to State Treasury once advised by them @ July 2021.
58	Workflow diagrams have not been compiled for undocumented procedures.	Breakdown of internal controls. Controls reliant on the capability and honesty of staff.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Medium	**Planned action required**	In conjunction with, or as an alternative to, the development of documented procedures and checklists, update and development of workflow process diagrams may assist in clearly identifying controls and processes to be followed where procedures or checklists do not exist.	Whole Entity	This project is underway. Staff have been provided with Visio Licences and process mapping has commenced.
59	Creditors invoices are processed and entered only at the time where a routine creditors payment run is scheduled resulting in month end creditor balances being nil in certain months.	Lack of probity. Fraud risk. Internal control or compliance breach. Financial loss.	1/12/2019	2019 Audit Management Letter	High	**Prioritised action required**	Supplier invoices should be processed in a timely fashion and entered through the Town's ERP system as soon as practicable after receipt to provide a more accurate representation of the Town's liabilities at any given time.	Corporate Services	Invoices are filed according to their payment date being 7 days, 14 days, 28 days or greater. This process is currently under review. The AP process has been mapped and will be coverted into a Visio Flowchart. (Control Weakness still exists - process change needs to occur - will be improved on implementation of Share Point - late payment or omitted payment risk is low as follow-up would be instigated by the creditor).
61	Contractors' insurances are not always assessed prior to award of contracts in all cases. Reliance is placed on contract managers to ensure copies of insurances are provided.	Lack of probity. Financial loss. Breakdown in internal controls.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	High	**Prioritised action required**	To help ensure all contractors have the relevant licences and have adequate insurance cover for the works they undertake for the Town, procedures should be developed, and records maintained to ensure copies of contractor's insurances are held on file.	Operations	A Register of Contractor Insurance is to be developed. In progress

Audit Finding	Risk Assessment Category Risk Issue and Failure Modes	Risk Identified	Date of initial risk identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
62	Develop Contract Register and Contract Management System		1/12/2019	FMR/Audit Reg 17 Review - December 2019	High	**Prioritised action required**	A review of vital records has commenced.	Corporate Services	A contract register has been developed in line with the Treasury's instructions. The Town is required to formalise a performance based ICT contract with Focus Networks and IT Vision. As at the time of the interim audit in June 2021 this register required updating, and will be need to be updated for final audit in November 2021. The OAG advise that Procurement Act and Regulations will replace the State Supply Act, and that we should consider the Procurment Act for best practice.
63	We noted the practice of credit card transactions and acquittals being reviewed by an independent officer, however the policy does not require this practice to occur.	Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Low	**Planned action required**	Update the policy to require independent review and authorisation of credit card transactions and acquittals, as well as acknowledging transactions as having been made and authorised by the CEO. The practice of separately highlighting transactions made on the CEO's credit card for presentation to Council should continue.	Corporate Services	Credit Card Policy to be updated. The credit card conditions of use is also being reviewed to ensure that no direct debits are entered into for repeat subscriptions. (Manager Finance and Administration to review the Credit Card Policy)
64	Privileged Access Rights	Increased risk of unauthorised access to, or modification of the Town's IT systems and information	1/12/2019	2019 GCC Audit	Medium	**Planned action required**		Corporate Services	The IT Service Provider will no longer utilise a single generic Domain Administrator account and implement individual named accounts. A scheduled call will be created to change the Domain Administrator accounts. Similar options will be explored with IT Vision and the maintenance and administration of SynergySoft.
65	Unauthorised Network Devices	Without appropriate controls in place to restrict the use of unauthorised devices on the network, there is an increased risk that they could be used to attack internal systems.	1/12/2019	2019 GCC Audit	Medium	**Planned action required**	The recently implement 802.1X / RADIUS authentication for wireless networks at all sites, will be extended to wired / network switches at all sites. Non-Windows devices that do not support this function will be locked down to MAC addresses.	Corporate Services	Partially resolved. The following still require attention: 1. Shared generic account is used to manage the firewall. 2. The Town has commenced regular reviews of firewall rules however this can be further enhanced by including inbound and outbound rules.
66	Planned staff training needs for employees are currently identified and recorded in a training matrix. Further value from this initiative can be added through refining the current matrix toward a more formal required staff training structure, applied throughout the organisation.	Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Medium	**Planned action required**	Refine the current staff training matrix to identify staff training needs relevant to their role, ensuring it is co-ordinated across the organisation and monitors currency of required licences and qualifications.	Office of CEO	Each business unit is developing a training and development plan which is linked to the staff performance development framework. Corporate Services have finalised a template which will be shared with the Organisation.

Town of East Fremantle - Risk Assessment

Audit Finding	Risk Assessment Category Risk Issue and Failure Modes	Risk Identified	Date of initial risk identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
67	Through our limited testing, we noted several instances where evidence of correspondence on employee files to support the current rate of pay applied through the payroll varied from the information recorded on employee files.	Failure to identify risks or adequately treat identified risks.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Medium	**Planned action required**	Undertake a review of all personnel to reconcile documentation relating to conditions of employment, remuneration, roles and responsibilities.	Office of CEO	The HR Coordinator is to undertake a review of all personnel records to ensure completeness. It appears to be a historical issue. New employee information will be verified by the HR Co-ordinator
68	Information Risk	Register to track and record information risk does not exist	1/12/2019	2019 GCC Audit	Medium	**Planned action required**	The Town will create an Information Risk Management Register, which will be presented to the Audit Committee as a standing item. The 12 key findings in the GCC Management Letter will form the basis of this Register, which will be continually updated based on management assessment as well as the key findings from future internal/external audit work.	Corporate Services	The Operational Risk Register now has a risk profile titled Infromation Risks. Findings from the GCC Audit have been incorporated into this Register.
69	Currently, no policy on internal legislative compliance has been adopted by Council.	Lack of strategic direction for strategic compliance.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Medium	**Planned action required**	Development and adoption of an internal legislative compliance policy may help formalise Council's commitment to legislative compliance.	Office of CEO	Not commenced.
70	Process for amending or changing procedures are not formalised. This creates opportunities for unilateral undocumented changes to procedures and a breakdown in key controls.	Failure to identify risks or adequately treat identified risks.	1/12/2019	2019 GCC Audit	High	**Prioritised action required**	Establish a process for the development, review, amendment and authorisation of procedures, checklists and other internal control documentation, throughout the organisation to assist with managing changes to procedures.	Corporate Services	Not commenced.
71	Review the Municipal Heritage Inventory		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Low	**Planned action required**	Scheduled in the Corporate Business Plan for 2021/22	Regulatory Services	Not Commenced. Project is scheduled in the Corporate Business Plan for 2021/22. Due to Budgetry constraints a full review cannot be undertaken in the 20/21 financial year, however the MHI will be updated as part of any ongoing development assessments. Note the Town in 19/20 also impletmented the Heritage Area Precinct for George Sreet.
72	A register of health inspections undertaken is not routinely maintained.	Breakdown of internal control. Compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Medium	**Planned action required**	Maintain a register to record details a central record of health inspections undertaken, registered premises within the district, and to ensure inspections are undertaken within required timeframes.	Regulatory Services	Co-ordinator Reg Services discussed with PEHO and determined that a more accurate register for record keeping of health inspections, incorporating Synergy will be developed.
73	Develop Project Management Framework		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Medium	**Planned action required**	A Project Plan template has been implemented.	Office of CEO	A project governance framework and project approval workflow is to be developed.

13. REPORTS

13.1 PLANNING

13.1.1 George Street No 148 (Lot 78) Proposed double storey dwelling

This development application has been withdrawn from the Council Agenda at the request of the owner of the property.

13.1.2 Complex Amendment No. 17 to Local Planning Scheme No. 3 – No. 7 – 27 (Lots 14 – 19) Canning Highway - Modify Additional Use - A9 Provisions – Outcomes of Advertising (Submissions) and Support for Amendment with Modifications

Owner	Commissioner of Main Roads, State Planning Commission, The Metropolitan Region Planning Authority and Janipet Holdings P/L (deregistered company administered by ASIC)
Applicant	Dynamic Planning & Developments on behalf of Main Roads WA
File ref	TPS3A17; P/CAN7; 9; 15; 17; 19; 27
Prepared by	Christine Catchpole, Senior Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date:	20 July 2021
Voting requirements:	Simple Majority
Documents tabled	Nil
Attachments	1. Proposed Scheme Amendment No. 17 Report – prepared by Dynamic Planning and Developments on behalf of Main Roads WA (modified for advertising Feb 2021 as required by WAPC) 2. Schedule of Submissions 3. Community Engagement Checklist

Purpose
To consider the outcomes of advertising Amendment No. 17 to the Town of East Fremantle's Local Planning Scheme No. 3 (LPS3) and for Council to consider supporting the Scheme Amendment with minor modifications.

Executive Summary
The complex Scheme Amendment which comprises six lots on the south side of Canning Highway between East and Glyde Street has been prepared by planning consultants (Dynamic Planning and Development) on behalf of Main Roads WA (MRWA). MRWA 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) for Additional Use Area A9 and change the development density and land uses possible.

The Amendment intent is to allow for more intensive residential development in the form of apartments, as supported by the draft Local Planning Strategy (LPS). The redevelopment would be guided by a local development plan and associated design guidelines. It is recommended a density of Residential R80 should be applied which could facilitate the development of approximately 29 apartments and/or town houses in buildings ranging from two to four storeys. No commercial development would be permitted. The underlying Residential R20 zone will remain with the potential to develop at a density of R80 *only if* compliance with the special development controls specified in an amended Schedule 2 are achieved.

On 8 December 2020, the Council resolved to advertise Amendment No. 17 and refer the Amendment to the Heritage Council of WA and the Environmental Protection Authority. Consent to advertise the Amendment was granted by the WAPC in February 2021 and the 67 day statutory advertising period concluded on 19 May 2021. Advertising has been undertaken in all media formats, including a newspaper notice, signs on each street frontage, the Town's website and several articles in eNewsletters. Thirteen (13) community submissions have been received. Two expressed support with the remaining 11 submissions, whilst not all solely objecting, have mostly expressed significant concerns relating to scale, built form and building height, traffic, parking and

access, dwelling density, heritage, pedestrian safety, overshadowing and loss of views. The other submissions received were from government departments and servicing agencies.

The concerns raised in the community submissions are considered to be adequately addressed at this stage of the Amendment process. Whilst the Town acknowledges the issues raised are valid planning considerations, most of the issues are matters that will be addressed at the next stage in the planning process, when a more detailed layer of planning controls in the form of a local development plan and associated design guidelines will be formulated. The local development plan and the design guidelines are subject to community consultation which will provide the submitters with an additional opportunity to comment on detailed provisions aimed at controlling the building massing and envelopes, vehicle access points and design outcomes for the site, including the location of parking and driveways. Modification of the Amendment in response to the community submissions is therefore considered unwarranted. However, modifications to the Amendment to include comments from MRWA is considered necessary.

The Amendment site is an identified 'urban corridor planning area' under the Town's draft LPS. Planning areas identified within the LPS with possible consolidation and planning potential include developable land along Canning Highway. The Amendment site has been identified as having potential for developing additional dwellings. In light of the above, and the Town's view that the current approach is the key to addressing the concerns of the submitters and introducing stronger development controls, it is recommended the Council resolve to support Amendment No. 17 with modifications as suggested by MRWA and as outlined in the Officer's Recommendation. The Amendment will then be forwarded to the WAPC for its consideration.

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 3,665m², however after removing the road widening requirement of 663m² an overall developable area of ~3,002m² 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 and has now been forwarded to the Department of Planning, Land and Heritage (DPLH) seeking approval to advertise. As outlined in the draft LPS, this area is considered to have strategic significance that required further investigation, therefore the Town along with the consultants for MRWA undertook more detailed investigative work to understand 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 DPLH. The Officer indicted informal agreement with the dwelling density and building height proposal. However, preliminary comments by the DPLH Officer on the preferred option for the introduction of the R80 density and a local development plan with associated design guidelines were not provided prior to approval to advertise and subsequent comments from the DPLH have indicated that full support of the Amendment in its current form may not eventuate in the long term. This matter is discussed further under the 'Comments' section of the report.

Justification for Scheme Amendment

Draft Local Planning Strategy
The Scheme Amendment No. 17 Report has been prepared by the planning consultants, Dynamic Planning and Development and submitted to the Town by MRWA. It provides the detailed background and justification for the proposed Amendment. The WAPC required some minor modifications to the Scheme Amendment Report prior to advertising to remove the need to amend the MRS road reservation. This did not impact the intent of the Amendment or the proposed development controls. The modified Report is provided in Attachment 1.

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

At present, the Town is in the process of seeking WAPC consent to advertise the draft LPS for public comment. The draft LPS is based on the Town's Strategic Community Plan 2020-30 and more specifically the key vision to create an *'inclusive community, balancing growth and lifestyle'.* 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 LPS, 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 LPS also identifies the Amendment site as an 'urban corridor planning area' for investigation for urban consolidation. The background information and analysis report supporting the draft LPS 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 LPS also notes several considerations associated with future development of this Amendment site, including:

- heritage listed properties in the vicinity;
- minimising effects of built form, access points 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 East Fremantle that is in itself a worthy representation 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 considered 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, vehicle 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 only 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 drawings are not intended to indicate the design or architecture of what is expected to be constructed on the site. The final design of new buildings will be subject to the controls in the local development plan and associated design 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 and allows for apartments to be constructed. 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 additional investigations undertaken, including 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-to high 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 for 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.

Amendment Details

Modifications to Scheme Text

The proposed 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 Local Planning Scheme 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; and
- Formulate associated design guidelines to guide the built form and architectural outcome of the Amendment site.

The higher density of R80 would only 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 covers all six lots in the Additional Use – A9 area and will address the following:

- 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; and
- transport assessment, including future access locations;
- earthworks plan; and
- acoustic report.

The aim of the special controls is to limit building height and setbacks to minimise the impact on residential properties in East and Glyde Street. 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, traffic and access 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, 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.

Consultation

Advertising

Advertising took place from 13 March to 19 May 2021. The 67 day period included an additional seven days to compensate for the Easter break. The advertising process followed the formal statutory processes for a complex amendment in accordance with the requirements of the WAPC and the Regulations, as outlined in the WAPC advice letter dated 18 February 2021.

The following advertising was undertaken:

- Three large signs on each road frontage;
- Quarter page notice in the *Fremantle Herald* on Saturday, 13 March 2021;
- Town's website;
- Electronic newsletters and posted newsletter;
- Social media sites;
- Town's noticeboard;
- All owner/occupiers in East, Glyde, Hubble and Sewell Streets, south to George Street have been directly notified by individual letter.

The City of Fremantle was invited to comment as the Amendment site abuts the border between the two local government areas. The City advised it did not wish to provide comment and was of the view that, notwithstanding the Town's offer, it was not necessary to invite comment from nearby residents in the Fremantle area. Fremantle Ports was also notified but did not comment.

Community Submissions

Thirteen (13) community submissions have been received. Two expressed support with the remaining 11 submissions, whilst not all solely objecting, have mostly expressed significant concerns relating to scale, built form and building height, traffic, parking and access, dwelling density, heritage, pedestrian safety, overshadowing and loss of views. The submissions are summarised as follows, however are attached to the report in full in the Schedule of Submissions (refer to Attachment 2):

- Density of development (at R80) is too great and not appropriate for the Plympton Precinct which is mostly one and two storey dwellings.
- 36 parking bays indicated in the Scheme Amendment Report does not reflect actual need. If the average number of occupants per apartment is ~3, 1.25 bays per apartment is unrealistic.
- Already a shortage of parking in the Glyde Street area. The loss of the parking on the vacant block will have a cascading effect on the whole of the Glyde Street. Parking

required by nearby mixed use sites also impacts the area. The parking bays of the proposed apartments should be increased to at least 44 (an average of 1.5 cars per apartment); and the issue of the 10 cars currently utilising the vacant block on corner of Glyde and Canning Highway is addressed.

- The overshadowing drawing is misleading. It does not reflect overshadowing of adjoining properties, so it is not possible to ascertain the level of impact. Amended plans are required so the impact can be assessed.
- Little indication or likelihood that development will be consistent with the current heritage of Plympton Precinct.
- Current parking difficulties in the area are cause for concern for existing uses and therefore the availability of parking for any new residential development is questioned.
- The buildings should not be out of proportion to the streetscape. Out of scale buildings should not impact negatively on amenity.
- Too many residents in a condensed area on Canning Highway will lead to increased local traffic. This is of particular concern as there is a primary school on East Street.
- Increased residents and vehicles without traffic speed mitigation may impact local children's safety.
- Loss of views.
- Object to the proposed removal of No. 19 Canning Highway from the Town's Heritage List and Local Heritage Survey.

Government Departments and Service Authority Submissions
Main Roads WA and the Water Corporation are the only two servicing authorities to make detailed submissions.

The Water Corporation has advised that the local sewer capacity will be reviewed when the dwelling yields are clarified through the proposed local development plan and design guidelines. Any upgrades required of the water and sewer mains are the responsibility of the developer. This authority has also noted that the capacity of the mains serving the area is finite. The Water Corporation would prefer to assess the servicing implications of rezoning and up-coding proposals across the broader area as part of a wholesale review of the Town's LPS 3.

Main Roads have made a significant submission, and amongst other comments that are more related to a future conditions of development approval, of which the developer would be responsible, the authority has requested that additional provisions be included and the Amendment be modified to include the following clauses:

i. *A transport assessment that identifies the impacts and any appropriate mitigation measures in accordance with the WAPC's Transport Impact Assessment Guidelines (2016). This includes identifying future access locations to and from Glyde Street and/or East Street that do not compromise future road and intersection treatments within the 'proposed MRS reservation';*
ii. *An earthworks plan demonstrating that any works in the future road reservation are the same as existing ground levels for the applicable section of Canning Highway. This plan is to be provided to the satisfaction of Main Roads, in consultation with the local government; and*
iii. *An acoustic report prepared by a qualified acoustic consultant in accordance with the requirements of the WAPC's State Planning Policy No 5.4 - Road and Rail Noise and submitted to the satisfaction of the local government, in consultation with Main Roads and implemented thereafter.*

The City of Fremantle was consulted, and the Administration has indicated the City does not wish to comment on the proposal. All community and government authority submissions are provided in full in the Schedule of Submissions (refer to Attachment 2).

Statutory Environment
Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015 (as amended)
Metropolitan Region Scheme (MRS) – Lot 14 – 19 Canning Highway abut an 'Other Regional Road' Reservation
Local Planning Scheme No. 3
LPS 3 – Heritage List – 19 Canning Highway (subject to proposed removal from the Heritage List)

Policy Implications
Draft Local Planning Strategy
Local Heritage Survey – No. 19 Canning Highway (subject to proposed removal from the Local Heritage Survey) and No. 9 Canning Highway (recently demolished by MRWA)
Fremantle Port Buffer Zone – Area 2
State Local Planning Policy 5.1 – Regional Roads (vehicle access)
State Local Planning Policy 5.4 – Road and Rail Noise

Strategic Implications
The Town of East Fremantle Strategic Community Plan 2020 – 2030 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.*
- *3.1.3 Plan for improved streetscapes.*

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 within resource capabilities.*
- *3.3.2 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.*
- *4.1.3 Improve and protect the urban forest and tree canopy.*

4.2 Enhance environmental values and sustainable natural resource use.
- *4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.*

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 and the Amendment is determined by the WAPC/Minister for Planning without Council resolving to formally support the Amendment.	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**

Site Inspection
March 2021

Comment
WAPC - Preliminary Assessment of Amendment
In addition to providing consent to advertise the Amendment the WAPC also made the following comments.

The Amendment *only* proposes to increase the density coding for the site and to add special conditions which would require the preparation and approval of a local development plan and specify additional development requirements. This outcome would be more appropriately achieved by removing Additional Use 9 from LPS 3, applying an R80 density coding over the site, and including additional development requirements in Part 5 of LPS 3 (i.e., Additional site and development requirements – as introduced with Amendment 14 and listed in Schedule 13).

The WAPC concluded that in view of the Town's recent completion of its draft LPS, that this would subsequently lead to a review of Local Planning Scheme No. 3, it was therefore considered acceptable for the matter to be addressed in a future review of the local planning scheme. The WAPC qualified this comment by stating that it had undertaken a preliminary assessment *only* and that this should not be construed as support for the Amendment but that further modifications could be required following advertising. There is the potential for the WAPC to recommend further modifications along these lines to the Minister for Planning. The outcome being that the Amendment, as finally approved by the Minister, may not be in the form currently proposed.

Conclusions
The WAPC housing target for the Town is 890 dwellings. The draft LPS will continue to provide for dwelling numbers to reach 520 additional dwellings by 2031 and 890 additional dwellings by 2050. The spatial plan for Perth and Peel @3.5 million encourages growth to be accommodated in a way that makes the best use of existing or planned infrastructure and also that it be aligned to demographic trends.

Planning areas identified within the LPS with possible consolidation and planning potential include developable land along Canning Highway. The Amendment site has been identified as having potential for developing additional dwellings, however, this has not been taken up to a great extent and is unlikely to be under existing planning conditions.

There is a high number of heritage listed properties throughout the Town that afford high protection and generally cannot be demolished. This constrains land for redevelopment and presents a need for special planning considerations for these properties. Therefore, the areas where development can occur, where the impact on heritage listed and heritage character properties can be minimised, are considered suitable locations for providing opportunities for additional dwelling development. This Amendment site is considered to be a location that

presents an opportunity to facilitate development where heritage and existing character can be safeguarded as best as possible, so the dwelling density proposed is considered appropriate.

The Amendment site is an identified 'urban corridor planning area' under the Town's draft LPS (currently with the DPLH awaiting approval to advertise). Given the location of the land and current State government planning policy it is expected that medium to high density development will be the expected outcome by the WAPC and the Minister for Planning. The Town collaborated with MRWA in proposing a controlled and regulated increase in the dwelling potential of the land but it is mindful that this objective must be balanced with the need to minimise the impact on the surrounding residential area.

The Town and MRWA are fully aware of the implications of overdevelopment on the amenity and safety of the surrounding residential area. The Town is equally aware of the high value placed on the heritage listed properties in the vicinity. Whilst it is evident that redevelopment of these six lots will not occur without some impact on the amenity of the existing residents it is the Town's firm intention with this Amendment to minimise the impact of the inevitable redevelopment of these lots. The Town is also mindful that if it does not proactively facilitate the redevelopment of land that has the capacity for increased dwelling yields that potentially the proposed density code and development controls can be modified by the WAPC and/or Minister for Planning to respond to the expected development potential of the land. The Amendment is a considered, reasoned and agreed increase in density with the current landowners.

It is understandable that nearby landowners are concerned with redevelopment of this land. Redevelopment will bring about considerable change to this section of the Highway, including the outlook and views of nearby residents who have become accustomed to the land being underutilized and/or vacant for many years. It is the Town's view that the anticipated impacts of redevelopment (as raised in the submissions) can be addressed if planning for the site is undertaken for the entire parcel of land, rather than for six individual lots, or smaller lot parcels. Planning and redevelopment of the lots on anything other than the one parcel would involve complex vehicle access and servicing arrangements between landowners and likely intensify development on each individual lot.

The submissions from residents in the Town and the City of Fremantle raise matters that the Town has already identified as fundamental planning issues to be considered in the formulation of planning controls for the Additional Use A9 area. Where these matters have not been specifically addressed by proposed development controls there are already existing applicable planning regulations which cannot be changed by local government planning scheme amendments (e.g., overshadowing and parking requirements for residential developments).

The Town is of the view that the proposed Amendment is the best approach to addressing the submitters' concerns and introducing stronger development controls. In addition, it allows for another level of community consultation as the more detailed planning provisions of the local development plan and design guidelines are formulated. On this point, the Town does not agree with the comments made by the WAPC to remove the 'additional use' classification and apply an R80 density coding over the lots. It is not clear from the WAPC comments if a local development plan would still be considered suitable and who would be responsible for the preparation of the plan.

The concerns raised in the community submissions are considered to be adequately addressed at this stage of the Amendment process. Most of the matters raised in the community submissions

relate to a more detailed layer of planning controls which will be considered at the local development plan stage and in a design guidelines document. The exception to this is the potential loss of views and removal of 19 Canning Highway from the heritage lists. While it is understood that losing views is a very important issue for landowners, it is not a planning consideration relevant to this Amendment. It is hoped view corridors can be established through the formulation of the local development plan but there is no guarantee that this will be possible or result in current views being retained. A detailed report on the outcomes of advertising the proposed removal of No. 19 Canning Highway from the heritage lists will be presented to Council in due course. In relation to this matter, it should be noted the Heritage Council of WA had no objections to the Amendment.

Modification of the Amendment in response to the community submissions is therefore not recommended. The comments raised in the submissions are acknowledged as valid planning considerations, but the Town holds the view that the issues raised will be comprehensively addressed with the formulation of the local development plan and the associated design guidelines. Once drafted, both the local development plan and the design guidelines will be required to be advertised for further public comment prior to being considered for adoption by Council. This will provide the submitters with an additional opportunity to comment on detailed provisions which will control the building massing and built form envelope(s), vehicle access points and design outcomes for the site, including the location of parking and driveways.

However, modifications to the Amendment to include comments in the MRWA submission is considered necessary. The Officer's Recommendation also contains the modifications required by the WAPC prior to advertising. It is therefore recommended the Amendment be supported as outlined in the Officer Recommendation and that Council:

(i) support Scheme Amendment No. 17 with modifications as outlined in the Officer Recommendation (i.e., the inclusion of MRWA and required WAPC modifications);
(ii) resolve that the submissions made regarding the advertised Amendment be received;
(iii) endorse the recommendation in respect to each submission noted; and
(iv) advise those who made a submission of Council's determination.

13.1.2 OFFICER RECOMMENDATION

That Council:

1. **pursuant to Section 75 of the *Planning and Development Act, 2005* and Regulation 41(3)(b) of the *Planning and Development (Local Planning Schemes) Regulations, 2015* resolves to support complex Amendment No. 17 to Local Planning Scheme No. 3 with modifications as outlined below;**

   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	(i) A maximum of R80 residential development, i.e., development above the base density code of R20. (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. Note: To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4 applicable to the area, are to be met.	The use of the land for the Additional Use is conditional on development of and compliance with the following: 1. Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19. 2. The Local Development Plan shall address the following to the satisfaction of the local government: (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; (ii) Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway; (iii) Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements; (iv) Building, landscaping and access interface measures; (v) Development to provide an active edge to all street frontages and provide pedestrian access; (vi) Landscape buffer to the southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway; (vii) Boundary setbacks; (viii) A transport assessment that identifies the impacts and any appropriate mitigation measures in accordance with the WAPC's *Transport Impact Assessment Guidelines (2016).* This includes identifying future access locations to and from Glyde Street and/or East Street that do not compromise future road and intersection treatments within the 'proposed MRS reservation'; (ix) An earthworks plan demonstrating that any works in the future road reservation are the same as existing ground levels for the applicable section of Canning Highway. This plan is to be provided to the satisfaction of Main Roads, in consultation with the local government; and

			(x) An acoustic report prepared by a qualified acoustic consultant in accordance with the requirements of the WAPC's *State Planning Policy No 5.4 - Road and Rail Noise* and submitted to the satisfaction of the local government, in consultation with Main Roads and implemented thereafter. **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.** **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.** **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.** **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.** **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.** **8. The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other mechanism.** **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.**

2. resolves that the submissions made in regard to the advertised Amendment be received, Council's recommendation in respect to each submission noted and those who made a submission be notified of this decision.

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

February 2021
(amended for advertising in accordance with WAPC advice 18.2.21)

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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

Resolved that the local government pursuant to section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

A. Amending 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**	**(i) A maximum of R80 residential development, i.e. development above the base density code of R20.** **(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.** **Note: To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4 applicable to the area, are to be met.**	**The use of the land for the Additional Use is conditional on development of and compliance with the following:** **1. Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19.** **2. The Local Development Plan shall address the following to the satisfaction of the local government:** **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;** **ii. Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway;** **iii. Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements;** **iv. Building, landscaping and access interface measures;** **v. Development to provide an active edge to all street frontages and provide pedestrian access;** **vi. Landscape buffer to the southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway; and** **vii. Boundary setbacks.**

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			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. **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.** **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.** **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.** **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.** **8. The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other mechanism.** **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.**

B. The Amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* 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.

Dated this 8th day of December 2020

GARY TUFFIN
(Chief Executive Officer)

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APPENDICES

Appendix 1: Certificates of Title
Appendix 2: Building Massing Investigation

TABLES

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

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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.

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^2 which consists of approximately 672m^2 of land designated for road widening meaning that the resultant land parcel capable of development would have an area of 2,993m^2.

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.

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.

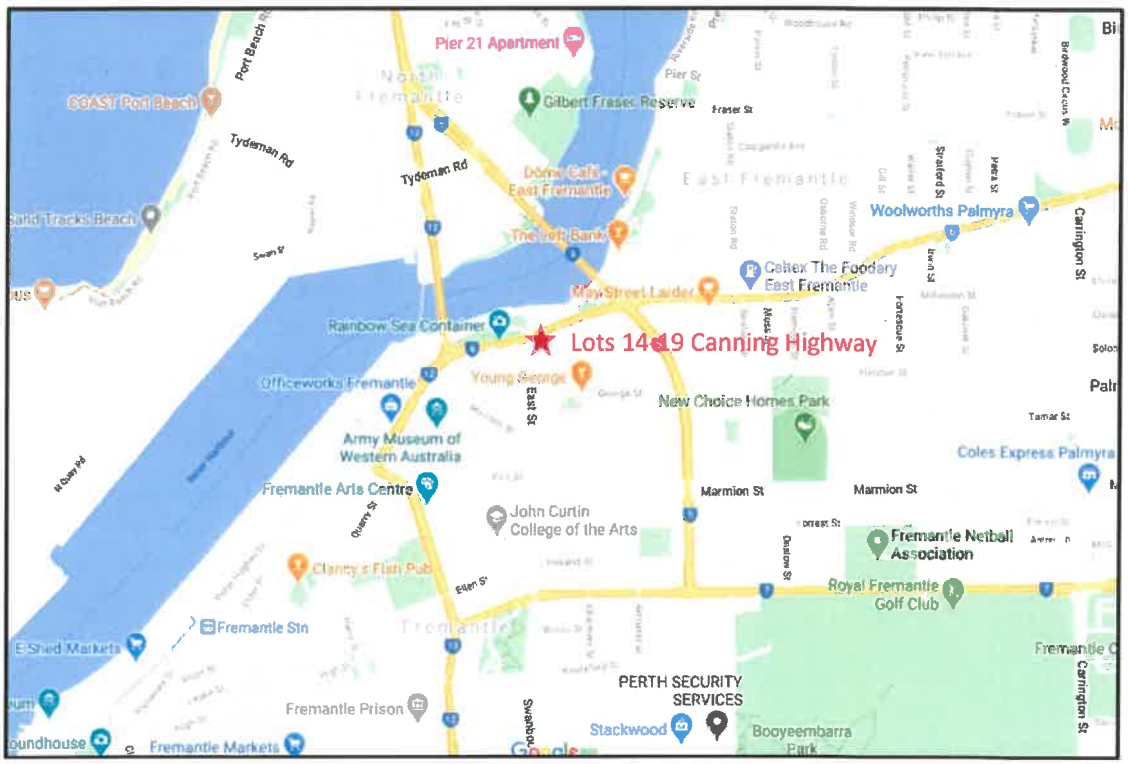

Figure 1 – Regional Context (Source: Google Maps)

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.

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 *State Planning Policy 4.2 Activity Centres* (SPP 4.2).
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.

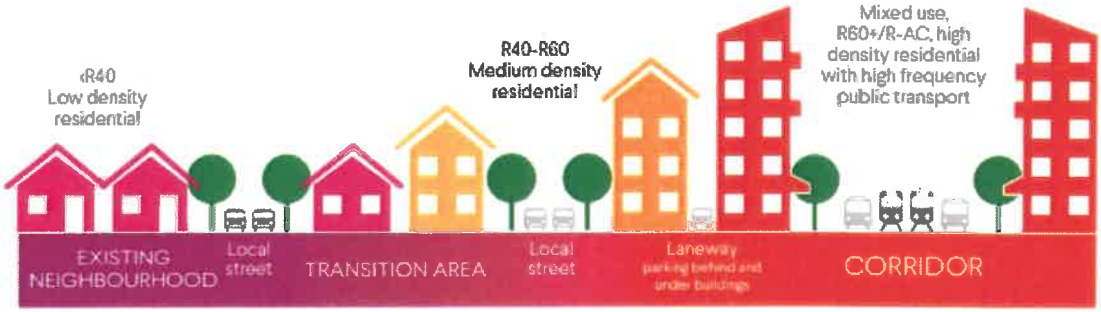

Figure 5 – 'Urban Corridor' built form intent (Source: Central sub-regional planning framework)

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_{Aeq}(Day) dB) (6 am–10 pm)	Night (L_{Aeq}(Night) dB) (10 pm–6 am)	(L_{Aeq} dB)
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_{Aeq} (Day) 40 (living and work areas) L_{Aeq} (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
Identification of appropriate compatible land use zoning that is commensurate with the function of the transport corridor.	The present zoning permits residential development; this is not being modified as a result of the amendment.
Design solutions that utilise street and lot configuration to screen and/or buffer noise.	Design solutions will be addressed through the required LDP and the development application assessment process.
Consideration of density and built form outcomes that will help alleviate noise and/or manage noise.	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.
Outlining the need for additional noise mitigation measures through quiet house requirements and or noise barriers in accordance with the guidelines.	Future noise investigations as part of the LDP process to determine quiet house requirements.
Consideration to appropriate future planning provisions to ensure more detailed planning is undertaken at the subdivision and development stage.	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.

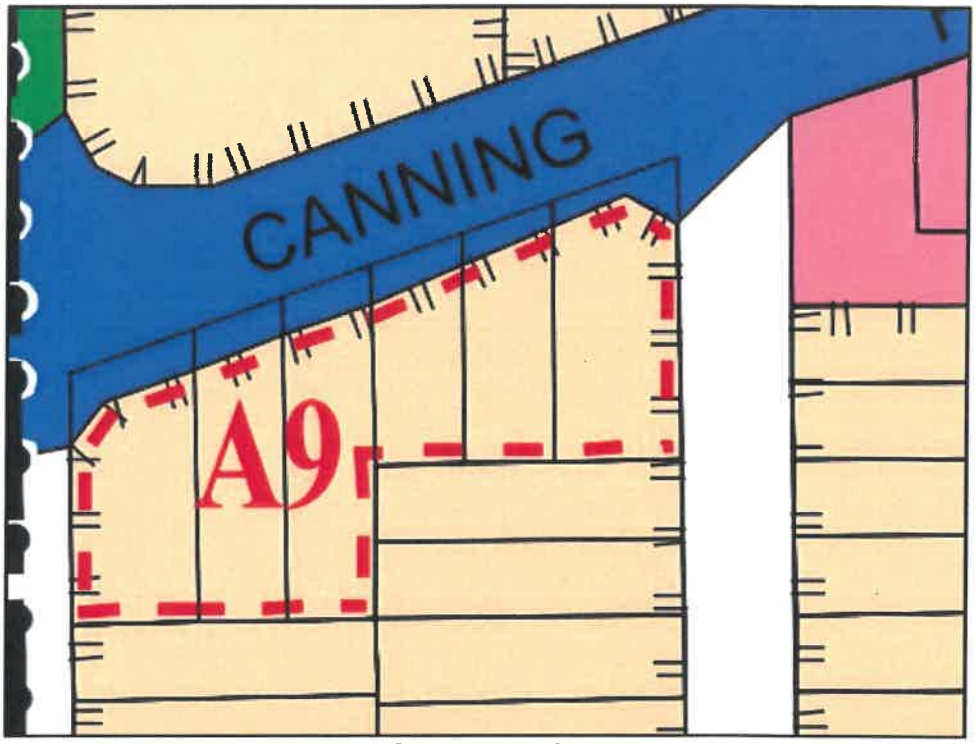

Figure 7 – Town of East Fremantle LPS No. 3 Extract

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.

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 it's 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; and
- Formulate associated Design Guidelines to guide the built form and architectural outcome of the Amendment site.

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 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 95m² 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 2** of this submission.

The key findings applicable to the R80 scenario include:

Development Scenario Findings	Image
Residential development at a density of R80 • Yield – 29 dwellings at an average unit size of 95m². 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. • Plot Ratio – 2,786m² at 0.96:1; • Car Parking – 36 bays; and • Over-shadowing – 36.8%.	

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 95m² 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

REGISTER NUMBER	
17/P3954	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

WESTERN AUSTRALIA

VOLUME 1026 FOLIO 405

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

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

LANDGATE COPY OF ORIGINAL NOT TO SCALE 28/08/2020 11:01 AM Request number: 60948895

Landgate
www.landgate.wa.gov.au

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

WESTERN AUSTRALIA

RECORD OF CERTIFICATE OF TITLE

VOLUME 1083 FOLIO 446

UNDER THE TRANSFER OF LAND ACT 1893

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

REGISTRAR OF TITLES WESTERN AUSTRALIA

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.

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

STATEMENTS:

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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

Landgate
www.landgate.wa.gov.au

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

WESTERN AUSTRALIA

VOLUME 1224 FOLIO 370

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

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REGISTRAR OF TITLES

REGISTRAR OF TITLES WESTERN AUSTRALIA

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)

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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

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Landgate
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REGISTER NUMBER	
14/P3954	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

WESTERN AUSTRALIA

VOLUME 1502 FOLIO 195

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

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REGISTRAR OF TITLES

REGISTRAR OF TITLES WESTERN AUSTRALIA

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)

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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.

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Landgate
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REGISTER NUMBER	
16/P3954	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

WESTERN AUSTRALIA

VOLUME 1692 FOLIO 584

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

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

STATEMENTS:

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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

LANDGATE COPY OF ORIGINAL NOT TO SCALE 28/08/2020 11:01 AM Request number: 60948895

Landgate
www.landgate.wa.gov.au

REGISTER NUMBER	
18/P3954	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

WESTERN AUSTRALIA

VOLUME 1739 FOLIO 285

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

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

REGISTRAR OF TITLES WESTERN AUSTRALIA

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.
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STATEMENTS:

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SKETCH OF LAND:	1739-285 (18/P3954)
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

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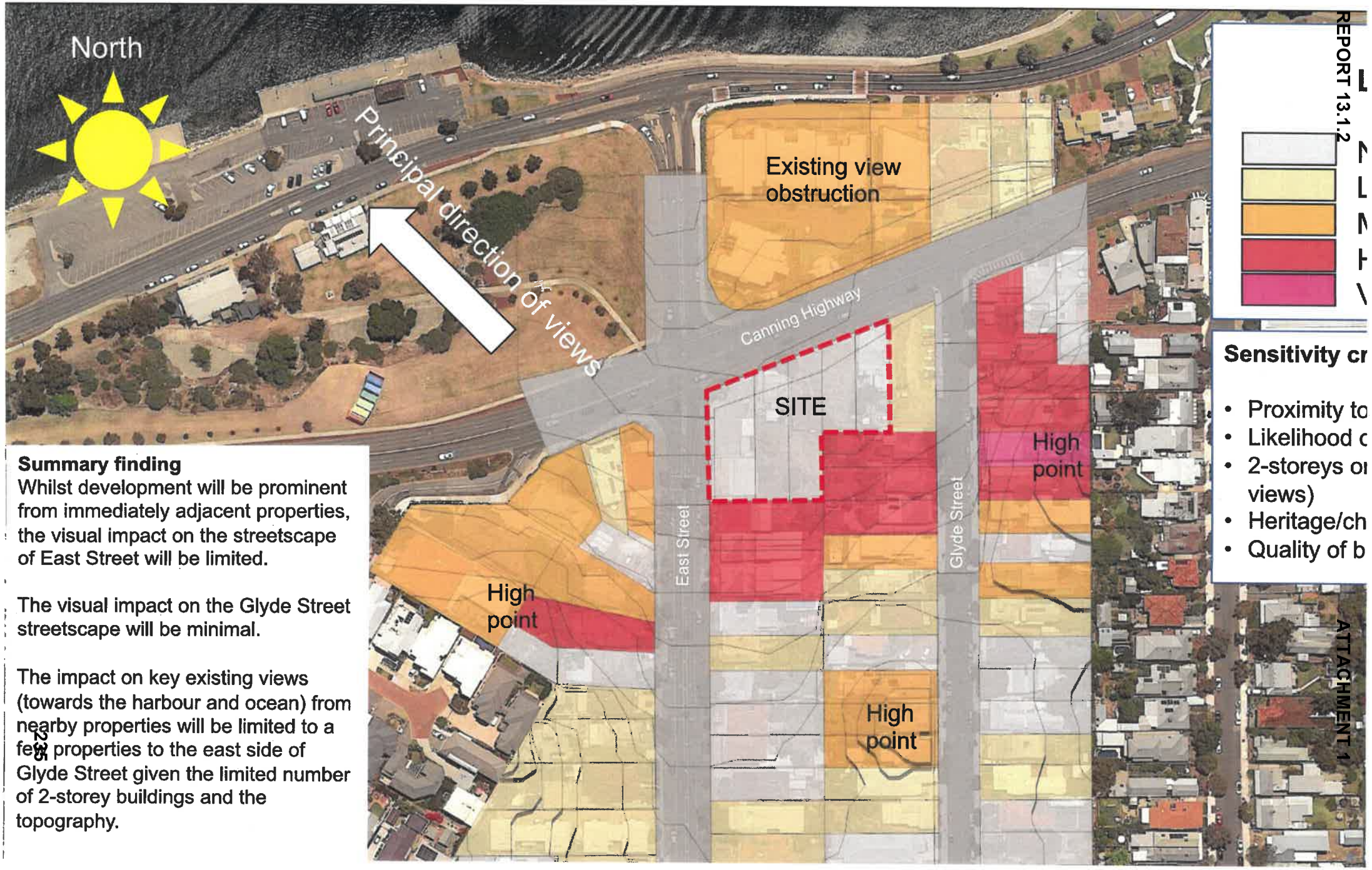
APPENDIX 2
BUILDING MASSING INVESTIGATION

Site Location

Sensitivity analysis



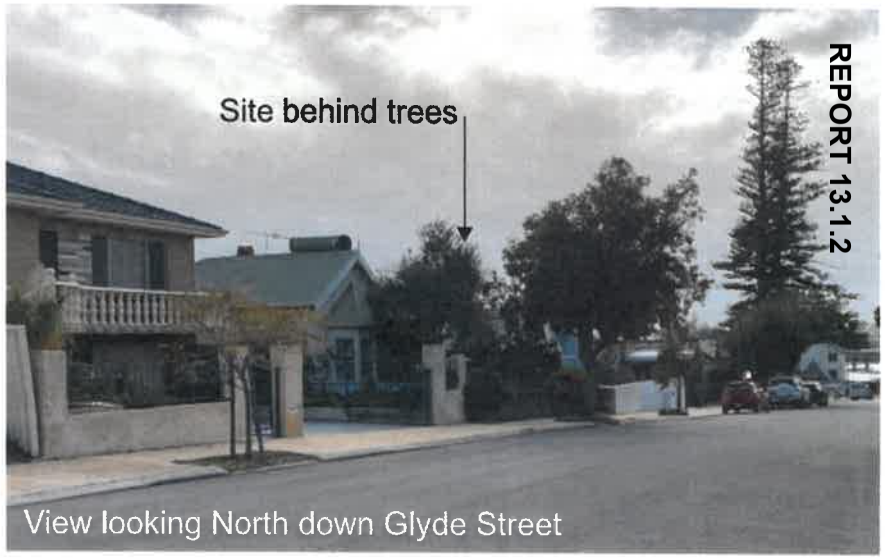
Summary finding
Whilst development will be prominent from immediately adjacent properties, the visual impact on the streetscape of East Street will be limited.

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.

Site context

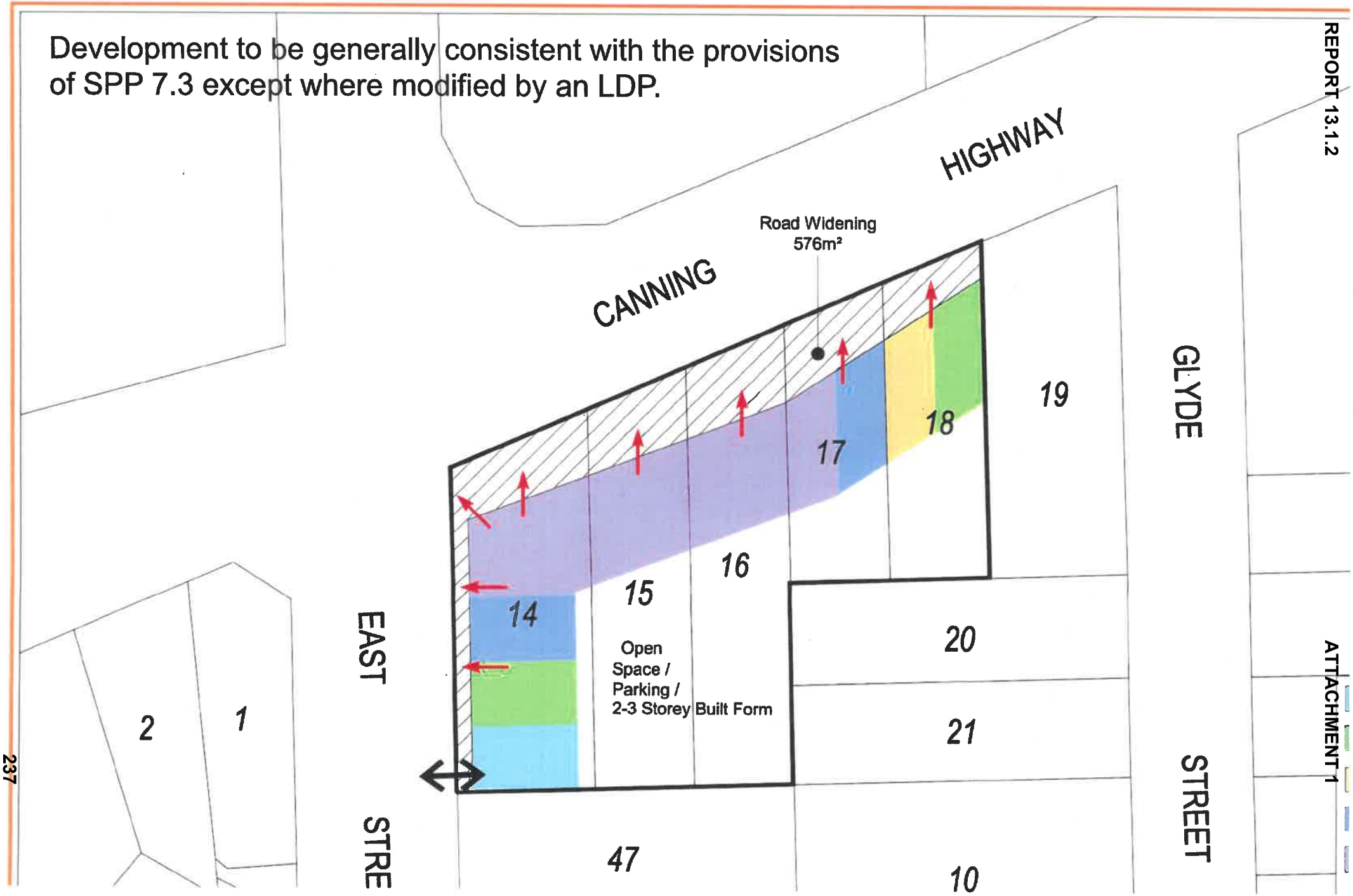
View looking North down East Street



View looking North down Glyde Street

View of 2-storey elevated properties on Glyde Street

View of buildings to the north across Canning Highway

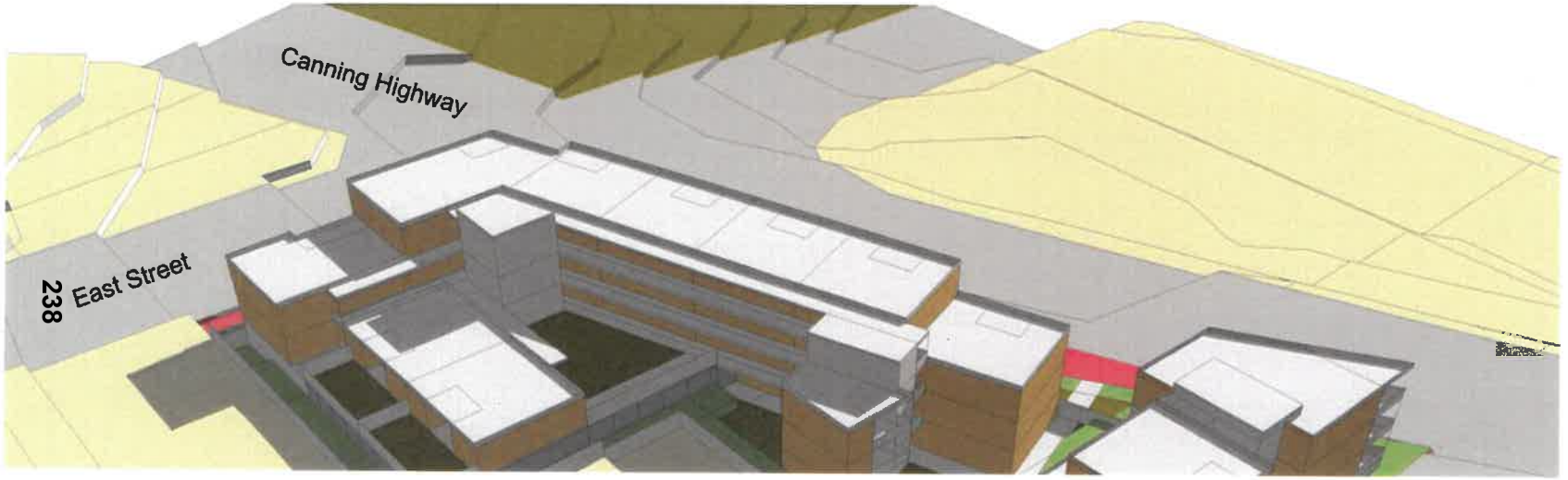

Development to be generally consistent with the provisions of SPP 7.3 except where modified by an LDP.
HIGHWAY
Road Widening
576m²
CANNING
GLYDE
STREET
EAST
STRE
19
18
17
16
15
14
20
21
47
10
2
1
Open
Space /
Parking /
2-3 Storey Built Form

Built form scenario 1: R80

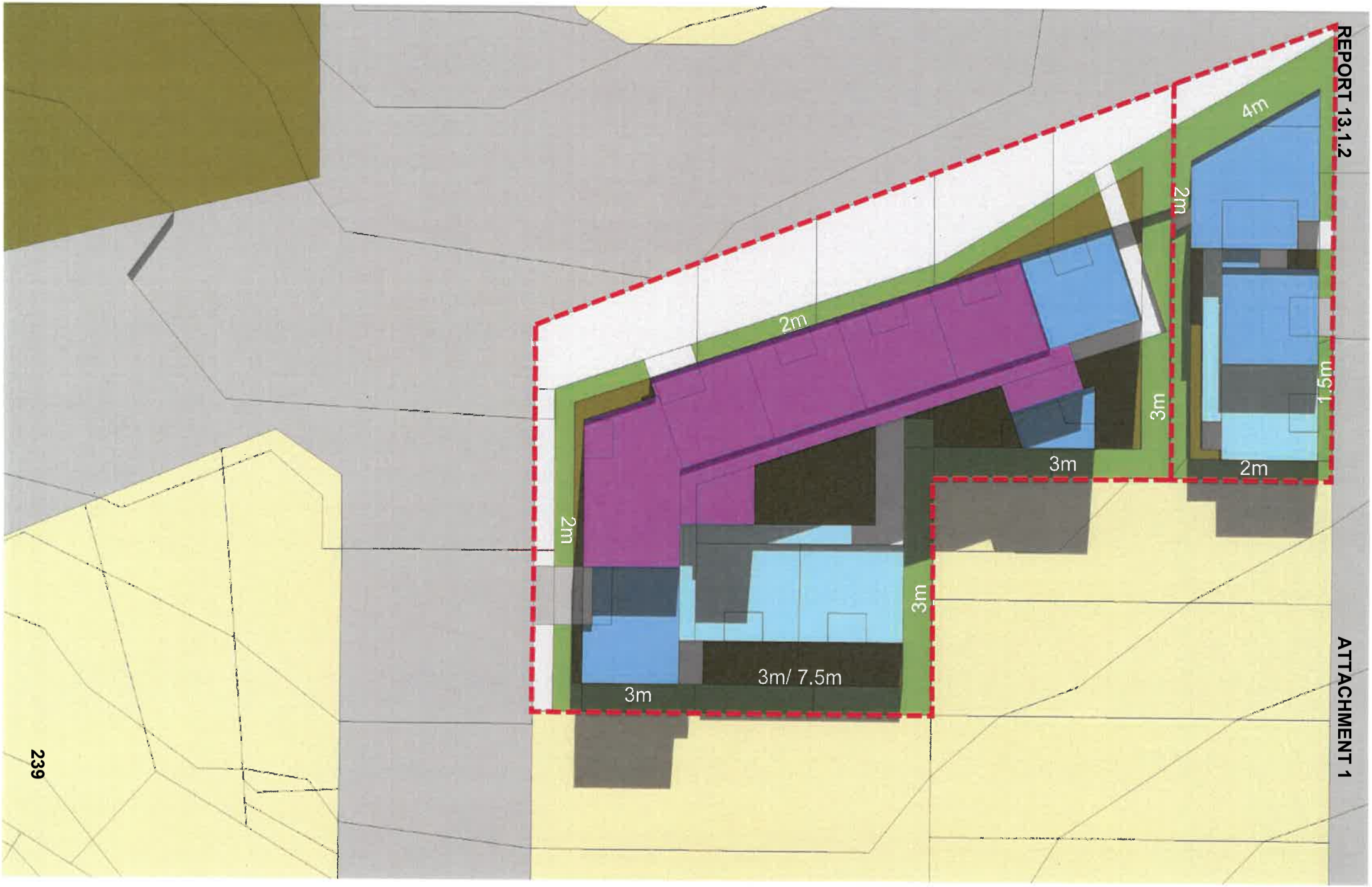
R80 Vital statisti

Site area	2,90
Site area	2,27
Dwellings	29 du
Average unit size	95 sc
Indicative PR area	2,786
Indicative PR	0.96
Car bays	12 at 24 in

Note: the area of road widening has be
consistent with the approach taken in oth



Built form scenario 1: R80



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 72 of the *Planning and Development Act 2005*, resolves to adopt (initiate) Amendment No. 17 of the Town of East Fremantle Local Planning Scheme No. 3 as outlined below; and

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	(i) A maximum of R80 residential development, i.e. development above the base density code of R20. (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. **Note:** To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4 applicable to the area, are to be met.	The use of the land for the Additional Use is conditional on development of and compliance with the following: 1. Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19. 2. The Local Development Plan shall address the following to the satisfaction of the local government: (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; (ii) Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway; (iii) Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements;

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			(iv) Building, landscaping and access interface measures; (v) Development to provide an active edge to all street frontages and provide pedestrian access; (vi) Landscape buffer to southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway; and (vii) Boundary setbacks. 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. 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. 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. 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. 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. 8. The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other. mechanism. 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.

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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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COUNCIL ADOPTION

This Complex Amendment was adopted by resolution of the Council of the Town of East Fremantle at the Ordinary Meeting of the Council held on the 8th day of December, 2020.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Town of East Fremantle at the Ordinary Meeting of the Council held on the 8th day of December, 2020 proceed to advertise this Amendment.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support/not to be supported by resolution of the local government at the Ordinary Meeting of the Council held on the _____day of _____20__ 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 ENDORSEMENT (r. 63)

.....

DELEGATED UNDER S.16 OF THE

PLANNING AND DEVELOPMENT ACT, 2005

DATE.....

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....

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TOWN OF EAST FREMANTLE

LOCAL PLANNING SCHEME NO. 3 – COMPLEX AMENDMENT NO. 17
No. 7 – 27 (Lot 14 – 19) Canning Highway, East Fremantle

Advertised 13 March to 19 May 2021

No.	Description of Affected Property	Submission	Recommendation
1	Unit 26 / 46 East Street, East Fremantle	We know that the East Fremantle local government has East Fremantle's best interests at heart and that height restrictions on new developments is crucial to maintain the current landscape. Although progress must go on, we must concern ourselves with what is being built around us and insist it remains in keeping with the rest of the current properties. Height of no more than 4 floors be built on Canning Highway.	**Supported.**
2	Unit 26 / 46 East Street, East Fremantle	I support this development as a ratepayer in East Fremantle. I believe that consideration regarding the height of this be restricted to a maximum of 4 storeys. Any higher on Canning Highway would be a wrong move that would destroy the surrounding houses and reduce their overall value. East Fremantle is a unique suburb and needs to be maintained as such.	**Supported.**
3	6B Glyde Street, East Fremantle	• The proposed 29 dwellings only includes 36 parking bays. This does not reflect actual need.	**Comments noted.**

No.	Description of Affected Property	Submission	Recommendation
		The submission states that the 'average dwelling size of 95m2 which is the equivalent of a three (3) bedroom apartment'. On the basis that some of the apartments may include families of 3-4 it is expected that the average number of occupants per apartment will be around 3, which results in total occupancy of 87. Consequently at 36 bays the average parking bay requirements of 1.25 per apartment is unrealistic. • The submission does not take into account the fact that there is already a shortage of parking space in lower Glyde Street. At present the vacant block (Lot 19) on the corner of Glyde and Canning Highway includes an average of 8-10 parked cars each day. These cars are primarily for the various residents located in the apartment(s) at 2 Glyde Street. These apartments have an inadequate number of off-street parking bays. The loss of parking on the vacant block will have a cascading effect on the whole of Glyde Street between George Street and Canning Highway. This is also impacted by the two premises on the corner of Glyde Street and Canning Highway (Electric Pictures and TMC) of which there is inadequate parking bays. I request that the proposal does not go ahead until: 1). The parking bays of the proposed apartments be increased to at least 44 (an average of 1.5 cars per apartment); and	<u>Vehicle Parking</u> Comments in relation to vehicle parking on vacant Lot 19 are noted. Lot 19 is private property and is not a formally approved car parking area (i.e., Council has not granted approval for a car park use). When the lot is redeveloped, either as an individual or amalgamated lot, parking will no longer be available on this lot. Should street parking be unavailable then other means of transport will need to be considered by employees in the area. The developers of the land will not be required to provide alternative parking for these vehicles. If the site was to be developed for a single residential dwelling the same circumstances would apply. The reference to 36 parking bays refers to the approximate number of bays required under State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments should the estimated 29 dwellings be developed. The number of bays mentioned in the Report was for indicative purposes only and was not based on exact bedroom numbers. A decision maker in determining a development application is required to give due regard to these Policy provisions. A greater or lesser number of parking bays may be required depending on the final number of dwellings to be developed and a decision maker has the discretion to vary the number of bays approved. Should the Amendment be approved as adopted by Council no commercial vehicle parking bays will be required as residential development *only* will be permitted. On redevelopment vehicles associated with commercial uses on surrounding sites will need to seek other means of parking or utilise public transport options. <u>Overshadowing</u> Overshadowing indicated in the Built Form and Massing diagrams is indicative only. The exact location of buildings on the Amendment site will determine the impact of overshadowing on the adjoining residential zoned properties. The extent of overshadowing permitted is determined by the provisions of the SPP 7.3 – Residential

No.	Description of Affected Property	Submission	Recommendation
		2). The issue of the 10 cars currently utilising the vacant block on corner of Glyde and Canning Highway is addressed. • The drawing on page 19 of the Dynamic Planning and Developments' submission (Proposed Scheme Amendment No. 3) is misleading as it does not reflect overshadowing of adjoining properties. Without the inclusion of other adjoining properties in East Street and Glyde Street in the diagram it is impossible to ascertain the level of impact (shadowing and visual amenity). The plans should be amended so that the Council and tenants of both East and Glyde Street can better gauge this impact. • There is little indication (or likelihood) that the proposed development will be consistent with the current heritage of Plympton precinct. Using 'Sunny's' as a template for design falls woefully short of any heritage values.	Design Codes Volume 2 – Apartments. The impact of overshadowing will be examined in detail with the development of the required local development plan to be approved by Council when the building envelope is established. <u>Heritage</u> Along with preparation of a local development plan, the Amendment provisions require the preparation of associated design guidelines which would include provisions which would address the nearby heritage places and the overall heritage character and built form of the Plympton Precinct. Associated design guidelines would apply to the entire Amendment site and will be subject to public comment and Council approval. Reference to the Sunny's development was not intended to be an indication of the preferred design outcome, but for the purpose of demonstrating a nearby comparative built form in terms of the number of storeys.
4	3 Canning Highway, Fremantle	As a community organisation, we are open to members of the public, and it is important to have street parking available for visitors. We already experience parking difficulties and would ask what considerations have been given to the availability of parking for any new residential development.	**Comments noted.** Parking and access requirements will be assessed in greater detail through the formulation of the required local development plan (to be approved by Council) and then through the development application approval process. The Town is well informed regarding parking demand in the area and vehicle parking and access will be a development control element of the local development plan. Ultimately a development application for the site will be assessed under the provisions of the adopted local

No.	Description of Affected Property	Submission	Recommendation
			development plan and associated design guidelines. The decision maker will be required to have due regard to these planning documents. The City of Fremantle and nearby land owners are likely to be invited to comment on planning documents or a development application if the Town believes there may be an impact on land owners in the vicinity or the City of Fremantle.
5	10 Glyde Street, East Fremantle	I am a resident quite near the proposed development. I have three concerns: 1 Height. Council should not allow the building to be out of proportion to the rest of the street and should ensure there is no overshadowing. We do not want to have an over bearing building ruining our amenity. 2 Crowding. To many residents in a condensed area on Canning Hwy will lead to too much local traffic, especially when you consider the Primary School is at the other end of East Street. 3 Speeding. More residents, more cars, and with no speed traffic mitigation I would be concerned about local children's safety.	**Comments noted.** <u>Height, bulk and scale</u> The aim of the special controls formulated under the Amendment is to limit building height and setbacks to minimise the impact on nearby properties in East and Glyde Street, particularly the single storey properties. 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. The proposed building height, adjacent to the residential lots, is equivalent to a two storey dwelling which can currently be constructed on the adjoining lots. The resulting overshadowing would be no greater than what might occur with the development of a two storey dwelling on the lot. <u>Overshadowing</u> The built form study demonstrates the impacts of building bulk and overshadowing, at the proposed R80 density a minimal increase when compared with a R40 built form (i.e., the current permitted development density). An additional 10% overshadowing (on the most impacted section of the lots) is the outcome. It should also be noted that this is an indication only, not a precise calculation. Further modelling of building envelopes and the impact of overshadowing will be undertaken with the formulation of the local development plan (to be approved by Council). A more precise location of a building(s) will then provide a better indication of overshadowing. The extent of permitted overshadowing is determined by the

No.	Description of Affected Property	Submission	Recommendation
			provisions of the SPP 7.3 – Residential Design Codes Volume 2 – Apartments and will be considered by the decision maker when a development application for the site is submitted. <u>Dwelling Density and Traffic</u> The Amendment as proposed will facilitate residential development in line with the Town's draft 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 (i.e., Canning Highway), 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 Town's dwelling target set by the State government to be achieved by 2050. Residential R80 was the favoured development option for the Town and MRWA because it reflected the Town's preferred density and the land owner supported the density because it allowed for a viable number of apartments (~29). <u>Parking and Traffic Speed</u> The estimated number of ~29 apartments requires the provision of ~36 parking bays (under the Residential Design Codes Volume 2 – Apartments). The precise number of bays required for a residential development is determined by the location of the site (proximity to public transport), the number of apartments and the number of bedrooms per apartment. The required number of bays per dwelling is determined by State government planning policy (R-Codes) and the decision maker is required to have due regard to the policy

No.	Description of Affected Property	Submission	Recommendation
			provisions. A greater or lesser number of parking bays may be required depending on the final number of dwellings proposed for a development on this site. The number of persons accommodated in a development of the scale proposed (i.e. ~29 apartments) is not possible to estimate without the specific details of apartment configurations. Nevertheless, a traffic impact assessment would be required to accompany the submission of a development application for the Amendment site. This would consider the impact of increased vehicle numbers and movements on local streets, access and parking areas based on the number of resident and residential visitors vehicles to be accommodated on the site. An outcome may include traffic management measures and specific design solutions to address access points (including driveways) and vehicle and pedestrian safety. If deemed required a decision maker can impose these measures as conditions of development approval.
6	3 Glyde Street, East Fremantle	I am objecting to the proposed development in line with a possible 25 metre or 4 storey apartment development. The proposal states this is to be in line with the Plympton Ward, however after seeing the potential plans I would have to state that is nothing but laughable. Amending the codes for a possible 25m development!!! I cannot think of anything much further than the truth in maintaining the character of this area. For someone who lives with their family in a 125-year-old property which will be surrounded by these apartments. Blocking the sun out during the majority of the year, severely impacting on our privacy we are quite rightly distinctly unhappy about this eye sore being built.	**Not supported.** The scale of development proposed is considered appropriate for this section of Canning Highway. The requirement for a local development plan will address the issues of amenity and interface with the residential area. Also, the issues of overshadowing and privacy will be more closely modelled and assessed under the local development plan. State planning policy provisions (R-Codes) include overshadowing controls and a decision maker must have regard for these provisions in determining a development application. The aim of the special controls proposed in the Amendment is to limit building height and setbacks to minimise the physical and visual impact on the nearby properties on East and Glyde Street. Building height is proposed to 'step down', transitioning from four storeys on Canning Highway to two storeys at the residential interface and for the lot on the corner of Glyde Street. This building height is equivalent to a two storey residential dwelling which can currently be constructed on Lots 14 - 19.

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		The building phase will be a nightmare for starters with our 125-year-old weatherboard house having to suffer the works that will be occurring right next to the property. The noise and the dust will be just the start of the problems. Unfortunately, we are confident you really don't care about this, and we seriously question the ethics of the East Fremantle Council. Our area suffers significantly with limited parking currently and the proposal does not offer the required number of parking spaces to residents. It is clear the situation will only deteriorate. As a result we are strongly opposed to this development and will be looking at all options to stop this progressing. It is very unfortunate to see a corporate takeover of East Fremantle Council for this project.	The impact of construction will be regulated under the provisions of the *Building Act* and by conditions of development (planning) approval. The requirement for a construction management plan to be approved by the determining authority prior to construction commencing and most often before a building permit is issued is a standard condition of development approval. Alongside this requirement will be advice to the proponent that recommends a developer should complete a dilapidation report on adjoining properties prior to construction. The estimated number of ~29 apartments requires the provision of ~36 parking bays (under the Residential Design Codes Volume 2 – Apartments). This is based on assumptions regarding bedroom numbers for each apartment and is intended for indicative purposes only. The precise number of apartments and bedroom numbers and resultant number of parking bays required is determined at development application submission stage. The required number of bays per dwelling is determined by State government planning policy and a decision maker is required to have due regard for these policy provisions. A greater or lesser number of parking bays may be required depending on the final number of dwellings (and bedroom numbers) to be developed. Nonetheless, a traffic impact assessment would be required to accompany the submission of a development application for the Amendment site. This would consider the impact of increased vehicle numbers and movements on local streets, access and parking areas. An outcome may include traffic management measures addressing access points, vehicle and pedestrian safety. If deemed required the determining authority can impose these measures as conditions of development approval.
7	3 Glyde Street. East Fremantle	I strongly oppose the proposed Amendment No. 17. The proposal will ruin a community orientated street with invaluable heritage value. It is clearly an attempt by the State Government to sell the land off to an investor who is not	**Not supported.** Main Roads WA has liaised with the Town to progress the Amendment. Discussions have concentrated on what is considered an appropriate density code and set of

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		required to follow the current Local Planning Scheme. It is a corporate, money driven mission that holds little to no benefit to local residents. As the owner of the 'adjoining amenity' at 3 Glyde Street, my house will be overshadowed to an unacceptable level (I suggest an independent review of the actual overshadowing of my property with a 21m or 3 storey apartment complex within 8m of my northern boundary). The house and property will be shadowed during most of the year (excluding summer). The complex will eliminate any element of privacy into my house and yard. An 8m step down (from 3 storeys to 2 storeys) on my northern boundary before the 4 storey apartment complex is unacceptable. The report suggests that the adjoining amenity is preserved. It is not preserved. It is now dark and lacking all privacy. It is a heritage listed house and an embarrassment to the local Council for allowing such a redevelopment. It is not in line with maintaining and enhancing the Town's character – quite the opposite! This is not ensuring planning policies to protect the Town's existing built form. Furthermore, the accidental removal of Lot 18 from the local heritage list is appalling and its	development controls to enable development at a higher density, while balancing this with protecting residential amenity and heritage in the Plympton Precinct. <u>Heritage</u> The Plympton precinct is a very highly valued heritage area. The precinct is a unique part of East Fremantle which, in itself is representative of a previous era. 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 are 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 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. This approach is balanced against the State government requirement for local government to achieve a dwelling target by 2050 through infill development. It is intended to reduce development pressure on the Town's low density heritage precincts. Infill development within the heritage precincts is considered an undesirable outcome. The Town, therefore is proposing to facilitate the development of additional residential dwellings where it is considered the additional dwellings will have the least impact in respect to heritage and amenity.

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		heritage status was a key factor in deciding to purchase our 125-year-old character home. The proposal is not in line with the feel or heritage value of many houses at the northern end of Glyde and East Street. The proposed development negatively impacts both the identity and heritage character of all houses in the vicinity. The privately owned vacant block (Lot 19) is currently used as a makeshift car park for the local businesses on the eastern side of Glyde Street (as it runs into Canning Hwy). The lot has between 10-20 cars parked there every day with around 4-8 on the weekends. The proposed development has 29 units and 36 car parking bays. How many of the 29 units will only have one car? Where are these other cars going to park? Where are the employees from the local businesses going to park? Many local residents on Glyde and East Street rely on street parking. How is this going to be maintained? Where will we park? What I would like to see is a modest series of townhouses or apartments that are limited in height to 2 storeys (in line with the local planning R20 code). Ample parking (2 cars per townhouse) and a design that does not devalue or damage the identity of nearby heritage homes. The land	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. <u>Referral to Heritage Council of WA (HCWA)</u> The HCWA has stated it has no objection to the Amendment. Refer to Submission No. 18 for HCWA response. <u>Overshadowing</u> Two storey development on East and Glyde Street (with lesser boundary setbacks allowed than that proposed under Additional Use - A9 provisions) is already a permitted type of development under the current density code of R20. If two storey development was to occur on Lot 19 Canning Highway (corner of Glyde Street) then overshadowing up to 25% of the site area (on 21st June) is permitted. The built form study demonstrates the impacts of building bulk and overshadowing, at the proposed R80 density a minimal increase when compared with a R40 built form (i.e., the current permitted development density). An additional 10% overshadowing (on the most impacted section of the lots) is the outcome. It should also be noted that this is an indication only, not a precise calculation. Further modelling of building envelopes and the impact of overshadowing will be undertaken with the formulation of the local development plan (to be approved by Council). A more precise location of a building(s) will then provide a better indication of overshadowing. The extent of permitted overshadowing is determined by the provisions of the SPP 7.3 – Residential Design Codes Volume 2 – Apartments and will be

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		value of the blocks is high. Is this not enough? The local government has a chance to improve the aesthetics of this area, but it needs to be done with consideration and care. In summary, the proposed development is unacceptable. I will be strongly opposing any push by State or Local government to allow this disastrous development to be approved.	considered by the decision maker when a development application for the site is submitted. <u>Dwelling Density and Traffic</u> The Amendment as proposed will facilitate residential development in line with the Town's draft 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 (i.e., Canning Highway), 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 2050. Residential R80 was the favoured development option for the Town and MRWA because it reflected the Town's preferred density and the land owner supported the density because it allowed for a viable number of apartments (~29). <u>Parking and Traffic Speed</u> The required number of bays per dwelling is determined by State government planning policy (i.e., R-Codes Vol 2 – Apartments) and the decision maker will be required to have due regard for these policy provisions. A greater or lesser number of parking bays may be required depending on the final number of dwellings (and bedroom numbers) to be developed. The number of bays mentioned in the Amendment Report was for indicative purposes only and was not based on exact bedroom numbers.
9	13 Glyde Street, East Fremantle	I have concerns regarding the amount of parking stated in the submission.	**Not supported.** <u>Parking and Traffic Speed</u>

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		The proposal allocates just 36 bays for 29, three bedroom apartments which appears to be an underestimation in accordance with part 6 of State Planning Policy 3.1 which requires 1 bay for each unit under 110m² and 1.25 for each unit above 110m² and an additional 0.25 bay for each dwelling. This would equate to 37 bays even if all the units were only one or two bedroom. Also, the proposal does also not seem to have taken into account the fact that there are an average of 8-10 cars parked on the vacant block each day These are mainly for the two commercial premises on the highway and for the residents of the apartments at 2 Glyde Street and visitors to the area. Parking in the street is at capacity now given the heritage nature of the area and the limited amount of off-street parking. If adequate parking is not provided for this development significant parking problems will be encountered in the future.	The required number of bays per dwelling is determined by State government planning policy (i.e., R-Codes Vol 2 – Apartments) and the decision maker will be required to have due regard for these policy provisions. A greater or lesser number of parking bays may be required depending on the final number of dwellings (and bedroom numbers) to be developed. The number of bays mentioned in the Amendment Report was for indicative purposes only and was not based on exact bedroom numbers. Comments in relation to vehicle parking on vacant Lot 19 are noted. Lot 19 is private property and is not a formally approved car parking area (i.e., Council has not granted approval for a car park use). When the lot is redeveloped, either as an individual or amalgamated lot, parking will no longer be available on this lot. Should street parking be unavailable then other means of transport will need to be considered by employees in the area. The developers of the land will not be required to provide alternative parking for these vehicles. If the site was to be developed for a single residential dwelling the same circumstances would apply. Required parking for the proposed number of apartments will be assessed as per the regulations applicable to the site.
10	1 East Street, Fremantle	I am pleased that the currently vacant lots are to be developed. However, I would urge the Council to ensure there is sufficient on-site parking for any developments. Since I moved to 1 East Street in 2018, two blocks across the road at 4-10 East Street have been redeveloped into four 3x2	**Comments noted.** <u>Parking and Traffic Speed</u> The required number of bays per dwelling is determined by State government planning policy (i.e., R-Codes Vol 2 – Apartments) and the decision maker will be required to have due regard for these policy provisions. A greater or lesser number of parking bays

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		houses. None have on-site parking, but there is space for up to three cars to park on the verge. The owners of the four properties at 4-10 East Street each have two cars, so there are now five extra cars trying to find space at our end of the street. Residents often park illegally in 'No Standing' zones outside our house. The City of Fremantle, which is responsible for the west side of East Street, does not have many parking inspectors so the cars rarely receive parking fines. I am concerned that the development of the vacant lots will compound this problem. I urge the Town of East Fremantle to work with the City of Fremantle on this matter, as it will affect residents of both Council areas. Any dwelling with two or more bedrooms should have at least two on-site parking spaces. Despite the excellent public transport in the area, experience tells me that families and couples will still own two cars even if they do not use them to drive to work each day.	may be required depending on the final number of dwellings (and bedroom numbers) to be developed. The number of bays mentioned in the Report was for indicative purposes only and was not based on exact bedroom numbers.
11	31 & 33 Canning Highway, East Fremantle	We are the owners of four of the six properties on the Strata Plan 29414 located at the corner of Glyde Street and Canning Highway, directly opposite the proposed development at Lots 14-19 Canning Highway ("A9"). Two of these properties are contained within the block of	**Not supported.** <u>Dwelling Density</u> The change to the density coding is considered appropriate and in accordance with the current State planning policy framework and the Town's draft Local Planning Strategy. The current coding under the Additional Use - A9 special conditions allows for

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		heritage buildings on this corner. The other two are part of the group of rammed limestone buildings at 2 Glyde Street. As such, we are amongst those property owners in the area who will be most affected by the adoption of Amendment No. 17. We object to the proposed rezoning of this land to R80 for the following reasons, all of which relate in some way to specific special conditions within the proposed Amendment: <u>Scale of Development</u> We have long understood that A9 would one day be developed and, as a result, our amenity would be reduced - in particular that we would lose much of, if not our entire view of the Port. However, we are dismayed at the size of the development which would be possible if this land is rezoned to R80. We believe that the mass and scale of buildings the proposed Amendment would allow is too large, and the height of buildings too high, to sit comfortably in the midst of what is principally a residential precinct filled with predominantly 1-2 storey buildings, many of which have significant heritage value. It is useful to compare the scale of what is proposed for A9 with the existing buildings across the highway at Sunnys Riverside Apartments. In	development at a density of R40 (i.e. multi-storey apartments). This coding has been in place since 2004. However, as Main Roads WA and the WAPC owned most of the lots redevelopment did not eventuate. The change to State Planning Policy in the intervening years requires the provision of additional dwellings across the Perth metropolitan area. This necessitates the re-evaluation of the density code along urban (transport) corridors such as Canning Highway given the sale of the land will most likely increase the likelihood of development. The Town is required to align its planning framework with State government planning strategy and the requirement for local government to achieve a dwelling target of 890 dwellings by 2050 through infill development. In doing so the Town must consider balancing residential amenity with any proposal to increase density. In this instance, the focus on available land abutting Canning Highway is intended to reduce development pressure on the Town's low density heritage precincts. Infill development within the heritage precincts is considered an undesirable outcome therefore the Town is proposing to facilitate the development of additional residential dwellings where it is considered these dwellings will have the least impact in respect to heritage and amenity. <u>Scale of Development</u> It is understood that while losing views is a very important issue for land owners, it is not a planning consideration in relation to this Amendment. It is hoped view corridors can be established through the formulation of the local development plan but there is no guarantee that this will be possible or result in current views being retained. The proposed graduated building heights for this Amendment site are considered in keeping with an appropriate future scale and height of development along Canning Highway and respectful of the adjoining low scale of development. The building heights

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		particular, we note the Council's proposed special conditions would allow taller buildings to be built on A9. Sunnys buildings are only three storeys higher than the level of the highway at this point along the road. Sunnys also has setbacks and open spaces between buildings which would be very difficult to emulate on A9, given the scale of the proposed development. We support the proposed ramping-up of building heights from the southern boundary of A9 to Canning Highway, and from Glyde Street to East Street, also the restriction of building heights on Lot 19, to 2 storeys or 17.9m above sea level, whichever is the lesser. However, we strongly believe no development on this site should exceed a maximum height of 21.0m above sea level or 3 storeys, whichever is the lesser. <u>Density Targets</u> If A9 was developed under its current zoning classification of R40, it would make a significant contribution to increasing the density in the suburb and assist Council in meeting the dwelling target set by State Government - with considerably less impact on local residents' amenity than would be the case if it is rezoned as R80. Moreover, as we understand it, the Town's density targets for 2050 could be met without	and setbacks proposed are no different to those that currently apply if the lots adjoining the Amendment site were developed for single dwellings at a R20 density. The precise building envelopes and any necessary setbacks between buildings from the adjoining lot boundaries will be determined under the local development plan. This plan will be subject to community consultation and must be approved by Council. <u>Density Targets</u> The WAPC housing target for the Town is 890 dwellings. The draft Local Planning Strategy will continue to provide for dwelling numbers to reach 520 additional dwellings by 2031 and 890 additional dwellings by 2050. The spatial plan for Perth and Peel @3.5 million encourages growth to be accommodated in a way that makes the best use of existing or planned infrastructure and also that it be aligned to demographic trends. Planning areas identified within the Local Planning Strategy with possible consolidation and planning potential include developable land along Canning Highway. The Amendment site has been identified as having potential for developing additional dwellings, however, this has not been taken up to a great extent and is unlikely to be under existing planning conditions. There is a high number of heritage listed properties throughout the Town that afford high protection and generally cannot be demolished. This constrains land for redevelopment and presents a need for special planning considerations for these properties. Therefore, the areas where development can occur, where the impact on heritage listed and heritage character properties can be minimised, are considered suitable locations for providing opportunities for additional dwelling development. Notwithstanding additional dwellings may be constructed on the Roofing 2000 site and the Royal George Hotel site, these sites alone will not achieve the dwelling target set by

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		needing to upscale the zoning of this particular site to this extent. We object to the residents of Plympton Ward being asked to bear the brunt of this sort of development within the Town as evidenced by the Roofing 2000 development, the Royal George Hotel site development, and now the proposed development of A9. We are also concerned that the main reason why Council is considering amending the LPS for A9 to R80 is in response to pressure from Main Roads WA and the WA Planning Commission, who wish to maximise profit from the sale of the land to developers, by effectively doubling the number of apartments that can be built on Lots 14-18. <u>Parking</u> The Council proposes that the use of land, within the proposed Amendment, be for residential purposes only (i.e., no commercial uses permitted). This will allow for a greater residential density that is not possible under the current LPS, which requires that the ground floor of any new buildings be reserved for commercial purposes. This change in the specifications is in line with the Town's objective to concentrate commercial building development in the heart of the Town, not in a distant residential corner of the suburb. ·	the WAPC. This Amendment site is considered to be a location that presents an opportunity to facilitate development where heritage and existing character can be safeguarded as best as possible, so the dwelling density proposed is considered appropriate. <u>Parking and Vehicle Access/Egress</u> Comments noted. The matters raised are also addressed in the MRWA Submission No. 14. The Town and MRWA are fully aware of the issues to be considered in relation to traffic, parking and access to and from the site. These matters are already proposed as necessary inclusions in the local development plan. A decision-maker will be required to have due regard to the need for residential and residential visitor parking to be provided wholly on the site and for the appropriate number of parking bays to be provided. A draft local development plan will be advertised for public consultation and the Town would refer the draft plan to MRWA and to any other servicing authority it believes should provide input into the formulation of the plan. It is considered the finer details of the plan, such as the entry and exit points to the site should not be determined at this stage of the planning process. All development control parameters should be considered at the same time and this will be at a time which precedes redevelopment. Determining one planning outcome without consideration for all other factors, or too early in the process, would not be best practice and is likely to limit future options and potentially result in further scheme amendments being required.

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		However, the proposed Amendment only allows for 36 car bays which is a ratio of 1.24 bays per apartment. Whilst this may meet with the minimum requirements under State planning rules it seems grossly insufficient to cope with the likely needs of residents and their visitors for a development of this size. We believe the impact on the immediate local street parking will be severe, especially when also taking into account the impact that the Roofing 2000, and the Royal George Hotel developments will have on parking in the Plympton Ward more generally. Moreover, the impact on parking on East and Glyde Streets will be much greater than it would have been if parking was also possible on Canning Highway on the long side of the development site. <u>Vehicle Access/Egress</u> The special condition that vehicle access/egress to A9 be prohibited on Canning Highway is reasonable given the volume of traffic on this road. However, there has been insufficient consideration given to traffic management issues, and we suggest the large majority of traffic in and out of the site should be from East Street only, taking into account the following factors: (a) The headlights and noise of vehicles exiting onto Glyde Street is likely to greatly affect	

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		the amenity of those living in the buildings opposite the development. On the other hand, the impact of head-lights and noise from cars exiting the development via East Street would be much less given that the principal building directly opposite the entrance is the Christian Science Church. This is not a residential building, and has high walls below the small windows on that side of the property. This means the use of the church by its members would be virtually unaffected by the head-lights and noise from vehicles exiting and entering the proposed development across the road. (b) East Street is an important route for traffic travelling between Canning Highway and High Street, whereas Glyde Street is generally used by people entering or leaving the residential area in the Plympton Ward. While increasing the size of the resident population in the area will increase pressure on both intersections, it would be much easier to control the impact of the additional traffic at the intersection of East Street and Canning Highway than it would be to control the impact that increased traffic would have at the intersection of Glyde Street and Canning Highway. For these reasons, we propose that an additional special condition be included in the Amendment	

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		to the LPS to restrict access/egress via Glyde Street to only those apartments which are built on Lot 19 (and facing Glyde Street); and access/egress of all other apartment traffic be via an entrance/exit situated in East Street. Notwithstanding the above concerns, we fully support the Council's view that all the lots within A9, be developed under a Local Development Plan, to be approved by local government. This is absolutely essential to ensure that the views of the Town's rate payers are properly considered by a representative authority, and that an appropriate set of development standards are established which enable development at a higher density to be balanced against protecting amenity and heritage in the Plympton Ward.	
12	6A Glyde Street, East Fremantle	Our property is almost directly opposite the site of the proposed development. We wish to object to this development as it will not be in keeping with this historic area and we believe will be too large for the area and too high. When we purchased our home in 2001 we were assured that there was a covenant on the spare land opposite and no building could be more than two storeys in height.	**Not supported.** <u>Heritage</u> The Plympton precinct 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 considered inappropriate to this

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		We believe there will be huge traffic problems and that not enough thought has gone into this. We will also lose a considerable portion of our views - the reason we bought here - which is very concerning with regard to property value and desirability. Please consider the views of the local residents.	suburban context. Therefore, the aim of the proposed special controls in the Amendment 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, vehicle 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 along the remainder of 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. The adoption of design guidelines is also subject to community consultation prior to adoption by Council. <u>Views</u> There is no covenant or caveat restricting the height of development on Lot 19 Canning Highway (vacant land). A search of the Certificate of Title has not indicate a caveat or covenant restricting building height on this lot.

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			It is understood that while losing views is a very important issue for land owners, it is not a planning consideration in relation to this Amendment. It is hoped view corridors can be established through the formulation of the local development plan but there is no guarantee that this will be possible or result in current views being retained.
13	1 East Street, Fremantle	The proposed rezoning to R80 will enable a high density of development with a significant increase in the number of residents in the area. This will result in increasing local traffic and further reducing parking. East Street is already under pressure as most residents in the area do not have off-street parking. Parking has become noticeably worse since the redevelopment of the four semi-detached houses at 4-8 East Street. The block is close to the corner with Canning Highway, local traffic travelling along either East Street or Glyde Street will be difficult to manage and will have a negative impact on residences during construction and when it is a residential site. The height, scale and style of any development with have significant aesthetic impact on the heritage Plympton Ward. This needs more community consultation. The number of residences will need to be considered with other potential developments	<u>Population, Dwelling Density and Traffic</u> It is estimated by the ABS that the resident population for the Town will increase from 7,837 in 2019, to ~8,000 in 2021 and then to 8,710 in 2026. It is generally understood that dwellings to accommodate the predicted population increase will be required. However, in relation to whether the number of persons accommodated in a development of the scale proposed will result in a significant increase in residents is not something that can be confirmed. It would not be possible to estimate the number of residents until final development approval of apartment configurations is granted. Even then, the number of people occupying the dwellings will undoubtedly change over time. It is considered development of the site at R80 is unlikely to result in an increase in residents that is unreasonable for the location. Nonetheless, a traffic impact assessment would be required to accompany the submission of a development application for the Amendment site. This would consider the impact of increased vehicle numbers and movements on local streets, access points and parking areas. An outcome may include traffic management measures addressing access points and vehicle and pedestrian safety. If deemed required a decision maker can impose these measures as conditions of development approval. The Amendment as proposed will facilitate residential development in line with the Town's draft strategic planning framework whilst also considering the impact on the adjoining low density residential area and heritage listed properties. Comprehensive development of larger amalgamated parcels of land with good access to public transport, supports the underlying objective to concentrate higher densities on urban

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		such as those at the Royal George Hotel and Roofing 2000 (91 - 93 Canning Hwy) sites, which will increase the total number of residences.	(transport) corridors like Canning Highway, thereby reducing development pressure throughout the Town's low density heritage precincts. Residential R80 was the favoured development option for the Town and MRWA because it reflected the Town's preferred density for the area and a density the land owner considers will result in a viable number of apartments (~29) as identified in the draft Local Planning Strategy. Further consultation will be undertaken when the local development plan and design guidelines are formulated. This will provide residents with the opportunity to comment in greater detail on more specific heritage, parking, traffic and design related controls for the Amendment site.

Service Authorities and Government Agencies				
14	Main Roads WA	Amendment site	Main Roads has no objection to proposed Amendment No. 17 and provides the following comments for future residential density coding of R80 upon the subject land. i. In accordance with Main Roads' Development Control Policy 5.1 there is to be no vehicular access to and from Canning Highway. Provision is to be made for safe and efficient access from Glyde Street and/or East Street without compromising the state road network. This will require the future provision of rear Easements in Gross or a similar rear access strategy for properties within Area A9. ii. The land required for future widening/upgrades of the Canning Highway as identified on attached Land Protection Plan 201232-0519-1 (Canning Highway - Queen Victoria Street to Stirling Highway) must be ceded free of cost to the Commissioner of Main Roads, prior to the commencement of development upon any of the subject lots comprising Area A9. The 'proposed MRS reservation' boundary identified on Land Protection Plan 201232-0519-1 is to be applied as the land requirement. Ceding of the land prior to any development occurring will ensure that the developable area is calculated exclusive of any land required for future road widening/upgrades.	**Noted.** Modifications to Amendment No. 17, as outlined in the MRWA submission, have been included in the Amendment.

			The Town should ensure that the building setback is measured from the edge of the identified proposed land requirement (on Land Protection Plan 201232-0519-1). iii. Future development must take into consideration the existing drainage assets associated with the state road network to ensure ongoing protection, functionality and efficiency. i. The implementation of forward planning protection measures is considered critical to securing opportunities for future infrastructure provision as shown on attached Carriageway Protection Plan 201232-0161 (Canning Highway- Queen Victoria Street to Stirling Highway). ii. The proposed wording for Amended Schedule 2 - Special Conditions should require that any future Local Development Plan also address the following: • A transport assessment that identifies the impacts and any appropriate mitigation measures is to be undertaken in accordance with the WAPC's *Transport Impact Assessment Guidelines (2016).* This includes identifying future access locations to and from Glyde Street and/or East Street that do not compromise future road and intersection treatments within the **'proposed** MRS reservation';	

			• An earthworks plan is to be submitted demonstrating that any works in the future road reservation are the same as existing ground levels for the applicable section of Canning Highway. This plan is to be provided to the satisfaction of Main Roads, in consultation with the Town of East Fremantle; and • An acoustic report is to be prepared by a qualified acoustic consultant in accordance with the requirements of the WAPC's *State Planning Policy No 5.4 - Road and Rail Noise* and submitted to the satisfaction of the Town of East Fremantle, in consultation with Main Roads and implemented thereafter. iii. The Town is advised that local traffic treatments will require further approval from Main Roads under the *Road Traffic Code 2000.* iv. The upgrade and widening of Canning Highway is not in the Main Roads current 4 year forward estimated construction program. All projects not listed are considered long term. Timing information is subject to change and that Main Roads assumes no liability for the information provided. On a final note, Main Roads advises that it offers a free of charge pre-lodgement consultation service. Main Roads encourages Local Government in liaising with applicants to	

			promote and capitalise on this free advisory service offered by the road authority prior to lodgement of strategic or statutory planning proposals, especially where development plans involve land adjacent to or have the potential to impact on the State road network. Should the Town disagree with the above advice, Main Roads requests an opportunity to meet and discuss the application further, prior to a final determination being made.	
15	Western Power	Amendment site	Western Power has changed its assessment process and no longer provides comment for strategic referral applications. Referral to the Western Power website for information on how to perform a self-assessment to determine whether there will be any building restrictions for the development due to clearance and danger zones has been advised. In the event further action is required by the applicant, the necessary information on how to proceed is provided on the same web page.	**Noted.**
16	Water Corporation	Amendment site	These lots are located within an area that is serviced by an established network of water and sewerage mains. New services can be provided to future subdivision and development of these lots by the developers undertaking mains extensions and, if necessary, mains upgrades at their cost at the development stage. However, it should be noted that the capacity of the mains serving the area is finite. The Water	**Noted.** The Water Corporation has stated that the local sewer capacity will be reviewed when the dwelling yields are clarified through the proposed local development plan and design guidelines. As stated any upgrades required of the water and sewer mains are the responsibility of the developer.

			Corporation would prefer to assess the servicing implications of rezoning and up-coding proposals across the broader area as part of a wholesale review of the Town's Scheme. The Water Corporation's Fremantle Sewer District wastewater infrastructure planning is based on the subject land being developed to a maximum of R40. The proposed R80 code, plus the inherent density bonus provided by the WA Residential Density Codes' plot ratio controls for multiple dwellings, will give rise to at least a doubling of the wastewater flow from the future development. In this locality it is fortunate that the 150mm diameter reticulation sewers traversing the site will split the wastewater flows roughly equally into two sewer sub-catchments. The impact of the additional wastewater flow is therefore likely to be manageable. The Water Corporation will review the local sewer capacity when the dwelling yields are clarified through the proposed local outline development plan and design guidelines. If the size of the sewers needs to be upgraded to 225mm diameter to cope with the additional flows, the developer(s) of these lots will need to fund and undertake these upgrades. The 150mm diameter gravity sewers traverse the rear of these lots. The sewers need to be adequately protected and their current location will impact on the ability to fully develop the lots.	

			It may be possible for the proponent to relocate these sections of sewer at their cost. The feasibility of relocating the sewers will need to be investigated by the proponent at the subdivision and development stages. It is recommended that the Local Development Plan should including a servicing report addressing the water and wastewater servicing issues.	
17	Department of Health	Amendment site	The development is required to connect to scheme water and reticulated sewerage and be in accordance with the *Government Sewerage Policy, 2019*. The Department of Health has a document on *'Evidence supporting the creation of environments that encourage healthy living'* which may assist in planning elements related to the local development plan. The Town of East Fremantle could also consider incorporation of additional sound proofing/insulation, double glazing on windows or design aspects related to location of air conditioning units and other appropriate building/construction measures such as ensuring adequate ventilation requirements for wet areas.	**Noted.**
18	Heritage Council of WA	No. 9 and No. 19 Canning Highway, East Fremantle	Draft Scheme Amendment No. 17 was referred to the Heritage Council under the provisions of Section 79 of the P*lanning and Development Act 2005*. As there are no State Heritage Places within the proposed Scheme Amendment area,	**Noted.**

			there is no objection to the proposed Amendment.	

Community Engagement PUBLIC COMMENT Checklist

Policy / Plan Name:	COMPLEX AMENDMENT No. 17 TO LPS NO. 3 – Lots 14-19 Canning Highway			
Responsible Officer:	Christine Catchpole			
Manager Approval:	Andrew Malone			
Engagement Objective:	To raise awareness of, and seek public comment (submissions) on, a proposal to initiate (advertise) a complex amendment to Local Planning Scheme No. 3.			
Summary of Amendment:	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).			
Public Comment Period:	**Start Date:**	TBA – subject to WAPC and EPA authorisation to commence.	**Est. Completion:**	TBA

Stakeholders

Stakeholders to be targeted:	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.
Access / Inclusion Considerations:	For example, availability in alternative languages, large print, non-electronic, print copy, phone assistance.	N/A
Proximity / Special Interest Considerations:	Stakeholders who might be more directly affected by the project.	Plympton and Riverside South Precinct land owners and occupiers.

Public Comment Plan

Methods	Responsible	Date Due	Complete / Notes
AWARE			
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.
INFORM			
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.
STATUTORY			
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.

Submit to Coordinator Community Engagement for internal recording / dissemination			
Executive Leadership Team (via ELT)	2 weeks out	NEM	<<date>>
Customer Service (via Team Leader)		NEM	<<date>>
Elected Members (via CEO EA)		NEM	<<date>>

13.1.3 East Fremantle Oval Reserve 24703 – Change of Purpose to Include Community

File ref	R/RS09; R/RS04
Prepared by	Stacey Towne, Urban Project Planner
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date	20 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Purpose
To initiate procedure to change the purpose of the East Fremantle Reserve 24703 from "Recreation" to "Recreation and Community Purpose".

Executive Summary
Reserve 24703 is an A Class reserve vested in the Town of East Fremantle (the Town) for the purpose of "Recreation East Fremantle Oval." The Management Order in favour of the Town includes power to lease for up to 50 years.

The proposed redevelopment concept for the East Fremantle Oval Precinct includes a range of community uses in addition to recreational uses. In order to allow for flexibility to provide a diversity of uses available to the community, it is considered appropriate to extend the purpose of the reserve to include "Community".

Changing the reserve purpose would also involve a new management order, including a reserve fund condition to ensure that any lease proceeds go back into a reserve for Reserve 24703.

Background
At its Ordinary Council Meeting on 20 April 2021, Council approved a Business Plan for the East Fremantle Oval Redevelopment Project under s3.59 of the *Local Government Act, 1995* and in accordance with s6(3) of the *Planning and Development Act, 2005* resolved to advise the Department of Planning, Lands and Heritage (DPLH) that the Town proposes to carry out the redevelopment as public works.

By letter dated 17 May 2021, the Chairman of the Western Australian Planning Commission (WAPC) confirmed that the WAPC considers the development to be consistent with the intent of the reservation under the MRS, orderly and proper planning and the preservation of the amenity of the locality and is able to proceed as public works. The Chairman further encouraged the Town to continue liaising with the DPLH regarding land use and tenure. The Town has continued to work through the vesting order to ensure the most appropriate reserve purpose can address the community's needs.

Consultation
Town Officers have been liaising with a number of officers from the Land Management Metropolitan and Peel of the DPLH over the preceding year and most recently met with them on 2 June 2021.

As part of the procedure to change the reserve purpose, DPLH will advertise the proposal for at least 30 days in a State newspaper.

Statutory Environment
Land Administration Act, 1997.

Policy Implications
Nil.

Financial Implications
Should the purpose of the reserve change and a new management order be granted, a reserve fund will be required to hold any lease proceeds.

Risk Implications
The reserve itself will still remain an A Class Reserve, however the vesting order purpose will be for recreation and community. Should the Council resolve not to support the proposed change, the implications could limit the future potential uses on the site to on recreational uses and not include community uses.

Strategic Implications
The Town of East Fremantle Strategic Community Plan 2020 – 30 states as follows:

> *Strategic Priority 1: Social*
> *A socially connected, inclusive and safe community.*
>
> *Objective*
> *1.2 Inviting open spaces, meeting places and recreational facilities*
>
> *Strategies*
> *1.2.1 Provision of adequate facilities to support healthy and active lifestyles.*
> *1.2.2 Activate inviting open spaces that encourage social connection across all age groups.*
>
> *Measures of success*
> *Community perception of value of recreational facilities and meeting spaces*

Site Inspection
Not applicable.

Comment
Following consultation, DPLH officers recommended that to allow the Town the flexibility to consider future proposals as a part of the East Fremantle Oval Redevelopment that are ancillary to the reserve purpose, that the reserve purpose be amended to "Recreation and Community". This will enable diversity and flexibility in future uses of the reserve (such as the possibility of a childcare centre, community garden, community hall or café) as well as allowing the reserve to be utilised by the community as both an open space and a local sporting recreation centre. The Town will create a community hub and increase the usable space for the community as a whole by removing the fencing surrounding the oval.

Reserve 24703 is an A Class reserve with a Management Order in favour of the Town enabling it to lease for up to 50 years. The procedure to change the purpose of an A Class reserve under the *Land Administration Act, 1997* includes the proposal being laid before both Houses of Parliament for 14 sitting days (as detailed below).

Following a submission request to this effect from the Town, the DPLH will conduct due diligence and if agreeable will initiate the following actions relating to an A Class Reserve:

DPLH Class A actions	Estimated Timeframe
Internal DPLH correspondence and advertise the proposal for at least **30 days** within a State newspaper	2 months
Contact MPs and submission to Parliament	1 month
Proposal laid before both Houses of Parliament, **14 sitting days**, no motion of disallowance	2-3 months
Parliamentary actions completed and documents sent to Landgate for registration	1 month

Subsequently, DPLH has requested the following condition to be included in the management order. The new management order will be granted with the following reserve fund condition included to ensure any lease proceeds will go back into the reserve:

> *"The Management Body must allocate and use the net proceeds of any premium, rental, fees, charges or other income it receives from all leases, subleases and licences in respect of the Reserve or any part of it (being the amount of any premium, rental, fees, charges and other income it receives after the payment or deduction of fees and costs arising from those leases, subleases and licences including administration fees and costs) (Reserve Funds) to maintain and repair all buildings and structures and to maintain the grounds and facilities of the Reserve and where there are surplus Reserve Funds other reserves within the locality and otherwise to satisfy its obligations and liabilities as management body of the Reserve.*
>
> *The Management Body must provide to the Department within three (3) months of a request of the Minister, a report that details the amount and source of the Reserve Funds received and what the Reserve Funds have been expended on during that preceding financial year, and other periods as requested."*

The Town is required to confirm that it agrees to the inclusion of this condition in the new management order as part of its request to change the purpose of the reserve.

Based on the above, it is recommended Council endorse the proposed change to the vesting order from Recreation to Recreation and Community to enable flexibility over the Reserve. The Reserve will remain an A Class reserve and will be bound by the same existing legislation. The proceed from the Reserve will be required to be reinvested into the Reserve, however this is a recommendation of the endorsed oval business plan. It is recommended to change the purpose of the reserve.

13.1.3 OFFICER RECOMMENDATION

That Council resolve to:

1. **request the Department of Planning, Lands and Heritage (DPLH) initiate proceedings to change the purpose of Reserve 24703 to "Recreation and Community".**
2. **advise the DPLH that the Town confirms acceptance of the following condition into the Management Order:**

   "The Management Body must allocate and use the net proceeds of any premium, rental, fees, charges or other income it receives from all leases, subleases and licences in respect of the Reserve or any part of it (being the amount of any premium, rental, fees, charges and other income it receives after the payment or deduction of fees and costs arising from those leases, subleases and licences including administration fees and costs) (Reserve Funds) to maintain and repair all buildings and structures and to maintain the grounds and facilities of the Reserve and where there are surplus Reserve Funds other reserves within the locality and otherwise to satisfy its obligations and liabilities as management body of the Reserve.

   The Management Body must provide to the Department within three (3) months of a request of the Minister, a report that details the amount and source of the Reserve Funds received and what the Reserve Funds have been expended on during that preceding financial year, and other periods as requested."

13.1.4 Duke Street, No. 34 (Lot 303) – Royal George Hotel Site - State Development Assessment Unit Referral – Restoration of Hotel for Hospitality, Accommodation, Craft Food/Beverage Production, Retail and 24 Multiple Dwellings

Owner/Applicant	34 Duke Street P/L (Saracen Properties)
File ref	TPS3A15; P/DUK34
Prepared by	Christine Catchpole, Senior Planner
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date:	20 July 2021
Voting requirements:	Simple Majority
Documents tabled	Nil
Attachments	1. Location Plan 2. Site Photos 3. Development Application plans referred by State Development Assessment Unit on 13 May 2021 4. Amendment 15 – Special Zone – Royal George Hotel – objectives and development controls 5. Town's recommended conditions of development approval

Purpose
The purpose of this report is for Council to:

- consider a development application referred by the State Development Assessment Unit (SDAU) for No. 34 (Lot 303) Duke Street, East Fremantle comprising the restoration of the Royal George Hotel for hospitality, accommodation, craft food/beverage production, retail and a 10 storey/level residential building comprising 24 apartments with 52 parking bays; and
- consider making a submission to the Western Australian Planning Commission (WAPC) in response to the development application.

Executive Summary
As part of the State government's COVID-19 economic recovery plan, a new development application process was introduced for 'Significant Developments'. Part 17 of the *Planning and Development Act 2005* grants the WAPC temporary decision making powers to determine proposals over $20 million in metropolitan Perth. The Town of East Fremantle has received its first formal referral of a SDAU (Form 17B) application for the Royal George Hotel site.

The Town's Officers do not have authority under current planning legislation to make recommendations to the WAPC in relation to a development application submitted under the SDAU process for significant developments. The Council must therefore consider the proposal and should it wish to do so make a submission on the proposal.

The development proposal is a mixed use development. It comprises of commercial (restoration and reuse of the Hotel for hospitality, accommodation, craft food/beverage production and retail purposes) and residential uses (24 apartments and 52 parking bays) on the vacant portion of the site which was previously used for parking when the Hotel building was last used.

Prior to the submission of a Form 17B application the applicant requested the Town refer the proposal to the State Design Review Panel (SDRP). The proposal proceeded through three rounds of design review by the SDRP in 2020, following gazettal of Amendment 15 to Local Planning Scheme No. 3 (LPS 3). Amendment 15 and advice from the SDRP has guided the design of the

current proposal. The SDRP concluded '*that overall the ambition of the proposal is deserving of support*' with a follow-up review recommended on submission of a development application. Subsequently, the SDAU advised that the SDRP Chair (Government Architect) reviewed the application plans and determined a further review was not required. Based on this information the Town has concluded that the SDRP has endorsed the proposal in its current format with some provisos.

The SDAU is responsible for undertaking all community consultation and the detailed assessment of the proposal in respect to compliance with the Town's LPS 3 provisions (namely Amendment 15), the R-Codes and State and local planning policies. At this point, the SDAU has not formally assessed the application. It has advertised the proposal directly by letter to land owners/occupiers within a 200m radius of the site, on the Department's on-line consultation hub, by signage on the site, a notice in the Fremantle Gazette and through social media. The Town was instructed to not directly advertise the application, however it was authorised to provide the community with details on how to make a submission which it did on the Town's website and through newsletters. There were also a number of local newspaper articles on the proposal.

The statutory advertising period was conducted from 20 May to 18 June 2021. The SDAU has advised that 221 submissions were received with 38.5% not in support, 39.8% supportive with changes and 21.7% supportive. The submissions not in support cited reasons of inappropriate bulk and scale, as well as context and character incompatibility. Also, it was clear, parking, and to a lesser extent traffic, were the most important issues raised by the community.

The Town has a number of significant concerns with the current format of the proposal. The application does not comply with the maximum height of development under LPS 3 (i.e., Amendment 15) and the George Street Heritage Area Policy (height provisions for the Hotel). In the Town's view exceeding the height limit by ~3.5m. Parking for commercial uses is considered substantially inadequate. None has been indicated as available for commercial uses on-site and potential alternative on-street parking options have not been fully investigated by the developer/owner, with the Town, to the point where the Town is satisfied an adequate increase in on-street parking can be funded and made available prior to the Hotel commencing operations.

The result of a development approval will place the Town in a position which requires it to address the parking shortfall to minimise the impact on amenity once all uses are in operation. It is considered that the burden of the impact of this development should not be borne by the Town and that the Council should be afforded the ability to obtain a monetary contribution for the provision of additional parking bays or other facilities/amenities that may encourage the use of public transport, as it is able to do under the provisions of the Scheme and local planning policy, specifically a payment (cash) in lieu of a parking shortfall.

Given the existing parking, traffic and access constraints of the Plympton precinct and the Town's concerns with the overall impact of the development on the amenity of the locality should it be approved, it is recommended that Council make a submission to the SDAU/WAPC which conveys that Council is *only* prepared to support the development application on the basis that the plans and proposal (including particular supporting documents) are amended to indicate compliance with LPS 3 (building height and parking), and the Town's George Street Heritage Area, George Street Parking (cash in lieu) and Percent for Public Art local planning policies. Also, endorsement by the Town of an amended waste management plan is also requested following the outcome of discussions with the developer/owner regarding rationalisation of on-street parking.

In due course the SDAU will finalise a detailed assessment of the proposal, consider community feedback, give due regard to comments of the SDRP and referral agencies (such as the Heritage Council of WA and Main Roads WA), and then prepare a report and recommendation to the WAPC. The SDAU's report will be available to the public prior to the WAPC meeting. Deputations can be made at the WAPC meeting where this application will be determined.

The Town considers that the SDAU should require the applicant to submit amended plans which are in compliance with LPS 3 (building height and parking) and the Town's local planning policies (building height, public art and payment in lieu of parking) prior to the WAPC determining the application. Failing that recommendation being actioned, the Town recommends the SDAU/WAPC apply the conditions of development approval which require the same compliance matters to be addressed prior to the submission of a building permit application, in addition to the other recommended conditions of planning approval outlined in Attachment 5. In conclusion, it is recommended that Council resolve to convey to the WAPC that it is only prepared to support the application on the basis that amendments to the plans are required by the WAPC which in the Council's view would ensure the development application is compliant.

The WAPC must have due regard to the local planning framework in determining the application, however it has the ability to vary State and local statutory planning provisions and undertake a more strategic assessment to consider non-planning related matters. It must, however, have due regard to the Special Zone objectives and the advice of the SDRP when considering a development application for the site. However, should the WAPC be inclined to not support the Council's submission but rather be of the view to support the proposal in its current format, then it is requested the development conditions provided in Attachment 5 be applied to the development approval.

Background

Site Details

The Royal George Hotel site is a 1,499m² triangular shaped lot located within the Town's historic Plympton precinct. The Hotel site is on the State Heritage Register and was sold by the State of WA in June 2017 to 34 Duke Street P/L (Saracen Properties P/L). The sale of the land was subject to a *Heritage Agreement* and a *Conservation Management Strategy* which are part of the contract of sale. The Agreement is a binding legal document between the Heritage Council of WA (HCWA) and the owner. It specified that restoration works undertaken on the Hotel were to be completed within three years of the effective date (i.e., June 2020) with some of the more urgent works requiring completion before then, although a twelve month extension to the Heritage Agreement to June 2021 was granted in 2020. The Hotel is to be restored before any development at the rear of the site can be subdivided. A caveat on the title prevents strata titling and subsequent selling of any apartments until the State lifts the caveat.

Amendment 15

Council initiated Amendment 15 to LPS 3 in June 2017 to include development standards for the site. In June 2018 the Council resolved to support the Amendment with modifications. The Amendment considered the site's location and considerable physical development constraints, its heritage value and context, and the character and amenity of the surrounding area. In summary, it limited redevelopment to a non-variable 6 storeys maximum height (including basement car parking), applied non-variable setbacks, ensured restoration of the Hotel, considered traffic and parking implications, residential development standards and was aimed at protecting residential amenity.

The Department of Planning made substantial changes to the Amendment most notably to building height, parking requirements and heritage controls. These changes were then endorsed by the WAPC and forwarded to the Minister for Planning who directed that the Amendment be further modified and advertised for public comment. The Schedule of Modifications was re-advertised in 2019. A total of 233 submissions were received of which the majority overwhelmingly rejected the Schedule of Modifications (as modified by the Minister) and were in support of the Council's Amendment (6 storey height limit). Minister Saffioti responded to the community's concerns following the advertising and assured the community the Amendment would be modified to indicate a *maximum height cap of 7 storeys*.

The first modification to the Amendment did not reflect the Minister's intention to cap the height and allowed a decision maker discretion with regard to determining building height. The justification by the Minister for the discretionary provisions was that this would allow for more flexibility in design and would achieve a better design outcome. The Council cautiously responded to this argument by supporting the 7 storey maximum height cap *but* allowing for generous floor to floor heights of 4.0m in response to the developer and the Department of Planning and Government Architect's staff arguing that this would be warranted for upper-end quality apartments suited to this site. The Council then supported an increase from its adopted height cap of 36m AHD (6 storeys) to 43m AHD so that 7 storeys with 4.0m floor to floor heights could be achieved. The Minister approved the Amendment in February 2020 with further changes to parking provisions (refer to Attachment 4 for Amendment 15 objectives and development controls).

'Significant Development' Approval Pathway- Section 17 P&D Act, 2005

The State Government then introduced a new development application process for significant projects as part of COVID-19 economic recovery plans. Part 17 of the *Planning and Development Act 2005* (as amended by the *Planning and Development Amendment Act 2020)* has been temporarily established by the WAPC as the new decision making authority for applications for 'significant development'. The applicant has elected to seek approval via the SDAU pathway. The proposed redevelopment of the Royal George Hotel site was initially lodged with the SDAU in December 2020.

The SDAU/WAPC is not bound by the local planning framework and therefore has the ability to vary local provisions and undertake a more strategic assessment to consider non-planning related matters as part of its decision-making process. In accordance with s.276 (4) of the *Planning and Development Act 2005*, the Commission must:

a) give any local government to whose district the development application relates an opportunity to make submissions to the Commission within a period specified by the Commission; and
b) have due regard to any submissions made by the local government within that period.

The application will ultimately be determined at a WAPC meeting, which will be convened in a similar manner to Development Assessment Panel (DAP) meetings insofar as being open to the public to attend and make deputations. If approval is granted, the WAPC will be responsible for clearing all relevant conditions of the development approval in consultation with the Town and other State Government departments/service authorities. The Town will still be responsible for issuing a Building Permit for the development.

State Design Review Panel (SDRP)

The applicant requested the Town refer the proposal to the SDRP. The role of the SDRP was to assess the architectural and functional design merit of the proposal against the ten principles of good design outlined in State Planning Policy No. 7.0. Due to the provisions of Amendment 15, the SDRP were required to articulate a dual assessment of the proposal against these principles, as well as the Special Zone objectives for the Royal George Hotel site (as outlined in Attachment 4).

The proposal proceeded through three rounds of design review under the guidance of the SDRP in 2020. A follow up review of the design proposal was recommended after lodgement of the development application. However, when the Town queried the commencement of a fourth round the SDAU advised that the Chair of the SDRP (Government Architect) had reviewed the current development application and did not require a Design Round 4 to be undertaken.

The following is an extract from the final SDRP Report - Design Round 3.

> *Summary comment:*
> *The proposal before the Panel is a challenging design that was likely not anticipated under the Town of East Fremantle Local Planning Scheme 3 Amendment 15. However, in conjunction with the performance based SPP 7.0 and SPP 7.3, the State Design Review Panel can contemplate the unanticipated within a broader strategic frame of reference.*
>
> *Throughout the review process, the proposal has generated discussion within the Panel over various aspects of the design, however it is considered that overall the ambition of the proposal is deserving of support. As with DR1 and DR2, this report has been structured to integrate Scheme Objectives and SPP 7.0 Design Principles for reporting purposes. The project team have specifically requested commentary from SDRP in respect of how the proposal responds to Scheme Amendment 15. The Panel has outlined where further resolution is required to better satisfy its objectives. Further design resolution should focus on the following:*
>
> - *Ongoing engagement with the Town of East Fremantle and progression of a community engagement strategy that clearly communicates the narrative of the design concept.*
> - *Development of a 3D model of the project, to outline the proposed built form in a more comprehensible manner. This will be particularly important for community engagement.*
> - *Further development of the landscape strategy as a critical component of the public realm, particularly for the Duke Street edge, to strengthen the relationship between the new built form and the Royal George Hotel. The street-based tree planting and upper level 'cascading greenery' are key elements.*
> - *Confirming the details and build quality of the two primary materials: Zinc and limestone.*
> - *Providing additional detail on the sustainability strategy of how 5-star Green Star and carbon neutrality will be achieved.*
> - *Resolution of a parking strategy for the site and the wider area, that will enable the commercial component of the development to thrive. It is acknowledged that there is already heavy use of the parking available in the area. Working*

with the Town in developing a strategy to benefit the site and the wider area will increase visitation and lessen community concern about any parking problems generated by the project.

- *Improving the legibility of the Duke Street residential entrance in a sophisticated manner that does not adversely impact the drama of the form, and the subtlety of the entrance.*
- *Whilst the Panel are confident the Scheme Objectives can be met by this design approach, the specific objectives requiring further resolution (in full or in part) are: (b) (e) (f) (i) and (j).*

Details
In May 2021 the development application for the site was officially lodged with the SDAU. The application was subsequently referred to the Town under Section 17 of the *Planning and Development Act, 2005* seeking the Council's comments on the proposal. The design response and proposal is illustrated in the full set of plans provided in Attachment 3.

Hotel and Apartments – Uses and Parking
The Hotel will be reactivated as a publicly accessible hospitality and hotel venue including a full building restoration being completed. The proposal indicates a craft food and beverage production area (with concepts for an urban brewery/winery and small scale bread production mentioned) and associated tasting and cellar door sales. The applicant has requested *'flexibility'* for this concept to '*evolve'* in consultation with the proposed operator. Planning approval is sought for a use classified as 'not listed' under LPS 3 for the use of *'Artisanal Food and Beverage Production, Cellar Door and Private Retail Sales'* as described in the application.

The ground floor of the Hotel will be occupied by a bar, restaurant, and kitchen facilities and associated customer and 'back of house' areas, with the first floor accommodating ten hotel rooms generally within the original floor plan of the former Hotel accommodation. A new glazed access stairway is proposed on the eastern side of the building to provide an access point to George Street. The proposal also includes universal access throughout the four levels of the heritage building, by combining a lift and stair access column directly off Duke Street. This also provides universal access to all levels from street level and allows all three other original entrances (that incorporate stairs) to remain unmodified, maintaining the heritage elements of the building.

The proposed uses for the site, the corresponding floor areas and the parking requirements and bays indicated are summarised in the table below. The Town's calculation of the parking bays required is based on the requirements under LPS 3 (Schedule 10). This is the Town's assessment which differs to the applicant's assessment of the parking required. Regardless of the two differing assessments, it is the responsibility of the SDAU to assess and report on compliance with the R-Codes (apartments) and the parking compliance for both residential and non-residential/commercial uses under LPS 3.

Hotel Uses and Apartments – Floor Areas and Parking Requirement

Storey/Level	Proposed Use	Net Floor Area	Parking Bays Required	Parking Bays Provided/ Indicated
Basement	Craft food and beverage production	~159.9m²	**4**	**0**
	Services and staff amenities	~30m²	-	-
Level 1 (Lower ground)	Cellar door and private retail sales	~200.8m²	**4**	**0**
	Public and staff amenities	~36m²	**0**	**0**
Level 2 (Ground Floor)	Amenities	~40.9m²	-	-
	Restaurant	~81.8m²	**29**	**0**
	Courtyard dining	68.0m²	**14**	**0**
	Small bar	~89.1m²	**36**	**0**
	Kitchen and back of house	~85.8m²	**0**	-
	Courtyard – dining area	~68.5m²	**0**	**0**
Level 3 (First Floor)	Hotel (10 rooms)	~301.7m²	**10**	**0**
Total		1,094m²	**97**	**0**
Dwellings	23/24 apartments	-	**26**	**50**
	Visitor parking bays	-	**4**	**2**
Total			**127**	**52**

Apartments

A 10 storey/level building from Duke Street is proposed comprising a total of 23/24 apartments. Access to the parking facilities and apartments is via Duke Street. Access to the Hotel building will essentially remain unchanged. A range of apartments are proposed including one, two and three bedroom options. The proposed dwelling sizes range from 58.8m² (one bedroom) to 188.18m² (or potentially larger for 2 and 3 bedroom apartments). The mix of apartments is detailed in the table below:

Dwelling Types

		Level							
Type	**Dwelling**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
1 x 1	**5**	●	●	●					
2 x 2	**9**			●	●	●	●	●	
3 x 2	**8/9**	●	●	●	●	●	●	●	●

With regard to level 9, the development application plans illustrate two different scenarios which could be accommodated, including:

- Two 3x2 penthouse suites, ~148m² and ~188m².
- One large penthouse suite, ~336m² (effectively the two apartments amalgamated).

Development approval is being sought for both scenarios. The applicant's reason is based on economic and market advice. The applicant considers there to be a potential demand for a single large penthouse to occupy the entire floor. To allow for both scenarios to be tested through the sales process, the applicant has requested both scenarios be approved by the WAPC.

Vehicle Parking

The applicant states that the specific type and operation of the car stacker and car lift is to be confirmed and finalised. However, the method of operation of the car stacker and car lift is proposed as follows. Access to the car stacker and car lift will be via a driveway on Duke Street and through the main entry. Access to the car stacker and car lift is to be restricted to residential tenants only. This access will be restricted by a security gate within the site. Access to the two visitor bays will be available outside the gated section of the basement adjacent to the Duke Street entry. Fifty two (52) bays in total are proposed with two being visitor bays. It is not clear whether these are intended as residential and/or commercial visitor bays.

Car Stacker Operation

For the proposed 21 bay car stacker, there is to be five separate entry/exit points of the car stacker accessed from ground level. The applicant has stated that there is expected to be at worst five spaces clear at any time and therefore no queuing is expected. The applicant has explained this will allow a user to drive directly into an empty space. No queuing of vehicles into Duke Street is therefore expected and all vehicles, waiting for the car stacker, are expected to be contained on site within the basement area.

Car Lift Operation

For the proposed 25 car bays in the two basement levels accessed by a single car lift, a service rate of approximately 60 vehicles per hour during the busiest PM peak arrival, and an arrival rate of approximately 4 cars per hour (based on 4 out of 7 cars arriving using the car lift) typically no more than a single car in the garage area accessing the car stacker at any one time is expected. Accounting for possible higher arrival patterns of vehicles within this peak hour, there is still expected to be no more than a single car queued within the garage.

The average waiting time for a driver is expected to be approximately 4 - 5 seconds based on a single car using the car stacker, whilst the average time expected from arriving to exiting is expected to be approximately 65 seconds. Under this assessment, there is not expected to be any queuing of vehicles back onto Duke Street. All vehicles waiting for the car stacker are expected to be able to be contained on site. Before using the car stacker or car lift system, all users will be required to undertake training. Upon completion of the training a fob/key will be given to the user.

The anticipated functioning of the parking areas has been provided by the applicant. It is the responsibility of the SDAU to undertake a detailed assessment of the transport impact assessment and parking facilities and determine whether their operation will be adequate and functional. It is expected that the SDAU will recommend to the WAPC conditions of planning approval in relation to the car stacker and lift operations. The Town will also recommend conditions be applied in this regard should a development approval be granted.

Bicycle parking and facilities

The development proposes bike racks for 40 bikes within the development, as detailed below:

- 24 residential in a secured storage area (with a further 23 within individual store areas).

- 12 residential visitors off-site (located on Duke Street near George Street).
- 6 commercial in a secure storage area with End-of-Trip facilities.

The 32 rack residential (and up to 55 with the use of building stores) bike provision is in excess of the R-Codes requirement of 12 racks for residents and three for residential visitors respectively, for a total of 15. Bike parking is not specifically referred to in LPS 3 but spaces for six bikes are proposed to be located near end-of-trip facilities for employees within the development.

Pedestrian Facilities

The applicant has proposed an upgrade of the adjacent footpath beneath the verandah of the Hotel. The Town would need to be in agreement with any proposed works in the road reserve because this work is in the public realm and is not part of the development application and therefore requires the approval of the Town.

Loading Areas

Loading bays for two vehicles to park within the development to load and unload both for the commercial and non-commercial uses are proposed. This loading area would be located beyond the security gates during normal business hours. Only small delivery vans could access these bays. The applicant has also proposed a loading bay in the road reserve for the purpose of waste collection. The use of a bay in the road reserve for this purpose would be subject to approval by the Town and therefore its provision, given the request by the applicant for formalising on-street car parking in this location, should not be considered as a right.

Motorcycle/Scooter Facilities

The development also proposes the provision of five dedicated spaces for motorcycles/scooters for residents and commercial tenants behind the security gates in the basement. The provision of these bays is in excess of the requirement of the R-Codes which requires three motorcycle bays based on the required 28 car parking spaces for residents.

Conclusion

The applicant's traffic/transport impact assessment has been provided by a private consultant who has concluded as follows:

- *Parking requirements will be able to be provided for by the available parking supply on-site (52) and immediately adjacent to the site and in nearby off-street public parking (a further 29) for a total of 81 available bays for a requirement of 79.*
- *The proposed development is in a catchment which will encourage walking and cycling trips to and from it and nearby residential areas.*
- *The development should generate approximately 400 vehicular trips per day or 40 vehicular trips on a typical peak hour.*
- *The traffic impacts of these trips on the nearby local streets are considered acceptable.*
- *No modifications to on-street parking or roadway is considered required for the proposed development.*

The Town does not agree with the conclusions noted above or with the assessment of parking demand/requirements and the number of bays which could be provided. It should be noted that the off-street parking bay numbers mentioned could only be provided following a modification to the street layout, parking bay marking, footpath construction and urban design works that the Council has not endorsed and which will be the subject of further discussions between the

owner/developer and the Town. Any proposed changes will also be subject to community consultation.

Heritage Conservation

The *Conservation Management Strategy* for the Hotel requires the repair and restoration of original detail internally and externally, as well as strategies for installing new building services and compliance provisions without materially impacting on the heritage fabric of the building. Overall, the level of internal demolition should be minimal to allow the original internal layout and function of the Hotel to be effectively interpreted.

Some demolition will occur on the first floor where the original hotel rooms are being enlarged to provide accommodation of a modern standard. Where demolition is proposed, it is the intention of the architect to provide wall nibs and bulk heads to clearly demarcate the original floor plan. Previous advice received from the Heritage Council WA in relation to an earlier proposal supports this approach (HCWA letter dated 21 June 2018). It is likely that new mechanical and electrical services (including fire suppression and detection) will be reticulated through the building to accommodate the new function but the specific location and detailing of these is not indicated at this stage. Therefore, it is recommended the Council request a condition of planning approval which addresses this matter and requires further scrutiny of the location of these services.

Heritage Impact Assessment

Note: This is the applicant's heritage impact assessment prepared by Element Consultants *not* the HCWA's referral response to the SDAU.

The heritage impact assessment concluded the following.

> *This proposal will see the long-awaited reactivation and conservation of the Royal George Hotel, delivering a scope of conservation works to the building that are considered urgent to retain the building's intactness and authenticity.*
>
> *The new development on the north of the site is enabling the conservation works to occur and the composition of that new form has been designed to provide the greatest separation between old and new while providing a high-quality architectural response that retains views to the Cupola.*
>
> *The landmark value of the Royal George Hotel is retained by the fact it will be conserved with no development in front of the key sightlines.*
>
> *Key views and vistas to the building are largely unaffected and any impact on the landmark presence is acceptable in light of the considerable conservation benefits.*
>
> *The reactivation of the Royal George Hotel into a hospitality venue will allow the community to use the building again.*
>
> *Social value of the building will remain unimpacted by the proposal and fulfill the long held community ambition to have the building restored and returned to public use.*

The Design Review Process is yet to be concluded which presents opportunity to refine the current design. It is encouraged that process further explores the Duke Street interface and the relationship to the aesthetic character of the Heritage Area both in materiality and fenestration pattern.

The potential impact on the cultural heritage values of Royal George Hotel is acceptable and the conservation benefits are majorly beneficial. Any new built form consistent with the planning framework will inevitably alter the immediate setting of the heritage place.

The following recommendations are made on the basis that the proposal is approved. They may be altered should the development change in future:

1. *The excavation of the proposed basement car park combined with the partial opening up of the limestone basement walls has potential to result in structural movement. The effect of these works to the Royal George Hotel should be monitored by a structural engineer.*
2. *Electrical and mechanical services, and in particular fire suppression and detection should be discreetly located in the building ensuring not to impact on the grandeur of internal ground floor spaces.*
3. *Partitions relating to new WC's in the ground floor should be reversible and not irreversibly impact on the significant heritage fabric.*
4. *Refinement of the proposed external colour scheme to the Royal George Hotel may be considered to accentuate the tonal differences.*
5. *An archaeological watching brief is prepared prior to ground disturbance or lifting of floor boards to retain artefacts uncovered by the redevelopment.*
6. *Prepare an interpretation plan for the new development. This should draw on the cultural heritage values of the site and explain some of the intangible historical stories. Archaeological artefacts, if any are uncovered, should from part of future interpretation.*
7. *Following the completion of the redevelopment the Conservation Management Plan should be updated to address the change in circumstance in the building and offer a comprehensive schedule of future maintenance actions.*

Consultation

Under the 'Significant Development' pathway legislation the WAPC must consult with and consider the submissions and advice of certain persons and bodies in relation to an application. The WAPC must consult with the Minister and have due regard to any submissions made by the Minister. The Town must also be given the opportunity to make a submission to the WAPC (which must be given due regard). In certain circumstances, the WAPC must also consult with and have due regard to any submission made by or advice given by other relevant government agencies such as the Heritage Council of WA and Main Roads WA.

The WAPC must also advertise the development application and invite submissions from members of the public. It also has the ability to do anything else that it considers appropriate in order to obtain comment or advice. In the case of this development application the advice of the SDRP must be given due regard. This is a statutory requirement under the provisions of Amendment 15.

The SDAU is responsible for undertaking *all* community consultation for the proposed development. The Town was instructed as follows in response to its request to undertake consultation in addition to that proposed by the SDAU:

> *With regards to public consultation, the preferred approach is for the Department of Planning Lands and Heritage to undertake all aspects of the advertising process. This will provide clear messaging to the public, avoid confusion and duplication, and ensure that submissions are received on time through the DPLH consultation hub so that they can be properly analysed and recorded. It is noted that as part of the DPLH community engagement strategy notices will be placed in the Fremantle Gazette.*
>
> *You are, however, welcome to share a link to the proposal's page on the Consultation Hub when it goes live. Please stay as close as possible to the text on that page to write the introduction to the link, to avoid any confusion in messaging.*

The Town shared the DPLH's consultation hub link via its website, eNewsletters, and social media outlets. The Town received a small number of hard copy submissions which were then forwarded to the SDAU.

Advertising of the SDAU application commenced on 20 May and concluded on 18 June 2021. The SDAU has advised that at the close of advertising 221 submissions had been received with the following responses and themes summarised by the SDAU:

- Not supportive – 38.5% (85)
- Supportive with changes – 39.8% (88)
- Supportive – 21.7% (48)

<u>Not supportive</u>
While bulk and scale as well as context and character were common themes, it was clear that parking, and to a lesser extent traffic, were the most important issues raised by the community.

The key issues were summarised as follows:

- **Parking** – There is already a serious parking problem in the precinct and such a significant parking shortfall will have a considerable impact on the viability of local businesses and the amenity of the residents. It was also noted that many of the old properties in the area have no private parking and were concerned about the impact of the development on their ability to park in the area. To a lesser extent the operation of the car stacker and the likelihood of it being used by the future residents was also raised as an issue.
- **Traffic –** The validity of the traffic modelling which was conducted mid-week in winter approximately 3 years ago was flagged as a concern - this has been relayed to the applicant and more recent traffic modelling has been requested by the SDAU which includes weekend traffic. Traffic congestion and pedestrian/cyclist safety was also raised as an issue.
- **Bulk and Scale –** Many comments were concerned that the development exceeded the Scheme height limit that was approved by the Minister following an extensive community consultation process. Some submissions were also concerned that development would dwarf the Hotel, or that the height of the new apartment building should not be greater than the hotel spire.
- **Heritage Context –** While a proportion of the submissions were supportive of the contrasting design language between the apartments and the hotel, many were of the

view that the new apartment building is not of an appropriate scale or design and that it would diminish the Hotel's heritage values. Some were also of the opinion that it would negatively impact the whole George Street precinct. A few also noted that Saracen Properties had not fulfilled its contractual obligation to have the Hotel fully restored by 2020.

- **Overdevelopment of the site** – Concerns were raised that this location would not support a development of this scale.
- **Amenity** – the loss of amenity caused by noise, traffic and parking problems as well as impacts on amenity during construction. Visual privacy was also raised as an issue.
- **Orderly and proper planning** – Some submissions were frustrated that the developer has bypassed the local planning process by submitting a design inconsistent with the planning scheme to the WAPC.
- **Materiality** – the impact of zinc on both glare as well as on the heritage character of the area was queried.
- **Other concerns** – included the suitability of the landscaping , the impact of the development on property values, the lack of a demonstrable community benefit and the impact of the development on tourism and the local economy.

Support with changes

Many of those that were in support of the development with changes liked the design but were concerned about the impact the development may have on traffic and parking. This is best illustrated by the following comment which was typical of those that supported the development with changes.

- *As far as the design language goes, I love the juxtaposition between the two buildings, the additional numbers of people living in the area and the extra businesses will be wonderful for the area. But the blatant disregard for adequate parking and current residents in an already cramped, historic part of our town is appalling.*

A number of other submissions advised that they supported the refurbishment of the hotel but did not support either the height or the design of the apartment building.

Support

Of those that supported the proposed development, positive comments were made in relation to the design quality and its response to the heritage context.

Statutory Environment

Planning and Development Act 2005
Heritage Act 2018
Planning and Development (Local Planning Schemes) Regulations 2015
Planning Regulations Amendment Regulations 2020
Local Planning Scheme No. 3 (LPS 3)
State Heritage List – Permanent Entry (30.10.1998)
Classified by the National Trust (5.12.2005)
LPS No. 3 – Heritage List – Category A
MRS – the site abuts a Primary and Other Regional Road reservation under the MRS.

Policy Implications

Draft Local Planning Strategy 2021

Local Heritage Survey 2015 – Category A
State Planning Policy 5.4 – Road and Rail Noise
Local Planning Policy 3.1.1 – Residential Design Guidelines
Local Planning Policy 3.1.4 – George Street Parking Policy
Local Planning Policy 3.1.6 – George Street Designated Heritage Area
Local Planning Policy 3.1.9 – Percent for Public Art Policy
Fremantle Ports – Fremantle Inner Harbour Buffer Definition Study

Financial Implications
This referral has financial implications to the extent that the Town does not receive any fee or financial compensation for addressing ratepayer queries and providing comments and recommended conditions of development approval to the SDAU.

Strategic Implications
Redevelopment of the site will facilitate the refurbishment and conservation of this important heritage site with additional dwellings and reuse of the Royal George Hotel. This will contribute to the economic development of the George Street mixed use area and the Town's dwelling target under State urban infill strategies.

The Town of East Fremantle Strategic Community Plan 2020 – 2030 states as follows:

<u>Built Environment</u>
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.
3.1.3 Plan for improved streetscapes.
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 within resource capabilities.
3.3.2 Plan and advocate for improved access and connectivity.

<u>Natural Environment</u>
Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

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 provide a submission to the WAPC in respect to the development application and therefore does not have its concerns and recommendations noted as part of the WAPC decision for the Section 17 (of the Planning and Development Act, 2005) application.	Unlikely (2)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, public embarrassment, moderate impact, moderate news profile	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	6
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Site Inspection
Various

Environmental Implications
Nil

Comments
State Development Assessment Unit – Development Application Process
The development application referred by the SDAU was as expected by the Town. It is essentially the same design concept that has been progressed through the SDRP process, with some modifications to the car parking arrangements. The considerable physical and heritage constraints of the site and the Amendment 15 provisions have steered the design and format of the development proposal and the potential for significant concessions to be granted in regard to non-residential/commercial parking.

LPS 3 (Amendment 15) states that a development application for the site shall be subject to review by the SDRP prior to determination of that application. It also states that the decision maker, in this case the WAPC, and the SDRP shall have due regard to all the zone objectives provided in Section 4.2 of the Planning Scheme (refer to Attachment 4). The Town notes the architecture and design concept have been endorsed by the SDRP and the Heritage Council of WA and that the assessment has been undertaken in accordance with State Planning Policy 7.0 – Design of the Built Environment (10 principles of 'good design' that inform the design, review and decision-making processes for built environment proposals across the State). It is understood the HCWA is also a referral body, so it is expected that in that capacity, it will formally assess the proposal and recommend conditions of development approval should it be deemed necessary.

Notwithstanding the SDRP's comments, the SDAU/WAPC is required to evaluate the architectural merit of the proposal and its response to, and respect for the heritage of the site. The Town acknowledges that responses to architectural design are often a matter of personal taste and professional opinion and it does not seek to comment on this aspect of the proposal, except in regard to the number of storeys/levels. However, the Town wishes to express concern in relation to orderly and proper planning matters, non-compliance with the provisions of LPS 3 and the Town's local planning policies. It is recommended these concerns form the basis of the Council's submission to the WAPC.

Orderly and Proper Planning Matters
The Council has always maintained the view that any further development of the site should result in a total and integrated development which complements and respects the Royal George Hotel and does not detract from the building or the surrounding area. Development on the site *must* integrate as seamlessly as possible (in all aspects of form, operation, parking and land use) with the surrounding established residential area and George Street, and be able to adequately address the considerable constraints pertaining to this site. The Council's view on the proposed redevelopment of the site remains unchanged.

Above the other concerns discussed below, it is considered imperative that the SDAU/WAPC considers the overall parking situation. A development which would result in traffic, parking, access and servicing/delivery issues which will not be contained to the site but have the potential to greatly impact the remainder of the precinct, because of the limited vehicular access and parking in this neighbourhood, is not in the interest of orderly and proper planning.

The SDAU/WAPC is now faced with the legacy of the Amendment 15 provisions, particularly the clause which allows the potential for car parking for non-residential uses to be reduced to zero where it is demonstrated that the provision of the required parking on site will result in an undesirable built form outcome. Whilst the provision of parking may result in an undesirable built form, the provision of no commercial parking will cause significant and long lasting impacts to the precinct as a whole.

The final report of the SDRP indicated endorsement of the proposal which makes no provision for parking for the non-residential/commercial uses, suggesting the developer should discuss alternative parking options and a parking strategy with the Town. While the Town is not opposed to discussing alternate parking options and acknowledges discussions have commenced, this has not been progressed to a point where a satisfactory parking outcome for the development has been identified or funded. Intensification of the uses on-site and the additional demand for parking without an alternative parking solution will result in a negative impact of significantly more activity, vehicles and traffic to the area which would be contrary to the orderly and proper planning of the locality. It is the Town's view therefore, that it is necessary for the WAPC, should it be inclined to support the application, to apply conditions of development approval to assist the Town in mitigating the impact of what will be an increased demand for parking in the area once the Hotel commences operations and funding the cost of doing so. These conditions of approval are discussed further in the Report. Should the proposal be approved without an agreed car parking solution, the result will not only be detrimental to the surrounding businesses and residents, but also to the business case and success for the Royal George Hotel. It is noted in the applicant's report that in excess of 400 vehicular movements per day are expected. In an already constrained area for vehicle movement and parking availability where are such vehicles expected to park without significantly impacting on the wider locality.

The Council has always supported the residents' viewpoint that refurbishment of the Hotel should not come at the cost of significant loss of amenity resulting from intensified activity. The issues of parking, the number of apartments and the type and operation of the uses on the site continues to be at the forefront of Council's and the residents' concerns, as is evident in the majority of submissions received by the SDAU. Given these comments the Town recommends the Council *only* support the application on the basis that it is compliant with parking provisions of LPS 3 (i.e., Amendment 15, cl. 5.8.8). This is discussed in greater detail under the 'Vehicle Parking' section of the report.

LPS 3 – Amendment 15 – Maximum Height of Development

Maximum Height of Development (Building Height)
Amendment 15 to LPS 3 states as follows:

> *Clause 5.9.8.5 – The maximum height of development within the zone is not permitted to exceed 43 metres AHD, with the exception of appropriately screened minor projections required for plant and equipment associated with the development.*

In the Town's assessment the proposal exceeds the maximum height of development under Amendment 15 by ~3.5m or the equivalent of one storey/level. The top of the parapet of the apartment building is indicated as 43.36m and the floor to floor height is indicated as 3.17m taking the total height to the top of the rooftop structures on the tenth level to an estimated ~46.53m.

It is further noted that the development proposed is effectively 10 storeys/levels (including a ground level accessed from Duke Street for parking and bin storage). The Town is extremely disappointed that a proposal which exceeds the height limit is under consideration by the SDAU given the outcome of Amendment 15 and the Minister's commitment to the community that the building would not exceed 7 storeys. It is noted that the Minister approved the Amendment in February 2020, therefore the relevance of this recent decision should be considered more pertinent in the assessment of this proposal.

The Town believes that the applicant has not demonstrated why the height limit should be exceeded, other than to facilitate the construction of more apartments with superior views. The ninth storey/level parapet wall is indicated at 43.34m. Any building height in excess of 43m can only be for minor projections required for plant and equipment. The roof top structures are not simply lift overruns and service units but are resident amenities in the form of a penthouse sunroom, sauna and spa, dumb waiter, and significant garden and balustrading for the use of residents. The applicant's argument that this has been provided in the space created by the lift overruns is not supported. The structures are clearly additional building structures added to the rooftop which result in a tenth storey/level and are plainly visible from the plans and elevations provided. The additional height has been possible because the floor to floor heights were reduced to increase the number of apartments that could be accommodated within the height cap which has been disregarded in any case. As previously expressed, the Town specifically supported additional height within the Amendment only on the basis that this would allow for prestigious spacious apartments with increased floor to ceiling heights. The application has effectively utilised the approved height to maximise apartment yield rather than apartment quality.

In the Town's view the goodwill and compromise expressed by the Council in endorsing the 7 storey height limit is being deliberately disregarded. The Council initially endorsed a height limit of 36m, this was increased to 43m AHD to allow for generous floor to ceiling heights which the State planning and Government Architect's office staff believed was necessary to ensure good design outcomes and commensurate with a development of this kind. It was intended to encourage high-end apartments, to provide architectural/design flexibility to allow spacious rooms to be designed, not the proposed, and arguably minimal 2.7m ceiling height. It is further noted that this is no longer considered the case, as floor to ceiling heights of 2.7m have been endorsed by the SDRP allowing the architect to design a building that clearly appears as 10 storeys/levels not 7 storeys, as stipulated by the Minister.

Exceeding the height limit and the intended number of storeys will result in a building that is greater in scale, bulk and height than was agreed. It will also necessitate the provision of additional parking and resident amenities which ultimately add to the overall scale and bulk of the building and traffic impact in the area. Quite simply the building is taller and bigger because it exceeds the height limit. The additional height, whilst perhaps not visible from Duke Street, will obviously be visible from further afield and in particular from the east. The eastern elevation of the building presents as a ten storey/level building with a nil setback to Stirling Highway. The building from this perspective and from the south will clearly look much higher than the cupola spire. The structures are not suitably screened either.

It is anticipated that this aspect of the proposal will be of concern from a community perspective. Since the Minister's announcement that building height would be limited to 7 storeys, the community have understood the 43m maximum height to be marginally higher than the Hotel spire. It is the Town's belief that the community will perceive this as a manipulation of the height limit to increase the number of storeys and in doing so the number of apartments and visual bulk

and scale of the development creating more requirements for car parking, therefore having a greater impact on the locality. The Town considers this will result in a compromised design outcome and a greater physical and visual impact on the surrounding low scale residential precincts.

The Town wishes to reiterate its view that the development proposal is taking advantage of the compromise and trust of the Council and the community by exploiting the maximum height of development and proposing ten storeys/levels, with a floor to ceiling height of 2.7m, not a well-proportioned 7 storey building, as was clearly the intent of the Amendment. The reason Council conceded the additional height per floor appears to be ignored in the proposal from the outset and as the SDRP process progressed the building increased in height. This is discussed in greater detail below.

SDRP – Building Height – Community Benefits

Notably, the SDRP commented that there was some concern about the apartment building exceeding the 43m AHD height limit set out in Amendment 15. However, they acknowledged that a proportion of this will be setback so as not to be visible from Duke Street. In addition, the Panel suggested that '*any additional height sought should deliver commensurate additional benefits to the community'*. It is noted that the SDRP is not a decision maker and that the height limit does not directly form part of the Scheme objectives being considered, nor is there any provision under Amendment 15 addressing developer incentives and community benefit as suggested by the SDRP.

Irrespective of the SDRP's comments, the Town's view is that there is no community benefit proposed as an offset to the additional height. The only benefit is to the future residents of the penthouse apartments. The applicant is unwilling to contribute to public art which may, in some respects, be considered a community benefit, nor has there been any further advancement of initial discussions to contribute to the upgrade of the Stirling Highway pedestrian underpass which could also be considered a community benefit. In fact, if the parking shortfall is not adequately addressed, it could be argued that the additional height (resulting in additional apartments and therefore additional traffic and parking demands) is a disbenefit to the community and to the Town if the developer does not contribute to the costs of providing additional parking. Also, the Town requests the SDAU/WAPC note that the R-Codes Vol. 2 – Apartments – Development Incentives for Community Benefit objectives, state that the *'application of incentives should not result in adverse impacts on adjoining properties or the existing or desired streetscape character'*. In this circumstance additional height, no parking provision for commercial uses and a longer construction time is considered to result in adverse impacts.

Additionally, Local Planning Policy 3.1.6 – George Street Designated Heritage Area specifies that:

> *iii. Roof top plant and equipment associated with development at the rear of the Royal George Hotel should not exceed the maximum building height for the site as prescribed in Local Planning Scheme No. 3 (i.e., 43.0m AHD) by more than 1.5m. If building height is less than 43.0m ADH roof top plant and equipment structures should not exceed the roof height of the building by more than 1.5m.*

Policy 3.1.6 specifies that roof top plant and equipment should not be more than 1.5m above 43m AHD. If the building is less than 43m AHD, as it is required to be, then these structures should not be more than 1.5m in height. The aim of the Policy was to ensure the maximum height limit of

LPS 3 was respected and accepted as a maximum not a minimum target which could be exceeded. The Town believes the heritage importance of the site and the precinct requires the apartment building comply with the policy.

Based on the majority of Amendment 15 submissions requesting a non-variable building height and the submissions to the SDAU, it is hoped the WAPC and the Minister (through her ability to comment on the Form 17B application) will honour the commitment made to the community to limit the height of the apartment building and respect the community sentiment regarding redevelopment of this site.

It is considered unreasonable and an affront to the community and the planning process for the development to be approved with greater height simply because the applicant has an approval pathway which afforded a decision maker the ability to disregard the Scheme provisions. The Town's view is, that there is no valid planning reason for this to occur and that compliance with the height limit should have been a foremost consideration at the outset of the design process. The significant development pathway should not have been viewed as a means of exceeding the height limit.

It is therefore recommended that Council does not support the proposal in its current format and requests the SDAU/WAPC apply a condition of development approval which requires the apartment building to comply with maximum height of the development under LPS 3 and the Local Planning Policy 3.1.4 – George Street Designated Heritage Area building height provisions for the Royal George Hotel site.

Non-Residential / Commercial Parking

The various design proposals presented by the developer have never fully addressed the requirements for non-residential parking, particularly parking for Hotel staff, patrons and residential visitors. The developers design response has always been to provide a supply of residential parking that exceeds the requirements of the R-Codes for the number of apartments proposed. There is no distinction between this parking and that which could be provided for Hotel staff, noting that the current parking layout would prohibit the use of these bays for patrons. The parking indicated (i.e., 50 bays) is only accessible via a car stacker and car lift which requires user training and security codes to access. If it was later decided that some of these bays could be allocated to Hotel staff they would require training and access to the residents' secure parking areas which is considered unlikely to occur once the apartments are sold and a strata company becomes responsible for the parking bays and machinery and the Hotel is in different ownership. Only two bays remain outside the security gates and accessible to the public, so it is envisaged the SDAU will require these to be provided as residential visitor bays.

The Town does not support the lack of parking for the commercial uses and furthermore believes that the applicant has a responsibility to contribute to the provision of parking where possible to offset the negative impact of the increased parking demand brought about by the development. Compliance with the LPS 3 provisions and the Town's cash in lieu for parking policy should therefore be required by the SDAU/WAPC. This matter is discussed below.

The Town considers it wholly inappropriate that the proposal be supported in the absence of a resolved parking solution. The shortfall in parking will result in significant impacts to the George Street (commercial strip), the surrounding Plympton precinct and potentially spill over into the residential areas on the eastern side of Stirling Highway. If the WAPC so considers it appropriate

to approve the development without any commercial car parking, the below matters should be considered.

LPS 3 – Amendment 15 – Vehicle Parking Provisions
Amendment 15 introduced the following parking provisions for the Royal George Hotel site:

> ***Clause 5.9.8.11*** *Parking for non-residential development within the Special Zone – Royal George Hotel shall be in accordance with the requirements provided for Commercial Zones in Clauses 5.8.5, 5.8.6, 5.8.7 and 5.8.8 of the scheme.*
>
> ***Clause 5.9.8.12*** *Notwithstanding Clause 5.9.8.11, parking requirements for non-residential uses in the existing Royal George Hotel building may be reduced to zero bays where it has been demonstrated to the satisfaction of the decision maker, having regard to the advice of the State Design Review Panel, that the provision of the required parking would result in an undesirable built form outcome.*

LPS 3 – Cl. 5.8 – Parking Provisions
In summary, clauses 5.8.5, 5.8.6, 5.8.7 and 5.8.8 of LPS 3 state that:

- car parking is to be provided in accordance with the requirements of the Scheme for each use;
- car parking can be provided off-site, provided that the decision maker is satisfied that the parking will continue to be available for use in conjunction with the development at times when it might be required;
- the decision maker may accept immediately adjacent on-street parking for all or part of the development provided it does not prejudice adjacent development or adversely affect the safety and amenity of the locality; and
- the decision maker may accept or require cash in lieu of all or a proportion of required parking.

Given the current proposal does not specifically indicate parking for non-residential/commercial uses and the Plympton precinct presents considerable on-street parking constraints, parking shortages for residents and commercial uses and amenity issues, it is therefore considered inappropriate to assess the proposal under sub-clauses 5 8.5, 5.8.6 and 5.8.7 (first three bullet points).

Given the above the Town believes clause 5.8.8 must be applied in the assessment of the application:

> *Cash-in-lieu of Parking: The local government may accept or require cash-in-lieu of all or a proportion of required car parking, based on the estimated cost of providing the requisite parking, including any associated access and manoeuvre facilities. Cash-in-lieu of parking shall be paid into a trust fund and used to provide public parking in the vicinity of the development site(s) in relation to which any cash-in-lieu contributions have been received.*

It is the Town's understanding that clause 5.8.8 can be applied to the application notwithstanding the recent amendments to the *Planning and Development (LPS) Regulations, 2015* in regard to payments in lieu of parking because the Town has an applicable local planning policy relative to this site, that is *Local Planning Policy 3.1.4 - George Street Parking Policy (Mixed Use Precinct New Development Contribution to the Management of Access and Parking)*.

State Design Review Panel – Parking Comments

The SDRP concluded that '*resolution of a parking strategy for the site and the wider area, that will enable the commercial component of the development to thrive was required'*. The Panel acknowledged that there is *'already heavy use of the parking available in the area'*. It also stated that *'working with the Town in developing a strategy to benefit the site and the wider area will increase visitation and lessen community concern about any parking problems generated by the project*'. Whilst the Panel are confident the Scheme Objectives can be met by this design approach, the specific objectives requiring further resolution (in full or in part) are: (b) (e) (f) (i) and (j) (refer to Attachment 4 for the list of Scheme objectives). A follow up review of this project was recommended by the SDRP after lodgement of the development application. However, as previously mentioned this was not considered required and has not occurred, so there will be no further assessment of the provision of parking by the SDRP.

Further to the above, the SDRP's comments in relation to parking do not directly align with Scheme objective (j), that is '*provide considered location of car parking to minimise negative impacts to the public realm*' as it directly relates to clause 5.9.8.12 (zero bays required for Hotel if required parking results in an undesirable built form outcome). The SDRP has *not* directly addressed this matter in its final Report. It does not state categorically that the objective has been satisfied, thereby triggering clause 5.9.8.12. Rather, it states that further resolution is required in respect to *'a parking strategy for the site and the wider area, that will enable the commercial component of the development to thrive. It is acknowledged that there is already heavy use of the parking available in the area. Working with the Town in developing a strategy to benefit the site and the wider area will increase visitation and lessen community concern about any parking problems generated by the project'.*

Notwithstanding the SDRP's comment that the developer should work with the Town to resolve parking issues, compliance with the Scheme provisions is to be determined by the SDAU/WAPC. Given neither parking compliance for the site or a satisfactory off-site solution has occurred to a satisfactory point, the Town is of the view that the application should in the first instance be subject to assessment under clause 5.9.8.11 for a number of reasons which are discussed in greater detail below.

On-Street Parking Options

The developer/owner has approached the Town with a view to discussing options for the rationalisation of parking on-street in nearby locations. The first meeting with the Town regarding car parking was in January 2021, with a more recent meeting in June 2021. As a result, a number of alternative parking layout plans have been prepared by the applicant for discussion purposes. The Town is in the process of considering the feasibility and impact of the various layouts. These options may increase the amount of parking available in the vicinity of the site, however the increased car parking for the area may be limited. However, this parking can only be provided on-street and will require the approval of Council and be subject to public consultation. The reconfiguration of parking bays, line marking, road surfacing, relocation of footpaths, urban design works and community consultation will require considerable funding for what is expected to be a high cost project. The Town has limited ability to support such costly projects and it cannot be guaranteed that impacted land owners will be fully supportive of the alternative parking/road layouts.

Given the creation of additional on-street parking will be of direct benefit to the developer/owner of the site and the commercial operators, and it is considered essential to minimise the negative impact of the development on the amenity of the surrounding area, it is therefore considered

more than reasonable for the developer/owner to contribute to the cost of providing this parking. On this basis the Town believes the SDAU/WAPC should consider the application of a payment in lieu of the parking shortfall under cl. 5.9.8.11.

Payment (Cash) in Lieu of Parking Shortfall
Under the Town's assessment of the parking requirements for the Hotel uses a significant shortfall of 97 bays exists. The Town acknowledges that the Hotel has operated with a reliance on-street parking and parking at the rear of the site. However, this was in a past era when parking demands in general were much less and the George Street commercial area was not as well patronised as it is today. Also, at that time, there would have been less reliance by residents for on-street parking. The Town cannot dismiss the fact that the far more intensive uses proposed for the site will generate a greater parking demand and therefore have a greater impact on the surrounding area, potentially reducing parking availability for existing residents and commercial uses.

This requires the Town to conclude that a commercial parking shortfall for the site should be determined by calculating the number of bays associated with both new uses proposed for the site and uses that will operate in a more intense manner than the original Hotel functions. This is considered a reasonable starting point for the consideration of a payment in lieu of parking shortfall which will in turn allow the Town to consider the provision of additional on-street bays in the vicinity of the site.

The intensification of uses on the site is considered to primarily relate to the craft food/beverage production (previously stables and cellar) and associated retail (8 bays required) as well as the restaurant use (29 bays required). The Town acknowledges that various bars, a dining room and the accommodation (hotel rooms) would have been part of the original Hotel functions. Based on this assessment of the parking requirements the Town considers that the commercial shortfall is 37 bays. The Town's Local Planning Policy 3.1.4 – George Street Parking Policy states as follows:

> *Local Planning Policy 3.1.4 - George Street Mixed Use Precinct New Development Contribution to the Management of Access and Parking* was adopted by Council because of the existing shortfall and continued increase in demand for parking in the George Street strip as it expanded and grew in popularity. The Policy provisions provide in part for the following:
>
> - *This policy shall apply to all new development and proposals for change of use and redevelopment within the George Street Mixed Use Precinct as defined on the Town of East Fremantle Town Planning Scheme No 3, Town Planning Scheme Map No.1.*
>
> - *Contributions will be required at the rate of $9,000 per space for each space not provided on site, after onsite and immediately adjacent on-street parking spaces (where it is determined that these can be attributed to meet the parking demand of the development) have been deducted from the estimated parking space requirement. The contribution will be required as a condition of Planning Approval and payment will be required prior to the grant of a building licence.*

The number of bays resulting from the intensification of the Hotel use is considered to be 37 bays, therefore the total contribution based on $9,000 per bay is $333,000. Noting the Policy, the rate per bay does not reflect the actual cost for construction of car parking bays which could exceed

$20,000 per bay. It is considered the proposed rate does not significantly burden the owners with an excessive car parking shortfall payment.

The applicant has argued this Policy does not apply to the site because it is not in the 'mixed use precinct' but rather a 'Special Zone' under LPS 3. The Town strongly disagrees with this argument and believes the Policy should be applied by the SDAU/WAPC for the following reasons. Prior to the gazettal of Amendment 10 to LPS 3 the Hotel portion of the site was zoned 'Mixed Use'. The Policy does not refer to the 'Special Zone' introduced through Amendment 10 in 2016, but neither does it refer to a 'Mixed Use Zone'. It refers to a 'Mixed Use Precinct' which was clearly intended to include all the mixed use and commercial properties along George Street in the Plympton precinct. It is clear on reading the Policy that the cash in lieu provisions were intended to apply to this site as it is clearly within the George Street mixed use precinct as described in the Policy. It is noted the recent amendments to the *Planning and Development (LPS) Regulations, 2015 (Deemed Provisions)* allow a decision maker to apply an existing local government cash in lieu of parking policy.

Parking Shortfall Conclusions
Notwithstanding discussions to date, the Town has no firm guarantee that the developer/owner will commit to contributing to the cost of providing additional on-street parking. Indeed, there is no agreed design solution for the on street car parking or urban design form. Plans were presented to Council in June 2021, some three months after the development application was lodged with the SDAU. The result of an approval of this development proposal will place the Town in a position which requires it to address the parking shortfall to minimise the impact on amenity once all uses are in operation on the site. It is considered that the burden of the impact of this development should not be borne by the Town and that the Council should be afforded the ability to obtain a monetary contribution for the provision of formalised parking bays and parking management plans for the area that may encourage the use of public transport as it would have been able to do under the provisions of the Scheme prior to the gazettal of Amendment 15.

The Town does not support the shortfall of parking proposed by the applicant and recommends the Council in its submission to the SDAU/WAPC does not support the proposal in its current format in regard to the parking provision. However, if the WAPC is inclined to support the proposal it is recommended that a condition of planning approval be applied which requires payment in lieu of the parking shortfall specified by the Town (i.e., 37 bays) at the rate indicated in LPP 3.1.4. This payment should be made prior to the submission of a building permit application so that work on the provision of parking can commence before the development is occupied. If the SDAU/WAPC determine that it is not possible to apply a condition of payment in lieu of parking then it is strongly recommended that a condition of approval is applied which requires the applicant to enter into an agreement with the Town which requires a monetary contribution, of an equivalent amount to the payment in lieu contribution specified which is to be received by the Town prior to the submission of a building permit application.

Heritage Considerations
The Amendment site is within the George Street Designated Heritage Area formalised with the adoption of the associated Local Planning Policy 3.1.6. This is an extremely highly valued heritage area at the heart of the Plympton precinct which, in itself, is a unique part of East Fremantle. 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. The Council's view has not changed; any development which has the potential to impact on the identity and heritage character of the precinct must be carefully considered.

The existence of multi-storey buildings constructed in a previous era is not considered an argument for the height and scale of the proposal to exceed the planning controls, particularly when the additional floor space has a direct relationship to impacting the amenity of the area. The intent of minimising height was to reduce the visual and physical intrusion of new buildings in the precinct and in the adjoining precincts which also comprise low scale residential development with heritage character. A fundamental consideration is to ensure that built form, landscaping, parking, vehicle access and design controls respond to, and interpret, the form, bulk, scale, architecture and proportion of nearby heritage buildings and areas. This approach is considered fundamental and it is hoped the SDAU assessment of the proposal takes the Council's comments into regard.

The Town does not receive a copy of the HCWA's comments to the SDAU/WAPC in respect to the current development application, so it is unable to provide a response in that regard. The Town, therefore, feels it is necessary to recommend conditions of development approval that address heritage matters in the event these matters may not be addressed by the HCWA. The recommended conditions are listed in Attachment 5 and relate to protection of the Royal George Hotel during excavation and construction on the site (through a requirement for a geotechnical engineering report), preservation of the George and Duke Street streetscapes, the installation new building services and compliance provisions without materially impacting on the heritage fabric of the building and a review of the *Conservation Management Plan* for the future.

<u>Operation of Commercial Uses</u>
The George Street mixed use area is at the heart of the Plympton Precinct which is comprised primarily of residential uses. The Council has always strived to ensure that commercial uses, whilst acknowledging some have been in operation for considerable lengths of time, are respectful of the adjacent and nearby commercial uses in terms of activity, noise, parking demand, servicing/delivery arrangements, type of commercial use and hours of operation.

A number of commercial uses in the mixed use area are already restricted to operating under specific days and hours of opening (e.g., Duke of George Jazz Club). The uses proposed for the Royal George Hotel are considered no different in this regard, therefore, to ensure that there is minimal impact on amenity or operating conditions for the surrounding residential and commercial uses it is recommended operating days/times are applied to the Hotel and ancillary/incidental uses. It is therefore recommended that the following operating days and times apply.

The commercial uses within the Hotel and any ancillary/incidental Hotel uses shall not operate outside the days and operating hours listed below:

- 12.00pm to 11pm Monday and Tuesday
- 12.00pm to 12.00am Wednesday and Thursday
- 12.00pm to 12.00am Friday
- 12.00pm to 12.00am Saturday
- 12.00pm to 10.00pm Sunday

<u>Waste Management and Collection</u>
The Town has reviewed the waste management plan submitted with the application and is not prepared to endorse the plan at this point in the planning assessment and approval process.

The waste collection method is heavily reliant on kerb side space and specific loading bays being made available for this purpose which are directly opposite residential properties. It is noted the applicant has not made representation to the Town regarding the provision of these loading bays and no approval has been granted by Council. Indeed, the provision of such a loading bay may have significant implications for the provision of car parking bays, which may result in a further loss of bays and a greater impact to the area.

Given the provision, rationalisation and funding of on-street parking bays for the commercial uses of the Hotel has not yet been finalised the Town cannot endorse the waste collection method until plans for the Duke Street road reserve and car parking are finalised. This is a matter that requires further discussion with the developer/owner of the site and will not be finalised before the determination of the development application. Furthermore, at this point the Town is not guaranteed the owner/developer will contribute to the cost of providing additional bays in Duke Street which is critical to the waste management collection approach.

Notwithstanding the above, the hours of operation of the waste collection method will need to be conditioned. It is considered that the collection times should be from 7.00am to 6.00pm on Mondays to Saturdays and from 9.00am to 6.00pm on Sundays and Public Holidays. Any collection outside these days and times shall require prior approval from the Town. This will be conveyed to the SDAU/WAPC as will the recommendation that finalisation of a waste management plan (including the specification of these collection times) should not be granted until further consultation with the Town of East Fremantle is undertaken and the Town has approved of the waste management plan. The Town has concerns regarding the operations of the commercial and residential uses in the development and how such uses will suitably manage waste disposal and collection.

The Town's preference is for a private service provider to service both the residential and commercial waste, recycling and FOGO bins. Suitable provisions need to be investigated for the removal of such waste removal and for the storage and collection of such bins on collection day. It is not considered appropriate to store bins on Council's verge on collection day. There is a requirement for an on demand service.

It is recommended that the Council request the SDAU/WAPC apply a condition that states that prior to submission of the building permit application, that a Waste Management Plan shall be approved by the Department of Planning, Lands and Heritage and approved in consultation with the Town of East Fremantle. Also, that the approved waste management plan be implemented and adhered to at all times by the owners and/or strata managers of the development, to the satisfaction of the WAPC.

Percent for Public Art Policy

The applicant has argued that the Town's Percent for Public Art Policy (i.e., 1% of construction cost - ~$240,000) should not apply because funds are being spent on the Hotel restoration and public art would detract from both the heritage value of the Hotel and the architectural form. The Town considers this position unsatisfactory and invalid.

When the owner's purchased the Hotel in 2017 they were given no commitment by the State government that any development behind the Hotel was guaranteed and they were made aware in writing that the sale of the property was separate to planning approval processes. The owner's bid for the Hotel was given exclusive consideration by the State government on the basis of accepting the owner's commitment that funds were available to undertake the project, and that

the plans were "economically viable" and compliant with heritage constraints and the financial commitment under the terms of the Heritage Agreement. So, from the perspective of orderly and proper planning the argument that the heritage restoration commitment and costs should relieve the developer of the requirement to provide public art is not considered justifiable.

The cost of the Hotel's building restoration works, as approved by the Heritage Council, must be viewed separately to the further works required to fit-out the Hotel for other commercial purposes specific to the intended occupants and compliance with planning policies and other statutes which would impact on the overall financial costs. These costs should not absolve the applicant of the responsibility to contribute to public art and the overall improvement and activation of the area. It is quite feasible that ownership of the site could change hands presenting a different set of economic circumstances, so it is not considered reasonable that this particular owner/developer's circumstances or obligation to restore the Hotel should remove the onus to provide public art, or override compliance with the Town's policy and therefore limit the best planning and design outcome for the site and the community.

To the contrary, the Town is firmly of the view that the site is suited to a public art. An artwork installation would strongly contribute to a sense of place, enhance a local landmark and add to community identity. This site presents many opportunities to achieve the objectives of the Policy. The Policy clearly applies to this site and the Town considers there are many opportunities for interpretative and adaptive reuse artworks; linking heritage interpretation and for placemaking artworks to enhance spaces within the public areas of the site and nearby within the public realm. Artwork would certainly enliven and enhance the visual amenity of the public domain on the site or in the immediate vicinity on George Street or in nearby public places.

The Policy also provides for the decision maker to determine that cash in lieu of public art, or part thereof can be applied, and this cash component combined with a public artwork can be imposed as a condition of development approval. The Town believes this application should not be exempt from the policy and therefore strongly recommends that a condition be applied by the SDAU/WAPC which requires full compliance with the Town's Percent for Public Art Policy. Also, a condition of approval should also require a public art report to be submitted for the SDAU's consideration in consultation with the Town prior to a building permit application being submitted. The art report being submitted prior to a building permit being submitted is considered important so the art work is not an afterthought. Conditions specifying the above are outlined in detail in Attachment 5.

Dilapidation Reports

A condition requiring dilapidation reports for surrounding properties is considered essential. Considerable excavation of the site for the foundations and basement car park levels is proposed. In addition to the potential impact on the Royal George Hotel the possibility of significant impact on the surrounding properties which are mostly in the range of 100 years of age is considered a valid concern. The properties considered to be the most vulnerable in this regard are listed in the relevant condition in Attachment 5. The Town believes dilapidation reports must be required for these properties given the heritage value, their age and their proximity to the site. It is the Town's view that this will also be a matter of significant concern for nearby land owners which should be formally acknowledged through the application of an appropriate condition.

Approval Timeframe

The applicant is requesting a two year approval timeframe for substantial commencement of the development be applied. The applicant has stated they will seek to achieve substantial

commencement within 12 months (consistent with SDAU's preference), however they have requested a longer time frame be granted. The Town is of the view that the restoration and refurbishment of the Hotel will be undertaken concurrently with the construction of the apartment building. Noting that the Part 17 significant development assessment pathway accepts proposals that are expected to commence as soon as possible and indicated as shovel ready, it is the Town's view that no concessions should be granted in this regard.

If the WAPC is inclined to support the proposal it is requested a condition requiring substantial commencement within 12 months be applied. This will ensure there are no further delays with the conservation and restoration of the Hotel (as required under the Legal Agreement), particularly given the substantial delays that have already occurred. Similarly, no further delays to the commencement of the construction period are considered warranted. If this was to occur further impact and inconvenience on residents and businesses in the area is very likely to result. Prolonging the construction period is considered undesirable and something which should not be facilitated by extension of the approval period.

The sooner the project commences the earlier it can provide investment and jobs within a timeframe that would better assist in aiding the State's economic recovery from the effects of the pandemic which is the intention of the approval pathway in the first place and one of the reasons for which the applicant was granted the ability to submit a development application utilising this pathway.

Recommended Conditions of Development Approval

A considerable number of conditions of development approval are recommended to be applied should the WAPC be inclined to approve the application. The conditions would typically be applied to a development proposal of this nature and scale and relate to matters concerning the construction phase, the operation of the approved uses and matters to be addressed on completion of the development. The Town considers these conditions are essential to ensure an orderly and proper planning outcome for the site. Attachment 5 is recommended to form part of the Council's submission to the SDAU/WAPC. The conditions are detailed in full in Attachment 5 and are listed below by category.

- Building height
- Land use
- Landscaping
- Parking & traffic
- Waste management
- Dilapidation reports
- Heritage
- External fixtures
- Street trees
- Signage
- Public art
- Utilities & facilities
- Payment in lieu of parking shortfall
- Construction management plan
- Section 70 A notifications on Titles
- Design and materials and finishes
- Sustainability & charging stations
- Engineering & structural reports
- Port Buffer Zone
- Works in the public realm
- End of trip facilities
- Acoustic
- Lighting
- Operating hours of commercial uses

Conclusion

From the outset the overriding concern with this site was that it will be overdeveloped and that development to the rear would be of a scale that is disproportionate to the surrounding area in terms of historical context and setting resulting in a detrimental impact on the Town's heritage

precinct. Overdevelopment would also result in significant amenity, access and operational impacts for the surrounding area. The Council's Amendment 15 was adopted to ensure that development was at a level that would have minimal impact on the precinct. Development provisions that permit anything greater than the Council endorsed Amendment have always remained of concern.

From this standpoint and given the above comments, the Town considers that the SDAU should require the applicant to submit amended plans which are in compliance with LPS 3 (building height and parking) and the Town's local planning policies (building height, public art and payment in lieu of parking) prior to the WAPC determining the application. Failing that recommendation being actioned, the Town recommends the SDAU/WAPC apply the conditions of development approval which require the same compliance matters to be addressed prior to the submission of a building permit application, in addition to the other recommended conditions of planning approval outlined in Attachment 5.

In conclusion, it is recommended that Council resolve to convey to the SDAU/WAPC that it is *only* prepared to support the application on the basis that the SDAU/WAPC require the plans and proposal (supporting documents) to be amended to ensure the development application is compliant in regard to:

- the maximum height of development as stipulated in LPS 3 and the George Street Designated Heritage Area Local Planning Policy 3.1.6,
- the LPS 3 provisions (Royal George Hotel site) relating to non-residential/commercial car parking which would, if enforced, require the developer/owner to address the significant vehicle parking shortfall and make a payment to the Town in lieu of the parking shortfall as required under George Street Parking Local Planning Policy 3.1.4;
- compliance with the Percent for Public Art Local Planning Policy 3.1.9; and
- Town of East Fremantle endorsed amendments to the proposed waste management plan.

A further recommendation is that Council forward to the SDAU/WAPC a list of recommended conditions of development approval which it requests be applied if the WAPC is inclined to support the development application in its present format.

13.1.4 OFFICER RECOMMENDATION

That the Department of Planning; Lands and Heritage, State Development Assessment Unit be advised in accordance with Section 276 of the Planning and Development Act 2005, with respect to the development application referred to the Town on 13 May 2021 for refurbishment of the Royal George Hotel (for hospitality, accommodation, craft food/beverage production and retail uses) and 24 multiple dwellings at No. 34 (Lot 303) Duke Street, East Fremantle as shown on plans date stamped 12 May 2021 that:

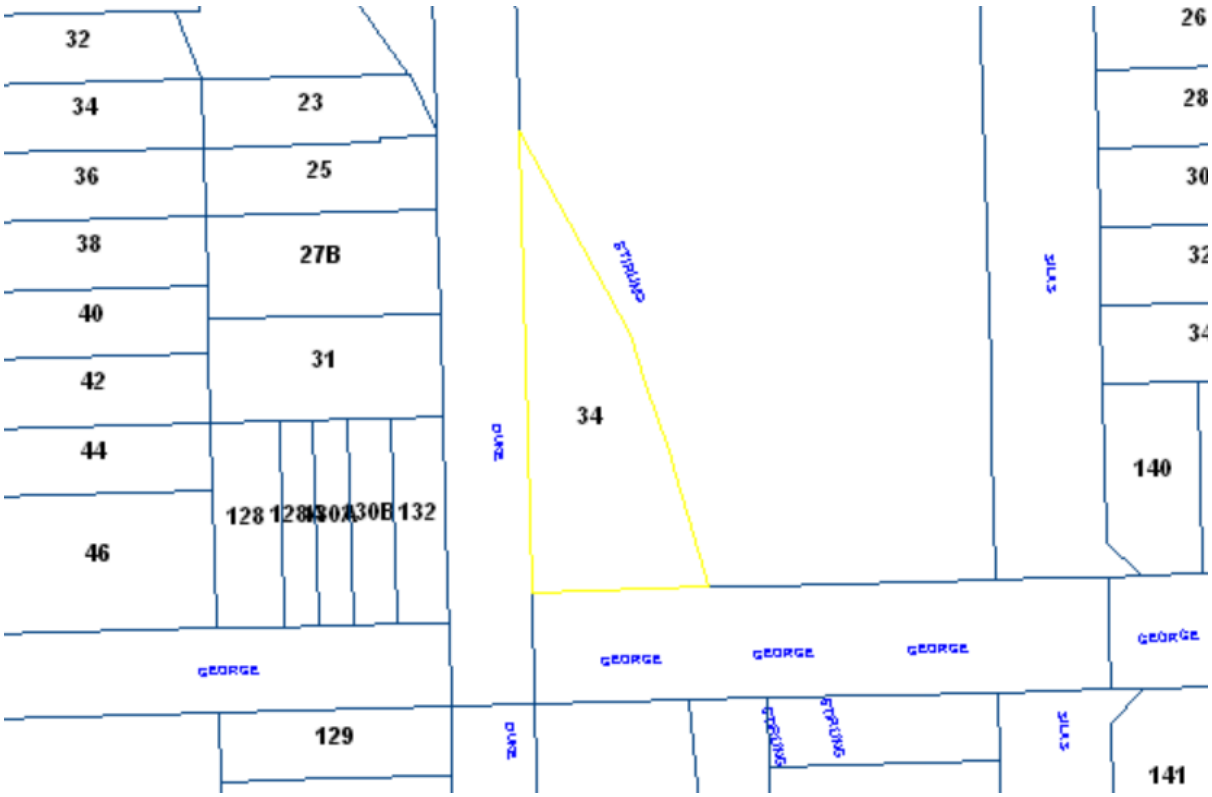
1. **The Council is only prepared to support the development application on the basis that the SDAU/WAPC require the plans and proposal to be amended to indicate compliance with the following:**
   - **(i) Maximum height of development under the Town of East Fremantle Local Planning Scheme No. 3, specifically clause 5.9.8.5 and 5.9.8.6;**
   - **(ii) Local Planning Policy 3.1.6 – George Street Designated Heritage Area in relation to the Royal Gorge Hotel site provisions;**

(iii) Vehicle parking for non-residential/commercial development as required by Clause 5.8.8 of Local Planning Scheme No. 3;
(iv) Local Planning Policy 3.1.4 – George Street Parking;
(v) Local Planning Policy 3.1.9 – Percent for Public Art; and
(vi) A waste management plan that is acceptable and approved by the Town of East Fremantle prior to the submission of a Building Permit application; and

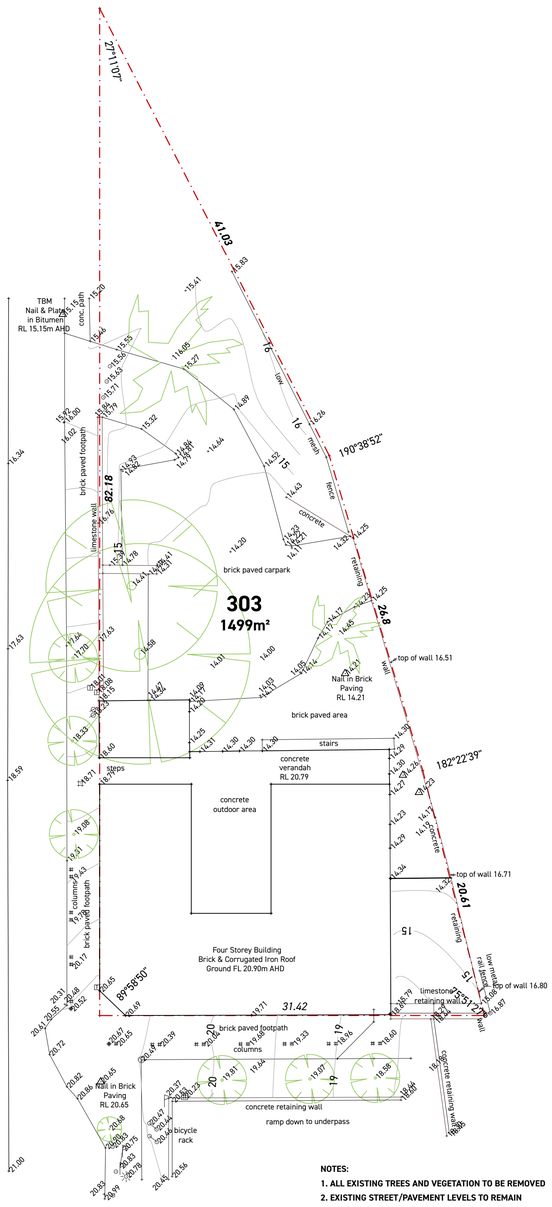
2. The Town of East Fremantle's submission with regard to the development application is comprised of the Council's resolution, the Officer Report and the accompanying attachments to the Report; and

3. If the Western Australian Planning Commission is of a mind to consider approving the development application in its current format then the Council requests the conditions and advice notes listed in Attachment 5 to this report be applied to the development approval.

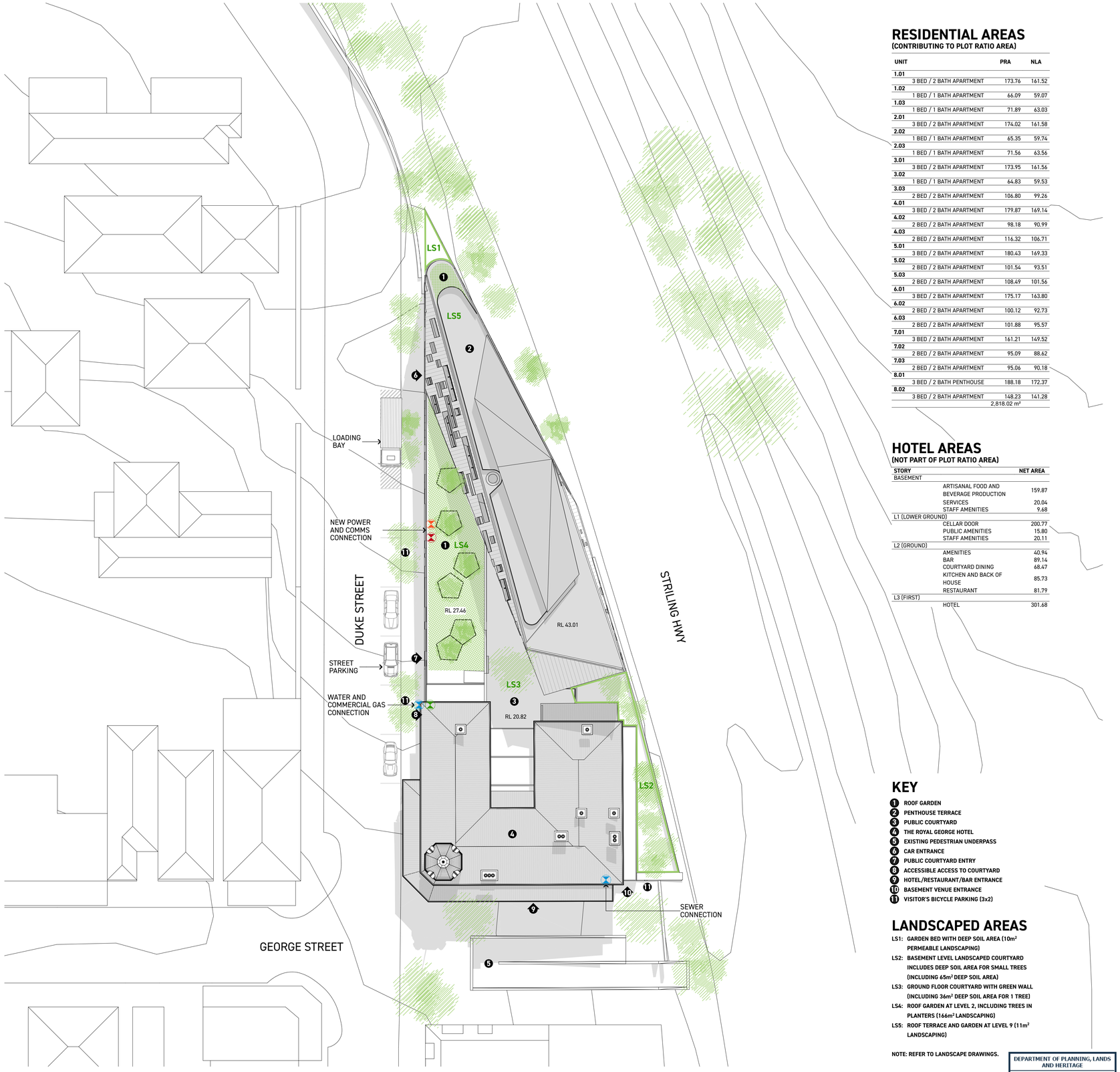
Location plan – 34 Duke Street (Royal George)



Royal George Hotel site photographs – 7 July 2021



EXISTING SITE SURVEY



RESIDENTIAL AREAS
(CONTRIBUTING TO PLOT RATIO AREA)

UNIT		PRA	NLA
1.01	3 BED / 2 BATH APARTMENT	173.76	161.52
1.02	1 BED / 1 BATH APARTMENT	66.09	59.07
1.03	1 BED / 1 BATH APARTMENT	71.89	63.03
2.01	3 BED / 2 BATH APARTMENT	174.02	161.58
2.02	1 BED / 1 BATH APARTMENT	65.35	59.74
2.03	1 BED / 1 BATH APARTMENT	71.56	63.56
3.01	3 BED / 2 BATH APARTMENT	173.95	161.56
3.02	1 BED / 1 BATH APARTMENT	64.83	59.53
3.03	2 BED / 2 BATH APARTMENT	106.80	99.26
4.01	3 BED / 2 BATH APARTMENT	179.87	169.14
4.02	2 BED / 2 BATH APARTMENT	98.18	90.99
4.03	2 BED / 2 BATH APARTMENT	116.32	106.71
5.01	3 BED / 2 BATH APARTMENT	180.43	169.33
5.02	2 BED / 2 BATH APARTMENT	101.54	93.51
5.03	2 BED / 2 BATH APARTMENT	108.49	101.56
6.01	3 BED / 2 BATH APARTMENT	175.17	163.80
6.02	2 BED / 2 BATH APARTMENT	100.12	92.73
6.03	2 BED / 2 BATH APARTMENT	101.88	95.57
7.01	3 BED / 2 BATH APARTMENT	161.21	149.52
7.02	2 BED / 2 BATH APARTMENT	95.09	88.62
7.03	2 BED / 2 BATH APARTMENT	95.06	90.18
8.01	3 BED / 2 BATH PENTHOUSE	188.18	172.37
8.02	3 BED / 2 BATH APARTMENT	148.23	141.28
		2,818.02 m²	

HOTEL AREAS
(NOT PART OF PLOT RATIO AREA)

STORY		NET AREA
BASEMENT		
	ARTISANAL FOOD AND BEVERAGE PRODUCTION	159.87
	SERVICES	20.04
	STAFF AMENITIES	9.68
L1 (LOWER GROUND)		
	CELLAR DOOR	200.77
	PUBLIC AMENITIES	15.80
	STAFF AMENITIES	20.11
L2 (GROUND)		
	AMENITIES	40.94
	BAR	89.14
	COURTYARD DINING	68.47
	KITCHEN AND BACK OF HOUSE	85.73
	RESTAURANT	81.79
L3 (FIRST)		
	HOTEL	301.68

KEY

1. ROOF GARDEN
2. PENTHOUSE TERRACE
3. PUBLIC COURTYARD
4. THE ROYAL GEORGE HOTEL
5. EXISTING PEDESTRIAN UNDERPASS
6. CAR ENTRANCE
7. PUBLIC COURTYARD ENTRY
8. ACCESSIBLE ACCESS TO COURTYARD
9. HOTEL/RESTAURANT/BAR ENTRANCE
10. BASEMENT VENUE ENTRANCE
11. VISITOR'S BICYCLE PARKING (3x2)

LANDSCAPED AREAS

LS1: GARDEN BED WITH DEEP SOIL AREA (10m² PERMEABLE LANDSCAPING)

LS2: BASEMENT LEVEL LANDSCAPED COURTYARD INCLUDES DEEP SOIL AREA FOR SMALL TREES (INCLUDING 65m² DEEP SOIL AREA)

LS3: GROUND FLOOR COURTYARD WITH GREEN WALL (INCLUDING 36m² DEEP SOIL AREA FOR 1 TREE)

LS4: ROOF GARDEN AT LEVEL 2, INCLUDING TREES IN PLANTERS (166m² LANDSCAPING)

LS5: ROOF TERRACE AND GARDEN AT LEVEL 9 (11m² LANDSCAPING)

NOTE: REFER TO LANDSCAPE DRAWINGS.

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE	FILE
12-May-2021	SDAU-018-20

COPYRIGHT SPACEAGENCY

DO NOT SCALE DRAWING

0 | 5 | 10 | 20m

SCALE 1:250 @ A1

PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

DATE
28/4/21

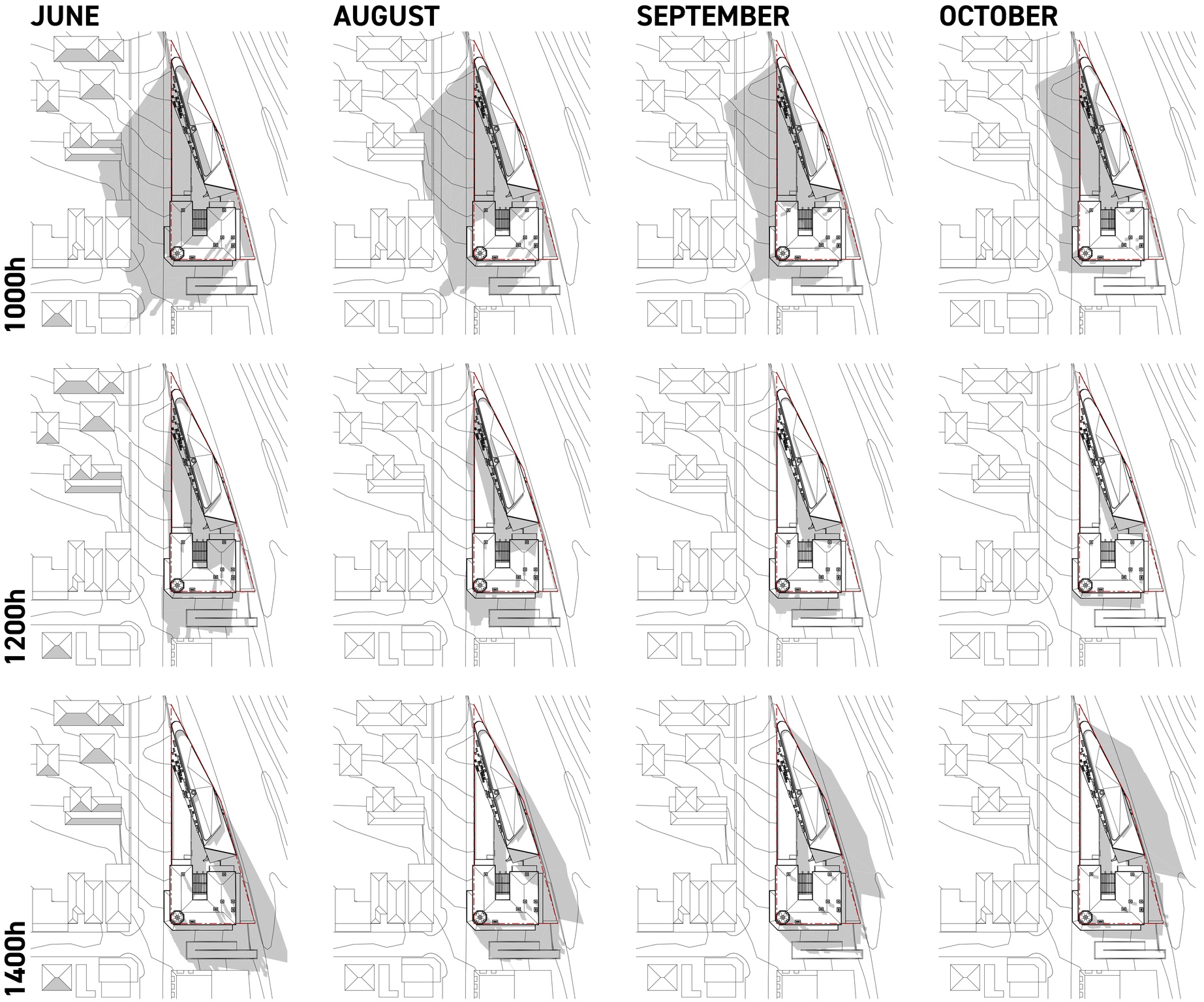
DRAWING
SITE PLAN

DRAWING ID / REVISION
DA01 / A

spaceagency

OVERSHADOWING PLANS

PROPOSED DEVELOPMENT FULLY COMPLIES WITH SPP7.3
(0% OVERSHADOWING OF ADJACENT BUILDINGS AT 1200h ON 21 JUNE)



DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021
FILE SDAU-018-20

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PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

DRAWING
OVERSHADOWING PLANS

DATE
28/4/21

DRAWING ID / REVISION
DA02 / A

***space**agency*

DUKE ST STREETSCAPE

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021
FILE SDAU-018-20

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PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

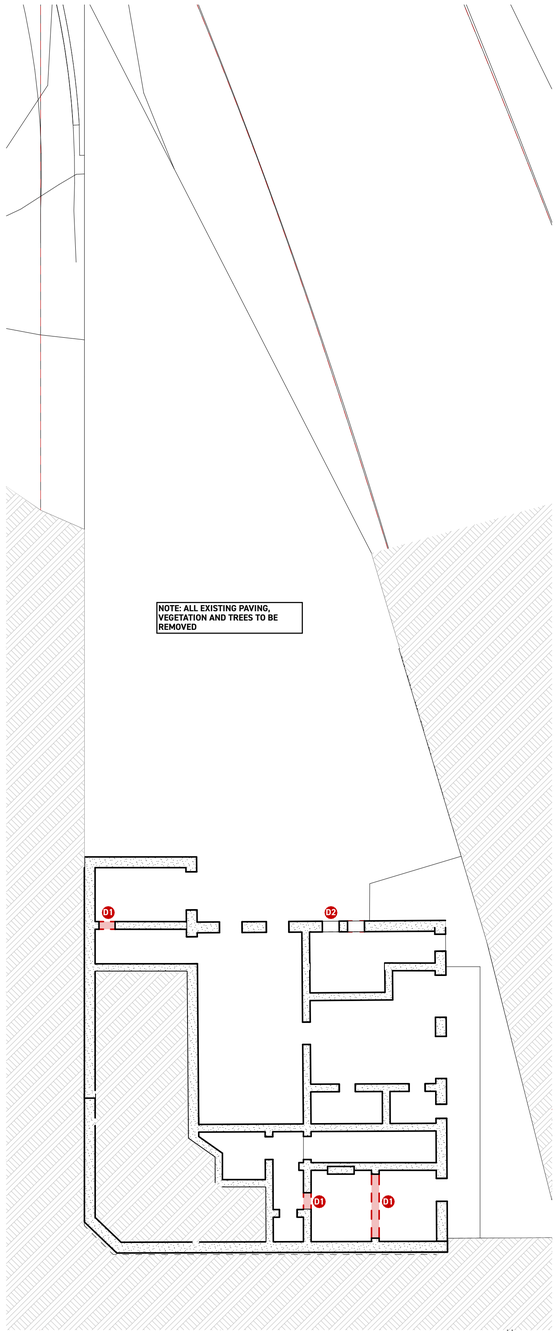
DRAWING
STREETSCAPE

DATE
28/4/21

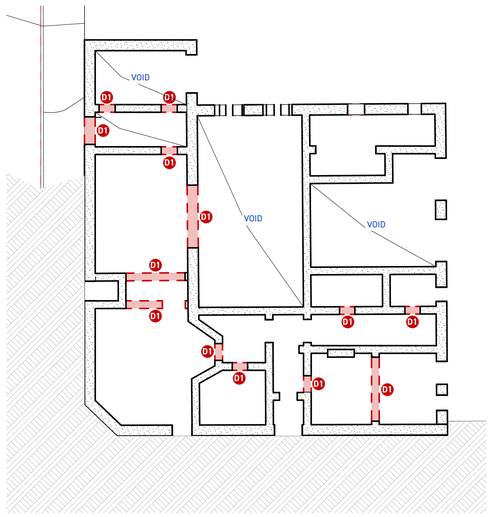
DRAWING ID / REVISION
DA03 / A

***space**agency*

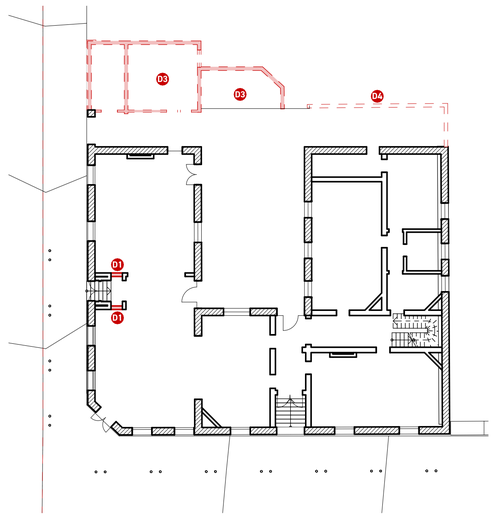
DEMOLITION PLANS - THE ROYAL GEORGE



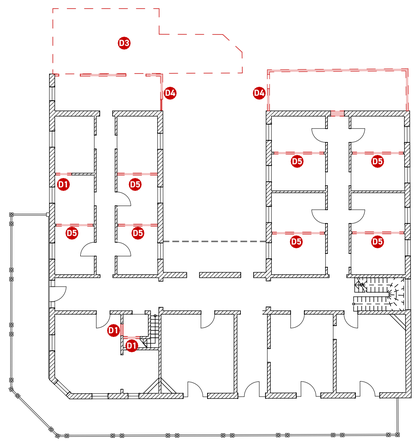
BASEMENT



L1 (LOWER GROUND)



L2 (GROUND)



L3 (FIRST)

01 FORM NEW OPENING

02 FORM NEW DOOR OPENING BY EXTENDING EXISTING WINDOW OPENING DOWN TO FLOOR LEVEL. MAKE GOOD BRICK SILLS TO MATCH EXISTING

03 EXISTING AMENITIES REMOVED AS PART OF HERITAGE RESTORATION WORK

04 REMOVE EXITING VERANDAS, REBUILD LIKE FOR LIKE USING SALVAGED MATERIALS WHERE POSSIBLE - REF. PROPOSED DRAWINGS.

05 REMOVE EXISTING WALL

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 12-May-2021 FILE SDAU-018-20

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DO NOT SCALE DRAWING

0 4,000 8,000 16,000

SCALE 1:200 @ A1

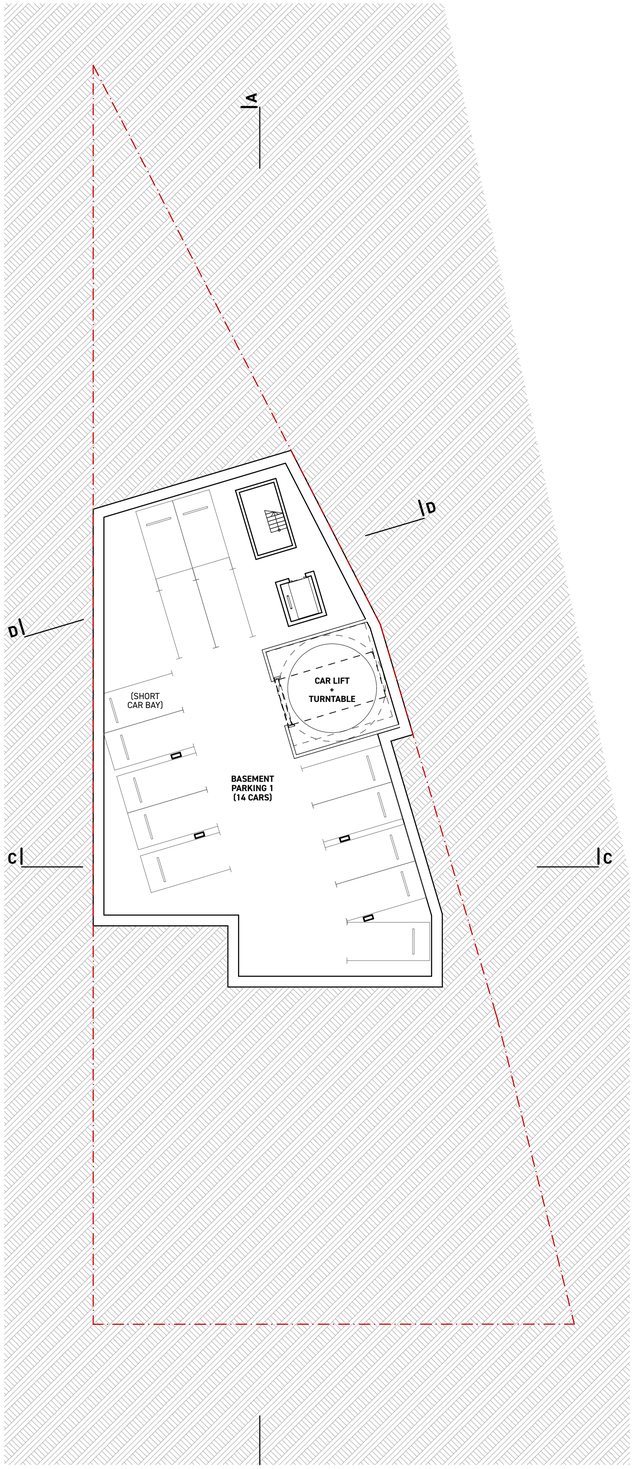
PROJECT NUMBER / NAME 1403 / THE ROYAL GEORGE

DATE 28/4/21

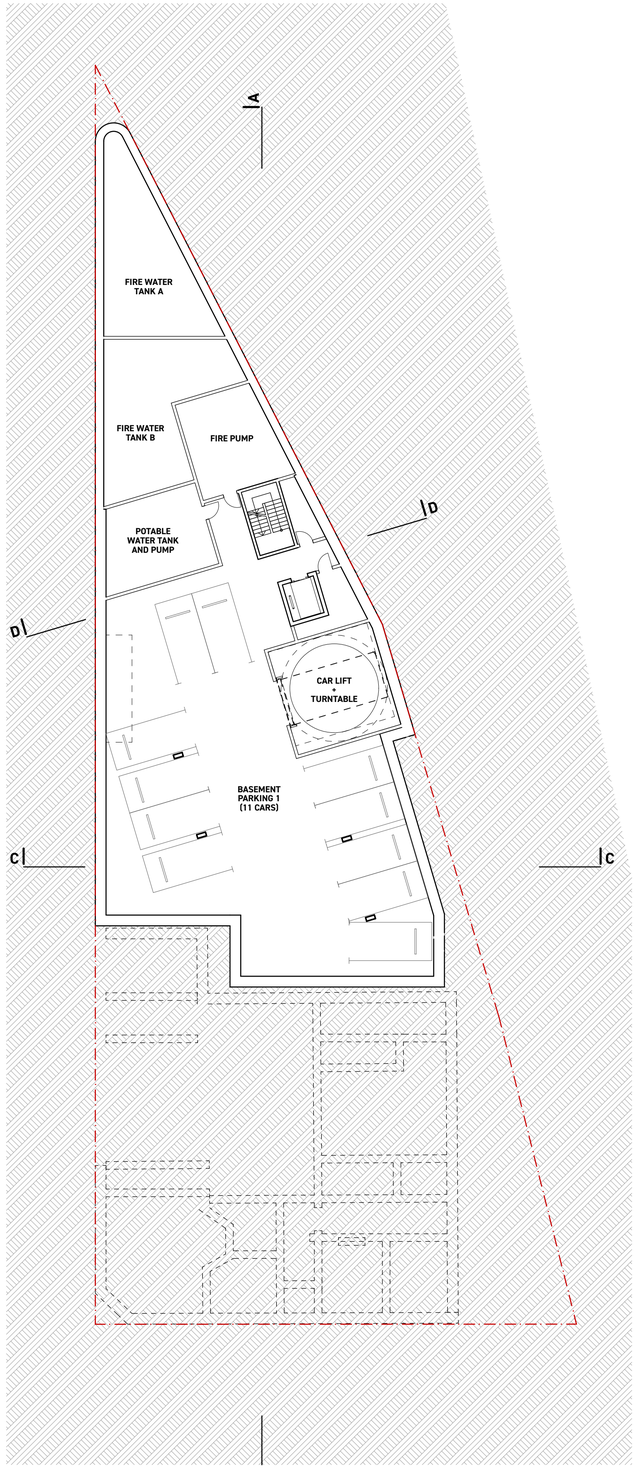
DRAWING DEMOLITION PLANS

DRAWING ID / REVISION DA10 / A

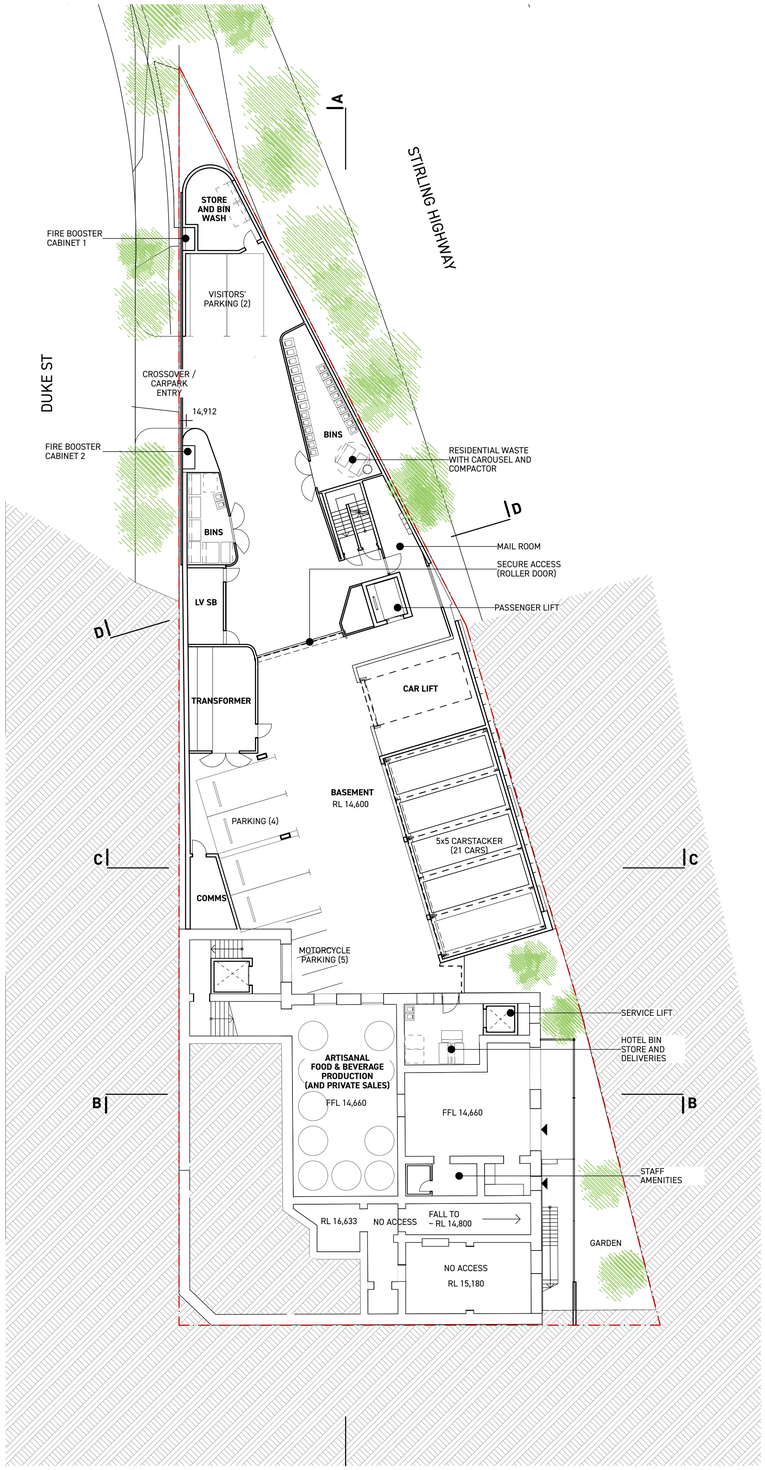
spaceagency



PARKING LEVEL 2



PARKING LEVEL 1



BASEMENT

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021
FILE SDAU-018-20

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DO NOT SCALE DRAWING

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SCALE 1:200 @ A1

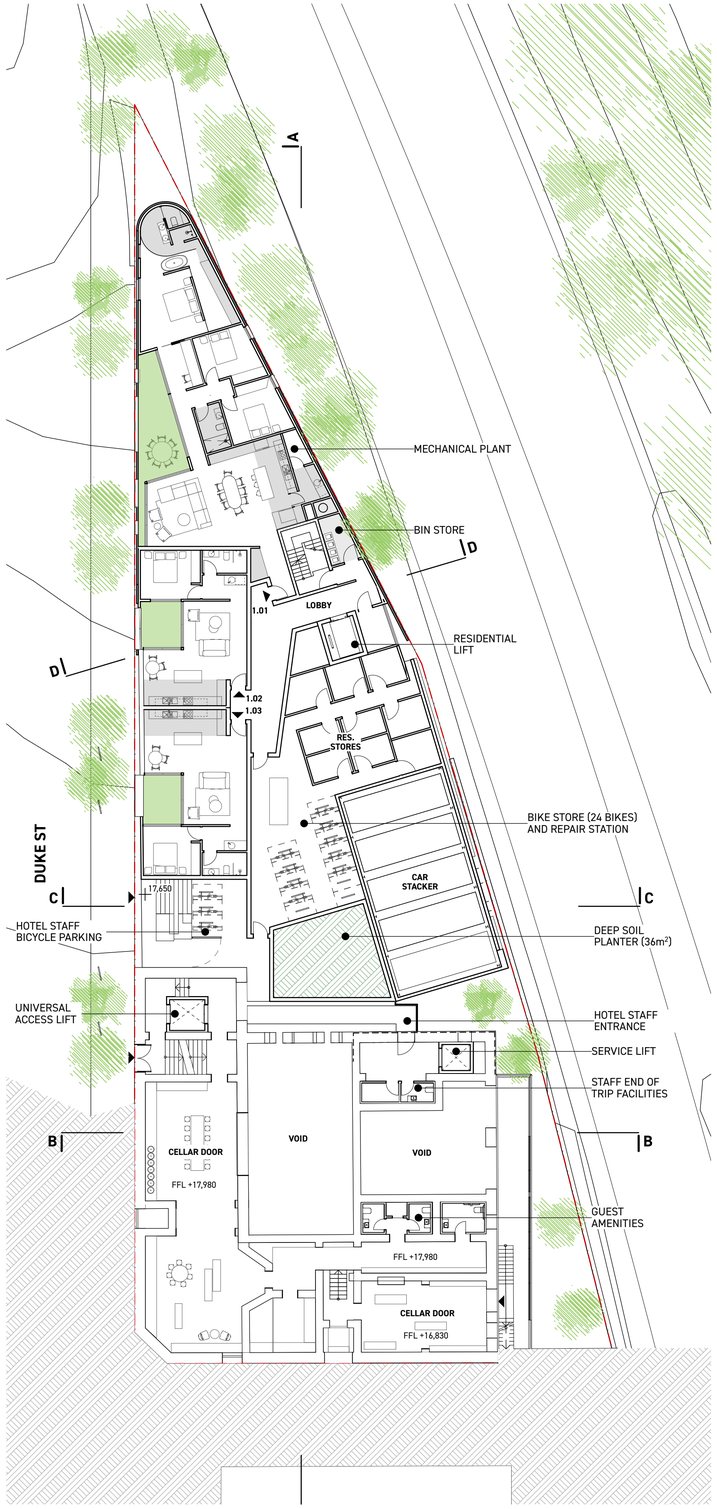
PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

DRAWING
BASEMENTS

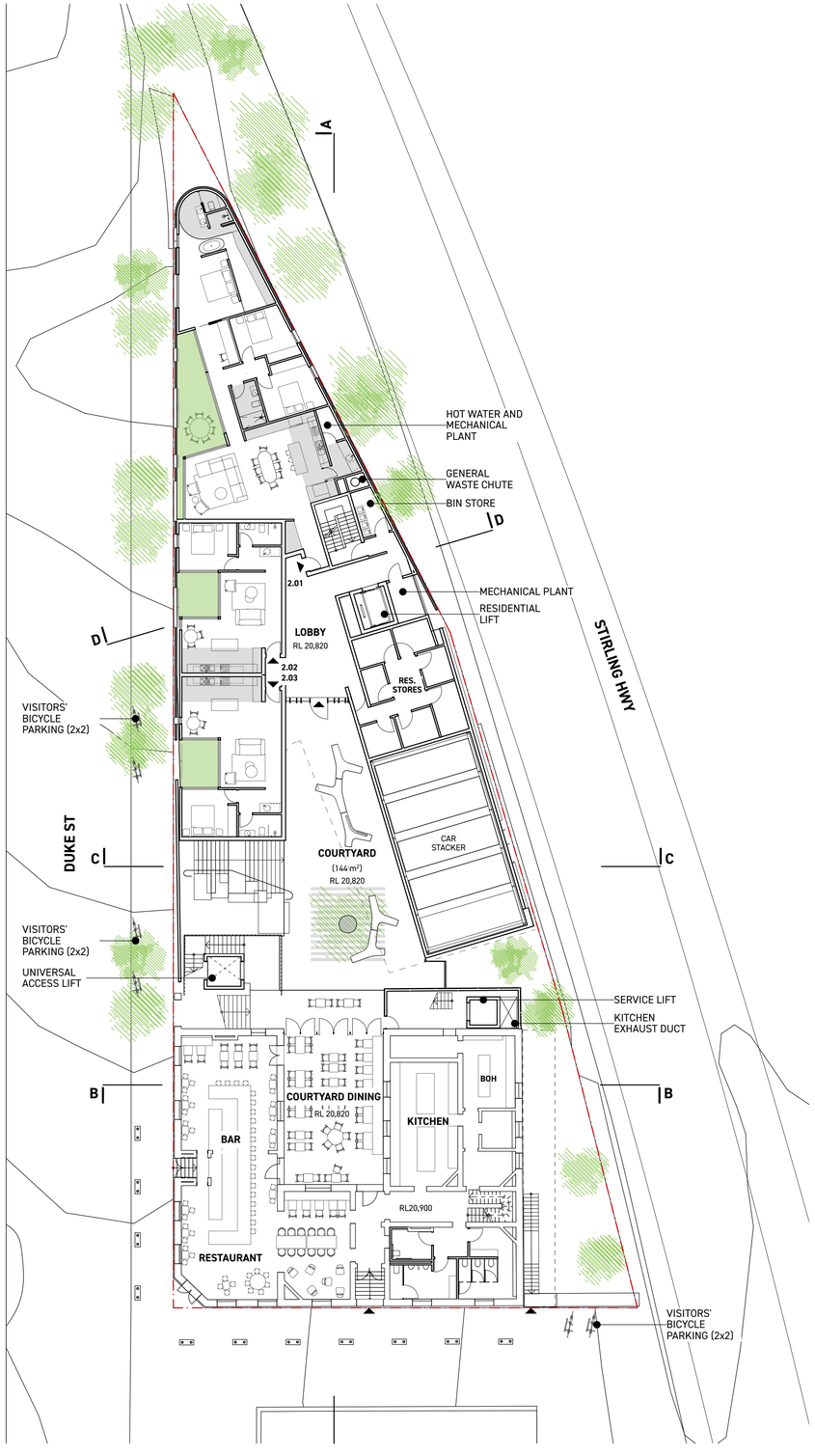
DATE
28/4/21

DRAWING ID / REVISION
DA11 / A

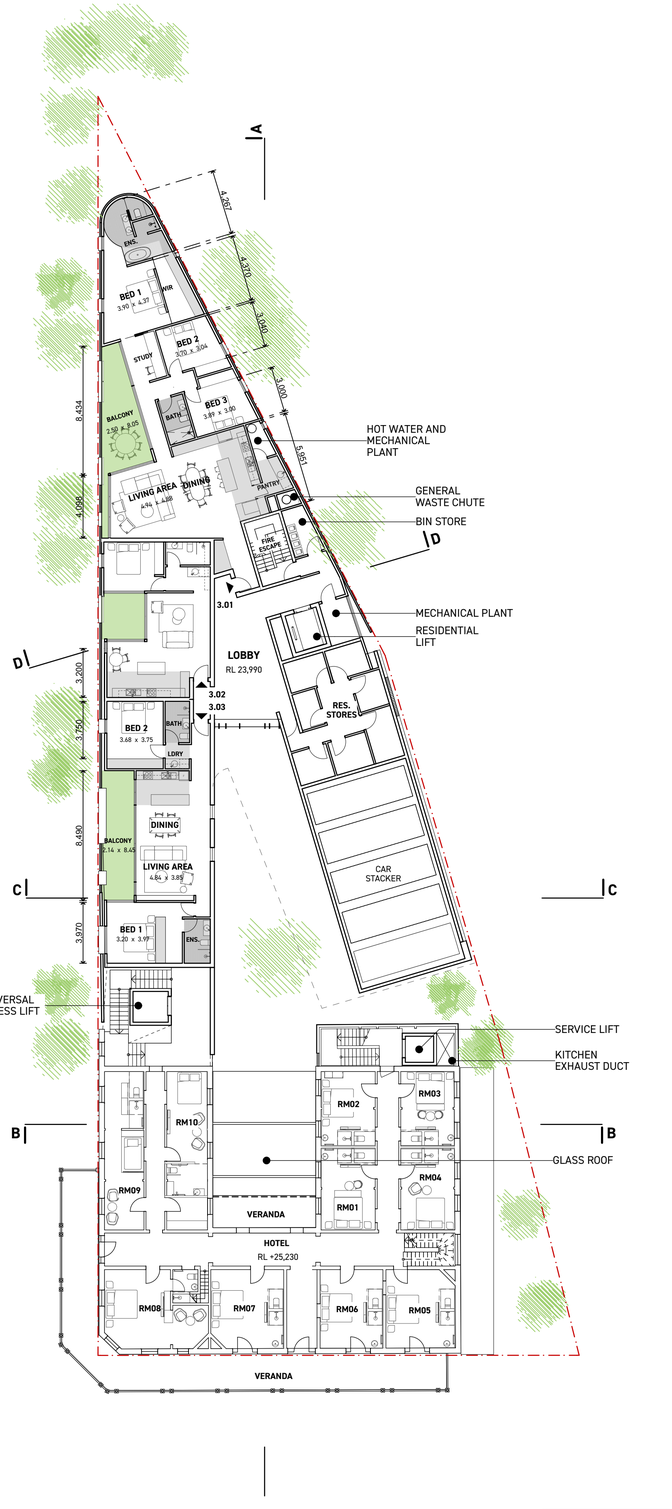
spaceagency



L1 (LOWER GROUND)



L2 (GROUND)



L3 (FIRST)

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 12-May-2021 | FILE SDAU-018-20

spaceagency

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DO NOT SCALE DRAWING

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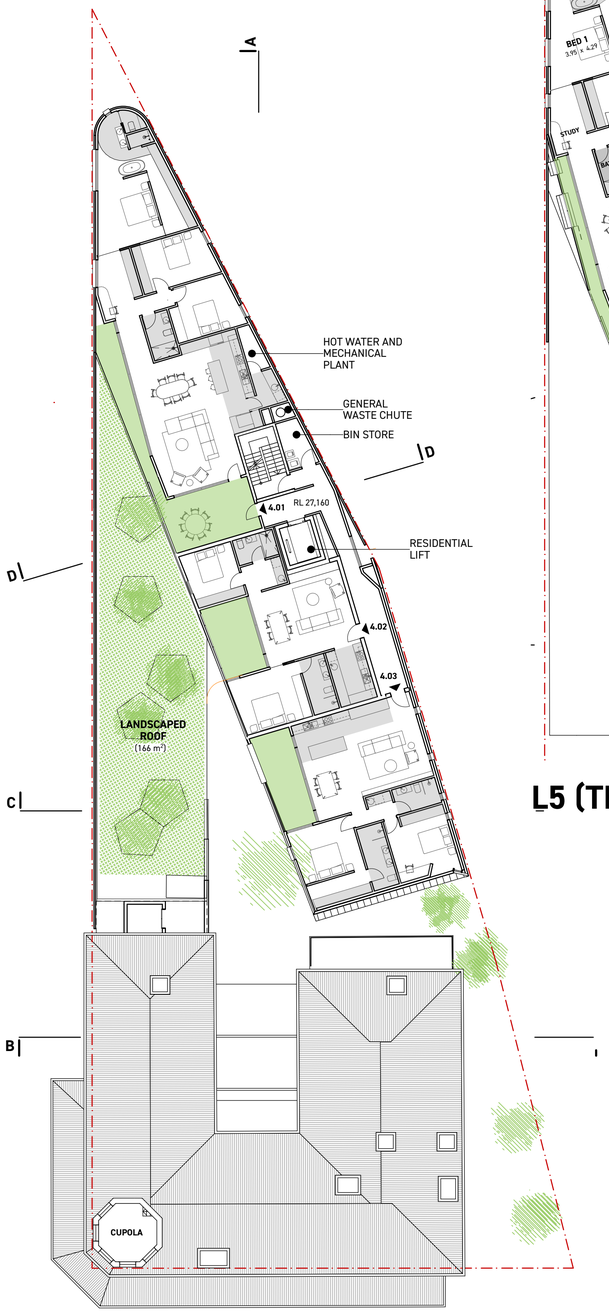
SCALE 1:200 @ A1

PROJECT NUMBER / NAME 1403 / THE ROYAL GEORGE

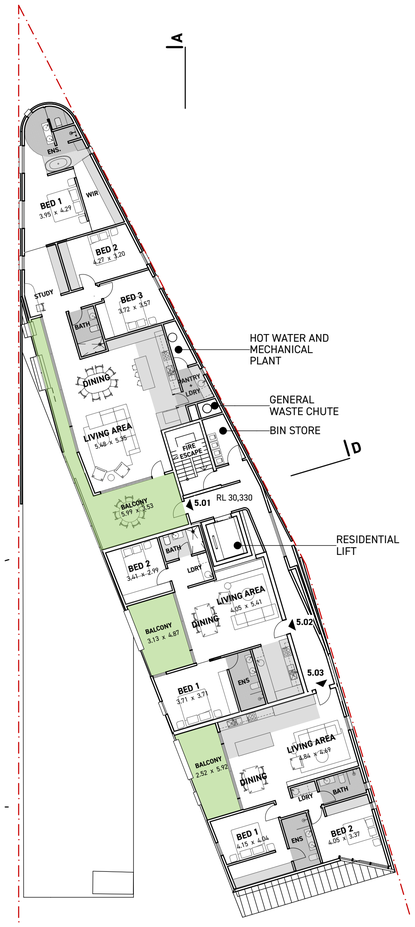
DRAWING LOWER GROUND TO FIRST

DATE 28/4/21

DRAWING ID / REVISION DA12 / A

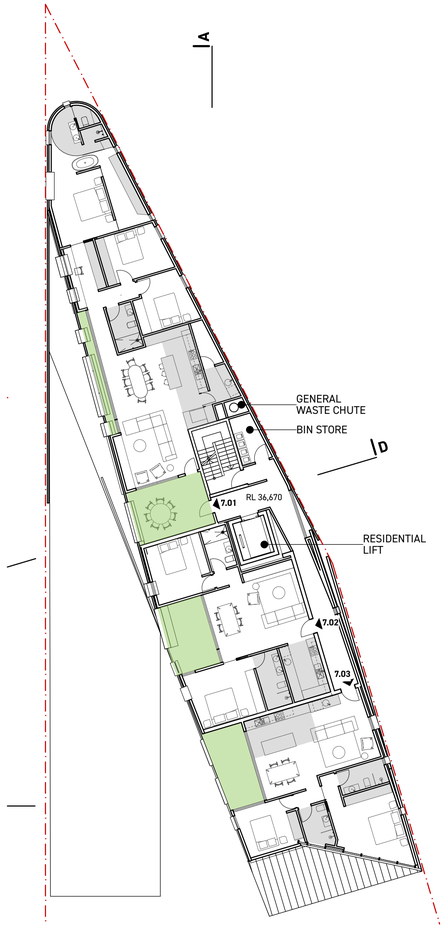


L4 (SECOND)

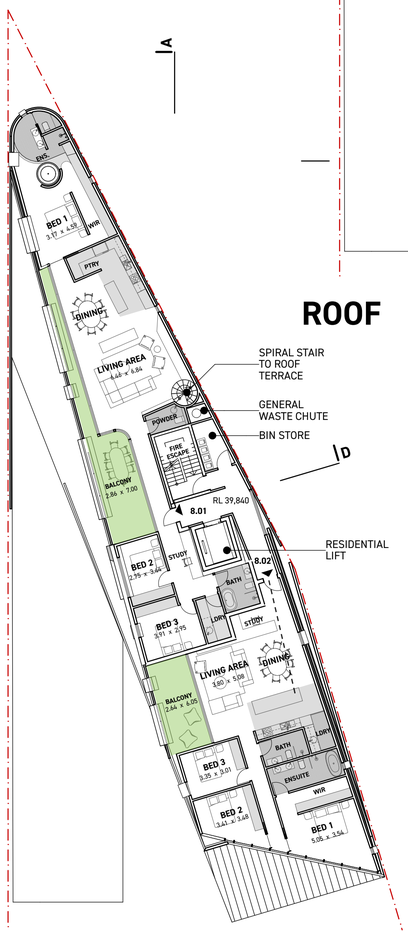


L5 (THIRD)

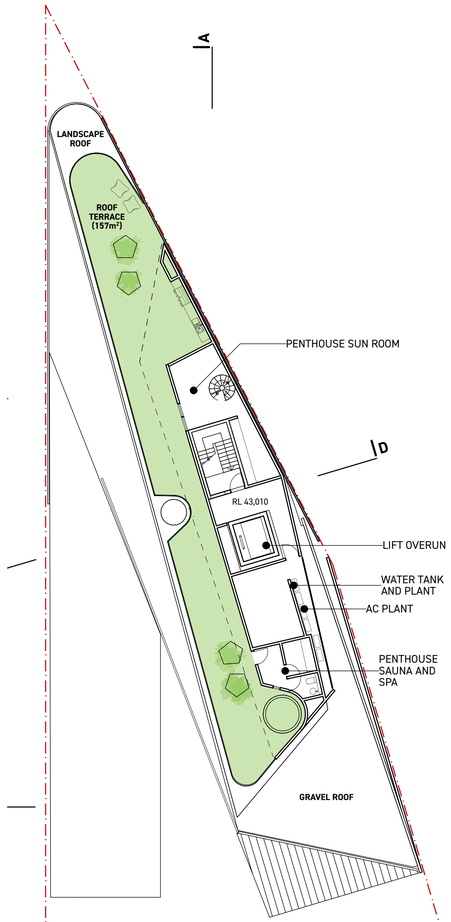
L6 (FOURTH)



L7 (FIFTH)



L8 (SIXTH)



ROOF

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 12-May-2021 | FILE SDAU-018-20

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DO NOT SCALE DRAWING

0 | 4,000 | 8,000 | 16,000

SCALE 1:200 @ A1

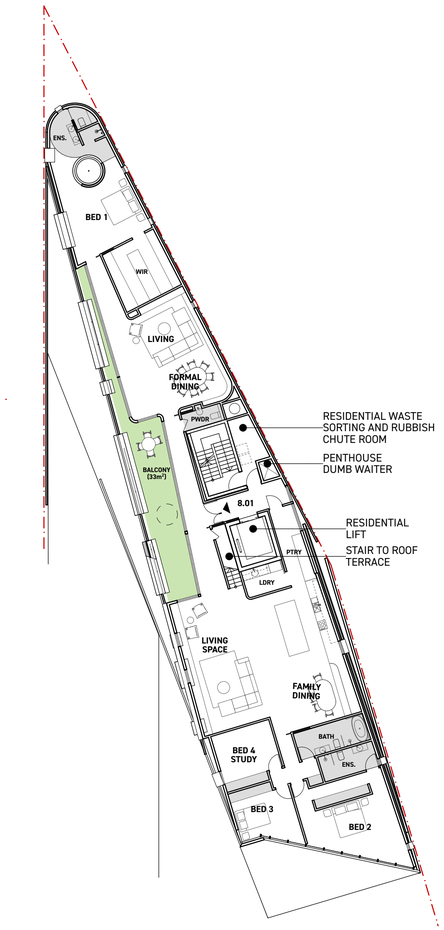
PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

DRAWING
SECOND TO ROOF

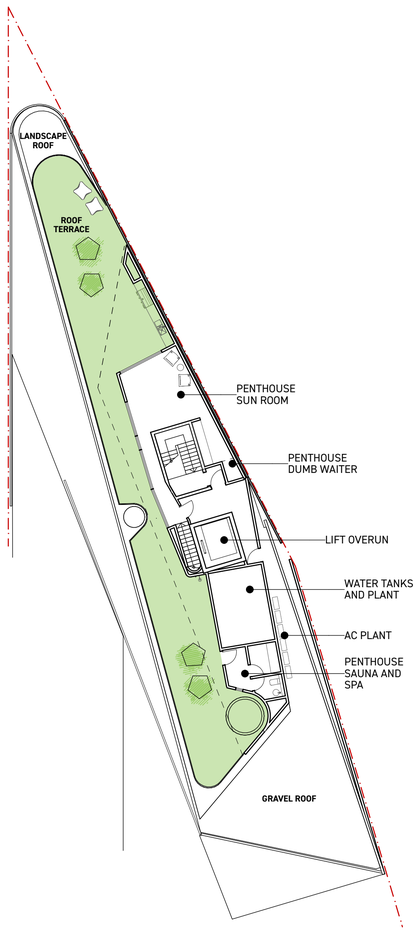
DATE
28/4/21

DRAWING ID / REVISION
DA13 / A

spaceagency



L8 (SIXTH FLOOR)



ROOF

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021 FILE SDAU-018-20

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DO NOT SCALE DRAWING

0 | 4,000 | 8,000 | 16,000

SCALE 1:200 @ A1

PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

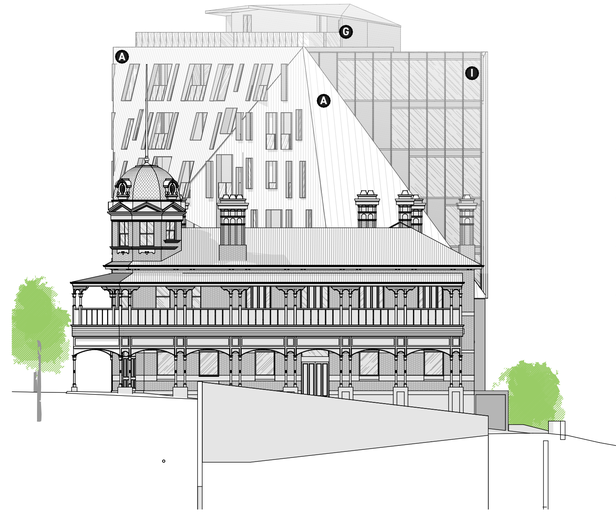
DATE
28/4/21

DRAWING
ALT. PENTHOUSE (L8 + ROOF)

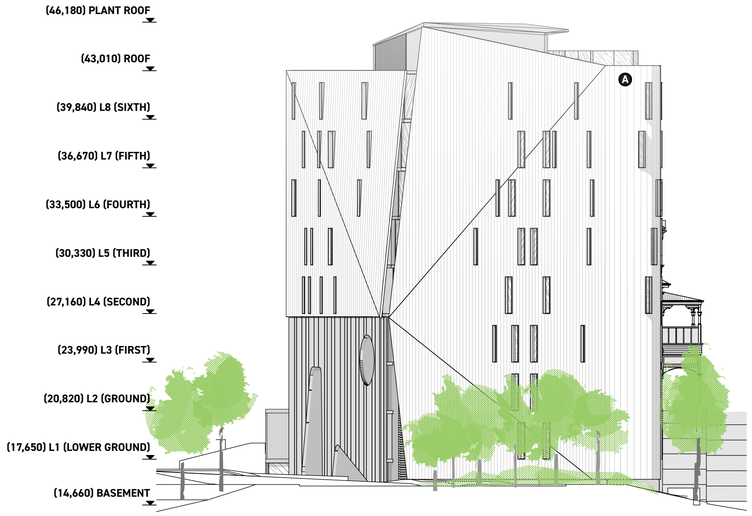
DRAWING ID / REVISION
DA14 / A

spaceagency

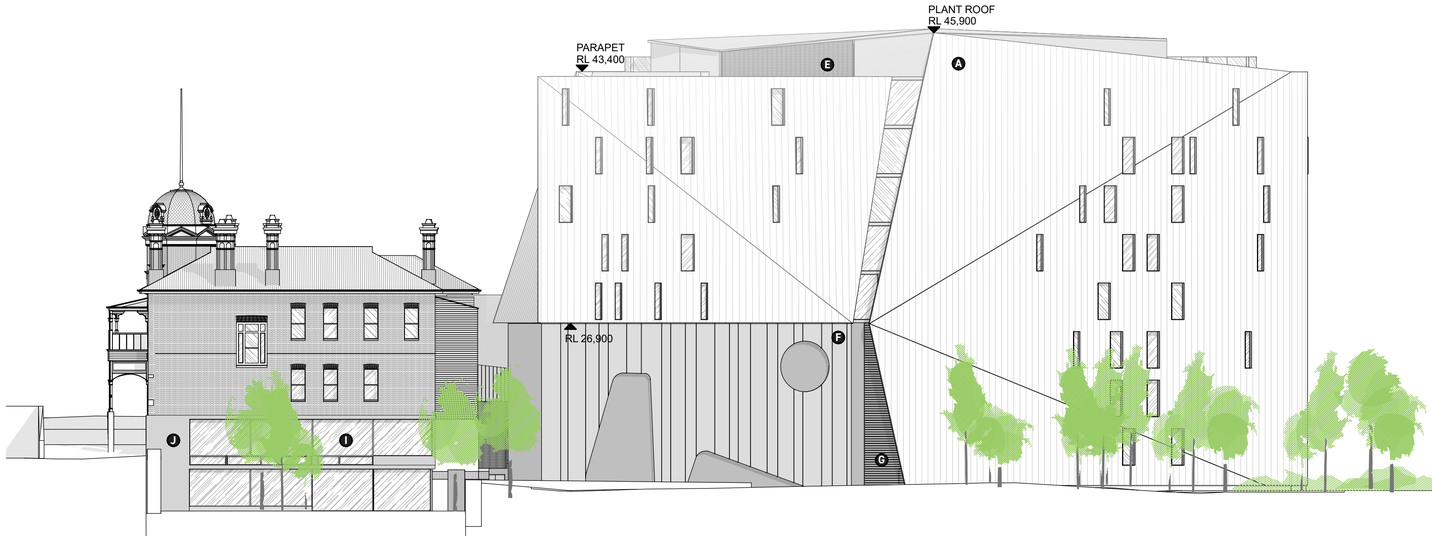
WEST



SOUTH



NORTH



EAST

MATERIALS

- A FLAT-LOCK ZINC CLADDING
- B 'ANTHRACITE' ZINC LINED WINDOW SURROUNDS
- C GALVANISED METAL AND GLASS BALUSTRADES
- D LIMESTONE MASONRY CLADDING
- E FIBRE CEMENT CLADDING ('BARESTONE' OR SIMILAR)
- F PRECAST CONCRETE
- G POWDERCOATED LOUVRES
- H ALUMINIUM CURTAIN WALL WITH CLEAR GLASS AND SOLID PANELS
- I GLAZED ALUMINIUM FACADE
- J STEEL CLADDING

NOTE: REFER TO DRAWING DA21 FOR DETAILS OF COLOURS AND FINISHES OF THE ROYAL GEORGE HERITAGE BUILDING

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021
FILE SDAU-018-20

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DO NOT SCALE DRAWING

spaceagency

0 | 4,000 | 8,000 | 16,000

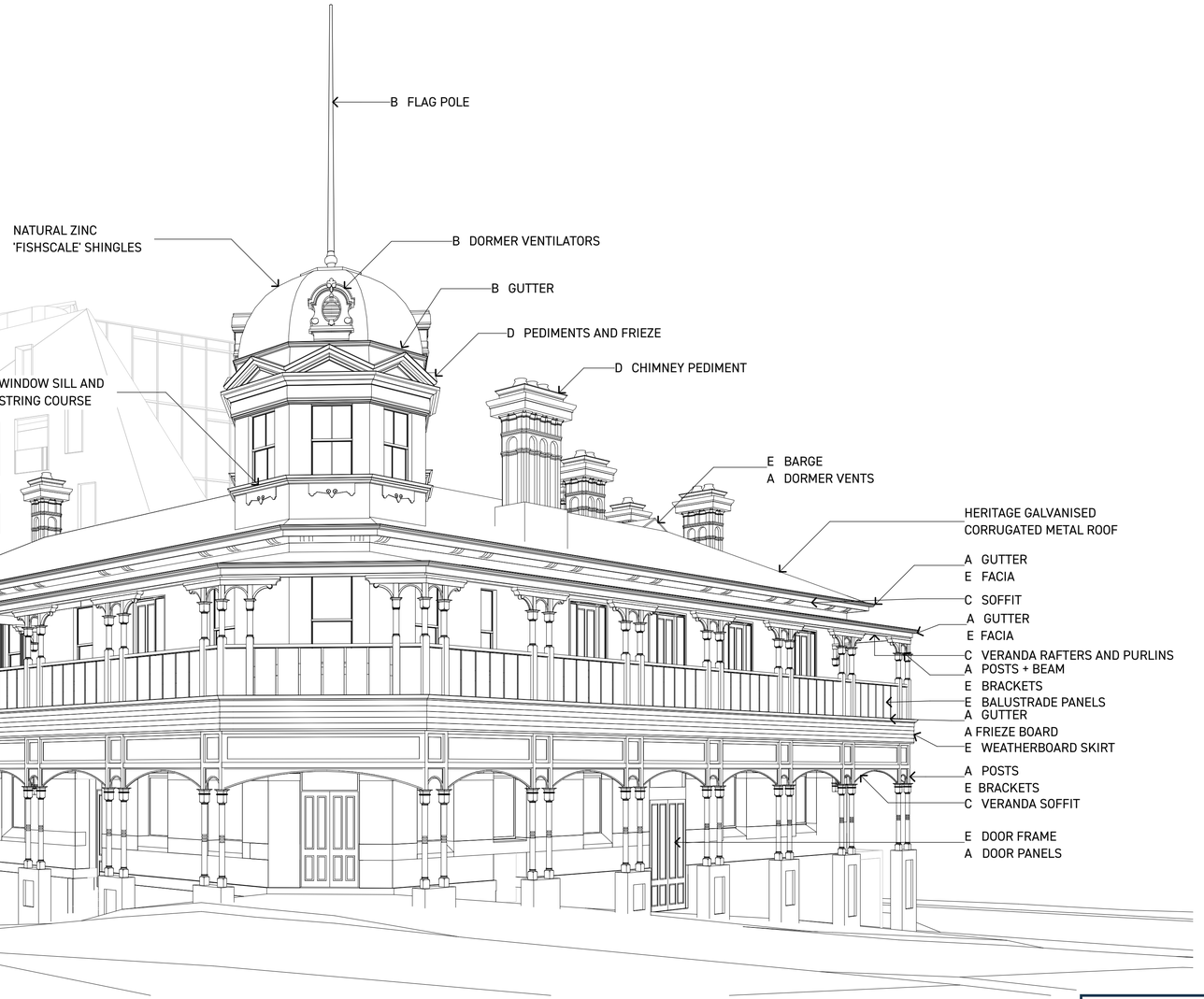
SCALE 1:200 @ A1

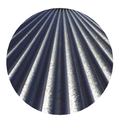
PROJECT NUMBER / NAME 1403 / THE ROYAL GEORGE

DRAWING ELEVATIONS

DATE 28/4/21

DRAWING ID / REVISION DA20 / A





HERITAGE GALVANISED
CORRUGATED METAL ROOF

NATURAL ZINC SHINGLES
(CUPOLA)

TUCK-POINTED BRICK
MASONRY

NATURAL PILLOW FACE
LIMESTONE MASONRY

A
HAYMES ACRYLIC ENAMEL GLOSS
"THE DOM"

B
HAYMES ACRYLIC ENAMEL GLOSS
"FRENCH GREY"

C
HAYMES ACRYLIC ENAMEL GLOSS
"GREYOLOGY 6"

D
BAUWERK EXTERIOR LIME PAINT
"THISTLE"

E
HAYMES ACRYLIC ENAMEL GLOSS
"CHIMNEY ASH"

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 12-May-2021 FILE SDAU-018-20

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DO NOT SCALE DRAWING

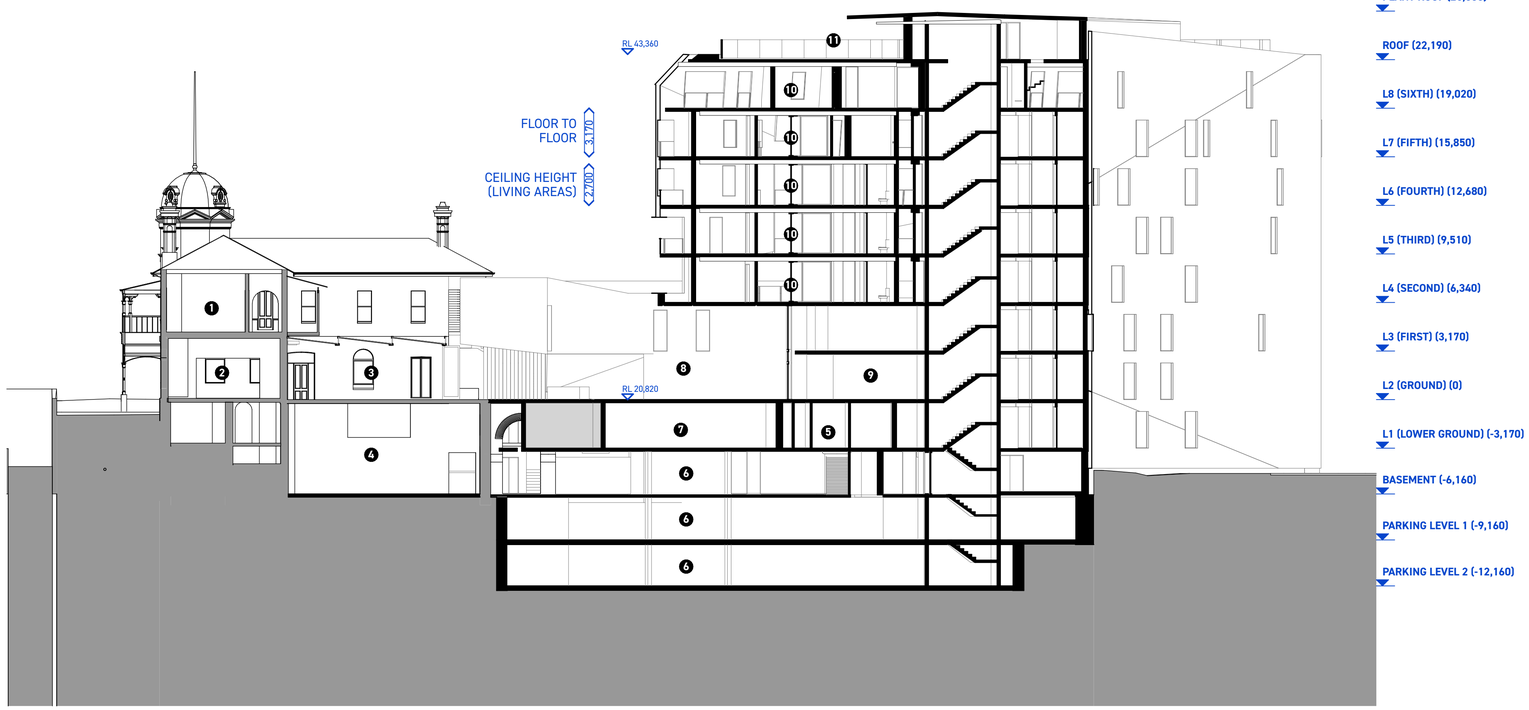
PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

DRAWING
RGH COLOUR SCHEME

DATE
28/4/21

DRAWING ID / REVISION
DA21 / A

spaceagency



SECTION A

KEY

1. HOTEL ROOM
2. BAR / RESTAURANT
3. ATRIUM DINING
4. URBAN WINERY
5. RESIDENTIAL STORES
6. BASEMENT
7. RESIDENTIAL BICYCLE STORE
8. RESIDENTIAL COURTYARD
9. RESIDENTIAL ENTRANCE LOBBY
10. APARTMENT
11. PENTHOUSE ROOF TERRACE AND AMENITIES

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021 FILE SDAU-018-20

COPYRIGHT SPACEAGENCY

DO NOT SCALE DRAWING

0 4,000 8,000 16,000

SCALE 1:200 @ A1

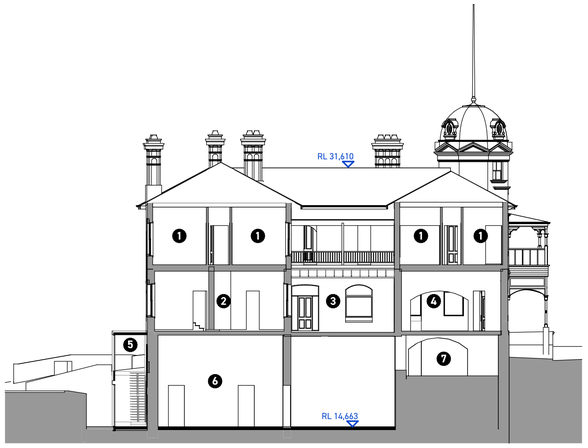
PROJECT NUMBER / NAME 1403 / THE ROYAL GEORGE

DRAWING SECTION A

DATE 12/5/21

DRAWING ID / REVISION DA30 / B

spaceagency



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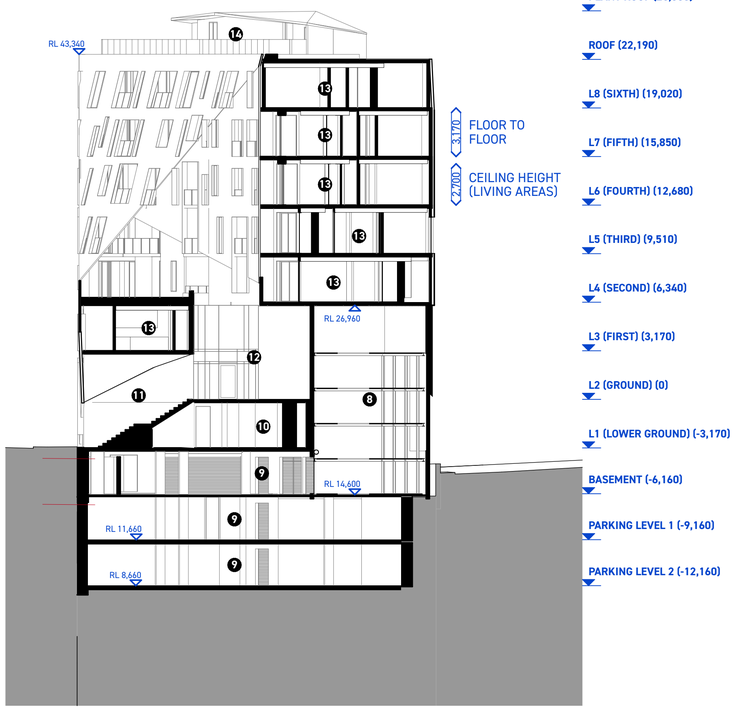
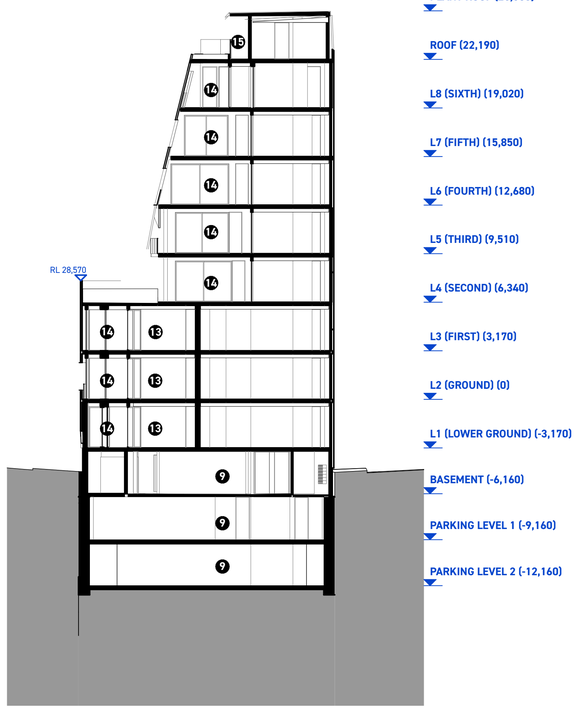


SECTION C



SECTION D

KEY

1. HOTEL ROOM
2. KITCHEN AND BACK OF HOUSE
3. ATRIUM DINING
4. BAR
5. NEW URBAN WINERY AND CELLAR DOOR ENTRANCE
6. URBAN WINERY
7. CELLAR DOOR
8. CAR STACKER
9. BASEMENT
10. RESIDENTIAL STORES
11. ENTRY STEPS
12. RESIDENTIAL COURTYARD
13. APARTMENT
14. BALCONY
15. PENTHOUSE ROOF TERRACE

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021
FILE SDAU-018-20

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PROJECT NUMBER / NAME 1403 / THE ROYAL GEORGE

DRAWING SECTION B-D

DATE 28/4/21

DRAWING ID / REVISION DA31 / A

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DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021
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PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

DRAWING
3D VIEW - DUKE ST NORTH

DATE
28/4/21

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DA90 / A

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1403 / THE ROYAL GEORGE

DATE
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1403 / THE ROYAL GEORGE

DRAWING
3D VIEW - DUKE ST

DATE
28/4/21

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DA92 / A

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DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 12-May-2021

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1403 / THE ROYAL GEORGE

DATE
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DRAWING
3D VIEW - DUKE ST

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DA93 / A

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021
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1403 / THE ROYAL GEORGE

DRAWING
3D VIEW - COURTYARD

DATE
28/4/21

DRAWING ID / REVISION
DA94 / A

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 12-May-2021 FILE SDAU-018-20

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PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

DATE
28/4/21

DRAWING
3D VIEW - NORTH EAST

DRAWING ID / REVISION
DA95 / A

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DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 12-May-2021
FILE SDAU-018-20

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PROJECT NUMBER / NAME
1403 / THE ROYAL GEORGE

DRAWING
3D VIEW - SOUTH EAST

DATE
28/4/21

DRAWING ID / REVISION
DA96 / A

spaceagency

Amendment 15 – Special Zone – Royal George Hotel - Objectives and Development Controls

SPECIAL ZONE – ROYAL GEORGE HOTEL
AMD 10 GG 11/10/16; AMD 15 GG 14/02/2020

A mixed- use development on the site together with the restoration of the existing Royal George Hotel building is considered an appropriate use of the site.

Development must achieve urban design and architecture that is exemplary with respect to heritage conservation, adaptive re-use and multi-residential design. The design of any new development must:

(a) Provide high quality, contemporary architecture and urban design that responds to and enhances the heritage value of the existing Royal George Hotel, interpreting rather than replicating existing features;

(b) Respond to and enhance the identity, streetscapes and heritage value of George Street and the Plympton precinct;

(c) Deliver a building that demonstrates well-considered materiality, colour, articulation and detailing; Page No. 15.

(d) Ensure the siting, height and built form of new buildings maintains primary views from the immediate and surrounding areas to the Royal George Hotel, including its cupola, southern, western and eastern façades;

(e) Demonstrate sensitivity to the built form and scale of the Royal George Hotel including its grain, rhythm, order and proportions of elements and openings;

(f) Demonstrate the careful arrangement of building massing and façade articulation to minimise the perception of bulk, create good levels of visual separation from the heritage fabric and mitigate negative impacts on the amenity and character of adjacent streets and properties;

(g) Maximise the opportunity for the development to engage with the public realm at ground level with consideration given to providing good levels of permeability where possible;

(h) Demonstrate well-designed layouts and internal arrangements for apartments and other residential uses that:
i) Achieve excellent amenity through careful consideration of optimal sun access, daylighting, natural ventilation and visual and acoustic privacy;
ii) Are diverse and adaptable to support different household types now and into the future; and
iii) Are served by excellent circulation and communal spaces.

(i) Provide high quality, well-integrated hard and soft landscaping elements that respond to existing streetscape character;

(j) Provide considered location of car parking to minimise negative impacts to the public realm; and

(k) Ensure public access to and enjoyment of the interior spaces of the existing Royal George Hotel building is allowed for through a use or uses which are consistent with the buildings original function and its recognised importance as a community gathering place

5.9 SPECIAL ZONE – ROYAL GEORGE HOTEL
AMD 10 GG 11/10/16, AMD 15 GG 14/02/2020

5.9.1 The Council may consider innovative approaches to the development of land on which the hotel is located, if the development will lead to the on-going reuse of the hotel building for a purpose consistent with the objectives of the zone.

5.9.2 With the exception of the site and development standards specified in Clause 5.9.8 below, residential development within the Special Zone - Royal George Hotel shall be in accordance with the requirements of State Planning Policy 7.3 - Residential Design Codes - Volume 1 for single and grouped dwellings and State Planning Policy 7.3 - Residential Design Codes - Volume 2 - Apartments for multiple dwellings.

5.9.3 Any development application for the site shall be subject to review by the State Design Review Panel prior to determination of that application.

5.9.4 In assessing any application for development within the zone, the decision maker and State Design Review Panel shall have due regard to all the zone objectives provided in Section 4.2 of the scheme.

5.9.5 When considering a development application on which advice has been provided by the State Design Review Panel the decision-maker shall have due regard to that advice.

5.9.6 In respect of any part of the zone other than the Royal George Hotel building itself, development shall not be solely for commercial purposes. A residential component is mandatory and developments shall incorporate a minimum of 60% net lettable area of residential floor space.

5.9.7 Clause 5.3.4 of the Scheme does not apply to development within this zone.

5.9.8 The following site and development standards apply to development in the Special Zone - Royal George Hotel:

Maximum Plot Ratio

5.9.8.1 The maximum plot ratio of development within the zone is not permitted to exceed 2.0:1.

5.9.8.2 The maximum plot ratio excludes:
(a) The floor space of the existing Royal George Hotel Building; and
(b) Any areas used exclusively for the parking of wheeled vehicles below the ground floor level of the existing Royal George Hotel building.

5.9.8.3 Clause 5.9.8.1 is not open to variation through any provision of this scheme or any other mechanism.

5.9.8.4 Development up to the maximum plot ratio permitted on the site shall only be approved where the decision maker, having due regard to the advice of the State Design Review Panel, is satisfied the development meets all the objectives of the Special Zone - Royal George Hotel.

Building Height and Setbacks

5.9.8.5 The maximum height of development within the zone is not permitted to exceed 43 metres AHD, with the exception of appropriately screened minor projections required for plant and equipment associated with the development.

5.9.8.6 Clause 5.9.8.5 is not open to variation through any provision of this scheme or any other mechanism.

5.9.8.7 Development up to the eaves height of the existing Royal George Hotel building may have a nil setback to all boundaries.

5.9.8.8 Notwithstanding Clause 5.9.8.7, development shall be sufficiently setback from the existing Royal George Hotel building to the satisfaction of the decision maker in consultation with the Heritage Council of WA and having regard to the zone objectives provided in Section 4.2 of the scheme and advice of the State Design Review Panel.

5.9.8.9 Development above the eaves height of the existing Royal George Hotel building, including balconies and other projections, is to be well articulated and located to maintain primary views from the immediate and surrounding locality to the Royal George Hotel building, including its cupola.

5.9.8.10 In considering the height and setbacks of proposed development, the decision maker shall have due regard to the advice of the State Design Review Panel and the zone objectives provided in Section 4.2 of the scheme.

Vehicle Parking

5.9.8.11 Parking for non-residential development within the Special Zone – Royal George Hotel shall be in accordance with the requirements provided for Commercial Zones in Clauses 5.8.5, 5.8.6, 5.8.7 and 5.8.8 of the scheme.

5.9.8.12 Notwithstanding Clause 5.9.8.11, parking requirements for non-residential uses in the existing Royal George Hotel building may be reduced to zero bays where it has been demonstrated to the satisfaction of the decision maker, having regard to the advice of the State Design Review Panel, that the provision of the required parking would result in an undesirable built form outcome.

No. 34 (Lot 303) Duke Street, East Fremantle – Royal George Hotel Site – Form 17B Development Application – Town of East Fremantle recommended conditions of development approval

1. The submission of amended plans and elevations indicating compliance with the maximum height of development under the Town of East Fremantle Local Planning Scheme No. 3 - Clause 5.9.8.5 and Local Planning Policy 3.1.6 – George Street Designated Heritage Area – Royal George Hotel height provisions, to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle, prior to the submission of a Building Permit application.

2. Prior to the issue of a Building Permit the owner of the land shall pay to the Town of East Fremantle (Town) $333,000 representing the owner's contribution (Contribution) to works and activities undertaken in the management of parking and access in the George Street Mixed Use Precinct and surrounding residential areas.

   No use the subject of this approval may be commenced prior to the receipt of the Contribution by the Town. The Contribution is to be held in a reserve fund by the Town and may be used for the purposes of funding in whole or in part the development of a strategy plan and carrying out works and actions consequent on the Plan.

3. The works are to be constructed in conformity with the drawings and written information date stamped (date to be inserted by SDAU) accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with the Department of Planning, Lands and Heritage further approval.

4. The balconies being designed as naturally ventilated spaces that are not to be enclosed, with no balcony treatments or furnishings being permitted that could in any way diminish the design and appearance of the balconies, or the overall building façade, or obstruct views to and from the balcony and the street.

5. The development shall at a minimum achieve the following Fremantle Port Buffer Area 2 built form requirements:
   a) Windows and opening requirements:
      (i) 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; and,
      (ii) All safety glass shall be manufactured and installed to an appropriate Australian Standard.
   b) Air Conditioning Requirements:
      (i) Multiple systems to have internally centrally located shut down point and associated procedures for emergency use; and,
      (ii) Preference for split "refrigerative" systems.
   c) Construction requirements:
      (i) Adopt the general principles of quiet house design for residential developments; and,
      (ii) All developments shall incorporate roof and/ or ceiling insulation.

6. All infrastructure in the road reserves adjacent to the development site shall be protected from damage for the duration of the construction of the development and reinstated to the

same or better condition that existed prior to the commencement of the development. An infrastructure bond may apply as per the Town's fees and charges and is to be paid prior to the issuing of the building permit by the Town.

7. Prior to the issue of a building permit, a Construction Management Plan shall be prepared to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle.

   This plan is to address the following matters during the construction/development period:

   i) Noise, vibration, air and dust management;
   ii) Contact details of essential site personnel, construction periods and construction operating hours;
   iii) Traffic management, including footpath closures and proposed signage;
   iv) Parking management for all trades, contractors and visitors to site;
   v) Public safety and amenity (traffic control and pedestrian management);
   vi) Site access/egress management;
   vii) Scaffolding management plan;
   viii) Management plan for the loading and unloading of vehicles;
   ix) Heavy construction machinery and deliveries;
   x) Bulk earthwork operations;
   xi) Stormwater and sand/sediment control;
   xii) Street tree management and protection;
   xiii) Protection of footpath and pedestrian underpass;
   xiv) Details of all concrete pours and requirements relating to piling methods or associated works;
   xv) Temporary fencing;
   xvi) Temporary toilets;
   xvii) Dilapidation of Town infrastructure and nearby properties;
   xviii) hoardings and gantries; and
   xix) any other relevant matters.

   The requirements of this plan are to be observed at all times during the construction process.

8. Prior to the issue of a building permit, a dilapidation report prepared by a suitably qualified professional shall be submitted to the Department of Planning Lands and Heritage in consultation with the Town of East Fremantle for approval, and the owners of the adjoining properties listed below detailing the current condition and status of all buildings (both internal and external together with surrounding paved areas), including ancillary structures located on these properties:

   - 19 Duke Street, East Fremantle
   - 21 Duke Street, East Fremantle
   - 23 Duke Street, East Fremantle
   - 25 Duke Street, East Fremantle
   - 27A Duke Street, East Fremantle
   - 27B Duke Street, East Fremantle
   - 31Duke Street, East Fremantle
   - 33 Duke Street, East Fremantle
   - 35 Duke Street, East Fremantle

- 37 Duke Street, East Fremantle
- 39 Duke Street, East Fremantle
- 40 – 42 Duke Street, East Fremantle – Brush Apartments (12 strata titled apartments)
- 41 Duke Street, East Fremantle
- 43 Duke Street, East Fremantle
- 125 George Street, East Fremantle
- 128 George Street, East Fremantle
- 128A George Street, East Fremantle
- 129 George Street, East Fremantle
- 130 George Street, East Fremantle
- 130B George Street, East Fremantle
- 132 George Street, East Fremantle
- 133 George Street, East Fremantle

Brush Factory building

- 36-38 Duke Street, East Fremantle
- 135 George Street, East Fremantle
- 137 George Street, East Fremantle

In the event that access for undertaking the dilapidation survey is denied by a surrounding owner, the applicant must demonstrate in writing to the satisfaction of the Town of East Fremantle, that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

9. 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 and 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 Department of Planning, Lands and Heritage.

10. Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point, car parking bay or similar) is to be removed, modified, or relocated then such works must be approved by the Town of East Fremantle and if approved, the total cost and associated fees are to be borne by the applicant. The Town of East Fremantle must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

11. Prior to the issue of a building permit, suitable sightlines are to be provided to any approved loading zone to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle and depicted on building permit plans.

12. Detailed plans and specifications for public realm works, including modification to existing car parking shall be submitted to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle prior to the issue of a building permit.

13. Prior to occupation, a minimum of one end of trip facility shall be provided within both the apartment and Hotel components of the development to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle.

14. Prior to the occupation of the development, any redundant crossovers and kerbs shall be removed and the verge reinstated to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle and at the expense of the applicant.

15. Prior to occupation of the development, all vehicle parking bays and delivery/loading bays required as part of this approval are to be clearly marked and maintained to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle.

16. All external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from Stirling Highway, Duke Street or George Street. All external fixtures shall not be higher than 44.5m AHD or otherwise located to not be visually obtrusive to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle.

Vehicle Parking and Management

17. Residential visitor parking bays shall be permanently marked, maintained and accessible at all times for use exclusively by residential visitors to the property and shall be clearly sign-posted or visible from the street to the satisfaction of the Department of Planning Lands and Heritage.

18. Prior to the occupation of the development, a Parking Management Plan shall be submitted to, and approved by, the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle. The Parking Management Plan is to include detailed management measures for the operation of the residential and visitor parking, vehicular entry gate and access to the car stacker, management and maintenance of the car stacker and car lift to ensure vehicle access is readily available and safe at all times. The approved Parking Management Plan shall be implemented by the owners/occupiers/strata managers of the development to the satisfaction of the Department of Planning, Lands and Heritage.

Land Use

19. The commercial uses within the old Hotel building and any incidental Hotel uses shall not operate outside the days and operating hours listed below:
    - 12.00pm and 11.00pm Monday and Tuesday
    - 12.00pm and 12.00am Wednesday and Thursday
    - 12.00pm and 12.00am Friday
    - 12.00pm and 12.00am Saturday
    - 12.00pm and 10.00pm on Sunday

    These operating restrictions would not apply to the Hotel accommodation use or the production of craft food/beverage and associated retail provided the deliveries/services required in relation to these uses do not operate outside standard business operating hours and the retail component operates in accordance with standard retail trading hours under WA legislation.

20. The apartment building development being used only for the purposes of long-term or permanent residential accommodation.

21. Prior to the commencement of use of the Hotel building, an Operational and Delivery Plan, is to be submitted and approved by the Department of Planning, Lands and Heritage, in consultation with the Town of East Fremantle. The Plan is to include detailed management measures, operating hours, security and noise management for the operations of staff, end of trip facilities (for transport alternatives) and delivery of goods and services identify parking management, the delivery timeframes and types of service vehicles, operating hours for the various Hotel uses and any proposed incidental facilities/uses. Once approved, the Plan is to be implemented in its entirety.

22. Prior to the occupation of the development, the podium garden space on Level 4 of the apartment building is to be landscaped in accordance with the landscaping plan date stamped received 12 May 2021 to the satisfaction of the Department of Planning, Lands and Heritage.

    The podium floor space is not to be used for commercial or hospitality purposes associated with, or incidental to, the apartment building or the Royal George Hotel. Access from the Hotel or apartment building is not permitted except for maintenance purposes.

23. The land owner shall lodge a Notification under Section 70A pursuant to the Transfer of Land Act on the Certificate of Title for the site. This notification shall be sufficient to alert prospective land owners of the land to the following:
    - the location of the land/dwellings/premises within Area 2 of the Fremantle Port Buffer Zone where noise, odour, light spill and other factors might arise from the normal operations of a 24 hour working Port; and/or
    - the land/dwellings/premises potentially being impacted by noise and disturbances associated with the operation of a commercial/business/entertainment area where noise, odour, traffic, disturbance and disruption due to construction, light spill and other factors might arise from the normal operations of a mixed use zone; and/or
    - the land/dwellings/premises is situated in the vicinity of a transport corridor and is affected by transport noise.

Heritage

24. Prior to the submission of the relevant building permit application, the applicant is to submit a geotechnical engineering report certifying that the land is physically capable of accommodating the development and will do no harm or cause damage to the Royal George Hotel heritage building, Stirling Highway infrastructure or surrounding residential properties and assets to the satisfaction of the Department of Planning Lands and Heritage in consultation with the Heritage Council of WA, MRWA and other relevant authorities.

25. Prior to the submission of a building permit application, all electrical and mechanical services, and in particular fire suppression and detection should be discreetly located in the apartment and Hotel buildings to ensure there is no impact to the façade or internal floor spaces of the Royal George Hotel, or on view of the building from Duke Street, George Street or Stirling Highway to the satisfaction of the Department of Planning, Lands and Heritage in consultation with Heritage Council of WA.

26. Following the completion of the redevelopment of the Royal George Hotel heritage building, the Heritage Council of WA should ensure the Conservation Management Plan has been

suitably complied with and all works completed as required and is updated to address the change in circumstance in the building and require any outstanding matters to be rectified and offer a comprehensive schedule of future maintenance actions.

Signage

27. No signage is approved under this proposed application. A separate application is required for all signage and advertising. All signage is to comply with the Town of East Fremantle's Signage Design Guidelines Local Planning Policy 3.1.3, to be submitted to and approved by the Department of Planning, Land and Heritage, in consultation with the Town of East Fremantle.

Stormwater Management

28. Prior to the submission of the relevant building permit application, a stormwater management plan shall be submitted to and approved by the Department of Planning Lands and Heritage on advice from the Town of East Fremantle, Main Roads WA and the Heritage Council of WA. The approved Plan shall be implemented and adhered to all times.

Waste Management

29. Prior to submission of the relevant building permit application, a revised waste management plan shall be submitted to, and approved by, the Department of Planning Lands and Heritage, in consultation with the Town of East Fremantle. The approved Waste Management Plan shall be implemented and adhered to at all times by the owners and/or strata managers of the development, to the satisfaction of the Department of Planning Lands and Heritage.

Sustainability

30. The development is to achieve at least a 4 Star Green Star design rating or equivalent. Prior to the submission of the relevant building permit application, the applicant is to submit an updated sustainability report demonstrating how a 4 Star Green Star or equivalent sustainable design rating is to be achieved and confirming the final strategy that will guide construction. The accepted sustainability initiatives shall be incorporated into the development and thereafter maintained by the owners of the development to the satisfaction of the Department of Planning Lands and Heritage.

Acoustic Report

31. Prior to submission of the relevant building permit application, an Acoustic Report is to be submitted which is prepared by a certified acoustic consultant, to the satisfaction of the Department of Planning Lands and Heritage. The recommendations of the Report are to be incorporated in the development prior to the issue of an occupancy permit for the development.

Public Art

32. Prior to submission of the Building Permit application a public art concept for the subject development is to be submitted in compliance with the Town of East Fremantle Local Planning Policy 3.1.9 – Percent for Public Art and must be submitted to, and approved by, the Department of Planning Lands and Heritage in consultation with the Town of East Fremantle.

    Prior to the occupation of the development, the approved public art, cash in lieu contribution or combination thereof shall be installed/paid to the Town by the developer and maintained thereafter by the owners of the development/ strata management, to the satisfaction of the Department of Planning Lands and Heritage.

Landscaping

33. The existing street trees on both sides of Duke Street (between George Street and King Street) are to be retained and protected from damage throughout any development works with a tree protection zone (extending 2m from the base of the tree) being established and maintained during the construction period in accordance with the Australian Standard AS4970-2009 - Protection of Trees on Development Sites.

    Prior to the occupation of the development, all landscape areas as indicated in the Landscaping Report by Spaceagency and CAPA Architects date stamped received 12 May 2021 by the Department of Planning, Lands and Heritage shall be installed in accordance with the final approved landscaping plan. All landscaping areas shall be maintained thereafter to a high standard to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle.

Materials and Finishes

34. The development being constructed with the same high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives and as outlined in the development application documentation date stamped 12 May 2021 by the Department of Planning, Lands and Heritage, with particular attention to the quality and design of the building materials used in the outer cladding, window, and balcony finishes and the Duke Street façade of the apartment building.

35. Prior to the submission of the building permit application, the applicant is to submit final details, including a sample board and written confirmation of the construction materials, colours and finishes (having particular regard to the Heritage Conservation Management Plan) of the exterior of the building and the Duke Street, George Street and Stirling Highway façade to the satisfaction of the Department of Planning Lands and Heritage, on advice from the State Design Review Panel.

36. The building is to be kept clean and free of graffiti and vandalism at all times and any such graffiti or vandalism to be remedied within 24 hours to the satisfaction of the Department of Planning, Land and Heritage.

Lighting

37. Prior to submission of the building permit application, a lighting strategy for the development must be submitted to, and approved by, the Department of Planning Lands and Heritage, in order to address Element 3.7 (Pedestrian Access and Entries) of State Planning Policy 7.3 Residential Design Codes Volume2 - Apartments. The specifications and measures contained in the lighting strategy shall be installed and maintained thereafter, to the satisfaction of the Department of Planning, Lands and Heritage, prior to the occupation of the development.

Utilities and Facilities

38. External clothes drying facilities shall be screened from view from the street or any other public place to the satisfaction of the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle.

Clearance of Conditions of Approval

39. A covering letter and a copy of the final working drawings (prepared for submission of an application for a building permit) and all associated reports and information that address the conditions of approval are to be submitted to, and cleared by, the Department of Planning, Lands and Heritage in consultation with the Town of East Fremantle where applicable.

Advice Notes

(i) This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development.

(ii) With regard to condition 18, the parking management plan is to include details of a visual/audio warning system that is to be installed at the entrance to the car park within the basement, as well as the ground floor entrance to the basement car park. This shall warn drivers not to proceed if a vehicle is using the car stacker or vehicle lift. Priority should be given to incoming vehicles so as not to cause congestion or obstruction on Duke Street.

(iii) With regard to condition 29 the applicant is to be advised that the waste management plan submitted with the development application dated 11 May 2021 is not satisfactory and is not approved.

(iv) The applicant must seek approval of the Town of East Fremantle that confirms the design of any crossover is to the specifications and satisfaction of the Town of East Fremantle.

(v) With regard to Condition 33, the landscape plan is to include details for the area of works adjacent to Stirling Highway and is to be endorsed by Main Roads WA. The need to stabilise the embankment is to be addressed in the plan.

(vi) The existing verge levels at the front property boundary and verge street trees shall not be altered without prior approval of the Town of East Fremantle.

(vii) In relation to building matters, the applicant is advised of the following:

a) The applicant is advised under part 6 of the Building Act 2011 the Responsible Contractor / Builder must ensure that the work does not adversely affect land beyond the boundaries of the works land; and

b) The energy use of the proposed building must comply with the minimum requirements of Section J of the Building Code Volume One - 2016 or 2019. For further information regarding these matters, please contact the Town's Regulatory Services.

(viii) In relation to environmental health matters, the applicant is advised of the following:

a) The applicant is to ensure noise emissions from the site comply with the Environmental Protection (Noise) Regulations 1997 (as amended).

b) Collection of waste is limited to the following timeframes without further approval from the Town in accordance with the Environmental Protection (Noise) Regulations 1997 (as amended) and be included in the revised Waste Management Plan:
- 0700 hours and 1900 hours on any day that is not a Sunday or a public holiday; or
- 0900 hours and 1900 hours on a Sunday or public holiday.

c) All mechanical service systems including air-conditioners, roller doors etc. to be designed and installed to prevent emitted noise levels from exceeding the relevant decibel levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended).

d) Premises selling food as defined under the Food Act 2008 are required to submit a Town of East Fremantle Food Business Notification/Registration form.

e) A suitable bin enclosure is to be provided in accordance with the Town of East Fremantle Health Local Laws 1999 which require bin enclosures to be of sufficient size to accommodate all bins used on the premises and serviced with an approved liquid

refuse disposal system, have a tap connected to an adequate supply of water, have walls at least 1.8m in height, have an access way of not less than 1.0m in width and have a self-closing gate.

f) The applicant is to ensure the car park design and construction complies with the Health Act (Carbon Monoxide) Regulations 1975 (as amended).

For further information regarding these matters, please contact the Town's Environmental Health Services.

(ix) In relation to sustainability matters, the applicant is advised that consideration should be given to a commitment to a 4 star Green Star certification. A Green Star certification will ensure that the development performs well in practice and in a range of areas in addition the thermal comfort, including in water, waste, materials etc.

13.2 FINANCE

13.2.1 Statement of Financial Activity for Period Ended 30 June 2021

Applicant	Not Applicable
File ref	F/FNS2
Prepared by	Sam Dolzadelli, Strategic & Financial Accountant
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	20 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Statement of Financial Activity 30 June 2021 2. Capital Works Report 3. Financial Health Check 30 June 2021

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 June 2021. A Capital Works Report and Financial Health Check summary is also appended.

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
- Statement of Financial Position
- 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

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 / 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	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 June 2021. The following is a summary of headline numbers from the attached financial reports:

	Original Budget	YTD Budget	June Actuals
Opening Surplus	**160,328**	**226,870**	**226,870**
Operating Revenue	10,517,403	10,591,536	10,607,493
Operating Expenditure	(10,969,062)	(12,309,454)	(11,361,083)
Capital Expenditure	(1,026,681)	(1,284,689)	(965,738)
Capital Income	210,000	283,360	199,360
Financing Activities	(470,888)	(36,192)	(450,322)
Non-Cash Items	1,578,900	2,499,595	2,555,803
Closing Surplus/(Deficit)	**0**	**(28,974)**	**812,383**
Unrestricted Cash			2,413,703
Restricted Cash			1,302,636

- A Capital Works Report is being auto generated within the Town's financial system and emailed to Responsible Officers on a weekly basis to monitor projects. This Report is provided as Attachment 2 and includes actual expenditure as at **30 June 2021**. The full year capital works budget (amended) has been 75.2% expended with $966k 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 June 98.99% of rates levied (including arrears) have been receipted. The due date for payment of rates including the election of instalments was the 7 September.

- 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. This will have an adverse impact on the Operating Surplus Ratio and Asset Sustainability Ratio at the end of the financial year.

- The monthly financial report now includes a Statement of Financial Position on page 6. Infrastructure and Property, Plant and Equipment has a carrying value of circa $80.97m.

- The Town has received its infrastructure valuation report for 30 June 2021. The fair value of the Town's infrastructure assets has reduced by circa $9.28m. This decrement is largely attributable to the road subgrade component (non-depreciable), which has seen a reduction in the unit cost rate by approximately 63%. Fair value decrement of the road subgrade is equal to $8.4m. The Town has adequate revaluation surplus held in the equity section of the balance sheet to cover this decrement. This means that there will be **$nil** impact on the net result for the Town.

- Note 5 of the Monthly Financial Report 'Cash Backed Reserves' shows a transfer to reserve of $316,844 for the 'Unspent grants and restricted cash reserve'. This transfer is a result of the Town holding unspent grant monies on the balance sheet as contract liabilities, since the Town has not yet met its obligation to spend these monies on the contractually agreed projects. It is foreseen that these funds will be transferred back into the municipal fund in the 2021/22 financial year and recognised as revenue, as the projects are undertaken. This will result in favourable funding during the 2021/22 financial year. This also explains the reduction in YTD actual capital income, as amounts of capital grant revenue were recognised earlier in the 20/21 financial year, but since moved to contract liabilities and the unspent grants reserve.

- Note 6 of the Monthly Financial Report 'Disposal of Assets' shows a line item for LB264 – Mooring Pen Jetties, with a loss of $33k. This is a result of the Town de-recognising the amount in its asset register for this asset, as the jetties are situated on the river seabed, which the Town accounts for as a right-of-use asset (leased from the State). Subsequently, this asset record is not to be held in the asset register. This has **$nil** impact on the surplus position, as it is an adjustment against non-current assets and the resulting loss on disposal is a non-cash adjustment.

- The Town's adopted 2021-22 budget includes a brought forward surplus funding position of $689,520. The June 2021 Monthly Financial Report is built on the Town's accounting records as at the 8 July 2021, with a closing surplus position of $812,383. At this point in time, this is a favourable variance in the closing position of $122,863. However, the Town has not finalised the end of year accounting entries at this point in time and estimates a further reduction in the closing position.

Amendment to 2021/22 Rates Instalment Dates

At the Ordinary Council Meeting of 15 June 2021, Council resolved the following Rates Instalments dates when adopting the Municipal Budget:

2. pursuant to section 6.45 of the Local Government Act 1995 and regulation 64 (2) of the Local Government (Financial Management) Regulations 1996, OFFERS the following due dates for the payment of rates in full by two and four instalments:

Two Instalments:

Full Payment and instalment due date	***23 August 2021***
2nd instalment date	***3 January 2022***

Four Instalments:

Full Payment and instalment due date	***23 August 2021***
2nd instalment date	***25 October 2021***
3rd instalment date	***3 January 2022***
4th instalment date	***28 February 2022***

Section 6.50(3) of the *Local Government Act 1995* requires for a minimum interval of 2 months between the due dates for instalments. As such, the due date for the 4th instalment is to be amended from the 28 February 2022 to the 4 March 2022.

13.2.1 OFFICER RECOMMENDATION

That Council:

1. **receives the Monthly Financial Report (Containing the Statement of Financial Activity) for the month ended 30 June 2021, as presented as attachment 1 to this report.**
2. **notes the unrestricted municipal surplus (unaudited and subject to further adjustments) of $812,383 as at 30 June 2021.**
3. **receives the Capital Works Report dated 30 June 2021, 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 6.45 of the *Local Government Act 1995* and regulation 64 (2) of the *Local Government (Financial Management) Regulations 1996*, OFFERS the following due dates for the payment of rates in full by two and four instalments:**

Two Instalments:

Full Payment and instalment due date	**23 August 2021**
2nd instalment date	**3 January 2022**

Four Instalments:

Full Payment and instalment due date	**23 August 2021**
2nd instalment date	**25 October 2021**
3rd instalment date	**3 January 2022**
4th instalment date	**4 March 2022**

TOWN OF EAST FREMANTLE

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 June 2021

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 June 2021

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 June 2021 of $812,383.

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.

	% Collected / Completed	Amended Annual Budget	YTD Budget	YTD Actual
Significant Projects				
Purchase Property, Plant and Equipment	77%	$ 440,559	$ 440,559	$ 338,811
Purchase and Construction of Infrastructure	74%	$ 844,130	$ 844,130	$ 626,927
Grants, Subsidies and Contributions				
Commonwealth Home Support Programme	100%	$ 601,566	$ 601,566	$ 601,750
Regional Road Group Grant	100%	$ 180,505	$ 180,505	$ 180,505
		$ 782,071	$ 782,071	$ 782,255
Rates Levied	100%	$ 7,997,275	$ 8,010,558	$ 7,988,354

% Compares current ytd actuals to annual budget

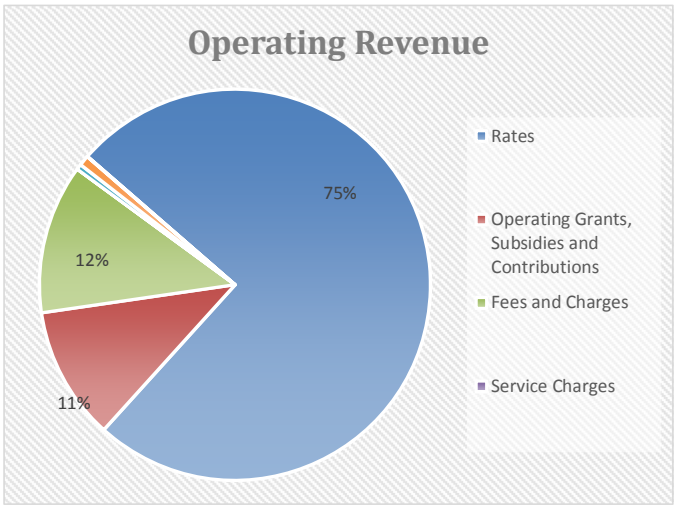
Financial Position	Current Year
Adjusted Net Current Assets	$ 812,383
Cash and Equivalent - Unrestricted	$ 2,413,703
Cash and Equivalent - Restricted	$ 1,302,636
Receivables - Rates	$ 161,363
Receivables - Other	$ 85,862
Payables	$ 1,225,633

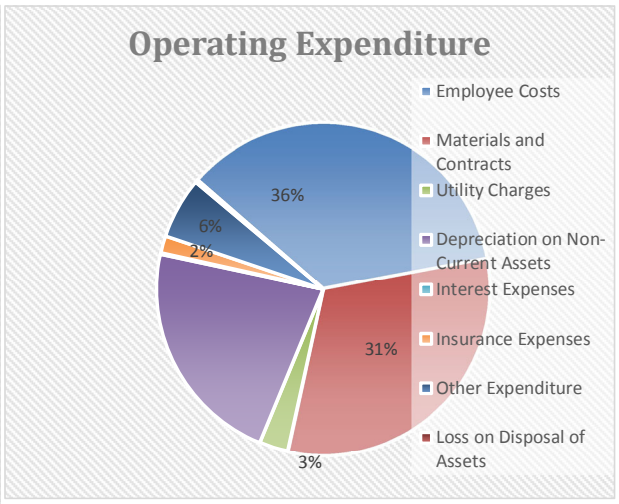
% Compares current ytd actuals to prior year actuals at the same time
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

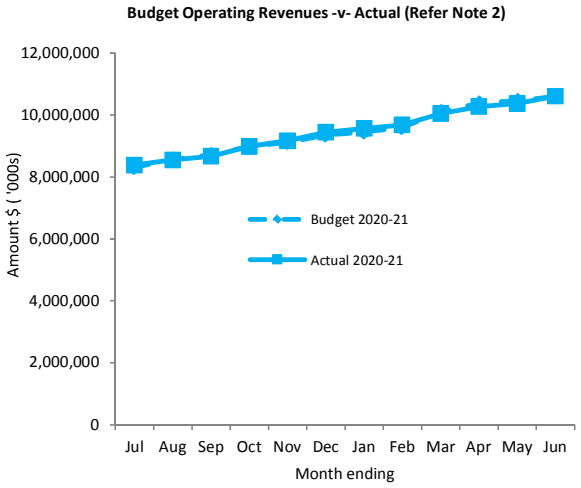
Preparation

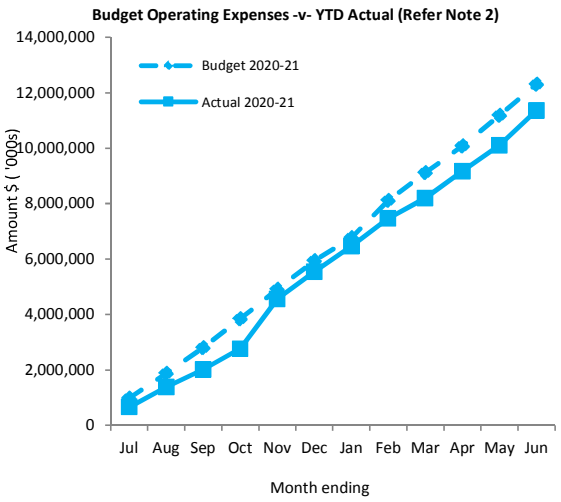
Prepared by: Sam Dolzadelli
Reviewed by: Peter Kocian
Date prepared: 09/07/2021

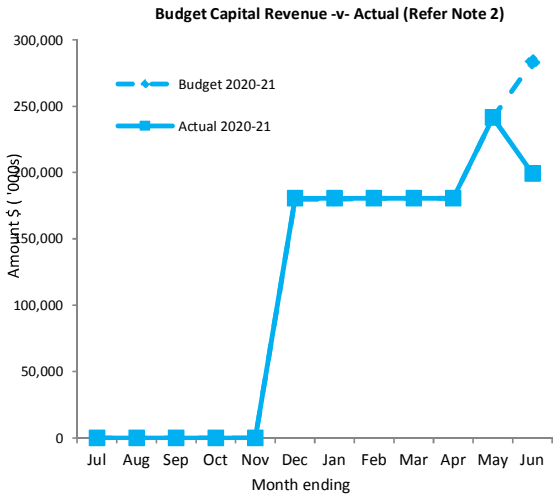
Town of East Fremantle
Information Summary
For the Period Ended 30 June 2021

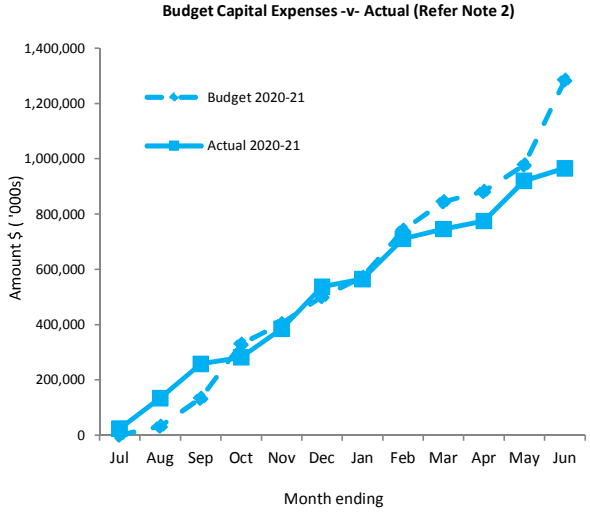












This information is to be read in conjunction with the accompanying Financial Statements and Notes.

TOWN OF EAST FREMANTLE
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 30 June 2021

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Current Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		$			$	$	$	%	
Opening Funding Surplus(Deficit)	3	**160,328**	**160,328**	**226,870**	**226,870**	**226,870**	0	0%	
Revenue from operating activities									
Governance		10,000	10,000	10,000	10,000	11,485	1,485	15%	
General Purpose Funding - Rates	9	7,997,275	7,997,275	8,010,558	8,010,558	7,988,354	(22,204)	(0%)	
General Purpose Funding - Other		328,653	328,653	289,783	289,783	383,580	93,797	32%	▲
Law, Order and Public Safety		33,200	33,200	25,923	25,923	30,692	4,769	18%	
Health		13,409	13,409	14,700	14,700	17,892	3,192	22%	
Education and Welfare		713,766	713,766	776,096	776,096	755,414	(20,682)	(3%)	
Housing		84,000	84,000	82,500	82,500	83,451	951	1%	
Community Amenities		205,000	205,000	238,600	238,600	251,420	12,820	5%	
Recreation and Culture		648,800	648,800	549,500	549,500	519,102	(30,398)	(6%)	
Transport		353,800	353,800	339,110	339,110	351,452	12,342	4%	
Economic Services		80,500	80,500	179,170	179,170	122,789	(56,381)	(31%)	▼
Other Property and Services		49,000	49,000	75,596	75,596	91,862	16,266	22%	▲
		10,517,403	**10,517,403**	**10,591,536**	**10,591,536**	**10,607,493**			
Expenditure from operating activities									
Governance		(1,198,448)	(1,198,448)	(1,211,340)	(1,211,340)	(1,224,179)	(12,839)	(1%)	
General Purpose Funding		(155,287)	(155,287)	(121,200)	(121,200)	(108,750)	12,450	10%	▲
Law, Order and Public Safety		(175,539)	(175,539)	(184,700)	(184,700)	(184,591)	109	0%	
Health		(215,419)	(215,419)	(243,240)	(243,240)	(219,551)	23,689	10%	
Education and Welfare		(1,116,999)	(1,116,999)	(1,196,549)	(1,196,549)	(1,018,471)	178,078	15%	▲
Housing		(45,320)	(45,320)	(45,820)	(45,820)	(40,824)	4,996	11%	
Community Amenities		(2,750,998)	(2,750,998)	(2,785,941)	(2,785,941)	(2,548,245)	237,696	9%	
Recreation and Culture		(2,334,470)	(2,334,470)	(3,168,506)	(3,168,506)	(2,893,814)	274,692	9%	
Transport		(2,703,195)	(2,703,195)	(2,966,782)	(2,966,782)	(2,761,971)	204,811	7%	
Economic Services		(115,287)	(115,287)	(154,300)	(154,300)	(130,824)	23,476	15%	▲
Other Property and Services		(158,100)	(158,100)	(231,075)	(231,075)	(229,864)	1,211	1%	
		(10,969,062)	**(10,969,062)**	**(12,309,454)**	**(12,309,454)**	**(11,361,083)**			
Operating activities excluded from budget									
Add back Depreciation		1,578,900	1,578,900	2,501,025	2,501,025	2,514,717	13,692	1%	
Adjust (Profit)/Loss on Asset Disposal	8	0	0	(1,430)	(1,430)	31,771	33,201	(2322%)	
Movement in Deferred Rates		0	0	0	0	6,315	6,315		
Movement in Loan Receivables (Clubs)		0	0	0	0	3,000			
		1,578,900	**1,578,900**	**2,499,595**	**2,499,595**	**2,555,803**	**53,208**	2%	
Amount attributable to operating activities		**1,127,241**	**1,127,241**	**781,677**	**781,677**	**1,802,212**			
Investing Activities									
Non-operating Grants, Subsidies and Contributions	11	180,000	180,000	264,505	264,505	180,505	(84,000)	(32%)	▼
Proceeds from Disposal of Assets	8	30,000	30,000	18,855	18,855	18,855	0	0%	
Purchase Property, Plant and Equipment		(292,500)	(387,500)	(440,559)	(440,559)	(338,811)	101,748	23%	▲
Purchase and Construction of Infrastructure		(734,181)	(639,181)	(844,130)	(844,130)	(626,927)	217,203	26%	▲
Amount attributable to investing activities		**(816,681)**	**(816,681)**	**(1,001,329)**	**(1,001,329)**	**(766,378)**			
Financing Actvities									
Transfer from Reserves	7	591,500	591,500	1,037,831	1,037,831	746,331	(291,500)	28%	
Payments for principal portion of lease liabilities		0	0	(36,635)	(36,635)	(40,416)	(3,781)	(10%)	
Repayment of Debentures	10	(95,160)	(95,160)	(95,160)	(95,160)	(98,520)	(3,360)	(4%)	
(Transfer to Reserves)	7	(967,228)	(967,228)	(942,228)	(942,228)	(1,057,717)	(115,489)	(12%)	▼
Amount attributable to financing activities		**(470,888)**	**(470,888)**	**(36,192)**	**(36,192)**	**(450,322)**	(414,129)	(1144%)	
Closing Funding Surplus(Deficit)	3	**0**	**(0)**	**(28,974)**	**(28,974)**	**812,383**	**841,357**		

TOWN OF EAST FREMANTLE
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 June 2021

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Current Budget	Amended YTD Budget	YTD Actual (b)	Var. $ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		$			$	$	$	%	
Opening Funding Surplus (Deficit)	3	**160,328**	**160,328**	**226,870**	**226,870**	**226,870**	0	0%	
Revenue from operating activities									
Rates	9	7,997,275	7,997,275	8,010,558	8,010,558	7,988,354	(22,204)	(0%)	
Operating grants, subsidies and contributions		1,175,019	1,175,019	1,026,239	1,026,239	1,167,731	141,492	14%	▲
Fees and Charges		1,187,609	1,187,609	1,375,713	1,375,713	1,311,229	(64,484)	(5%)	
Interest Earnings		120,000	120,000	80,800	80,800	49,060	(31,740)	(39%)	▼
Other Revenue		37,500	37,500	96,796	96,796	89,688	(7,108)	(7%)	
Profit on asset disposals	8	0	0	1,430	1,430	1,430	0	0%	
		10,517,403	**10,517,403**	**10,591,536**	**10,591,536**	**10,607,493**			
Expenditure from operating activities									
Employee Costs		(4,173,445)	(4,173,445)	(4,245,892)	(4,245,892)	(4,048,772)	197,120	5%	
Materials and Contracts		(4,279,617)	(4,279,617)	(4,352,792)	(4,352,792)	(3,567,490)	785,302	18%	▲
Utility Charges		(299,300)	(299,300)	(296,700)	(296,700)	(317,333)	(20,633)	(7%)	
Depreciation on Non-Current Assets		(1,578,900)	(1,578,900)	(2,501,025)	(2,501,025)	(2,514,717)	(13,692)	(1%)	
Interest Expenses		(14,960)	(14,960)	(22,960)	(22,960)	(16,692)	6,268	27%	
Insurance Expenses		(180,320)	(180,320)	(183,756)	(183,756)	(188,443)	(4,687)	(3%)	
Other Expenditure		(442,520)	(442,520)	(706,328)	(706,328)	(674,435)	31,893	5%	
Loss on asset disposals	8	0	0	0	0	(33,201)	(33,201)		
		(10,969,062)	**(10,969,062)**	**(12,309,453)**	**(12,309,453)**	**(11,361,083)**			
Operating activities excluded from budget									
Add back Depreciation		1,578,900	1,578,900	2,501,025	2,501,025	2,514,717	13,692	1%	
Adjust (Profit)/Loss on Asset Disposal	8	0	0	(1,430)	(1,430)	31,771	33,201	(2322%)	
Movement in Deferred Rates		0	0			6,315	6,315		
Movement in Loan Receivables (Clubs)		0	0	0	0	3,000	3,000		
		1,578,900	**1,578,900**	**2,499,595**	**2,499,595**	**2,555,803**	56,208	2%	
Amount attributable to operating activities		**1,127,241**	**1,127,241**	**781,678**	**781,678**	**1,802,212**			
Investing activities									
Non-operating Grants, Subsidies and Contributions	11	180,000	180,000	264,505	264,505	180,505	(84,000)	(32%)	▼
Proceeds from Disposal of Assets	8	30,000	30,000	18,855	18,855	18,855	0	0%	
Purchase of Property, Plant and Equipment		(292,500)	(387,500)	(440,559)	(440,559)	(338,811)	101,748	23%	▲
Purchase and Construction of Infrastructure		(734,181)	(639,181)	(844,130)	(844,130)	(626,927)	217,203	26%	▲
Amount attributable to investing activities		**(816,681)**	**(816,681)**	**(1,001,329)**	**(1,001,329)**	**(766,378)**			
Financing Activities									
Transfers from Reserves	7	591,500	591,500	1,037,831	1,037,831	746,331	(291,500)	(28%)	▼
Payments for principal portion of lease liabilities		0	0	(36,635)	(36,635)	(40,416)	(3,781)	(10%)	
Repayment of borrowings	10	(95,160)	(95,160)	(95,160)	(95,160)	(98,520)	(3,360)	(4%)	
Transfers to Reserves	7	(967,228)	(967,228)	(942,228)	(942,228)	(1,057,717)	(115,489)	(12%)	▼
Amount attributable to financing activities		**(470,888)**	**(470,888)**	**(36,192)**	**(36,192)**	**(450,322)**			
Closing Funding Surplus (Deficit)	3	**0**	**0**	**(28,973)**	**(28,973)**	**812,383**	**841,356**	(2904%)	

TOWN OF EAST FREMANTLE
STATEMENT OF FINANCIAL POSITION
For the Period Ended 30 June 2021

	2021 $
CURRENT ASSETS	
Cash and cash equivalents	3,716,339
Trade and other receivables	287,859
Other assets	11,502
TOTAL CURRENT ASSETS	4,015,700
NON-CURRENT ASSETS	
Trade and other receivables	64,586
Other financial assets	71,221
Investment in associate	1,094,618
Property, plant and equipment	32,394,870
Infrastructure	48,572,605
Right of use assets	279,133
TOTAL NON-CURRENT ASSETS	82,477,033
TOTAL ASSETS	86,492,734
CURRENT LIABILITIES	
Trade and other payables	1,225,633
Lease liabilities	- 3,781
Borrowings	79,277
Employee related provisions	675,048
TOTAL CURRENT LIABILITIES	1,976,177
NON-CURRENT LIABILITIES	
Lease liabilities	286,288
Borrowings	204,842
Employee related provisions	99,022
TOTAL NON-CURRENT LIABILITIES	590,152
TOTAL LIABILITIES	2,566,329
NET ASSETS	83,926,405
EQUITY	
Retained surplus	33,388,813
Reserves - cash backed	1,302,636
Revaluation surplus	49,234,956
TOTAL EQUITY	83,926,405

-

TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 June 2021

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
Operating Revenues	$	%			
General Purpose Funding	93,797	32%		Permanent	Favourable - FAGS received in advance
Economic Services	(56,381)	(31%)		Permanent	Unfavourable - Permits/DA's to be accounted for
Other Property and Services	16,266	22%		Permanent	Favourable - Insurance Claims Recovered
Operating Expense					
General Purpose Funding	12,450	10%		Permanent	Favourable
Education and Welfare	178,078	15%		Permanent	Favourable - CHSP Salary & Wages savings due to reduced activity as a result of COVID 19.
Economic Services	23,476	15%		Permanent	Favourable - Less spent on building surveyor contractor and timing difference for payments of BSL/BCITF
Capital Revenues					
Grants, Subsidies and Contributions	(84,000)	(32%)		Permanent	LRCIP funding moved to contract liabilities and unspent grant reserves. To be recognised as revenue in 21/22.
Capital Expenses					
Purchase Property, Plant and Equipment	101,748	23%		Permanent	Favourable - due to unspent capex program year to date
Purchase and Construction of Infrastructure	217,203	26%		Permanent	Favourable - due to unspent CAPEX program year to date
Financing					
Financing Activities	(414,129)	(1144%)		Permanent	Circa $317k moved to unspent grants reserve. Will be transferred to muni 21/22.
Nature and Type Classifications:					
Operating Grants, Subsidies and Contributions	141,492	14%		Permanent	Favourable - FAGS received in advance
Interest Earnings	(31,740)	(39%)		Permanent	Unfavourable - Low interest rate environment
Materials and Contracts	785,302	18%		Permanent	Favourable - Underspent year to date.

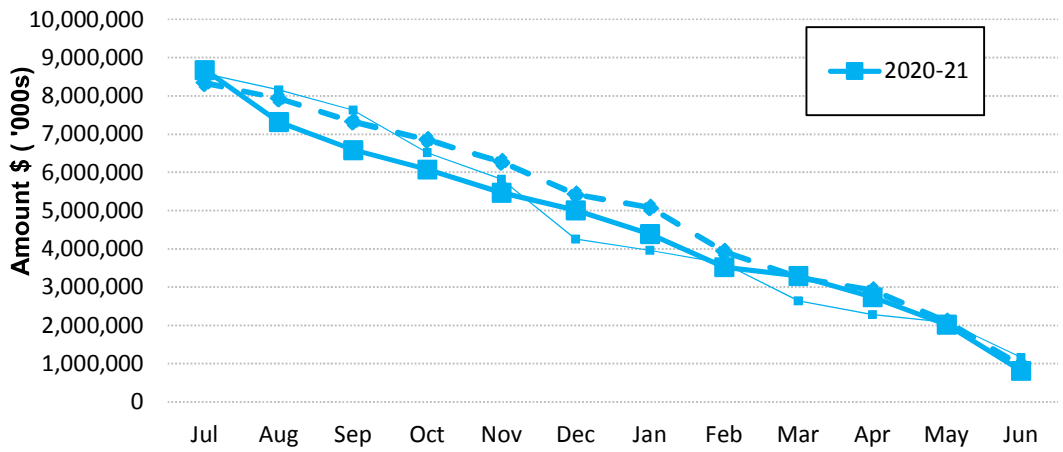
TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 June 2021

Note 2: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

	Note	Last Years Closing 30 June 2020	Current 30 Jun 2021
		$	$
Current Assets			
Cash Unrestricted	4	2,325,687	2,413,703
Cash Restricted - Reserves	4	991,251	1,302,636
Receivables - Rates	6	320,318	161,363
Receivables - Other	6	109,834	85,862
Interest/ATO Receivable/Trust		250,242	52,136
Inventories		0	0
		3,997,332	4,015,700
Less: Current Liabilities			
Payables		(2,080,405)	(1,225,633)
Provisions		(698,807)	(675,048)
		(2,779,212)	(1,900,681)
Less: Restricted Cash - Reserves	7	(991,251)	(1,302,636)
Less: Trust Interfund Transfer Account		0	0
Net Current Funding Position		**226,870**	**812,383**

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 June 2021

Note 3: Cash and Investments

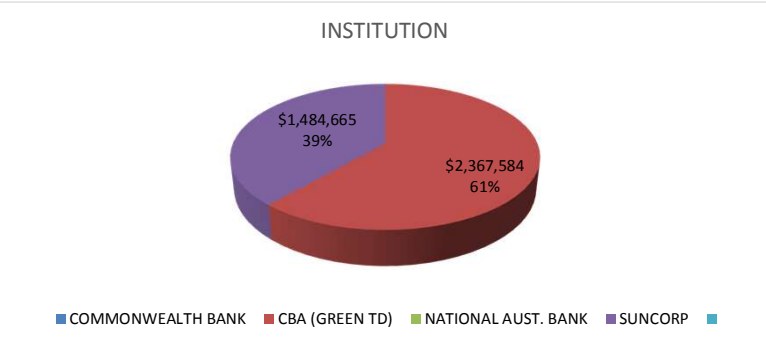
	Unrestricted	Restricted	Trust	Total Amount	Institution	Risk Rating (LT)	Interest Rate	Maturity Date	
	$	$	$	$					
(a) **Cash Deposits**									
Municipal Bank Account - On-Call	1,385,968			1,385,968	CBA	AA-	0.01%	At Call	
Municipal Bank Account	94,295			94,295	CBA	AA-		At Call	
Municipal Bonds & Deposits Account	432,319			432,319	CBA	AA-		At Call	
Reserve Bank Account		317,991		317,991	CBA	AA-		At Call	
Trust Bank Account			137,010	137,010	CBA	AA-		At Call	
Cash On Hand	1,100			1,100	Petty Cash/Till Float		Nil	On Hand	
(b) **Term Deposits**									
Municipal	500,021			500,021	NAB	AA-	0.05%	30-Jul-21	250
Municipal Bonds & Deposits	0			0					
Trust			0	0					
Reserves		984,645		984,645	NAB	AA-	0.09%	31-Jul-21	886
Total	**2,413,703**	**1,302,636**	**137,010**	**3,853,349**			**0.08%**		1,136
Less Cash on Hand	**(1,100)**			**(1,100)**					
	2,412,603	**1,302,636**	**137,010**	**3,852,249**					
Less: Trust Cash at Bank				**(137,010)**					
Add: Cash on Hand				**1,100**					
Cash and Cash Equivalents as per SOFP				**3,716,339**					

Comments/Notes - Investments and Cash Deposits

Please note: Suncorp is currently not accepting term deposits less than 90 days and CBA Green Term Deposits were not being accepted in the last week of June.

(LT) RISK RATING	PORTFOLIO	$	%
AAA	MAX 100%	$0	0.00%
AA	MAX 100%	$3,852,249	100.00%
AA (GREEN TERM DEPOSITS)	MAX 100%	$0	0.00%
A (DIVESTMENT)	MAX 80%	$0	0.00%
BBB+ (DIVESTMENT)	MAX 80%	$0	0.00%
		$3,852,249	**100.00%**

INSTITUTION		$	%	(LT) RISK
COMMONWEALTH BANK		$2,367,584	61.46%	AA-
CBA (GREEN TD)		$0	0.00%	AA-
NATIONAL AUST. BANK		$1,484,665	38.54%	AA-
SUNCORP		$0	0.00%	A+
		$3,852,249	**100.00%**	



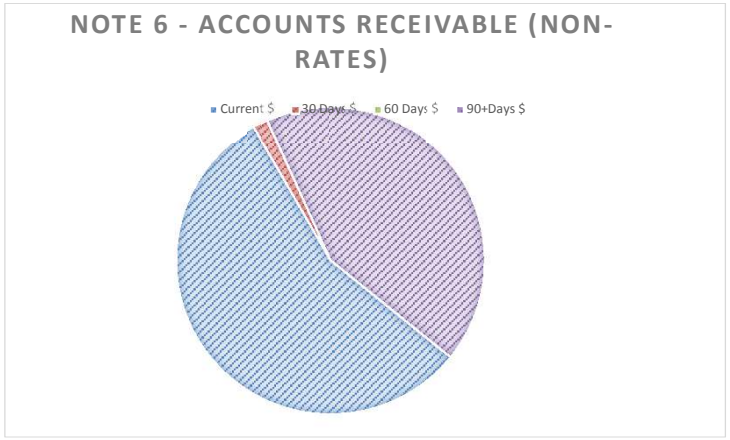
TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 June 2021

Note 4: Receivables

Receivables - Rates Receivable	30 June 2021	30 June 2020
	$	$
Opening Arrears Previous Years	**270,487**	220,065
Rates, ESL and Service Charges Levied this year	**9,921,457**	8,049,151
Less Collections to date	-9,818,854	-7,778,664
Equals Current Outstanding (as per TB)		**270,487**
Net Rates Collectable	**102,602**	**270,487**
% Outstanding	**1.01%**	

Receivables - General	Current	30 Days	60 Days	90+Days	Credit Balances	Total
	$	$	$	$		
Receivables - General	7,960	226	0	6,064	-100	**14,150**
Receivables - Parking						**65,059**
East Fremantle Lawn & Tennis Club						**21,000**
Total Receivables General Outstanding						**100,208**

Amounts shown above include GST (where applicable)



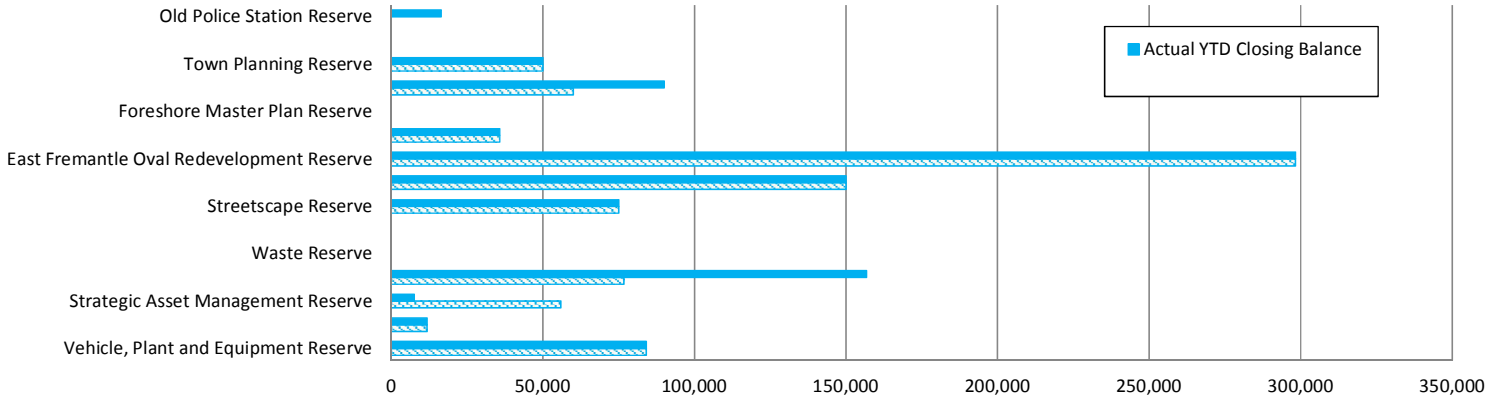
Control Account	GL	Balance
Sundry Debtors	104	14,150
SSL - Current EFTC	114	3,000
SSL - Non-Current EFTC	1684	18,000
Infringement Debtors	180	65,059
		100,208

TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 June 2021

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	0	0	10,000	10,000
Unspent Grants and Restricted Cash Reserve	0		0	316,844	0	0	0	316,844
Vehicle, Plant and Equipment Reserve	91,627		0	0	(7,500)	(7,500)	84,127	84,127
Aged Services Reserve	176,803		0	0	(165,000)	(165,000)	11,803	11,803
Strategic Asset Management Reserve	491,049	12,000	40,000	3,645	(487,152)	(487,152)	55,897	7,542
Arts and Sculpture Reserve	171,772		0	0	(95,000)	(15,000)	76,772	156,772
Waste Reserve	0		0	0	0	0	0	0
Committed Works Reserve	0		0	0	0	0	0	0
Streetscape Reserve	50,000		25,000	25,000	0	0	75,000	75,000
Drainage Reserve	0		150,000	150,000	0	0	150,000	150,000
East Fremantle Oval Redevelopment Reserve	0		298,228	298,228	0	0	298,228	298,228
Preston Point Facilities Reserve	0		100,000	100,000	(64,179)	(64,179)	35,821	35,821
Foreshore Master Plan Reserve	0		50,000	0	(50,000)	0	0	0
Sustainability and Environmental Reserve	0		80,000	90,000	(20,000)	0	60,000	90,000
Town Planning Reserve	0		100,000	50,000	(50,000)	0	50,000	50,000
Business Improvement Reserve	0		75,000	0	(75,000)	0	0	0
Old Police Station Reserve	0		24,000	24,000	(24,000)	(7,500)	0	16,500
	991,251	**12,000**	**942,228**	**1,057,717**	**(1,037,831)**	**(746,331)**	**907,648**	**1,302,636**

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 June 2021

Note 6: Disposal of Assets

				2020/21 Budget				2020/21 Actuals			
	Asset Number	Plant Number	Asset Description	Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
				$	$	$	$	$	$	$	$
			Plant and Equipment								
	PEMV242	P4069	Mitsubishi Rosa 1DXU938	30,000	30,000	0	0	17,425	18,855	1,430	0
	PE263	P4055	Water Trailer 1TMB281	0	0	0	0	0	0	0	0
**	LB264	N/A	Mooring Pen Jetties	0	0	0		33,201	0	0	(33,201)
				30,000	**30,000**	**0**	**0**	**50,626**	**18,855**	**1,430**	**(33,201)**

****This asset has been expensed to the P&L. Nil effect on the Town's closing funding surplus.**

TOWN OF EAST FREMANTLE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 30 June 2021

Note 7: Rating Information

		YTD Actual					Adopted Budget			
RATE TYPE	**Rate in**	**Number of Properties**	**Rateable Value**	**Rate Revenue**	**Interim Rates**	**Total Revenue**	**Rate Revenue**	**Interim Rate**	**Back Rate**	**Total Revenue**
Differential General Rate	$		$	$	$	$	$	$	$	$
Residential GRV	0.074225	2,954	85,530,640	6,348,512	14,854	6,363,366	6,345,613	30,000		6,375,613
Commercial GRV	0.110543	115	11,547,243	1,276,467	3,323	1,279,789	1,275,992			1,275,992
Sub-Totals		**3,069**	**97,077,883**	**7,624,979**	**18,177**	**7,643,155**	**7,621,605**	**30,000**	**0**	**7,651,605**
	Minimum									
Minimum Payment	**$**									
Residential GRV	1,106.00	331	4,263,529	366,086	2,825	368,911	368,298			368,298
Commercial GRV	1,654.00	12	140,695	19,848	(506)	19,342	19,848			19,848
Sub-Totals		**343**	**4,404,224**	**385,934**	**2,319**	**388,253**	**388,146**	**0**	**0**	**388,146**
		3,412	**101,482,107**	**8,010,913**	**20,496**	**8,031,408**	**8,009,751**		**0**	**8,039,751**
Amount from General Rates						**8,031,408**				**8,039,751**
Less Concessions				**(43,055)**		**(43,055)**	**(42,476)**			**(42,476)**
Totals				**7,967,858**		**7,988,353**	**7,967,275**			**7,997,275**

TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 June 2021

Note 8: Grants and Contributions

	Grant Provider	Purpose of Grant	Acquittal Date	Acquittal Requirement	Type	Amended Budget Operating	Amended Budget Capital	YTD Budget	YTD Actual Revenue
						$	$	$	$
General Purpose Funding									
Grants Commission - General	WALGGC	Untied - General Purpose	NA	NA	Operating	83,113		83,113	171,909
Grants Commission - Roads	WALGGC	Unitied - Road	NA	NA	Operating	33,900		33,900	76,523
Education and Welfare									
Home and Community Care Program	State/Commonwealth Dep. Health	Commonwealth Home Support Programme	31-Oct	Financial Declaration Acquittal	Operating - Tied	601,566		601,566	601,750
Community Amenities									
Recycling Grant	Dept. Regional Development	Better Bins Program			Operating - Tied	32,350		32,350	24,800
Bus Shelter - Maintenance Assistance Scheme	Public Transport Authority	Bus Shelter Maintenance	NA	NA	Operating	0		0	4,064
Local Government Heritage Consultancy	Dept. Planning, Lands and Heritage	Review of Town's Municipal Heritage Inventory	NA	NA	Operating - Tied	0		0	14,690
Recreation and Culture									
East Fremantle Oval Redevelopment	Town of East Fremantle - Trust	Business Case			Operating - Tied	238,100		238,100	238,966
Youth Event	Lisa O'Malley	Attendance of St John Ambulance at Youth Event	NA	NA	Operating	0		0	500
Transport									
Regional Road Group - Cap	Main Roads	Road Renewal	31-May	Certificate of Completion	Non-operating		180,505	180,505	180,505
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			Non-operating		84,000	84,000	0
Street Lighting Subsidy	Main Roads	Street Lighting Subsidy	September		Operating	4,800		4,800	5,177
Integrated Traffic Study	Town of East Fremantle - Trust	Traffic and Parking Management Plan - Whole of District			Operating - Tied	6,410		6,410	2,000
Reinstatement of trees	DBCA	Reinstatement of vandalised trees - Riverside rd	NA	NA	Operating - Tied	0		0	850
Stirling Bridge Verge Maintenance Agreement	Main Roads	Stirling Highway Verge Maint. Agreement	September	GST Inc. Invoice	Operating	8,000		8,000	8,334
TOTALS						**1,026,239**	**264,505**	**1,290,744**	**1,348,236**
SUMMARY									
Operating	Operating Grants, Subsidies and Contributions					147,813	0		284,676
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions					878,426	0		883,055
Non-operating	Non-operating Grants, Subsidies and Contributions					0	264,505		180,505
TOTALS						**1,026,239**	**264,505**	**0**	**1,348,236**

CAPITAL WORKS REPORT 30 JUNE 2021

COA	Description	Original 2020/21	2020/21 Revised Budget	2020/21 Actual	Progress %
	Buildings				
E14601	Buildings - Renewals and Electrical Services	$50,000	$10,000	$0.00	0.00%
E10629	Public Toilet - Capital	$0	$3,300	$3,237.77	98.11%
E11600	East Fremantle Football Club Building Renewal	$0	$33,000	$28,403.64	86.07%
	Buildings Total	$50,000	$46,300	$31,641	68.34%
	Plant & Equipment				
E08607	Plant and Equip - Replace Mitsubishi Bus HACC	$175,000	$175,000	$177,381.27	101.36%
E12702	Plant and Equip - Water Tank Trailer (Tandem 8x5 with brakes)	$7,500	$8,817	$8,817.30	100.00%
E11685	P&E - Acquisition of Public Art (Outdoor Sculpture) - CapEx - Other Culture	$95,000	$ 95,000	$27,091.23	28.52%
E12815	Plant & Equipment - Mobile Plant - Capex - New - Maintenance Streets, Roads & Bridges	$0	$ 27,000	$7,959.00	29.48%
	Plant & Equipment Total	$277,500	$305,817	$221,249	72.35%
	Furniture & Equipment				
E04606	Furniture and Equipment	$60,000	$67,442	$64,394.76	95.48%
E08612	HACC Furniture & Equipment	$0	$10,000	$10,532.16	105.32%
E14613	Furniture & Equipment - Furniture - Capex - New - Unclassified Property	$0	$ 11,000	$10,994.00	99.95%
	Furniture & Equipment Total	$60,000	$88,442	$85,921	97.15%
COA	Description	Original 2020/21 Budget	2020/21 Revised Budget	2020/21 Actual	Progress %
	Infrastructure Assets				
E10628	Sumpton Green Play Equipment	$30,000	$0	$0.00	N/A
E11630	Capex - Electrical - Lighting/Bore - Wauhop Park	$0	$40,000	$37,807.72	94.52%
E11633	Inf - Cliff Management - Niergarup Track	$0	$ 30,000	$29,985.13	99.95%
E11613	Inf - Dog Park Fencing and Equipment	$0	$ 1,940	$1,940.00	100.00%
E11622	Capex - Lee Park - Bore Renewal	$0	$ 53,000	$0.00	0.00%
E11678	EF Junior Football Club - Install Floodlighting	$0	$ 29,200	$29,179.00	99.93%
E11713	INF - Parks/ Reserve Sign Replacement	$0	$ 3,500	$3,486.51	99.61%
E12761	Inf - Drainage	$104,181	$ 104,181	$9,882.76	9.49%
E12688	Footpath-Fortescue St	$60,000	$ 75,000	$0.00	0.00%
E12784	Inf - Roads - Road Resurfacing - Riverside Road	$100,000	$ 220,039	$265,923.70	120.85%
E12656	Footpath - Stratford Street	$30,000	$ 74,100	$74,216.73	100.16%
E12629	Road Resurfacing - Penthurst Street	$60,000	$ -	$0.00	N/A
E11695	Inf Chapman / Preston Point Reserve - Returfing and Irrigation	$130,000	$ 150,000	$126,449.03	84.30%
E11637	Miscellaneous Sports and Recreation Infrastructure - Youth Facilities Upgrades	$50,000	$ -	$0.00	N/A
E12801	Capex - Footpath Repair - Hazards & Defects	$0	$ 40,000	$24,885.96	62.21%
E12831	Capex - Retaining Walls	$0	$ 23,170	$23,170.00	100.00%
	Infrastructure Assets Total	$ 564,181	$ 844,130	$ 626,927	74.27%
	Total All Capital Works	$951,681	$1,284,689	$965,738	75.17%

MONTHLY FINANCIAL HEALTH CHECK

TOWN of EAST FREMANTLE

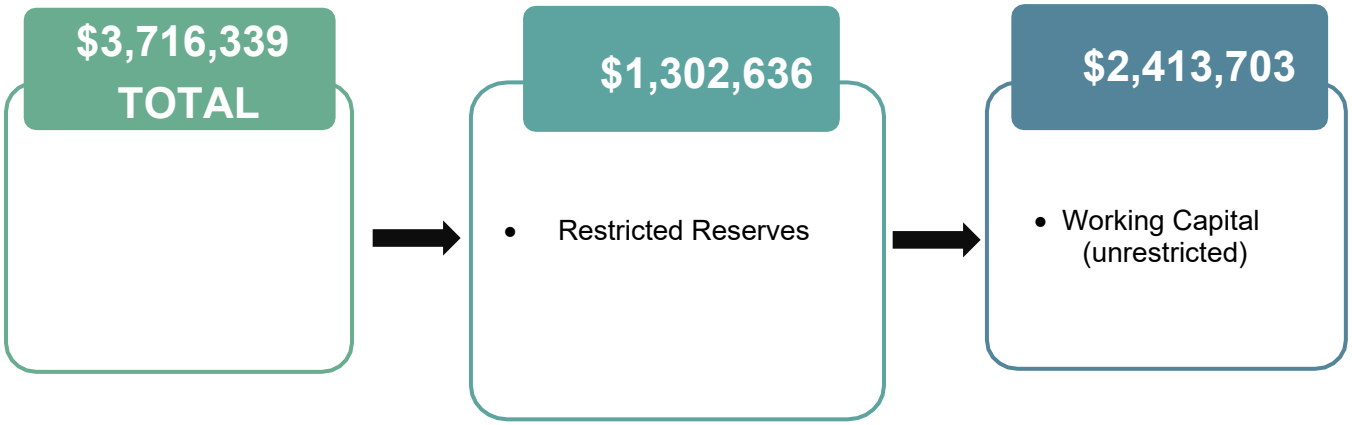
As at 30 June 2021

Highlighting how the Town of East Fremantle is tracking against financial ratios

Financial Snapshot (Year to Date)	Actual
Operating Revenue	$10,607,493
Operating Expenditure (Including Non-Cash Items)	-$11,361,083
Non-Cash Items	$2,555,803
Capital Revenue	$199,360
Capital Expenditure	-$965,738
Loan Repayments	-$98,520
Lease Liability Principal Repayments	-$40,416
Transfers to/from Reserves	-$311,386
Surplus Brought Forward 1 July 2020	$226,870
Current Municipal Surplus	**$812,383**

Financial health indicators

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.

Minimum Target is 1%

Town's YTD Performance is -7.98%

Do we measure up? ☑ **No**

- 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.

Minimum Target is 90%

Town's YTD Performance is 39.15%

Do we measure up? ☑ **No**

- 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.

13.2.2 Accounts for Payment – June 2021

File ref	F/FNS2
Prepared by	John Mondini, Manager, Finance & Administration
Supervised by	Peter Kocian, Executive Manager, Corporate Services
Meeting Date	20 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Monthly List of Payments – June 2021

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 June 2021 as 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 June to 30 June 2021, 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 / 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	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 2020 – 2030 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 period include the following significant items:

Payee	Particulars	Amount (GST Inc)
SMRC	Waste Gate Fees May 2021	56,272.29
Dept Fire and Emergency Services	Emergency Levy – 4th Quarter Contribution	136,109.22
Suez Recycling & Recovery	Waste Services April 2021	36,440.11
SMRC	Loan Repayment April-June 2021	27,498.00
Suez Recycling & Recovery	Waste Services May 2021	34,262.75

13.2.2 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 June 2021 as recorded in the Minutes of the Council.

JUNE 2021		
Voucher No	**Account**	**Amount**
5330 - 5334	**Municipal (Cheques)**	**$6,855.33**
EFT31425 – EFT31599	**Municipal (EFT)**	**$555,809.20**
Payroll	**Municipal (EFT)**	**$415,020.92**
Direct Debits	**Municipal (Direct Debit)**	**$75,826.29**
	Total Payments	**$ 1,053,511.74**

TOWN OF EAST FREMANTLE

List of Accounts paid by the Chief Executive for June 2021 & submitted for the information of the Council Meeting to be held on Tuesday, 20 July 2021

Cheque	Payment Date	Supplier	Description	Inv Amount	Cheque
CHEQUE					
5330	11/06/2021	WATER CORPORATION	WATER USE AND SERVICE CHARGES VARIOUS LOCATIONS	1,074.00	1,074.00
5331	11/06/2021	ME ME JOAN'S	REFUND ANNUAL INSPECTION FEE 2019 - 2020 DUE TO COVID 19	25.00	25.00
5332	11/06/2021	DOME CAFE	REFUND ANNUAL INSPECTION FEE 2019 - 2020 DUE TO COVID 19	25.00	25.00
5333	11/06/2021	BRAEMAR HOSTEL	REFUND ANNUAL INSPECTION FEE 2019 - 2020 DUE TO COVID 19	25.00	25.00
5334	24/06/2021	WATER CORPORATION	WATER USE AND SERVICE CHARGES VARIOUS LOCATIONS	5,706.33	5,706.33
			CHEQUE TOTAL	**$ 6,855.33**	**$ 6,855.33**
EFTs		**Supplier**	**Description**	**Inv Amount**	**EFT**
EFT31425	02/06/2021	K BASSETT	TOWN OF EAST FREMANTLE MUNI BOND REFUND 02/06/2021	2,000.00	2,000.00
EFT31426	02/06/2021	L RICHARDSON	TOWN OF EAST FREMANTLE MUNI BOND REFUND 02/06/2021	1,920.00	1,920.00
EFT31427	02/06/2021	C MAHER	TOWN OF EAST FREMANTLE MUNI BOND REFUND 02/06/2021	1,920.00	1,920.00
EFT31428	02/06/2021	ANDANTINO PTY LTD T/AS OUTDOOR WORLD WANGARA	TOWN OF EAST FREMANTLE MUNI BOND REFUND 02/06/2021	3,000.00	3,000.00
EFT 31429-31447		CANCELLED DUE TO PROCESSING ERROR			
EFT31448	03/06/2021	S CLARK	TOWN OF EAST FREMANTLE TRUST BOND REFUND 03/06/2021	1,500.00	1,500.00
EFT31449	03/06/2021	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS JUNE 21	216.72	216.72
EFT31450	03/06/2021	BUNNINGS BLDG SUPPLIES LTD	VARIOUS HARDWARE	671.92	671.92
EFT31451	03/06/2021	MAYOR JIM O'NEILL	SITTING FEES, ICT ALLOWANCE & MAYORAL ALLOWANCE - JUNE 21	4,708.34	4,708.34
EFT31452	03/06/2021	CR. JENNY HARRINGTON	SITTING FEES, ICT ALLOWANCE & DEPUTY MAYORAL ALLOWANCE - JUNE 21	2,167.00	2,167.00
EFT31453	03/06/2021	CR. CLIFF COLLINSON	SITTING FEES & ICT ALLOWANCE - JUNE 21	1,583.66	1,583.66
EFT31454	03/06/2021	CR. DEAN NARDI	SITTING FEES & ICT ALLOWANCE - JUNE 21	1,583.66	1,583.66
EFT31455	03/06/2021	SUNNY SIGN COMPANY PTY LTD	2X ADDITIONAL BEACH CLOSED SIGNS	83.60	83.60
EFT31456	03/06/2021	MP ROGERS & ASSOCIATES P/L	PROFESSIONAL FEES - CONDITION ASSESSMENT REPORT RIVER WALLS	2,471.70	2,471.70
EFT31457	03/06/2021	CR. MICHAEL MCPHAIL	SITTING FEES & ICT ALLOWANCE - JUNE 21	1,583.66	1,583.66
EFT31458	03/06/2021	CR. TONY WATKINS	SITTING FEES & ICT ALLOWANCE - JUNE 21	1,583.66	1,583.66
EFT31459	03/06/2021	CR. ANDREW MCPHAIL	SITTING FEES & ICT ALLOWANCE - JUNE 21	1,583.66	1,583.66
EFT31460	03/06/2021	TREE'S A CROWD TREE CARE	REMOVE DEAD TREES AND PRUNE AT VARIOUS SITES	5,390.00	
			TREE PRUNING AT VARIOUS SITES	5,280.00	10,670.00
EFT31461	03/06/2021	CR. TONY NATALE	SITTING FEES & ICT ALLOWANCE - JUNE 21	1,583.66	1,583.66
EFT31462	03/06/2021	LINXIO (READY TRACK PTY LTD)	GPS VEHICLE TRACKING - MAY 2021	169.40	169.40
EFT31463	03/06/2021	EASY ACCESS LIFTS	LIFT MAINTENANCE MARCH 2021	717.20	717.20
EFT31464	03/06/2021	JAYBRO GROUP PTY LTD	FOOTPATH SAFE PLATES, BOLLARDS & FENCING - MAINTENANCE	680.90	680.90
EFT31465	03/06/2021	CR KERRY DONOVAN	SITTING FEES & ICT ALLOWANCE - JUNE 21	1,583.66	1,583.66
EFT31466	03/06/2021	PHASE 3 LANDSCAPE CONSTRUCTION PTY LTD	RIVERSIDE ROAD - LANDSCAPING PROJECT - RFQ06-2019/20	4,389.07	4,389.07
EFT31467	10/06/2021	M JEFFERY	RATES REFUND	101.76	101.76
EFT31468	10/06/2021	AUSTRALIA POST	POSTAGE COST MAY 2021	597.74	597.74
EFT31469	10/06/2021	BUNNINGS BLDG SUPPLIES LTD	CREDIT NOTE FROM BUNNINGS	-57.63	
			VARIOUS HARDWARE	195.85	
			HARDWARE - VARIOUS	156.82	
			HARDWARE - VARIOUS	13.39	308.43
EFT31470	10/06/2021	CITY OF COCKBURN	TIP FEES - MAY 2021	1,430.00	1,430.00
EFT31471	10/06/2021	FREMANTLE HERALD	PUBLIC COMMENT ADVERTISING - VERGE POLICY AND GUIDELINES 20/05/2021	227.82	227.82
EFT31472	10/06/2021	IT VISION	SYNERGY SOFT UPGRADE APRIL 2021	1,113.75	
			MAPPING REFRESH	550.00	
			ALTUS PAYROLL TEST DATABASE MAY 21	220.00	1,883.75
EFT31473	10/06/2021	MCLEODS	PROFESSIONAL FEES - REVIEW OF PROPOSED LEASE	3,238.32	3,238.32
EFT31474	10/06/2021	OPTUS ADMINISTRATION PTY LTD	MOBILE PHONE COSTS - 22/03/21 - 21/04/21	275.45	
			MOBILE PHONE COSTS - 22/04/21 - 21/05/21	280.07	555.52
EFT31475	10/06/2021	WORK CLOBBER	2x RAIN JACKETS BK6975 FOR RANGERS	183.60	
			2x NAVY JUMPERS FOR RANGERS	110.70	294.30
EFT31476	10/06/2021	SYNERGY	POWER SUPPLY STREET LIGHTS - 25/01/2021 - 24/05/2021	10,038.60	10,038.60
EFT31477	10/06/2021	YOUNGS PLUMBING SERVICE P/L	TRICOLORE - REPAIR LEAKING URINAL	319.22	
			REPAIR HOT WATER PUMP TO ZIP UNIT - UPSTAIRS KITCHEN TOWN HALL	280.80	600.02
EFT31478	10/06/2021	FLEXI STAFF PTY LTD	LABOUR HIRE OPERATIONS W/E 21/05/21	1,580.87	
			LABOUR HIRE OPERATIONS W/E 28/05/21	1,880.67	3,461.54
EFT31479	10/06/2021	SOUTHERN METROPOLITAN REGIONAL COUNCIL	RRRC OVERHEADS & FIXED COSTS CONTRIBUTION 2020/21	19,372.10	
			GATE FEES - WASTE DISPOSAL (GENERAL WASTE) MAY 2021	11,446.35	
			GATE FEES - WASTE DISPOSAL (RECYCLING) MAY 2021	5,480.60	
			GREEN WASTE GATE FEES FOR MAY 2021	2,778.56	
			GATE FEES - DISPOSAL (FOGO) FOR MAY 2021	17,194.68	56,272.29
EFT31480	10/06/2021	CARDNO (WA) PTY LTD	PROFESSIONAL FEES FOR PERIOOD ENDING 25/09/20 - INTEGRATED TRAFFIC MOVEMENT	605.00	
			PROFESSIONAL FEES FOR PERIOD ENDING 25/09/20 - INTEGRATED TRAFFIC MOVEMENT - WORK UNDERTAKEN UNDER VARIATION FOR ADDITIONAL PARKING SURVEYS IN PLYMPTON WARD	4,246.00	4,851.00
EFT31481	10/06/2021	DEPT OF MINES, INDUSTRY REGULATION & SAFETY	BUILDING SERVICES LEVY MAY 2021	1,581.15	1,581.15
EFT31482	10/06/2021	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	STAFF REGISTRATION FOR LG PRO EXECUTIVE LEADERSHIP PROGRAM	2,320.00	2,320.00
EFT31483	10/06/2021	WATERLOGIC AUSTRALIA PTY LTD	DEPOT - DRINKING WATER RENTAL & SERVICES 01/06/2021 - 31/08/2021	179.52	179.52
EFT31484	10/06/2021	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	EMERGENCY SERVICES LEVY - 4TH QTR CONTRIBUTION	136,109.22	136,109.22
EFT31485	10/06/2021	SATELLITE SECURITY SERVICES	ALARM CODE UPDATE - ADD AND REMOVE STAFF AS REQUIRED	50.00	50.00
EFT31486	10/06/2021	PETRACLEAN	CLEANING SERVICES AND CONSUMABLES - MAY 21 - SUMPTON GREEN, DEPOT, TOWN HALL , TRICOLORE & GLASSON PARK TOILETS	8,143.11	8,143.11
EFT31487	10/06/2021	WOOLWORTHS SUPERMARKETS	RESPITE CENTRE GROCERIES 31/05/21	148.27	
			TOWN HALL SUPPLIES 08/06/21	86.04	234.31
EFT31488	10/06/2021	DAVID GRAY & CO. PTY LTD	30 X COMPLETE SETS - 240L GENERAL WASTE BINS	1,143.78	1,143.78
EFT31489	10/06/2021	RAC BUSINESSWISE	RAC ROADSIDE ASSISTANCE - NEW BATTERY	258.00	258.00

EFT31490	10/06/2021	KONICA MINOLTA BUSINESS SOLUTIONS	KONICA MINOLTA BIZHUB 368 COPY CHARGES 01/04/21 - 31/05/21	18.36	18.36
EFT31491	10/06/2021	CARINYA OF BICTON	MEALS FOR RESPITE CENTRE MAY 2021	698.88	698.88
EFT31492	10/06/2021	FOODWORKS EAST FREMANTLE	ADMIN, WORKS, MEETINGS CONSUMABLES JUNE	578.54	578.54
EFT31493	10/06/2021	DEPARTMENT OF TRANSPORT	VEHICLE SEARCH FEES - 2020/2021 - APRIL 2021	374.00	374.00
EFT31494	10/06/2021	FOCUS NETWORKS	MANAGED PROACTIVE SERVICE - ADDITIONAL TIME CHARGED OUT OF SCOPE OF AGREEMENT	928.95	
			MONTHLY CHARGES FOR MANAGED PROACTIVE SERVICES - JUNE 21	4,160.20	
			MONTHLY CHARGES FOR MICROSOFT OFFICE 365, VISIO, EMAIL PROTECTION, ANTI VIRUS, MANAGED RECOVERY SERVICE AND DUO MULTI-FACTOR AUTHENTICATION LICENCE JUNE 2021	5,003.09	10,092.24
EFT31495	10/06/2021	PLANNING INSTITUTE OF AUSTRALIA LIMITED	2 X STAFF REGISTRATION FOR PLANNING FOR PRECINCTS - TRAINING COURSE	225.00	225.00
EFT31496	10/06/2021	ENVIRO SWEEP	STREET SWEEPING - MAY 2021	4,158.00	4,158.00
EFT31497	10/06/2021	LOCAL GOVERNMENT PLANNERS ASSOCIATION	5 X STAFF ATTENDANCE BREAKFAST MEETING - PLANNING REFORM FOR BETTER PLACES	425.00	
			2 ASSOCIATE MEMBERSHIPS WITH LOCAL GOVERNMENT PLANNERS ASSOCIATION	200.00	
			1 X STAFF ATTENDANCE LGPA BREAKFAST FORUM 3/12/20	85.00	
			4 X STAFF ATTENDANCE BREAKFAST SEMINAR - LGPA 29 APRIL 2021	340.00	1,050.00
EFT31498	10/06/2021	CASCADA	DRAINAGE GRATE & DELIVERY	563.20	563.20
EFT31499	10/06/2021	LANDGATE	SCHEDULES OF GROSS RENTAL VALUATIONS - 17/04/2021 - 14/05/2021	101.67	101.67
EFT31500	10/06/2021	PROMPT GLASS	BUS SHELTER - REPLACE BROKEN GLASS PANELS - 4A PRESTON POINT ROAD & ALDGATE INTERSECTION	1,367.00	1,367.00
EFT31501	10/06/2021	VOCUS COMMUNICATIONS	INTERNET - TOWN HALL - 01/07/2021 - 31/07/2021	1,171.50	
			INTERNET TRICOLORE - JUNE 2021, INTERNET TRICOLORE - JULY 2021	100.00	
			SESSION INITIATION PROTOCOL (SIP) LINES / SERVICES CHARGES FOR VOICE OVER INTERNET PROTOCOL (VOIP) STANDING ORDER - MAY 2021	489.36	1,760.86
EFT31502	10/06/2021	SONIC HEALTH PLUS	OCCUPATIONAL HEALTH ASSESSMENT	2,574.00	
			PRE-EMPLOYMENT MEDICAL	148.50	2,722.50
EFT31503	10/06/2021	MOORE (MOORE STEPHENS)	2020-2021 WEST AUSTRALIAN LOCAL GOVERNMENT RATES COMPARISON REPORT	385.00	385.00
EFT31504	10/06/2021	APARC AUSTRALIAN PARKING & REVENUE CONTROL PTY LTD	MONTHLY CHARGES - HOST CMS INCLUDING LICENCE AND COMMUNICATION COSTS, COMPREHENSIVE MAINTENACE, PARTS - MAY 21	165.00	
			SUPPLY NEW PARKING FEE TARIFF LABEL & UPLOAD NEW TARIFF SOFTWARE X2 LEEUWIN CAR PARK NUMBER 1 ON 1 JULY 2021	264.00	
			PAYABLE CREDIT CARD TRANSACTIONS VIA TIL PAYMENTS FOR THE MONTH OF MAY 2021	238.13	667.13
EFT31505	10/06/2021	KEYS THE MOVING SOLUTION	FURNITURE STORAGE - HISTORIC AND CHAMBER FURNITURE - 30/05/2021 - 26/06/2021	260.00	260.00
EFT31506	10/06/2021	STATE WIDE TURF SERVICES	SUPPLY AND LAY 300 SQUARE METRES OF JUMBO ROLL KIKUYU	12,210.00	
			OVER SOW WAUHOP LOWER WITH RYE GRASS	3,575.00	
			SUPPLY AND APPLY FERTILISER TO HENRY JEFFERY OVAL	2,090.00	17,875.00
EFT31507	10/06/2021	PRACTICAL PRODUCTS	ICE MACHINE FOR DEPOT	12,093.40	12,093.40
EFT31508	10/06/2021	SUEZ RECYCLING & RECOVERY PTY LTD	WASTE SERVICES APRIL 2021 - FOGO - GREEN BINS - RESIDENTIAL & PRIORITY SERVICES, GENERAL - WASTE RED BINS - RESIDENTIAL & PRIORITY SERVICES, PARKS & RESERVES , STREET LITTER BINS, RECYCLING YELLOW BINS - RESIDENTIAL & PRIORITY SERVICES, GENERAL WASTE - RED BINS - COMMERCIAL WEEKLY, RECYCLING - YELLOW BIN - COMMERCIAL - FORTNIGHTLY, WASTE COLLECTION COSTS - ALEXANDRA & EAST STREET (BULK) 48-50 ALEXANDRA ROAD- RECYCLE, WASTE	35,496.31	
			MONTHLY WASTE COLLECTION - 46 EAST STREET - MAY 2021	786.50	
			LEEUWIN BOAT RAMP - BULK BIN COLLECTION MAY 2021	157.30	36,440.11
EFT31509	10/06/2021	WINC	RANGERS PRINTER CARTRIDGE & GENERAL STATIONARY	264.95	264.95
EFT31510	10/06/2021	H DICKSON	VOLUNTEER MEAL REIMBURSEMENT 19/05/2021	7.50	
			VOLUNTEER MEAL REIMBURSEMENT 02/06/2021	6.80	14.30
EFT31511	10/06/2021	JAYBRO GROUP PTY LTD	FOOTPATH SAFE PLATES, BOLLARDS & FENCING - MAINTENANCE	534.60	534.60
EFT31512	10/06/2021	GRACE RECORDS MANAGEMENT (AUSTRALIA)	STANDING ORDER FOR TRANSPORT AND STORAGE OF RECORDS MAY 2021,	362.12	
			STANDING ORDER FOR TRANSPORT AND STORAGE OF RECORDS JUNE 2021	259.71	621.83
EFT31513	10/06/2021	LOCAL COMMUNITY INSURANCE SERVICES	INSURANCE RENEWAL FOR COMMUNITY LED INITIATIVES 30/06/21 - 30/06/22	1,355.20	1,355.20
EFT31514	10/06/2021	AUSPIRE PROGRAMS & EVENTS - AUSTRALIA DAY COUNCIL OF WA	GOLD ASSOCIATE SUBSCRIPTION 2021 - 2022	650.00	650.00
EFT31515	10/06/2021	TIM MUIRHEAD AND ASSOCIATES PTY LTD	DEVELOPMENT OF THE RAP FOR APPROVAL BY RECONCILIATION AUSTRALIA	14,052.50	14,052.50
EFT31516	10/06/2021	KYOCERA DOCUMENT SOLUTIONS	TOWN HALL PRINTING COST MAY 2021	53.99	53.99
EFT31517	10/06/2021	C'EST BIEN THAI	CATERING - 08/06/21	263.40	263.40
EFT31518	10/06/2021	NATURAL AREA CONSULTING MANAGEMENT SERVICES	SUPPLY AND INSTALL SEMI PERMANENT FENCING ALONG JOHN TONKIN FORESHORE	12,661.65	12,661.65
EFT31519	10/06/2021	M2M ONE PTY LTD	TOWN HALL LIFT EMERGENCY SIM CARD - JUNE 2021	13.20	13.20
EFT31520	10/06/2021	TPG NETWORK PTY LTD	FAST FIBRE AND IP LINE LINK, TOWN HALL, DEPOT, TRICOLORE MONTHLY CHARGE 01/05/2021 - 31/05/2021	1,920.60	1,920.60
EFT31521	10/06/2021	STA PRINT PTY LTD	3 X A1 CORFLUTE SIGNS FOR ADVERTISING OF HMAS PERTH (1) MEMORIAL	165.00	165.00
EFT31522	10/06/2021	KM ELLIOTT CONSULTING	PROFESSIONAL FEES - CONSULTANCY SERVICES - ASSISTANCE WITH LOCAL PLANNING STRATEGY- FINAL PAYMENT	3,500.00	3,500.00
EFT31523	10/06/2021	CENTRAL REGIONAL TAFE	1 X STAFF ENROLMENT REGISTRATION DOG AND CAT MANAGEMENT CONTROL	733.25	733.25
EFT31524	10/06/2021	ROYAL FLYING DOCTOR SERVICE OF AUSTRALIA (WESTERN OPERATIONS)	STAFF DONATION	500.00	500.00
EFT31525	10/06/2021	FIONA WOOD FOUNDATION	STAFF DONATION	500.00	500.00
EFT31526	10/06/2021	DEVELOPMENTAL DISABILITY WA	STAFF DONATION	500.00	500.00
EFT31527	10/06/2021	MACKILLOP FAMILY SERVICES LIMITED	STAFF DONATION	500.00	500.00
EFT31528	10/06/2021	XIA (VICKY) WANG	VOLUNTEER MEAL REIMBURSEMENT 24/05/2021	9.50	9.50
EFT31529	10/06/2021	AMPOL AUSTRALIA PETROLEUM PTY LTD (CALTEX)	FUEL USE 01/05/2021 - 30/05/2021	3,922.02	3,922.02
EFT31530	23/06/2021	FORTEC AUSTRALIA PTY LTD	TOWN OF EAST FREMANTLE MUNI BOND REFUND	1,920.00	1,920.00
EFT31531	23/06/2021	TOOLTIME CONSTRUCTION PTY LTD	TOWN OF EAST FREMANTLE MUNI BOND REFUND	1,500.00	1,500.00
EFT31532	23/06/2021	M & A HEALY	TOWN OF EAST FREMANTLE MUNI BOND REFUND	2,000.00	2,000.00

EFT31533	23/06/2021	J ANDERSON	TOWN OF EAST FREMANTLE MUNI BOND REFUND	2,000.00	2,000.00
EFT31534	23/06/2021	B BESSEN	TOWN OF EAST FREMANTLE MUNI BOND REFUND	500.00	
		B BESSEN	TOWN OF EAST FREMANTLE MUNI BOND REFUND	1,500.00	2,000.00
EFT31535	24/06/2021	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS JUNE 21	216.72	216.72
EFT31536	24/06/2021	CONSTRUCTION TRAINING FUND	BCITF LEVY MAY 2021	958.68	958.68
EFT31537	24/06/2021	BUNNINGS BLDG SUPPLIES LTD	SENSOR LIGHT AND VARIOUS HARDWARE	167.04	
			HARDWARE VARIOUS - INGROUND LIGHT REPAIRS & LOCK REAPIR	203.86	370.90
EFT31538	24/06/2021	BOC LIMITED	CONTAINER SERVICE - MAY 2021	35.92	35.92
EFT31539	24/06/2021	FREMANTLE HERALD	ADVERTISING ADOPTION OF FEES AND CHARGES FOR 2021/22	189.83	
			ADVERTISING MEETING SCHEDULE FOR 2021/22	379.86	569.69
EFT31540	24/06/2021	IMPRINT PLASTIC	NAME BADGES FOR NEW STAFF AND UPDATED BADGES FOR STAFF	149.05	149.05
EFT31541	24/06/2021	TELSTRA CORPORATION LIMITED	HACC MOBILE PHONE TO 03/06/2021, DEPOT MOBILE DATA BACKUP 04/06/21 - 03/07/21	21.26	
			MOBILE REPAYMENT AND 11 X $15 PER MONTH WITH 5GB OF SHARED DATA INCLUDED 04/06/21 - 03/07/21, MOBILE REPAYMENT AND 11 X $15 PER MONTH WITH 5GB OF SHARED DATA INCLUDED 04/06/21 - 03/07/21	804.98	826.24
EFT31542	24/06/2021	WORK CLOBBER	DEPOT UNIFORM VARIOUS	1,630.84	1,630.84
EFT31543	24/06/2021	SYNERGY	POWER SUPPLY TOWN HALL - 18/05/2021 - 15/06/2021	828.08	828.08
EFT31544	24/06/2021	WIDDESON'S HIRE SERVICE	HIRE 50 x SIDE PLATES - CITIZENSHIP CEREMONY	25.00	25.00
EFT31545	24/06/2021	YOUNGS PLUMBING SERVICE P/L	HENRY JEFFERY OVAL - REPAIR SEWERAGE ISSUE BEHIND BUILDING	151.80	151.80
EFT31546	24/06/2021	SMRC LOAN REPAYMENT ACCOUNT	RRRC LOAN REPAYMENT 1 APRIL TO 30 JUNE	27,498.00	27,498.00
EFT31547	24/06/2021	FLEXI STAFF PTY LTD	LABOUR HIRE OPERATIONS W/E 04/06/21	1,580.87	
			LABOUR HIRE OPERATIONS W/E 11/06/21	1,203.35	2,784.22
EFT31548	24/06/2021	KOOL LINE ELECTRICAL & REFRIGERATION	CAMP WALLER SCOUTS - REPLACE FAULTY FLOODLIGHT WITH NEW CROSSARM & 3X 100W LED	1,365.00	
			TOWN HALL - REPLACE FAULTY LIGHT SENSOR IN MENS UPSTAIRS TOILET	365.00	
			JOHN TONKIN POWER OUTLETS - FAULT FIND & REPLACE 4X FAULTY RCD OUTLETS	1,465.00	
			ANNUAL AIR CONDITIONER SERVICE - COUNCIL BUILDINGS	885.00	4,080.00
EFT31549	24/06/2021	WOOLWORTHS SUPERMARKETS	RESPITE CENTRE GROCERIES 09/06/21	144.87	
			RESPITE CENTRE GROCERIES 17/06/21	72.98	
			CATERING 17/6/21	53.40	271.25
EFT31550	24/06/2021	KELYN TRAINING SERVICES	STAFF FIRST AID TRAINING 3/6/2021	2,860.00	
			STAFF FIRST AID TRAINING 10/06/2021	1,980.00	4,840.00
EFT31551	24/06/2021	IRRIGATION AUSTRALIA LIMITED	2021/2022 IAL MEMBERSHIPS: 01/07/2021 - 30/06/2021	714.00	714.00
EFT31552	24/06/2021	LANDSCAPE YARD O'CONNOR	LAWN SAND FOR HENRY JEFFERY OVAL	114.00	114.00
EFT31553	24/06/2021	KONICA MINOLTA BUSINESS SOLUTIONS	KONICA MINOLTA BIZHUB C658 PHOTOCOPY CHARGES - PLANNING 13/05/2021 - 12/06/2021	278.98	278.98
EFT31554	24/06/2021	SUNNY SIGN COMPANY PTY LTD	LEEUWIN CARPARK - LARGE STICKER OVERLAYS FOR PARKING FEE INCREASE	239.80	
			LEEUWIN CARPARK - SMALL STICKER OVERLAYS FOR PARKING FEE INCREASE	14.30	254.10
EFT31555	24/06/2021	DEPARTMENT OF TRANSPORT	VEHICLE SEARCH FEES - MAY 2021	102.00	102.00
EFT31556	24/06/2021	FOCUS NETWORKS	OFFICE 365 LICENCE FOR STAFF MEMBER	30.39	
			OFFICE 365 LICENCES FOR SMART OFFICE SYSTEMS - 3 MONTHS SUBSCRIPTION	107.68	
			VISIO LICENCE FOR STAFF MEMBER	21.62	159.69
EFT31557	24/06/2021	THE TURBAN INDIAN RESTURANT	CATERING - 25/05/21	330.10	
			CATERING - 10/06/2021	280.20	610.30
EFT31558	24/06/2021	LOCAL GOVERNMENT PLANNERS ASSOCIATION	3 X STAFF ATTENDANCE AT LGPA BREAKFAST FORUM - INCENTIVISING QUALITY OUTCOMES	255.00	255.00
EFT31559	24/06/2021	LANDGATE	LANDGATE - GROSS RENTAL VALUATIONS - SCHEDULES 15/05/221 - 28/05/2021	69.20	69.20
EFT31560	24/06/2021	TALIS CONSULTANTS PTY LTD	PROVISION OF INFRASTRUCTURE VALUATION SERVICE PE 31/05/2021	4,416.50	4,416.50
EFT31561	24/06/2021	SNAP PRINTING	BUSINESS CARDS - NEW STAFF MEMBER	148.50	148.50
EFT31562	24/06/2021	SONIC HEALTH PLUS	SONIC HEALTH PRE-EMPLOYMENT MEDICALS	148.50	
			SONIC HEALTH PRE- EMPLOYMENT MEDICALS	148.50	297.00
EFT31563	24/06/2021	MOORE AUSTRALIA	PROFESSIONAL SERVICES - LONG TERM FINANCIAL PLAN, STAGE 3 - MEETING WITH EXEC GROUP TO REBALANCE THE SRP , STAGE 4 - MEETING WITH ELECTED MEMBERS	4,096.40	4,096.40
EFT31564	24/06/2021	CELLARBRATIONS AT EAST FREMANTLE	REFRESHMENTS 18/06/21	467.00	467.00
EFT31565	24/06/2021	STATE WIDE TURF SERVICES	TREAT SPORTS FIELDS FOR COUCH MITE WAUHOP PARK, HENRY JEFFERY OVAL & PRESTON POINT RESERVE	3,135.00	
			APPLY IRON MANGANESE TO WAUHOP PARK, HENRY JEFFERY OVAL, & PRESTON POINT RESERVE	1,677.50	4,812.50
EFT31566	24/06/2021	EMBROID ME MYAREE	VOLUNTEER NEIGHBOURHOOD LINK SHIRTS X 5	253.00	
			NEIGHBOURHOOD LINK JACKETS X 3 VOLUNTEERS & 1 STAFF	334.40	587.40
EFT31567	24/06/2021	WINC	OFFICE STATIONERIES ORDERED ON 09.06.2021	421.63	
			OFFICE STATIONERIES ORDERED ON 09.06.2021 BACKORDER	26.69	
			OFFICE STATIONERIES ORDERED ON 09.06.2021 BACKORDER	4.74	453.06
EFT31568	24/06/2021	H DICKSON	REIMBURSEMENT CHSP - VOLUNTEER MEALS 28/05/2021	13.00	
			REIMBURSEMENT CHSP - VOLUNTEER MEALS 11/06/2021	12.00	
			REIMBURSEMENT CHSP - VOLUNTEER MEALS 16/06/2021	12.60	37.60
EFT31569	24/06/2021	CENTURY AIR CONDITIONING	BOWLING CLUB - AIR CONDITIONING SERVICE	264.00	264.00
EFT31570	24/06/2021	MARK HASTINGS	MUSICAL ENTERTAINMENT PERFORMANCE AT SENIORS CHRISTMAS LUNCH 7/12/20	700.00	700.00
EFT31571	24/06/2021	PHASE 3 LANDSCAPE CONSTRUCTION PTY LTD	RIVERSIDE ROAD - LANDSCAPING PROJECT - RFQ06-2019/20 PROGRESS CLAIM TO 31/05/21	6,310.08	6,310.08
EFT31572	24/06/2021	R YING	STAFF REIMBURSEMENT 13/04/2021	184.00	184.00
EFT31573	24/06/2021	ZEDS MECHANICAL AND MAINTENANCE	MECHANICAL SERVICE FOR BUS	445.77	
			ANNUAL VEHICLE INSPECTION - BUS	187.75	633.52
EFT31574	24/06/2021	SOUTHERN BINS	BULK BIN HIRE - WAUHOP ROAD - 21/06/2021	570.00	570.00
EFT31575	24/06/2021	P ROSE	FALLEN LEAVES COLLECTION AT RACEWAY PARK 8/6/21	975.00	975.00
EFT31576	24/06/2021	PAPERSCOUT	PRINTING OF TALK OF THE TOWN NEWSLETTERS - 2 EDITIONS	1,749.00	1,749.00
EFT31577	24/06/2021	THE ROYAL LIFE SAVING SOCIETY WA INC	POOL INSPECTIONS 01/05/21 - 31/05/21	8,041.00	8,041.00
EFT31578	24/06/2021	DEPARTMENT OF THE PREMIER AND CABINET	PUBLISHING OF NEW RANGERS - AUTHORISED OFFICERS	108.15	108.15
EFT31579	24/06/2021	SWAN TOWING	TOWING OF ABANDONED VEHICLE ANGWIN ST TO DEPOT	110.00	110.00
EFT31580	24/06/2021	SHE'S IN PARTIES CATERING	CATERING - CITIZENSHIP CEREMONY 21/06/21	760.00	760.00

EFT31581	24/06/2021	J ENGLAND	REIMBURSEMENT CHSP - VOLUNTEER MEALS 27/05/2021	14.00	
			REIMBURSEMENT CHSP - VOLUNTEER MEALS 03/06/2021	12.90	26.90
EFT31582	24/06/2021	K MCDONALD	REIMBURSEMENT CHSP - VOLUNTEER MEALS 20/05/2021	14.90	
			REIMBURSEMENT CHSP - VOLUNTEER MEALS 27/05/2021	15.00	
			REIMBURSEMENT CHSP - VOLUNTEER MEALS 03/06/2021	14.00	
			REIMBURSEMENT CHSP - VOLUNTEER MEALS 17/06/2021	15.00	58.90
EFT31583	24/06/2021	EJ ENUA	REIMBURSEMENT RANGER UNIFORM 1X BOMBER JACKET & PATCH EMBROIDERY	54.60	54.60
EFT31584	24/06/2021	ALINTA ENERGY	GAS USAGE RESPITE CENTRE 26/02/2021 - 28/05/2021	354.95	354.95
EFT31585	30/06/2021	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS JUNE 21	216.72	216.72
EFT31586	30/06/2021	SOUTHERN METROPOLITAN REGIONAL COUNCIL	WASTE AUDITING OF FOGO SERVICES - STAGE 1 2020-21	1,650.00	1,650.00
EFT31587	30/06/2021	MP ROGERS & ASSOCIATES P/L	INVOICE FOR THE PROVISION OF PROFESSIONAL COASTAL ENGINEERING SERVICES ON THE EAST FREMANTLE RIVERWALL CONDITION UPDATE. UPDATE OF GIS WITH UPDATED CONDITION RATINGS. LIAISON AND JOB ADMINISTRATION.	597.30	597.30
EFT31588	30/06/2021	FOCUS NETWORKS	STRATEGIC IT PLAN ANNUAL REFRESH FEE	1,309.00	
			IT DISASTER RECOVERY PLAN - ANNUAL REFRESH	1,870.00	
			IT SECURITY POLICY REFRESH - ANNUAL REFRESH	1,870.00	
			SWITCHVOX DESK PHONE FOR DEPOT TRAINING ROOM	517.00	5,566.00
EFT31589	30/06/2021	STATE WIDE TURF SERVICES	ROLL UNEVEN RETURFED AREAS AT PRESTON POINT OVAL	770.00	770.00
EFT31590	30/06/2021	SUEZ RECYCLING & RECOVERY PTY LTD	FOGO - GREEN BINS - RESIDENTIAL & PRIORITY SERVICES , GENERAL - WASTE RED BINS - RESIDENTIAL, PRIORITY SERVICES & PARKS & RESERVES, STREET LITTER BINS RECYCLING - YELLOW BINS RESIDENTIAL & PRIORITY SERVICES, GENERAL WASTE - RED BINS - COMMERCIAL, RECYCLING - YELLOW BIN - COMMERCIAL - FORTNIGHTLY, 48-50 ALEXANDRA ROAD WASTE COLLECTION COSTS & 46 EAST STREET 03/05/2021 - 31/05/2021	34,262.75	34,262.75
EFT31591	30/06/2021	L MCNAB	REIMBURSEMENT FOR CATERING FOR RAP MEETING THURSDAY 24/06/2021	144.99	144.99
EFT31592	30/06/2021	WINC	YELLOW SHARPS CONTAINERS 1.7 LT X 10	19.34	19.34
EFT31593	30/06/2021	H DICKSON	REIMBURSEMEN CHSP - VOLUNTEER MEAL 18/06/2021	11.50	11.50
EFT31594	30/06/2021	ELMO SOFTWARE LTD	ANNUAL LICENSE FEE FOR ELMOVOLVE 11/06/2021 - 10/06/2022	1,980.00	1,980.00
EFT31595	30/06/2021	FED BY CATE	CATERING COSTS - TROTTING BOOTH UNVEILING	170.00	170.00
EFT31596	30/06/2021	M CHAMPION	TWO ATTENDANCES TO RAP REFERENCE GROUP MEETING 26 JUNE 2021	500.00	500.00
EFT31597	30/06/2021	J ENGLAND	REIMBURSEMENT CHSP - VOLUNTEER MEAL 17/06/2021	13.35	13.35
EFT31598	30/06/2021	J CLARKE	REIMBURSEMENT CHSP - VOLUNTEER MEAL 16/06/2021	14.00	
			REIMBURSEMENT CHSP - VOLUNTEER MEAL 22/06/2021	15.00	29.00
EFT31599	30/06/2021	J HARRISON	REIMBURSEMENT CHSP - VOLUNTEER MEAL 22/06/2021	15.00	
			REIMBURSEMENT CHSP - VOLUNTEER MEAL 25/06/2021	15.00	30.00
			EFT TOTAL	**$ 555,809.20**	**$ 555,809.20**
	Direct Debit	**Supplier**	***Description***	***Inv Amount***	***EFT***
		EXETEL	EXETEL INTERNET TOWN HALL	$ 99.00	$ 99.00
		SUPERCHOICE PTY LTD	EMPLOYEE SUPERANNUATION - JUNE 2021	$ 72,005.54	$ 72,005.54
		CBA	CBA MERCHANT FEE	$ 410.94	$ 410.94
		CBA	ACCOUNT SERVICE TRANSACTION FEES	$ 27.58	$ 27.58
		CBA	BPAY TRANSACTION FEES	$ 134.64	$ 134.64
		CBA	COMMBIZ TRANSACTION FEES	$ 68.86	$ 68.86
		CBA	BPOINT TRANSACTION FEES	$ 49.91	$ 49.91
		CBA	OVERDRAFT LINE FEE	$ 504.11	$ 504.11
	Credit Cards	CREDIT CARD - ANDREW DRIVER	TELSTRA FREMANTLE	$ 80.00	$ 80.00
		CREDIT CARD - GARY TUFFIN	CITY OF JOONDALUP - PARKING	$ 8.00	$ 8.00
		CREDIT CARD - PETER KOCIAN	FACEBOOK BOOSTED ADVERTISING 26-27/05/21 - URGENT BRIDGE CLOSURES	$ 30.00	$ 30.00
			FACEBOOK BOOSTED ADVERTISING 26-29/05/21 - URGENT BRIDGE CLOSURES	$ 30.00	$ 30.00
			FACEBOOK BOOSTED ADVERTISING 25-28/05/21 - URGENT BRIDGE CLOSURES	$ 100.00	$ 100.00
			FACEBOOK BOOSTED ADVERTISING 28-31/05/21 - URGENT BRIDGE CLOSURES	$ 40.00	$ 40.00
			FACEBOOK BOOSTED ADVERTISING 28-29/05/21 - URGENT BRIDGE CLOSURES	$ 37.23	$ 37.23
			PALMYRA POST OFFICE - GIFT FOR LONG SERVICE RETIRING STAFF	$ 1,011.90	$ 1,011.90
			ADOBE LICENCE SUBSCRIPTION	$ 181.59	$ 181.59
			OFFICEWORKS -COMPUTER EQUIPMENT	$ 93.95	$ 93.95
			FACEBOOK BOOSTED ADVERTISING 30/05/21 - 01/06/21 - URGENT BRIDGE CLOSURES	$ 20.00	$ 20.00
			MAIL CHIMP - SUBSCRIPTION	$ 40.47	$ 40.47
			DOMINOS PIZZA - CATERING LUNCH TIME LEARNING 22/06/21	$ 179.15	$ 179.15
			MIKADO - CITIZENSHIP CEREMONY CATERING	$ 75.00	$ 75.00
			ZOOM - SUBSCRIPTION	$ 138.53	$ 138.53
		CREDIT CARD - NICHOLAS KING	BIG W SPEARWOOD - KITCHEN EQUIPMENT FOR DEPOT	$ 74.25	$ 74.25
			JB HIFI - KITCHEN EQUIPMENT FOR DEPOT	$ 119.00	$ 119.00
			BEST BUY STEEL - HAMMOND PARK - STEEL FLOOR PLATE	$ 266.64	$ 266.64
			DIRECT DEBIT TOTAL	**$ 75,826.29**	**$ 75,826.29**
			Description	***Inv Amount***	***EFT***
			PAYROLL FORTNIGHT ENDING 01/06/21	$ 133,610.90	$ 133,610.90
			PAYROLL FORTNIGHT ENDING 15/06/21	$ 144,460.10	$ 144,460.10
			PAYROLL FORTNIGHT ENDING 29/06/21	$ 136,949.92	$ 136,949.92
			PAYROLL TOTALS	**$ 415,020.92**	**$ 415,020.92**
			GRAND TOTAL	**$ 1,053,511.74**	**$ 1,053,511.74**

13.2.3 Revenue Collection Summary 30 June 2021 – Outstanding Rates

File ref	F/RAT1
Prepared by	Richard Olson, Revenue Officer John Mordini, Finance and Administration
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date	20 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Debt Recovery Policy 2.1.7 2. Debt Recovery Summary Report (Confidential Attachment) 3. Rates Collection Summary

Purpose
Council is requested to receive this summary on debt recovery activities against rateable assessments in arrears for the year ended 30 June 2021.

Executive Summary
A Debt Recovery Status Report has been prepared to provide Council with an overview of the outstanding rates and service charges within debt recovery stage and an easy to understand report, covering debt recovery activities undertaken, in accordance with the *Local Government Act 1995* and Council Policy, during the 2020/2021 financial year.

Background
The Debt Recovery Status Report provides an overview of how the Town carries out debt recovery in a fair and equitable manner, ensuring the processes of the recovery of outstanding rates and service charges, are subject to Part 6 of the *Local Government Act 1995* and within the guidelines outlined in Policy 2.1.7 Debt Recovery.

Council has adopted a benchmark target of 5% for its outstanding rates ratio.

Corporate Services are required to maintain a monthly status report of recovery action against all rates in arrears of more than one year. The Town of East Fremantle will exercise its debt recovery powers, as outlined in Part 6 of the *Local Government Act 1995*, in order to reduce the overall debt burden on ratepayers. The Town exercises its debt recovery processes by the following guidelines:

- ensuring that debt collection procedures are carried out in a fair and equitable manner;
- making the processes used to recover outstanding debt clear, simple to administer and cost effective;
- transparency by making clear the obligations of its ratepayers to the processes used by Council in ensuring that they meet their financial obligations;
- flexibility by responding where necessary to changes in the local economy;
- ensuring the Town of East Fremantle is compliant with all regulatory obligations;
- debt collection procedures are carried out in a fair and equitable manner;
- debt collection procedures used to recover outstanding rates are clear, simple to administer;
- upholding recognition from the public and industry for the Town of East Fremantle practices that withstand probity.

Process of the Recovery of Rate and Service Charges

Where the Town has contacted the rates debtor by telephone, email and other means and a payment arrangement has not been entered into, the Town will adopt the following process to recover outstanding rates and service charges due to the Town:

i. Where Rate and Service charges accounts remain outstanding after the prescribed due date, a Reminder Notice is issued requesting full payment within fourteen (14) days.
ii. Where amounts remain outstanding after the expiry date shown on the Reminder Notice, a Final Notice will be issued, requesting payment within 9 days.
iii. Where amounts remain outstanding after the expiry date shown on the Final Notice, a Final Demand letter will be issued requesting payment within 7 days and advising the Town may commence debt recovery processes.
iv. Where the amount of rates outstanding is more than $1000 and no special payment arrangement is in place the Town's Rates Officer will refer the rates account to a debt collection service provider.
v. A second letter of demand is issued by the debt recovery agent advising the rates debtor to make payment within fourteen (14) days.
vi. Where rates remain outstanding and no special payment arrangement is in place, under the guidance of the Town's debt collection service provider, legal action may commence.

The Town may lodge a Minor Case Claim (where the debt is less than $10,000) or a General Procedure Claim (where the debt is $10,000 or more) with the Magistrates Court. Should the debtor not respond within the timeframes established by the Court, default judgment may be requested. Where a General Procedure Claim has been lodged and default judgement requested and granted, a Property Seizure and Sale Order (PSSO) may be lodged. The PSSO authorises the Bailiff to seize and sell as much of the debtor's real or personal property as necessary to satisfy the debt.

The Town engages a debt collection agency and/or legal representative to act on its behalf in taking debt recovery action. Legal costs and expenses incurred by the Town in recovering rates debts will be charged against the rates account and in accordance with the section 6.43 of the *Local Government Act 1995.* Costs incurred are anywhere between $300 to $2000 dependant on situation and type of recovery used.

Where the rates debtor fails to make payment or respond to the recovery activities undertaken, the Town will continue to promote the option of a formal payment arrangement to pay the outstanding monies owed to the Town.

Payment arrangements are facilitated in accordance with section 6.49 of the *Local Government Act 1995*. When considering payment arrangements, the Town will consider all circumstances, applying the principles of fairness and integrity whilst complying with all statutory responsibilities.

A special payment arrangement must be negotiated to reflect a ratepayer's capacity to repay outstanding rates and contain the details of the agreed repayment schedule. In accordance with the 2021/22 Budget resolution, any ratepayer experiencing financial hardship will not be charged an administration fee or penalty interest under a special payment arrangement entered into accepting the financial hardship.

Consultation
Executive Manager of Corporate Services
Manager of Administration and Finance
Revenue Officer
Credit Clear Credit Solutions
McLeod's Barristers & Solicitors

Comment
A summary of rates debt recovery is presented as Attachment 3. The outstanding rates ratio of **1.64%** is favourable compared to the benchmark of 5%. This ratio excludes excess rates and deferred rates which are not due and payable.

Of 3,415 rateable properties within the Town, 50 properties will carry forward an outstanding balance (not including deferred rates) into 2021/22. This represents 1.46% of rateable properties.

There are 25 property assessments totalling $126k in rates arrears that are currently under debt recovery. This amount represents 78% of total rates outstanding as at 30 June 2021.

13.2.3 OFFICER RECOMMENDATION

That Council receive this report and attachments with respect to rates collection and debt recovery for the year ended 30 June 2021, and note the following performance indicators:

1. **Excluding deferred rates, outstanding rates as at 30 June 2021 amounts to $162k, which equates to an outstanding rates ratio of 1.64%.**
2. **Of 3,415 rateable assessments within the Town, 50 assessments will carry forward an outstanding balance, which represents 1.46% of total rateable properties.**
3. **Of the 50 assessments with an outstanding balance, 25 assessments are under debt recovery amounting to $126k in arrears, representing 78% of total outstanding rates (excluding deferred rates) as at 30 June 2021.**

TOWN OF EAST FREMANTLE

2.1.7 Debt Collection

Type:	Corporate Services – Financial Management
Legislation:	Refer to References
Delegation:	DA76 Write Off Debt
Other Related Document:	

Objective

The purpose of this policy is to outline the Town of East Fremantle process for efficient and effective management of outstanding Debtor Accounts and Rates and Service Charges.

Policy Scope

The Town of East Fremantle will exercise its debt recovery powers, as outlined in Part 6 of the *Local Government Act 1995*, in order to reduce the overall debt burden on ratepayers. It will be guided by the principles of:

- ensuring that debt collection procedures are carried out in a fair and equitable manner;
- making the processes used to recover outstanding debt clear, simple to administer and cost effective;
- transparency by making clear the obligations of its ratepayers and sundry debtors to the processes used by Council in ensuring that they meet their financial obligations;
- equity by having regard to providing the same treatment for ratepayers and sundry debtors with similar circumstances;
- flexibility by responding where necessary to changes in the local economy;
- ensuring the Town of East Fremantle is compliant with all regulatory obligations;
- promoting effective governance and definition of roles and responsibilities;
- upholding recognition from the public and industry for the Town of East Fremantle practices that withstand probity.

Definitions

Debtor an individual, organisation or other party that transacts with the Town where goods or services are provided, use of facilities are made available, fines and license fees are levied and any other transaction that results in an expected future payment to the Town.

General Procedure Claim **(GPC)"** means the claim lodged with the Magistrates Court where the value of the claim or the relief claimed does not exceed $75,000.

Property Seizure and Sale Order (PSSO) is a court order that authorises a bailiff to seize and sell as much of the judgment debtor's real or personal property as necessary to satisfy the judgment debt wholly or partially.

Financial Hardship A person in a situation of vulnerability may have low income or, as a result of their circumstances, be experiencing a financial shock, leading to difficulties in paying rates by the due

date. This can take the form of 'payment difficulties' or 'financial hardship'.

Policy

1. Recovery of Sundry Debtor Accounts

The recovery of outstanding sundry debtors will be collected in a fair and timely manner. Sundry debts are due for payments 30 days from date of issue. The process for sundry debt collection is as follows:

a) Sundry debtors will be issued an invoice as soon as possible after the amount is known, providing 30 day payment terms.

b) A statement will be issued at the end of the subsequent month following the initial 30 day payment term, requesting payment, with a reminder sticker/stamp to be affixed to the Statement requesting payment within 14 days.

c) At the end of 14 days, a Final Notice letter will be issued advising that legal action may be taken without further warning should the debt remain outstanding beyond 7 days.

Where the customer fails to pay in full by the expiry of the period defined above, credit may be suspended or services limited and legal action may be commenced.

Legal action – debts will be assessed to ascertain the ability to recover. If the cost of legal action exceeds the amount of the debt, the amount may be considered for write off, subject to Council delegation, once all non-legal recovery actions have been exhausted.

2. Recovery of Rate and Service Charges

The recovery of outstanding rates will be collected in a fair and timely manner. Rate notices are due for payment 35 days from date of issue in accordance with the *Local Government Act 1995.*

Amounts that remain outstanding past the prescribed due date may have interest applied, up to a maximum interest rate of 11% per annum as set annually by Council as part of the Annual Budget. Interest is calculated on the number of days from the due date of payment until the day the payment is received by the Town of East Fremantle. This includes overdue amounts where the rate payer has elected to pay by an instalment option.

Accounts unpaid by the due date shown on the Rate Notice

Where accounts remain outstanding after the prescribed due date, a Final Notice shall be issued requesting full payment within fourteen (14) days.

Final Notices are not to be issued to eligible persons registered to receive a pensioner or senior rebate under *the Rates and Charges (Rebates and Deferments) Act 1992*, as such persons have until 30 June of the current financial year to make payment without incurring any penalty interest. Final notices will, however, be issued to registered pensioners or seniors where there are unpaid charges which are not subject to a rebate or deferment eg rubbish collection charges.

Accounts unpaid after the expiry date shown on the Final Notice

Where amounts remain outstanding after the expiry date shown on the Final Notice, recovery action will commence based upon a risk management approach as determined by the value and type of debt and may include such action as referral to the Town's debt collection agency. As a minimum, a letter of demand on Solicitor letterhead will be sent to all overdue rate accounts where a final notice has not been paid~~,~~ and the amount of rates outstanding is more than $500.

Seizure of Rent for Non Payment of Rates

Where the property owner of a leased or rented property on which Rates and Service Charges are outstanding cannot be located or refuses to settle Rates and Service Charges owed, a Notice may be served on the lessee or tenant under the provisions of Section *6.60 of the Local Government Act 1995* requiring the lessee or tenant to pay to the Town the rent due that they would otherwise pay under the lease/tenancy agreement as it becomes due, until the amount in arrears has been paid.

Options to recover rates debt where rates are in arrears for in excess of (3) years

Under the guidance of the Towns debt collection service provider, legal action may be undertaken to recover outstanding rates and charges. This action may include General Procedure Claims and Property Seizure and Sale Orders (Goods). Any costs incurred in undertaking legal action in a Court of competent jurisdiction are recoverable from ratepayers under *section 6.56 of the Local Government Act 1995*.

Options to recover rates debt where rates are in arrears for in excess of three (3) years.

(i) Lodging a Caveat on the Title for Land
If rates and service charges which are due to Council in respect of any rateable land have been unpaid for at least three (3) years a caveat may be registered on the title for the land, under the provisions of *Section 6.64 (3) of the Local Government Act 1995*. The approval of Council is required before this course of action is undertaken.

(ii) Sale of Property
If rates and service charges which are due to Council in respect of any rateable land have been unpaid for at least three (3) years, Council may take possession of the land under the provisions of *Section 6.64 of the Local Government Act 1995*. The approval of Council is required to be obtained before this course of action is undertaken.

3. Write off Debts

The Chief Executive Officer and the Executive Manager Corporate Services have the authority to write-off individual debts up to $500.00 in accordance with Delegation DA76 – Write off Debt, excluding late payment interest and Service Charges applicable to the Emergency Services Levy.

4. Financial Hardship

While evidence of hardship will be required, the Town recognises that not all circumstances are alike. The Town will consider a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment.
- Sickness or recovery from sickness.
- Low income or loss of income.
- Unanticipated circumstances such as caring for and supporting extended family.

Ratepayers will be required to provide information about their individual circumstances that may be relevant. This includes demonstrating a capacity to make some payment where possible and entering into a formal payment arrangement. The Town will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying with all statutory responsibilities.

5. Payment Arrangements

Payment arrangements are facilitated in accordance with *Section 6.49 of The Local Government Act 1995* and will be offered to rate payers in circumstances evident of financial hardship. A

special payment arrangement must be negotiated to reflect a ratepayer's capacity to repay outstanding rates and contain the details of the agreed repayment schedule.

These special payment arrangements will include the following:

1. It is the responsibility of the ratepayer to ensure that the agreed payment amounts are paid on or before the agreed due date.
2. The Town of East Fremantle requires full payment of the outstanding rates by the end of the financial year.
3. If a ratepayer requires an extension on this timeframe an end date must be negotiated and approved by the Executive Manager Corporate Services.
4. The ratepayer will be responsible for informing the Town of any change in circumstance that jeopardises the agreed repayment schedule.

Where a ratepayer meets the Financial Hardship Criteria and on the provision that all rates arrears are paid in full payment arrangements will incur a $0 administration fee and the Town reserves the right to waive late penalty interest, excluding the late payment interest and Service Charges applicable to the Emergency Services Levy.

For the purpose of recovering rates and service charges, where a rate payer has not made payment arrangements for overdue rates and service charges or maintained an agreed repayment schedule they may be subject to the Towns debt recovery procedures outlined in this policy .

6. Management Reporting

Rates Debtors:

The Town has adopted a benchmark target of 5% for its outstanding rates ratio. The monthly financial report to Council is to include a receivables note detailing the total amount of rates outstanding, and a breakdown of rates outstanding between one and two years, two and three years, and more than three years. Management are required to maintain a status report of recovery action against all rates in arrears of more than one year.

Sundry Debtors:

The Town has adopted a benchmark of less than 10% of sundry debtors exceeding 90 days outstanding. The monthly financial report to Council is to include an aged receivables note detailing the total amount outstanding against current, 30 days, 60 days and 90+ days. Management are required to maintain a status report of recovery action against all sundry debts in arrears of more than 90 days.

Roles and Responsibilities

- The Chief Executive Officer shall be responsible for the application of delegations of authority in regards to the Policy.
- The Executive Manager Corporate Services shall be responsible for referring matters to Council in regards to this Policy and the collection of outstanding debts.
- The Manager Administration and Finance shall be responsible for the review and monitoring of the operations of the Policy.
- The Corporate Service Team shall be responsible for the day to day operations of the Policy.

7. Legislation

- Local Government Act 1995: Part 6, Division 4, Clause 6.13 - Interest on money owing to local governments

- Local Government Act 1995: Part 6, Division 6, Subdivision 4, Clause 6.45 – Options for payment of rates and service charges
- Local Government Act 1995: Part 6, Division 6, Subdivision 4, Clause 6.51 - Accrual of interest on overdue rates or service charges
- Local Government Act 1995: Part 6, Division 6, Subdivision 5, Clause 6.56 - Rates or service charges recoverable in court
- Local Government Act 1995: Part 6, Division 6, Subdivision 5, Clause 6.60 - Local government may require lessee to pay rent
- Local Government Act 1995: Part 6, Division 6, Subdivision 6, Clause 6.64 - Actions to be taken
- Local Government (Financial Management) Regulations 1996
- Rates and Charges (Rebates and Deferments) Act 1992

Responsible Directorate	Corporate Services
Reviewing Officer	Executive Manager Corporate Services
Decision Making Authority	Council
Policy Adopted	18/9/18
Policy Amended/Review:	19/2/19, 17/9/19, 21/04/2020
Former Policy No:	4.4.2

RATES COLLECTION DURING 2020/2021

RATES AND CHARGES LEVIED 2020/2021	$	9,921,456.53
LESS RECEIVED 2020/2021	-$	9,712,647.86
BALANCE OUTSTANDING	**$**	**208,808.67**
PERCENTAGE RECEIVED		97.90%
PERCENTAGE OUTSTANDING		2.10%

RATES AND CHARGES LEVIED 2020/2021	$	9,921,456.53
LESS DEFERRED AT 30 JUNE 2021	-$	46,586.19
TOTAL RECOVERABLE RATES AND CHARGES	$	9,874,870.34
LESS RECEIVED 2020/2021	-$	9,712,647.86
BALANCE OUTSTANDING	**$**	**162,222.48**
PERCENTAGE RECEIVED		-98.36%
PERCENTAGE OUTSTANDING		1.64%

13.2.4 Community Assistance Grants Program – 2021-2022 Request Approvals

File ref	A/CFG1
Prepared by	Carly Filbey, Community Engagement Officer
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date	14 July 2021
Voting requirements	**Absolute Majority**
Documents tabled	Nil
Attachments	1. Community Grants Advisory Group Minutes dated 14/07/21

Purpose
The purpose of this report is for Council to consider endorsing the recommendation from the Community Grants Advisory Group meeting to approve the eight (8) proposed Community Assistance Grant 2021-2022 requests.

Executive Summary
The Community Grants Advisory Group met on 14 July 2021 to assess eight (8) submissions received under the Community Assistance Grants (CAG) Program, 2021-2022.

The Advisory Group members, being Mayor Jim O'Neill, Cr Andrew McPhail, community members Suzi Nelson and John Chisholm and Chief Executive Officer, Gary Tuffin discussed all eight (8) submissions and recommended that all eight (8) submissions be funded as requested.

Group	Purpose	Amount requested
East Fremantle Croquet Club	Equipment – Croquet Balls and Sets (replacement)	980.00
East Fremantle Cricket Club	Equipment – Portable PA System (new)	1,100.00
East Fremantle Junior Cricket Club	Equipment – Cricket Balls and Gazebos (replacement)	2,310.00
Fremantle Outrigger Canoe Club	Infrastructure – Equipment Shed (replacement)	1,000.00
Fremantle Sea Scouts	Equipment – Lifejackets (replacement)	1,000.00
HMAS Perth Memorial	Infrastructure – Flagpoles and Landscaping (replacement)	3,516.00
Hurricane Dragon Boat & Outrigger Canoe Club	Equipment – Personal Locator Beacons (new)	990.00
Lions' Club of East Fremantle	Service and Equipment – Service the Kids Train, Gazebo and Storage (replacement)	931.00
TOTAL OF ALL RECOMMENDED APPLICATIONS		**$11,827.00**

Background
The Community Grants and Sponsorship Policy and the Community Assistance Grants (CAG) Program were adopted by Council in June 2016 to provide an orderly and consistent way of dealing with small funding requests on an annual basis. The aim of the program is to provide financial assistance to community groups to help build capacity within the community in relation to recreation and leisure activities. The CAG program is intended for small grants only and does not prevent clubs from seeking assistance for larger contributions from Council for more substantial capital projects.

The program was introduced for the first time in 2016-2017 financial year and the following allocations have been made:

- 2016-2017 $9,305.00
- 2017-2018 $9,699.00 (two rounds)
- 2018-2019 $20,000.00 (three rounds)
- 2019-2020 $14,357.00 (one round) **
- 2020-2021 Budget reallocated **

*** Following the original COVID lockdown, Council on 21 April 2020 resolved to defer, until 31 December 2020, the community assistance grant and the community led initiatives programs (and redirect these budget allocations to other community and business relief initiatives).*

Consultation
Applications opened on Monday 29 March 2021 and closed on Monday 24 May 2021.

Local community groups were informed of the opportunity through the following mediums;

- Town's email newsletter
- Direct email (initial and follow-up, plus 'closing' reminder)
- Town Facebook page
- Town Website
- One-on-One meetings

Statutory Environment
Not applicable.

Policy Implications
1.2.2 Community Grants and Sponsorship

Financial Implications
Since the program's inception (2016/17), Council has made an annual budget allocation of $20,000 per year. However, this year as the program has generally been undersubscribed the allocation was reduced to $10,000. Therefore, if the Committee's recommendation is accepted it will be necessary to amend the budget at a later stage to account for the additional $1,827.

Strategic Implications
Community Strategic Plan 2020-2030

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

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

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

1.1.2 Strengthen the sense of place and belonging through inclusive community interaction and participation

1.2 Inviting open spaces, meeting places and recreational facilities

1.2.1 Provision of adequate recreational, sporting and social facilities

1.2.2 Activate inviting open spaces that encourage social connection

1.3 Strong community connection within a safe and vibrant lifestyle

1.3.1 Partner and educate to build a strong sense of community safety

1.3.2 Facilitate opportunities for people to people to develop community

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

Site Inspection
Not applicable.

Comment
Since this item was presented to the Grants Committee, as mentioned above in the financial implications, it has come to light that previous advice provided was not correct, and the budget allocation this year has been reduced from $20,000 to $10,000, as the program has normally been well undersubscribed. Therefore, if the Committee's recommendation is accepted it will be necessary to amend the budget at a later stage to account for the additional $1,827.

The members of the Community Assistance Grants Advisory Committee were all in agreeance that all applications should be funded.

13.2.4 COMMITTEE RECOMMENDATION

That Council:

1. approve and fund the following grant applications.

• **East Fremantle Croquet Club**	**$ 980**
• **East Fremantle Cricket Club**	**$ 1,100**
• **East Fremantle Junior Cricket Club**	**$ 2,310**
• **Fremantle Outrigger Canoe Club**	**$ 1,000**
• **Fremantle Sea Scouts**	**$ 1,000**
• **HMAS Perth Memorial**	**$ 3,516**
• **Hurricane Dragon Boat and Canoe Club**	**$ 990**
• **Lions of East Fremantle**	**$ 931**
Total	**$ 11,827**

2. authorise the additional expenditure of $1,827 and amend the 2021/22 Budget accordingly at a later date and;

3. advise all applicants of the outcomes.

MINUTES OF COMMUNITY ASSISTANCE GRANTS PROGRAM COMMITTEE MEETING WEDNESDAY 14 JULY 2021

TOWN OF EAST FREMANTLE

MINUTES

1. DECLARATION OF OPENING OF MEETING

The Mayor welcomed everyone and declared the meeting open at 5:35pm.

2. RECORD OF ATTENDANCE

2.1 Attendance

Mayor Jim O'Neill
Cr Andrew McPhail
John Chisholm, Community Member
Suzi Nelson, Community Member
Gary Tuffin, Chief Executive Officer
Carly Filbey, Community Engagement Officer

2.2 Apologies

Peter Kocian, Executive Manager Corporate Services

3. DISCLOSURES OF INTEREST

3.1 Financial

Nil

3.2 Proximity

Nil

3.3 Impartiality

Nil

4. BUSINESS

4.1 Community Assistance Grants Submissions (Round Three) 2018-2019

File ref	A/CGF1
Prepared by	Carly Filbey, Community Engagement Officer (ComEO)
Meeting Date:	14 July 2021
Attachments	Summary of Submissions 2021-2022

Purpose

To review the summary of submissions received in order to make a recommendation to Council.

Background

The Community Grants and Sponsorship Policy and the Community Assistance Grants (CAG) Program were adopted by Council in June 2016 to provide an orderly and consistent way of dealing with small funding requests on an annual basis. The aim of the program is to provide financial assistance to community groups to help build capacity within the community in relation to recreation and leisure activities. The CAG program is intended for small grants only, and does not prevent clubs from seeking assistance for larger contributions from Council for more substantial capital projects.

The program was introduced for the first time in 2016-2017 financial year and the following allocations have been made:

- 2016-2017 $9,305.00
- 2017-2018 $9,699.00 (two rounds)
- 2018-2019 $20,000.00 (three rounds)

- 2019-2020 $14,357.00 (one round) **
- 2020-2021 Budget reallocated **

*** Following the original COVID lockdown, Council on 21 April 2020 resolved to defer, until 31 December 2020, the community assistance grant and the community led initiatives programs (and redirect these budget allocations to other community and business relief initiatives).*

It was further decided to only advertise one funding round per year going forward.

Consultation
Local community groups were informed of the opportunity through the following mediums;

- Town's email newsletter
- Direct email (initial and follow-up, plus 'closing' reminder)
- Town Facebook page
- Town Website
- One-on-One meetings

Applications opened on Monday 29 March 2021 and closed on Monday 24 May 2021

Financial Implications
A budget allocation of $20,000.00 has been provided in the 2021-2022. Submissions totalling $11,827.00 have been received for the 2021-2022 budget process.

2021-2022 Submissions
Each submission was discussed:

East Fremantle Croquet Club
$980.00 for equipment (croquet sets for competitions/tournaments)
The Committee supported the request as they felt that this equipment would assist the Club replace old equipment and hold future tournaments and competitions.
Approved: 100% of a $980.00 project - $980.00

East Fremantle Cricket Club
$1,100 for a new Portable PA system
The Committee supported the request as they felt that this equipment would assist the Club to host indoor/outdoor community events of 100+ people at their facility.
Approved: 50% of a $2,200.00 project - $1,100.00

East Fremantle Junior Cricket Club
$2,310.00 for equipment (cricket balls and gazebos)
The Committee supported the request as they felt that this equipment would assist the Club to replacement old equipment and provide SunSmart gazebos for the upcoming season.
Approved: 33% of a $7,000.00 project – $2,310.00

Fremantle Outrigger Canoe Club
$1,000.00 for infrastructure (a new shed to store equipment)
The Committee were fully supportive of the application, the Club currently do not operate out of a facility. The lockable shed would provide a secure storage solution for the Clubs equipment.
Approved: 100% of a $1,000.00 project – $1,000.00

Fremantle Sea Scouts
$1,000.00 for equipment (safety – adult and junior lifejackets)
The Committee were fully supportive of the application, understanding the importance of safety and recognising the need for new lifejackets for the Clubs members.
Approved: 100% of a $1,000.00 project - $1,000.00

HMAS Perth Memorial
$3,516.00 for infrastructure (flagpoles and landscaping)
The Committee were fully supportive of the application, understanding the significance of recognising the paying tribute to the HMAS 1 Perth and for the Club to provide important remembrance events.
Approved: 33% of a $10,549.00 project - $3,516.00

Hurricane Dragon Boat and Outrigger Canoe Club
$990.00 for equipment (safety – personal locator beacons)
The Committee were fully supportive of the application, understanding the importance of safety, especially with the Club members competing out at sea during harsh conditions.
Approved: 100% of a $990.00 project - $990.00

Lions Club of East Fremantle
$931.00 for service and equipment (service the kids train, cool box and gazebo)
The Committee supported the request as they felt that this equipment would assist the Club to host their monthly markets at Glasson Park and also attend the George Street Festival in December.
Approved: 100% of a $931.00 project - $931.00

Should all the recommended applications be endorsed by Council the total amount released in would be $11,827.00, leaving a final balance of $8,173.00.

COMMITTEE RECOMMENDATION

That the Community Grants Advisory Group recommends that Council:

(a) fund the following grant applications.

• **East Fremantle Croquet Club**	**$ 980**
• **East Fremantle Cricket Club**	**$ 1,100**
• **East Fremantle Junior Cricket Club**	**$ 2,310**
• **Fremantle Outrigger Canoe Club**	**$ 1,000**
• **Fremantle Sea Scouts**	**$ 1,000**
• **HMAS Perth Memorial**	**$ 3,516**
• **Hurricane Dragon Boat and Canoe Club**	**$ 990**
• **Lions of East Fremantle**	**$ 931**
Total	**$ 11,827**

(b) advise all applicants of the outcomes.

5. CLOSURE OF MEETING

The Mayor thanked everyone for their attendance and their ongoing support of the Committee. He declared the meeting closed at 6:05pm.

13.3 ENVIRONMENT

13.3.1 Climate Action Reference Group – Strategic Objectives Feedback Review

File ref	H/CCAP
Prepared by	Connor Warn, Waste and Sustainability Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date:	20 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Submissions to advertising of draft Strategic Objectives 2. Revised Climate Emergency Strategy Strategic Objectives

Purpose
The purpose of this report is to present Council with the comments received during the public consultation period for the Climate Emergency Strategic Objectives and for Council to endorse those Objectives as modified.

Executive Summary
The Climate Emergency Strategic Objectives were developed by the Climate Action Reference Group (CARG) and act as the fundamentals for the future Climate Emergency Strategy (CES) which will set the future direction for Council's response to the climate emergency. The Strategic Objectives consist of seven key topics which aim to address all areas of the Town's operations. CARG is a community led reference group whose purpose is to assist Council in identifying targets, actions, and objectives that Council can undertake to address the climate emergency.

Following the drafting of the Climate Emergency Strategy, CARG will assist in the formation of a Climate Emergency Action Plan (CEAP). The Action Plan (yet to be drafted) will focus on the actions and projects Council can undertake to ensure the Strategic Objectives set in the Strategy are achieved.

Background
At the Ordinary Council meeting on 19 November 2019, the Town recognised the Climate Emergency and supported the call to action for all levels of government to make effort to manage and adapt to 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 2020, Council accepted the Terms of References for CARG and authorised the CEO to call for nominations to appoint up to ten community/subject matter experts. On 18 June 2020, the Town released an Expression of interest (EOI) for community members to make application for CARG. On 18 August 2020 Council resolved to appoint ten community and subject matter experts to assist in the construction of the CCAP.

CARG first met in September 2020 and has continued to meet monthly to draft the Strategic Objectives. The Strategic Objectives were considered by Council and endorsed for public comment on 21 April 2021.

Consultation
The objectives were advertised in local print media, via the Town's website and on the Town's social media with the comment period opening on 21 April and closing on 5 June. During the

consultation period, four submissions were received, including a submission from the CARG group. All submissions received during the consultation period have been included in this report as Attachment 1. Three comments congratulated the Town on its ambitious and forward-thinking goals to combat climate change on a local level and commended the targets set by CARG:

- "I really admire what East Freo Council is doing to address our climate emergency".
- "These Strategic objectives are progressive and ambitious yet probably bare necessity to help mitigate climate change and growth pressures past 2030."
- "I support the strategic objectives and look forward to the steps that will take place."

One submission noted the confusing nature of Strategic Objective 6 – Procurement:

- "My only concern is the Procurement Objective which needs clarification and probably plain English editing. Essentially, I do not understand what it currently says and means"

The submission from the Climate Action Reference Group included amendments to Objectives 4 - Transport and Objective 6 – Procurement. The proposed amendments are listed below:

Strategic Objective 4 -Transport
Original: Council will support the community in making informed decisions through education and information programs.

CARG Submission: Council will plan and deliver active transport infrastructure and support the community in making informed decisions on transport options through education and information programs.

Strategic Objective 6 – Procurement
Original: Council will commit to considering impacts of climate change and circular (end of life cycle) economy in their procurement process by 2030

CARG Submission: Council will include sustainability, including circular economy and climate change as a key consideration within procurement and infrastructure by 2024

Statutory Environment
Nil.

Policy Implications
Nil.

Strategic Implications
Town of East Fremantle Strategic Community Plan 2020-2030:

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
Nil.

Comment
Based on the community submissions the key areas of concern are suitably addressed and the Objectives have the support of the community. No major amendments are proposed. The submission relating to the readability of the objectives and the submission from the CARG has been incorporated into this report through improved legibility:

Strategic Objective 4 -Transport
CARG Submission: Council will plan and deliver active transport infrastructure and support the community in making informed decisions on transport options through education and information programs.

Officer recommendation - Council will provide active transport infrastructure and support the community in making informed decisions regarding transport options through behaviour change and education programs.

This objective relates to the promotion of active alternative modes of transport (cycling, walking and public transport) other than motorised vehicles. Example actions from this objective would include improved cycle lanes and footpaths, wayfinding, end of trip facilities. The Town has recently prioritised the recommendations within the Integrated Traffic Management and Movement Strategy which will address many of these actions.

The CARG also recommended modifications to the Procurement objective.

Strategic Objective 6 – Procurement
CARG Submission: Council will include sustainability, including circular economy and climate change as a key consideration within procurement and infrastructure by 2024.

Officer recommendation: Council will incorporate sustainable procurement and circular economy principles as key considerations for procurement by 2024.

This objective aims to ensure the reduction of adverse environmental, social and economic impacts of purchased products and services throughout their life. Sustainable procurement looks beyond the up-front cost to make purchasing decisions based on the entire life cycle of the goods and services, considering associated costs, environmental and social risks and benefits, and broader social and environmental implications.

It is recommended the Strategic Objectives are modified as proposed and that Council endorse the modified Objectives. Officers will continue work with the CARG to incorporate the Objectives and to complete the CES for Council's consideration.

13.3.1 OFFICER RECOMMENDATION

That Council:

1. **receive the submissions provided during the consultation period.**
2. **adopt the amended Strategic Objectives as follows for inclusion in the Climate Emergency Strategy:**

   Strategic Objective 1 – Energy
   - **Council will commit to net zero greenhouse gas emissions and transition to renewable energy (100% by 2030).**
   - **Council will encourage the community to transition to zero emissions by 2030.**
   - **Council will advocate for zero emission energy for both Council and community.**

Strategic Objective 2 - Green Spaces

- **Council will commit to increasing the Town's canopy cover to 30% by 2030.**
- **Council will support the community in the uptake of greening initiatives on both public and private land.**
- **Collaborate with multi-disciplinary organisations on an ongoing basis to increase and protect green spaces.**

Strategic Objective 3 – Water

- **Council will reduce Council consumption of scheme and groundwater by 3% per year until 2030.**
- **Council will support the community with incentives and education to reduce individual and corporate water consumption.**
- **Council will collaborate with stakeholders and external organisations on an ongoing basis to protect and preserve water across the State.**

Strategic Objective 4 – Transport

- **Council commits to reducing greenhouse emissions associated with Council owned fleet by 100% by 2030.**
- **Council will provide active transport infrastructure and support the community in making informed decisions regarding transport options through behaviour change and education programs.**
- **Council will collaborate with multi-disciplinary organisations on an ongoing basis to limit/reduce greenhouse gas from transport.**

Strategic Objective 5 – Infrastructure

- **Council commits to ensure climate change adaptation and mitigation measures for all new and current Council infrastructure.**
- **Council will encourage the use of "Environmental Sustainable Design (ESD)" through policy and incentives to promote green commercial and residential premises.**
- **Council will advocate and work with other government agencies to reduce the impacts of climate change on Council and community assets by 2030.**

Strategic Objective 6 – Procurement

- **Council will incorporate sustainable procurement and circular economy principles as key considerations for procurement by 2024.**
- **Council will support the community in making informed purchasing decisions through education and information programs.**
- **Council will advocate for renewable energy in coordination with WALGA or appropriate partners.**

Strategic Objective 7 – Waste

- **Council aims to achieve zero waste to landfill by 2030.**
- **Council will commit to supporting community groups, residents, and commercial operations to achieve zero waste to landfill by 2030.**
- **Council will advocate for solutions to assist community groups, residents, and commercial operations to achieve zero waste to landfill by 2030.**

Climate Emergency Strategic Objectives Submissions

Submission 1

"I support the strategic objectives and look forward to the steps that will take place, in order to achieve them. 2030 is not far away - so this is really exciting. Thank you for creating the Climate CARG."

Submission 2 (CARG)

The Climate Action Reference Group (CARG) would like to provide comment on the Town of East Fremantle draft Climate Emergency Strategy Strategic Objectives in relation to transport and procurement.

Strategic Objective 4 - Transport

- Council commits to reducing greenhouse emissions associated with Council owned fleet by 100% by 2030.
- Council will support the community in making informed decisions through education and information programs.
- Council will collaborate with multi-disciplinary organisations on an ongoing basis to limit/reduce greenhouse gas from transport.

The members of CARG believe that as well as supporting the community in making informed transport decisions, that Council has a role in providing accessible active transport infrastructure. CARG proposes the following changes to the second draft transport objective:

- *Council will plan and deliver active transport infrastructure and support the community in making informed decisions on transport options through education and information programs.*

Strategic Objective 6 - Procurement

- Council will commit to considering impacts of climate change and circular (end of life cycle) economy in their procurement process by 2030
- Council will support the community in making informed purchasing decisions through education and information programs.
- Council will advocate for renewable energy in coordination with WALGA or appropriate partners.

The members of CARG do not believe that a 2030 target date to include consideration of climate change and circular economy into the procurement process, is responding in an appropriately timely manner to address the climate emergency status as declared by Council in 2020. CARG had recommended a 2022 date to Council and we understand that there was concern on whether changes would be able to be implemented that quickly.

The Town's existing Purchasing Policy currently considers sustainable objectives including, "ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment" and for formal procurement decisions, a sustainability weighting of up to 20% may be applied.

Given this, CARG believes that refining this policy, and the governance surrounding it, to include climate change and circular economy considerations, does not need to take another 9 years to implement.

CARG proposes the following changes to the first draft procurement objective:

- *Council will commit to considering impacts of climate change and circular economy (whole of life cycle) in their procurement process by 2024.*

In addition, it is recommended that the introductory paragraph is amended to reflect the timeliness required in responding to this emergency, as below:

'The Strategic Objectives will act as the foundation for the Climate Emergency Strategy which will be an overarching document providing a framework for Council to act at the necessary scale and pace to address the climate emergency'.

Submission 3

"These Strategic objectives are progressive and ambitious yet probably bare necessity to help mitigate climate change and growth pressures past 2030.

One area that is particularly relevant to most peoples day to day lives in the town is urban canopy coverage, East Fremantle ranks 15th out of 23 comparable suburbs across Australia in canopy coverage and has not seen significant canopy coverage increases from 2016 to 2019. There are large areas of the town that are sorely lacking in canopy coverage

Committing to 30% canopy coverage by 2030 would require an increase of almost 10%, and given that the quality of the cover is important for water management and overall biodiversity I think aggressive action is needed immediately to reach this target.

More native street tree planting, more emphasis and incentives to increase canopy coverage on private land, adjustments to town planning schemes and more native canopy coverage in parks and open spaces are all options.

Lets Get Started!"

Submission 4

"I really admire what East Freo Council is doing to address our climate emergency. The plan seems like a good beginning and the objectives seem logical and throrough. My only concern is the Procurement Objective which needs clarification and probably plain English editing. Essentially I do not understand what is currently says and means.

Keep up the good work to ensure our community has a plan at the local level to make our town, our land, our air and our lives sustainable."

Climate Emergency Strategy Strategic Objectives

TOWN of EAST FREMANTLE

Over the last four months, the Town's Climate Action Reference Group has prepared the Climate Emergency Strategic Objectives. The Strategic Objectives will act as the foundation for the Climate Emergency Strategy which will be an overarching document providing a framework for Council to act at the necessary scale and pace to address the climate emergency

Below are the strategic objectives that were agreed upon by the Climate Action Reference Group; these objectives make clear how Council will manage and adapt to the impacts of the climate emergency. Each Strategic objective is divided up into three parts: Council, Community, and Advocacy. 'Council' refers to how the Town will combat and manage the effects of climate change; 'Community' is how Council will assist the community to adapt and mitigate the effects of climate change, and 'Advocacy' explains how the Town will advocate multidisciplinary organisations on behalf of the community to ensure climate change has a pivotal focus in the Town's future.

Strategic Objective 1 - Energy

- Council will commit to net zero greenhouse gas emissions and transition to renewable energy (100% by 2030).
- Council will encourage the community to transition to zero emissions by 2030.
- Council will advocate for zero emission energy for both Council and community.

Strategic Objective 2 - Green Spaces

- Council will commit to increasing the Town's canopy cover to 30% by 2030.
- Council will support the community in the uptake of greening initiatives on both public and private land.
- Collaborate with multi-disciplinary organisations on an ongoing basis to increase and protect green spaces.

Strategic Objective 3 - Water

- Council will reduce Council consumption of scheme and groundwater by 3% per year until 2030.
- Council will support the community with incentives and education to reduce individual and corporate water consumption.
- Council will collaborate with stakeholders and external organisations on an ongoing basis to protect and preserve water across the State.

To make comment and provide feedback on the Strategic Objectives email: admin@eastfremantle.wa.gov.au or visit eastfremantle.wa.gov.au/

Climate Emergency Strategy Strategic Objectives

TOWN of EAST FREMANTLE

Strategic Objective 4 - Transport

- Council commits to reducing greenhouse emissions associated with Council owned fleet by 100% by 2030.
- Council will provide active transport infrastructure and support the community in making informed decisions regarding transport options through behavior change and education programs.
- Council will collaborate with multi-disciplinary organisations on an ongoing basis to limit/reduce greenhouse gas from transport.

Strategic Objective 5 - Infrastructure

- Council commits to ensure climate change adaptation and mitigation measures for all new and current Council infrastructure.
- Council will encourage the use of "Environmental Sustainable Design (ESD)" through policy and incentives to promote green commercial and residential premises.
- Council will advocate and work with other government agencies to reduce the impacts of climate change on Council and community assets by 2030.

Strategic Objective 6 - Procurement

- Council will incorporate sustainable procurement and circular economy principles as key considerations for procurement by 2024.
- Council will support the community in making informed purchasing decisions through education and information programs.
- Council will advocate for renewable energy in coordination with WALGA or appropriate partners.

Strategic Objective 7 - Waste

- Council aims to achieve zero waste to landfill by 2030 .
- Council will commit to supporting community groups, residents, and commercial operations to achieve zero waste to landfill by 2030.
- Council will advocate for solutions to assist community groups, residents, and commercial operations to achieve zero waste to landfill by 2030.

To make comment and provide feedback on the Strategic Objectives email: admin@eastfremantle.wa.gov.au or visit eastfremantle.wa.gov.au/

13.3.2 Verge Treatment Policy and Greening Guidelines

File ref	H/CCAP
Prepared by	Connor Warn, Waste and Sustainability Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date:	20 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Draft Policy & Guidelines 2. Public Submissions

Purpose
The purpose of this report is to present Council with the comments received during the recent public consultation period and to adopt the Verge Treatment Policy and Verge Greening Guidelines unmodified.

Executive Summary
Town staff developed the Verge Treatment Policy and Verge Greening Guidelines in line with the Water Corporation's Waterwise Verge Best Practice Guidelines. The Verge Treatment Policy gives residents and Council staff information and direction on the installation of soft landscaping in the verge area.

The Policy and Guidelines apply to any property where there is a proposal to alter an aspect of the Council verge. The Policy and Guidelines provide residents with a list of acceptable materials pursuant to the Public Places and Local Government Property Local Law 2016 (Local Law) and provides guidance on how to modify and landscape the street verge with preference to waterwise vegetation.

The Verge Greening Guidelines will act as the public facing document which will be supported by the Verge Treatment Policy.

Background
In May 2020, the Water Corporation recognised the Town of East Fremantle as a Waterwise Council. Waterwise Councils are required to take significant steps to reduce corporate and community water consumption. The preparation and enforcement of a Verge Treatment Policy and/or Verge Guidelines is a required action to ensure the Town is eligible for gold accreditation in 2021.

In October 2020, Town staff presented Council with the Draft Verge Treatment Policy which was endorsed by Council subject to community comment. The draft policy was advertised in local print media, via the Town's website and on the Town's social media platforms with comments accepted between 20 October and 20 November 2020. Feedback from the comment period highlighted the need for a user friendly document that would aid the community in the formation of a verge garden.

Following the feedback period, Council staff worked with the Water Corporation and other local governments to formulate the draft Verge Greening Guidelines and amended the Verge Treatment Policy. The Verge Treatment Policy and Verge Greening Guidelines were presented to Council at the Ordinary Council Meeting on the 18 May 2021. Council endorsed the amended

Verge Treatment Policy and the new Verge Greening Guidelines subject to feedback from the community.

The Verge Greening Guidelines and Verge Treatment Policy were advertised in local print, via the Town's website and on the Town's social media pages with comments accepted between 21 May and 21 June 2021.

This report presents the submissions received during the comment period.

Consultation
Consultation was undertaken with other local governments, the Water Corporation, Department of Water and Environmental Regulation, internal Town staff and the East Fremantle community on two occasions.

The first draft of the Verge Treatment Policy was advertised to the community with comments accepted between 20 October and 20 November 2020. Feedback from this period prompted the formation of the Waterwise Verge Guidelines aimed at providing residents when altering the verge.

The Policy and Guidelines were endorsed by Council and advertised for community comment between 21 May and 21 June 2021. During this time, the Town received four submissions: one submission was unrelated to the Verge Greening Guidelines and Verge Treatment Policy and for this reason has not been included in this report. All relevant submissions received during the consultation period have been included in this report as Attachment 1. Key excerpts from the relevant submissions are provided below:

Submission 1 *"This seems thorough, logical and reasonable [as] waterwise, native verges attract wildlife, reduce watering and look interesting and beautiful, is terrific. Well done"*

Submission 2 *"For residents that have inherited a verge with couch grass - that they wish to establish, manage & maintain (at their own cost), can the Town provide once off support in the form of a bobcat and skip bin to remove"*

Submission 3 *"I viewed the Guidelines and Policy and noted the requirement of "Provision to TOEF of a diagrammatic to scale plan" to plant on verges. As I have argued in the past, all this is going to do is to put people off bothering to do anything. Who's going to go through the bureaucratic requirement to do this?"*

Statutory Environment
Public Places and Local Government Property Local Law.

Policy Implications
If adopted, the Verge Greening Guidelines and Verge Treatment Policy will support both Council officers and residents when landscaping the Council verge.

Financial Implications
Nil

Risk Implications
No significant risk identified.

Strategic Implications
Strategic Priority 4: Natural Environment
4.2 Enhance environmental values and sustainable natural resource use.

Site Inspection
Nil

Comment
Feedback from the community overall has been supportive of the Verge Greening Guidelines and the Verge Treatment Policy. The main concerns highlighted in the submissions relate to the requirements for a diagrammatic sketch and the need for support when removing old verge gardens.

Regarding *Submission 2*:
Across Perth it is the requirement of the resident to maintain and care for the verge area, this includes any associated costs relating to the development of a verge garden. Gold accredited Councils are provided with $10,000 to support verge development rebates, waterwise community gardens and native plant sales. In the case the Town is successful in obtaining gold accreditation in 2021, such rebates will be investigated. This will support residents in the purchasing of soft landscaping and mulch; however, the removal and preparation of the verge area will remain the adjoining householder's responsibility. The Town currently provides a plant subsidy each year. The 20/21 plant scheme is finalised. The 21/22 subsidy has increased to 40 plants per household and will commence for the 2022 sale in May.

Regarding *Submission 3*:
The Town requires a simple diagrammatic sketch when altering the verge area. This is to determine the location and position of any proposed work/vegetation to ensure works will not impact on the Town's infrastructure and not impede vehicle/pedestrian safety by obstructing sight lines. It is recommended that other service providers, utilities and services located in the verge area are investigated when developing the verge area. The sketch will limit any material, structure, or verge treatment the Town deems to be hazardous or posing a significant risk to the public. The Town will not require formal plans for the installation of lawn and/or mulch. Should any resident require assistance with a diagrammatic sketch, administration is more than willing to assist where it can.

The Verge Treatment Policy and Verge Greening Guidelines are recommended to be supported for various reasons:

1. To provide guidance to residents when installing soft landscaping on the verge area
2. To provide clarity to staff reviewing applications for new verge landscaping
3. To ensure the safety of the community
4. To respond to community expectations regarding sustainability and environmental consciousness
5. To align with the Town's agreement to the Water Corporation
6. To promote the Town's action on Climate Change

It is recommended that Council note the submissions received and adopt the Guidelines and Policy without modifications.

13.3.2 OFFICER RECOMMENDATION

That Council adopt the Waterwise Verge Treatment Policy and Greening Guidelines and note the public submissions received.

3.2.4 Verge Treatment Policy

Type:	Regulatory Services, Environmental Health
Legislation:	Public Places and Local Government Property Local Law 2016
Delegation:	
Other Related Document:	Town of East Fremantle Greening Guidelines Maintenance and Removal of Public and Verge Trees Policy

Objective

To encourage the installation of soft landscaping within the local road verge area utilising vegetation that maximises the use of pervious surfaces to:

1. contribute to the aesthetic presentation of the streetscape and improve public health;
2. assist with urban cooling;
3. reduce stormwater runoff into sensitive environments, including the Swan River; and
4. create liveable, waterwise and green public corridors and verge areas that provide habitat for local wildlife and biodiversity.

Policy Scope

This policy applies to all land within the road and street verge areas within the Town, where the Town has control of the road reserve.

The verge is the area of land located between a street kerb and the boundary of an adjacent property. Verges are Crown Land, however it is the responsibility of the adjacent landowner to maintain and improve the verge.

Legislative Requirements

The *Town of East Fremantle Public Places and Local Government Property Local Law 2016* allows owners and occupiers of land which directly abuts a verge to install a 'permissible verge treatment'. For information regarding a 'permissible verge treatment' please review the Verge Treatment Policy (this policy) and the *Town of East Fremantle Public Places and Local Government Property Local Law 2016.*

Policy

This policy has been developed in accordance with the Water Corporation's *Waterwise Verge Best Practice Guidelines* and provides further guidance for permissible verge treatments as stated in the *Town of East Fremantle Public Places and Local Government Property Local Law 2016.*

Application

To apply for a Verge Garden the Town requires:

1. a completed **Verge Application Form** available from eastfremantle.wa.gov.au/
2. a requirement of the *Application Form* includes a diagrammatic sketch which identifies any proposed installations to verge (vegetation, mulch, inorganic/manmade material and associated irrigation) the sketch should also note any existing features (i.e. street tree/s, power poles, street signs, existing reticulation).

*For applications abutting a strata titled property, written confirmation from all strata owners/managers approving the verge works will be required. *

Underground Services
Prior to commencing any works on the verge (including but not limited to reticulation and planting), the applicant is to contact 'Dial Before You Dig' to determine location of any underground services. For more information visit https://www.1100.com.au/ or call 1100 during business hours.

Any works carried out on the verge by the applicant resulting in damage or disruption to services will need to be reinstated at the applicant's full cost. The Town and any service providers reserve the right to carry out any necessary works on the verge or authorise others to do so, whether this necessitates removal of any plantings or not, at no cost to the Town or other authorised party for replacement.

Removal of Lawn
The establishment of waterwise native verge gardens is encouraged in favour of lawn varieties. The removal of lawn is crucial to the success of a waterwise verge garden to prevent competition with new plantings. For information relating to maintenance of lawn refer to:
https://www.watercorporation.com.au/Waterwise/Waterwise-advice/Garden/Lawn-care

Design Guide
The Town encourages residents to install permeable soft landscaping in accordance with the following requirements:

1. Features of verge installations must be set back and provide clear access to any infrastructure such as power poles and underground services and to ensure they do not obstruct clear lines of sight for pedestrians, cyclists or motorists.
2. For verges with no footpath, plants should be set back a minimum of 2m from the road kerb to allow for pedestrian movement and access to and from vehicles that are parked on the road.
3. Footpaths and kerbing are not to be removed or replaced to accommodate landscaping.
4. Verge installations are not to include materials or structure which are deemed unsafe, refer to *Verge Garden Materials* as follows.
5. Verge are expected to be well maintained to ensure safety of the community.

Verge Garden Materials
The following table outlines acceptable and unacceptable verge treatments. All treatment placed in the verge area should be permeable for water and set back to provide clear sightlines and safety areas for the public and access to any services.

Material Type	Material Description
Accepted (**no approval required**)	• Drought tolerant lawn varieties such as couch, kikuya and warm season buffalo (however, lawn verges not preferred). • Mulch (contained within the boundary of the verge).
Accepted **(subject to approval)**	• Maintained gardens (native and waterwise preferred & less than 0.6m), and irrigation. • *Edible plants ensuring they are harvested regularly, and no produce is not left on the ground to decompose (less than 0.6m).
Not Accepted When the Town deems a material, structure, or verge treatment to be hazardous or posing a significant risk to the public the material will be deemed unacceptable	• Materials or structure which are unsafe, block sightlines, are loose or slippery, present hazard, are impermeable, are weeds, are sharp or prickly. • Paving, Concrete, or other similar hardstand materials. • Limestone rubble, gravel, or any similar loose aggregates. • Artificial/synthetic turf. • Verge Trees other than those planted by the Town .

Soil Preparation
The soil structure in the Town is Sandy Limestone – Cottesloe soil matrix. Refer to the Towns *Greening Guidelines* with specific reference to soil types.

Plant Selection
The Town encourages and supports the use of waterwise plants for planting on verges. Native plants are made available to residents of the Town at the annual plant sale at Apace Nursery every May. For a list of waterwise plant species, visit Water Corporation's Waterwise Plant Selection Tool or view the Towns *Greening Guidelines.*

Street Trees
Residents may apply to have a street tree planted or replaced on the verge adjacent to their property by completing the Verge Tree Request Form .

The Town is responsible for planting, maintenance and removal of all street and reserve trees in accordance with its '*Maintenance and Removal of Public and Verge Trees Policy*'.

It is the Town's intention to retain verge trees that are healthy, and do not cause any safety concerns. In the absence of suitable justification being provided for the removal of a tree, the request for the removal will not be supported. Pruning of verge trees will only be carried out on those trees that cause an adverse impact by the Town or the Town's contractor. Care is to be taken during the installation of a verge gardens to protect the trunk and canopy of street trees and preserve the root zone.

Maintenance and Upkeep
The maintenance of the verge is the responsibility of the adjacent owner or occupier. The Town accepts no responsibility for plant health and wellbeing for an approved verge garden. Once approved and installed, a verge garden is to comply with the following:

- Plant growth is to be maintained within the confines of the verge area and not spill into the footpath or road areas and is not to exceed a height of 600mm.
- Plants are to be maintained in a weed free state at all times and are to be watered as required to establish and maintain them.
- All excess soils and litter resulting from the plantings is to be removed at the applicant's cost.

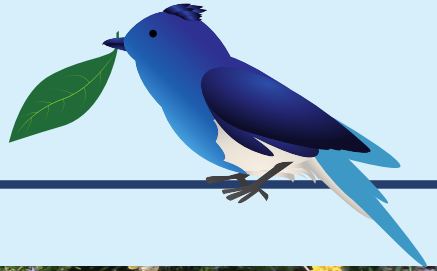
Where a verge landscaping feature is considered by the Town to pose a safety concern or does not meet the guidelines, the Town may require the applicant to revise part or all of the feature to comply with this policy and Town requirements. Alternatively, the Town may remove, or require the applicant to remove any non-complying feature.

Irrigation
For all irrigation conditions refer to *Verge Greening Guidelines*. The Town is Waterwise Council and promotes water sensitive urban design. Proposed irrigation plans are to be included in the *Verge Treatment Application* when applying for a verge garden.

Responsible Directorate:	Operations
Reviewing Officer:	WASO
Decision making Authority:	Council
Date of Adoption:	
Policy Amended/Reviewed:	

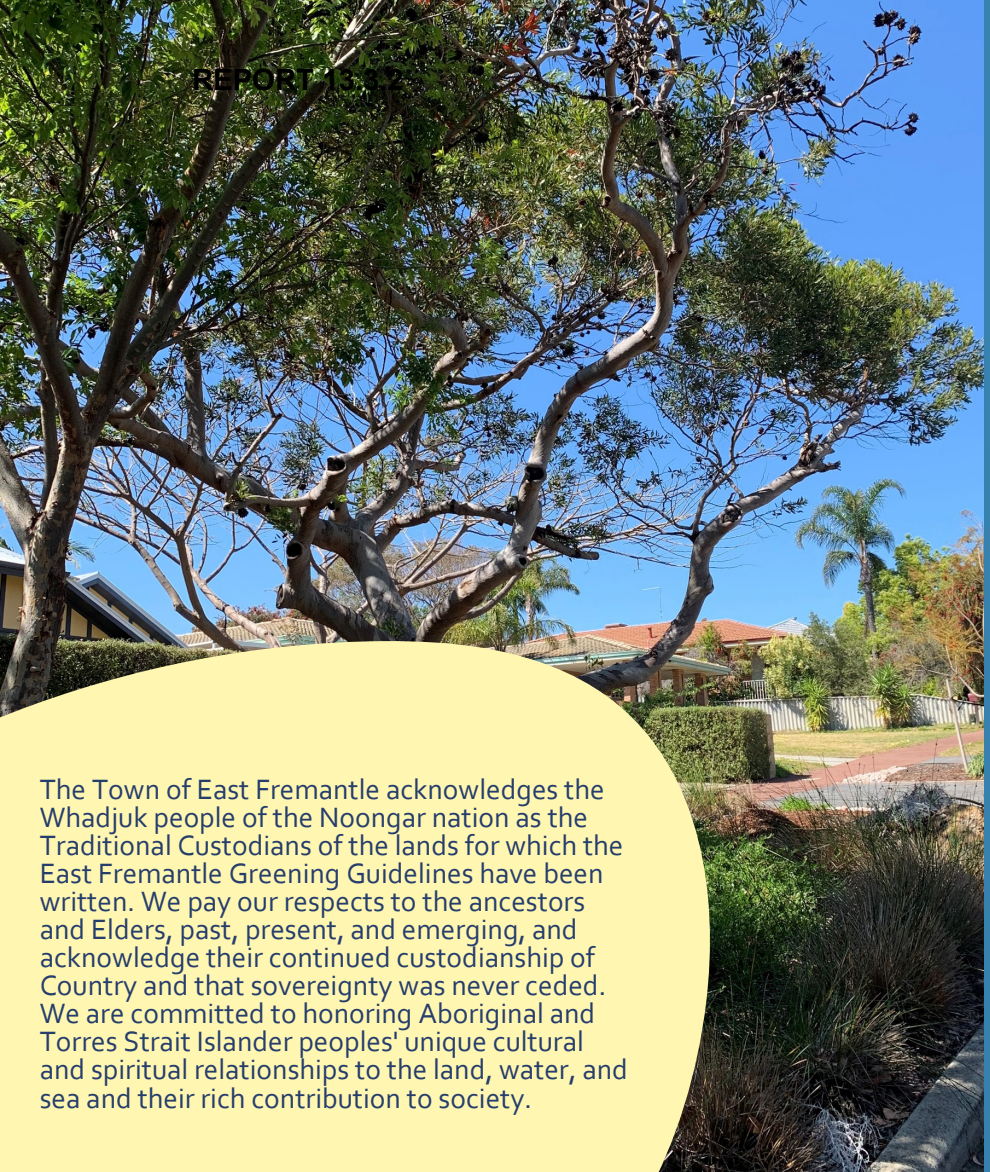
TOWN of EAST FREMANTLE

GREENING GUIDELINES



For more information on creating a waterwise verge garden visit:
watercorporation.com.au/waterwise

eastfremantle.wa.gov.au



The Town of East Fremantle acknowledges the Whadjuk people of the Noongar nation as the Traditional Custodians of the lands for which the East Fremantle Greening Guidelines have been written. We pay our respects to the ancestors and Elders, past, present, and emerging, and acknowledge their continued custodianship of Country and that sovereignty was never ceded. We are committed to honoring Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to the land, water, and sea and their rich contribution to society.

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WHAT IS A STREET VERGE?

The verge is a key part of the streetscape and is the area of land located between a street kerb and the boundary of an adjacent property. Verges are Crown Land, however; it is the responsibility of the adjacent landowner to maintain and improve the verge.

Verges act as a shared asset for:

- hosting service utilities
- providing access to residential and commercial properties
- providing connectivity throughout the Town
- linking properties to the natural environment
- reducing the ambient temperature of the street (where trees and vegetation are present).

The increasing and ongoing impacts of climate change make it crucial to preserve water resources wherever possible. For this reason, the Town encourages the formation of waterwise verges that do not need regular watering in an effort to mitigate and adapt to the effects of climate change. A well designed and well maintained waterwise verge garden can:

- reduce the impacts of urban heat by cooling the streetscape with the provision of verge trees and waterwise vegetation
- reduce water consumption, maintenance, and associated water bills
- provide crucial habitat and nature links for wildlife, improving biodiversity across the Town
- improve rainwater infiltration and reduce stormwater runoff into the Swan River

WHY CREATE A WATERWISE VERGE?

The Town aims to protect, link, and enhance public and private green spaces wherever possible. Green spaces provide fauna with homes as well as creating corridors between bush sites and establishing ecological links across the Town.

The formation of a waterwise verge can add a variety of environmental, economic and social benefits for residents, commercial business owners, and the community as a whole, including:

- improved water efficiency and increased stormwater infiltration
- urban cooling and a reduction of the urban heat island effect in summer
- habitat for local wildlife and increased biodiversity
- improved streetscape amenity and potentially increasing property values
- improved health and resilience of the Town's urban forest.

The Town installs a variety of native and introduced street trees to ensure a diverse streetscape protected from disease, ensuring an urban forest for future generations. Due to the Town's proximity to the Swan River, excess nutrients from residential runoff and stormwater drainage can contribute to unhealthy water quality and algal blooms. Installing street trees, waterwise lawns, and waterwise verge gardens are simple methods residents can use to limit such runoff into the Swan River.

DO I NEED PERMISSION TO LANDSCAPE THE VERGE?

To ensure the safety of residents, cyclists, and motorists the Town requires plans for any significant changes prior to any changes to the verge these include:

- **the construction of a verge garden including edible plants (less than 0.6m)**
- **installation of manmade objects on the verge.**
- **irrigation**

All treatments placed on the verge must be permeable for water absorption, preventing runoff and flooding during the winter months. When installing organic lawn or mulch, the Town does not require plans, however drought-tolerant grass and plant varieties are preferred. For more information visit: www.watercorporation.com.au/Waterwise

ACCEPTED VERGE TREATMENTS

MULCH

Mulch is crucial for an effective waterwise verge. A 5-10mm layer of mulch is crucial to trap water and reduce evaporation ensuring your plants thrive in the hot summer months. Mulch assists in preventing weeds, further reducing the need for ongoing maintenance.

SMALL SHRUBS

The Town encourages local native plants which are hardy, drought-tolerant, and suited to local conditions. Use groundcovers and shrubs but avoid plants that grow over 0.6m high (keeping sightlines clear) and plants that are prickly, spiky, poisonous, or cause allergic reactions.

DROUGHT TOLERANT GRASS VARIETIES

The Town encourages waterwise verge gardens over lawned verges however, installing and maintaining a low maintenance lawn can significantly reduce water needs, saving time and money. When choosing a lawn, look for a warm season grass that is drought tolerant and suitable for WA's warm summer months.

COUNCIL VERGE TREES

Verge trees assist in cooling the Town's streets by providing shade; creating habitat for biodiversity and can assist in increasing property values. Trees also improve physical and mental health.

The following are NOT permitted as a verge treatments

- toxic, spikey, or poisonous plant or plantings exceeding 0.6 m (excludes Council verge trees)
- synthetic/artificial grass in any form (increases effects of urban heat, runoff, and creates microplastics)
- inorganic mulches such as crushed brick, crushed limestone, rubber, gravel, and bitumen
- any materials that could be dangerous, loose, slippery, sharp, block sightlines, are not permitted on the verge.

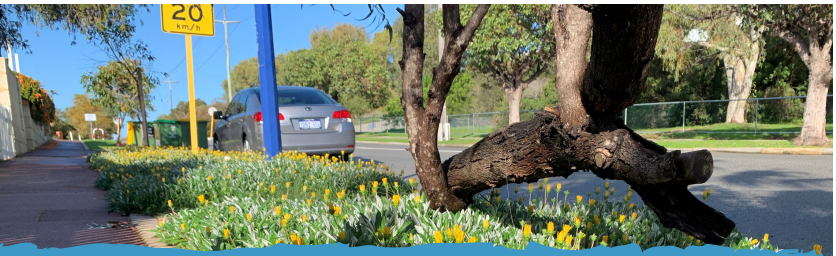
SERVICES AND RESPONSIBILITIES

REPORT 13.3.2

An important function of the verge is to serve as a corridor for above and below ground services and utilities (power, water, sewerage, gas etc).

It is the responsibility of the Town to install, maintain and remove street trees as required.

Maintaining verge landscaping - including irrigation, planting, and organic mulching - is the responsibility of residents/landowners. Periodically, works will be undertaken on the verge, such as tree pruning or service maintenance/upgrades, which may damage or disturb verge gardens. The resident/landowner is responsible for the reinstatement of the verge garden following any works by utility providers or other authorised parties.



UTILITY LOCATIONS

Under the verge, there can often be service utilities, telephone lines, and electricity cables. Before beginning any work on your verge, it's important to find the location of any of these services. Verge treatments must not cover or obstruct these services.

Before any verge development work, call 'Dial Before You Dig' on 1100 or go to 1100.com.au to find out the location of any below ground services within your verge. It is the owner or occupier's responsibility to identify all services located within the verge.

DIAL BEFORE YOU DIG
www.1100.com.au

ATTACHMENT 1

IRRIGATING MY VERGE GARDEN

When designing a waterwise verge garden permanent irrigation should not be required, as once established, native plants can survive hot dry summers with little to no additional watering.

In the case, your verge garden requires irrigation, contact a waterwise service provider to help in designing and installing irrigation to best suit your vegetation and verge conditions. Ensure to include any irrigation in the diagrammatic sketch indicating the location of proposed reticulation when applying for a verge garden. For more information on the Town's irrigation conditions scan the below QR code or visit eastfremantle.wa.gov.au

To check your scheduled watering times visit watercorporation.com.au/waterwise

East Fremantle Irrigation conditions

408

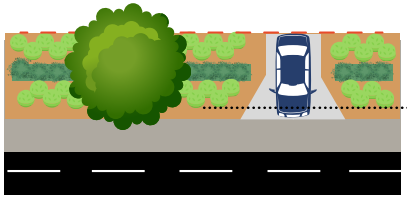
Water Corporation Waterwise

EXAMPLE OF VERGE DESIGNS

REPORT 13.3.2

ATTACHMENT 1

Use the following examples to design your own proposed verge garden. Refer to the Urban Streetscape and Public Realm Style Guide for Hardcover and built design guidelines eastfremantle.wa.gov.au/services/building-planning/urban-streetscape-and-public-realm-style-guide.aspx

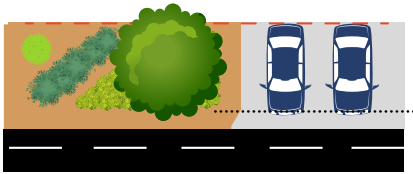


STANDARD VERGE
(with footpath adjacent to road)

- layered planting, shrubs, strappy leaf plants, groundcovers.
- 1m mulch only strip at back of kerb to allow for growth and area for bins

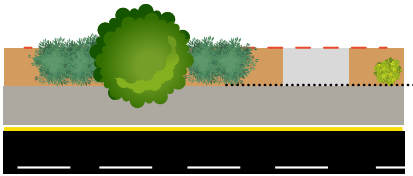
LARGE VERGE
(with footpath adjacent to property)

- property boundary
- footpath
- layered planting, street tree, shrubs, strappy leaf plants, groundcovers.
- 1.m mulch only strip for pedestrian access and bins



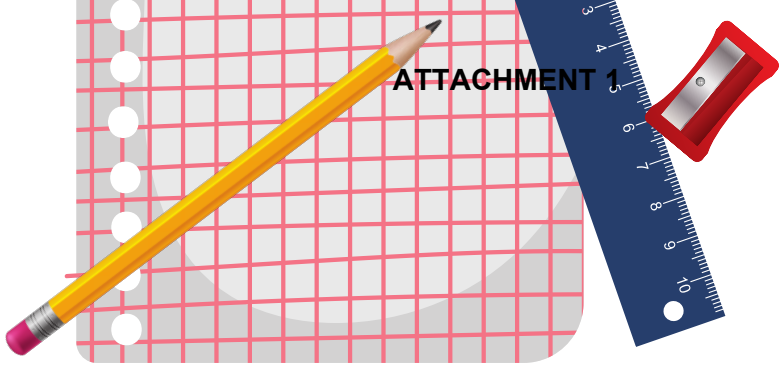
LARGE VERGE
(no footpath)

- property boundary
- layered planting, street tree, shrubs, strappy leaf plants, groundcovers.
- 2m mulch only strip for pedestrian access and bins



NARROW VERGE
(footpath adjacent to the road)

- groundcover
- 1m mulch only strip at the back of curb to allow for growth and area for bins
- footpath



APPLY FOR A WATERWISE VERGE

Proposed verge designs must be submitted to the Town in writing with a diagrammatic sketch showing proposed locations of plants, proposed plant species, and any irrigation. To apply for a verge garden simply scan the attached QR code or visit:

eastfremantle.wa.gov.au/forms/verge-treatment-application/23

- design your verge taking into account public utilities
- get inspiration from current verges in the Town
- choose plants suited to the Town's soil conditions
- consider the need for irrigation and where it would be placed
- draw up a plan.

Measure and draw up a plan of your verge identifying the dimensions and any existing features. This will help to determine how to arrange your verge and what can fit. Ensure plants are set back at least 1.5m from crossovers, kerbs, and footpaths to ensure plants do not obstruct pedestrians and vehicles as they grow. If you do not have a footpath, all plants must be set back at least 2m from the kerb to allow pedestrian movement. This area of the verge may also be used for kerbside waste collection or bulk/green waste at the assigned times.

WATERWISE VERGE PLANTINGS

REPORT 13.3.2

ATTACHMENT 1

Understanding your soil type is crucial before choosing any plants for your verge. The soil in East Fremantle is typically full of limestone and known as the Cottesloe Soil Complex. For a comprehensive list of native vegetation appropriate for East Fremantle, visit apacewa.org.au/wp-content/uploads/2016/09/Cottesloe-yellow-12-pages.pdf or scan the QR code below.

Below are a variety of waterwise plants that will grow well in East Fremantle and will generally grow less than 0.6m tall. Plantings in some cases will require pruning to ensure they remain under 0.6m.

Key

- *Native Species*
- *Coastal Vegetation*
- *Available at APACE*

Common Name	Scientific Name	Size	Notes
Coastal Pigface	Carpobrotus virescens	0.3 x 1m	
Many Flowered Fringed Lily	Thysanotus multiflorus	0.5 x 0.3m	
Sea Heath	Frankenia pauciflora	0.5 x 2m	
Running Postman	Kennedia prostrata	0.6 x 2.5m	
Couch Honeypot	Banksia dallanneyi	0.6 x 3m	
Ellabella Grevillea	Thysanotus multiflorus	0.5 x 0.3m	
Common Beaked Triggerplant	Stylidium adnatum	0.3 x 1m	
Catspaw	Anigozanthos humilis	1 x 0.3m	
Western Patersonia	Patersonia occidentalis	0.9 x 0.8m	
Thick Leaved Fan Flower	Scaevola crassifolia	1.5 x 1.5m	
Blue Lace Flower	Trachymene coerulea	1 x 0.8m	
Globe Pea	Sphaerolobium medium	0.5 x 0.3m	
Pepper and Salt	Philotheca spicata	0.2 x 1.2 m	

Many Flowered Fringed Lily

Running Postman

Coastal Pigface

Sea Heath

Ellabella Grevillea

Catspaw

Couch Honeypot

Common Beaked Triggerplant

Thick Leaved Fan Flower

Running Postman

Western Patersonia

Blue Lace Flower

Pepper and Salt

Globe Pea

Water Corporation Waterwise Plant Finder

PROTECTING THE URBAN FOREST

REPORT 13.3.2

ATTACHMENT 1

What is an Urban Forest?

An urban forest is the green spaces, trees, and other vegetation that grow within an urban area, on both public and private land. Combined, these green areas provide a range of benefits that enrich the quality of life for those in the area and promote well-being. Trees provide more than just clean air and shade; they assist in the mental health of the community, stormwater management, environmental impact, and noise reduction.

Environmental Benefits

Urban forests help to create ecosystems that provide habitat and food for birds and other animals, allowing native species to move between areas without risk of harm. Trees provide a variety of environmental services such as cleaning and producing the air that we breathe, cooling our streets, and assist in the sequestration of carbon.

Economic Benefits

Urban Forests assist in lowering heating and cooling costs, increasing property values, increasing the lifespan of community and council infrastructure, encouraging shoppers to stay longer in commercial areas and therefore potentially spend more.

Social Benefits

Exposure to urban green space has been found to improve human mental health, cognitive function, creating a sense of community, and reduce social issues such as crime and vandalism.

Health benefits

Trees with a dense canopy provide excellent protection from UV radiation, reducing the risk of heat exhaustion and the associated risk of skin cancer. When carefully selected, trees can assist by cooling air temperature by over 30%, thereby activating reserves and parks making them more accessible.

STREET TREES

The Town has a broad street tree program that includes regular maintenance and annual winter planting. The Town takes responsibility for the installation and maintenance of all street trees, relevant regulations; ensuring access to underground service locations and appropriate tree species.

Residents are encouraged to request a verge tree from the Town. By planting more verge trees we can reduce the urban heat island effect and increasing the Town's urban canopy.

For more information on requesting a free Verge Tree scan the QR code below or visit eastfremantle.wa.gov.au/services/sustainability-and-environment/verge-treatments-and-street-trees.aspx

REPORT 13.3.2

RESIDENT INCENTIVES

ANNUAL NATIVE PLANT SALE

Each year during the month of May, The Town partners with APACE Nursery in North Fremantle to provide native plants at a subsidised cost to East Fremantle residents. These waterwise native plantings are ideal for any verge garden, providing habitat and food for a variety of native wildlife. The plants sell quickly so be sure to get in before it's too late!

FREE MULCH

Mulching is an easy way to develop a waterwise garden. East Fremantle residents can collect mulch from the Fremantle Recycle Centre in Montreal Street, Fremantle at no cost, for opening hours visit fremantle.wa.gov.au (please take a form of Identification).

USEFUL LINKS

ATTACHMENT 1

Below are a variety of links that will assist you on your Waterwise journey, ensuring you are in the best place to create a self-sustaining waterwise verge garden.

APACE Nursery

Water Corporation Waterwise

Low Maintenance Lawn

East Fremantle Irrigation Conditions

Water Corporation Waterwise Plant Finder

Cottesloe Soil Complex Planting Guide

HAPPY PLANTING!

Verge Treatment Policy and Verge Greening Guidelines submissions

Submission 1

"This seems thorough and logical and reasonable and waterwise, native verges to attract wildlife, reduce watering and look interesting and beautiful is terrific. Well done. I have a planted native verge - plants from APACE (except a few and which Council is commended for) and with the verge trees our street (Fortescue and Millendon) is looking lovely and shady and flowering at different times of the year. What I have discovered though is that the local cats who get out onto the street also like these secret hidden shady places which sort of defeats the purpose of maintaining habitat and diversity of our native flora and fauna. So I would have found it also helpful in the list of plants that we see which birds/animals/insects are attracted or would benefit from planting. This way we can also learn of local species."

Submission 2

"For residents that have inherited a verge with couch grass - that they wish to establish, mange & maintain (at their own cost) a native garden on, can the Town provide once off support in the form of a bobcat and skip bin to remove the bulk of the invasive grass, including appropriate amount of topsoil containing bulk of the grass rhizomes so there can be a chance at success? Possible chemical treatment (although I am personally against use of chemicals - if it is a once off, for long term benefit - I can feel ok about.)

I have a large verge (footpath along property, with verge, then road where alongside parking is permitted) I have spent numbers days removing 2m2 of couch grass by hand around my street tree, in order to help it thrive (smothered by the grass), then sufficiently mulched - however despite regular weeding within a period of 6 months - the couch grass took over - and is now thriving with the new mulch, instead of my street tree.

In my opinion, this invasive grass needs bulk physical removal, then possibly applied careful chemical treatment - before re-establishing a native garden, if there is to be a strong chance of success.

My vision for my verge is wood chip mulch along road & foot paths sides - capturing rain run off, with low lying native plants along the centre. This would cool the space in summer (reducing heat from the road) and provide habitat for small birds, reptile and insects year round - plus enhance the growing space for my struggling street tree. (Young school children continually climb it - snapping branches the process, turning its growth - small ground cover plants will naturally stop most from access to the tree.)

The couch grass is prohibiting me to invest further time and any resources in greening this space - which is a high use community area."

Submission 3

"I viewed the Guidelines and Policy and noted the requirement of "Provision to TOEF of a diagrammatic to scale plan" to plant on verges. As I have argued in the past, all this is going to do is to put people off bothering to do anything. Who's going to go through the bureaucratic requirement to do this? The requirement that has been approved has been lifted straight out of a consultants' report to the Water Department which I suspect hasn't even been approved by the Department and is cited

as an consultants' report in the Department's draft policy statement on Waterwise Verges. Last time I checked with the Department I was advised this draft had been forwarded to Local Governments for their comment only- not as approved Government policy. This may have changed in the intervening period to date.

Anyway, I bet you won't be busy looking at applications. Let's check in a year's time to see if any have been lodged. Please take this as my submission of comment: I can't be bothered with the "comment form". In addition, could you kindly forward this comment to the Climate Action Reference Group for their consideration as I believe vegetation cover is within their ambit."

Submission 4 – (not included in report)

"In regard to the urban forest that is so important to our area I have to wonder why beautiful large gum trees that are the home to so much bird life can be pulled down. I know there is to be a development to the Woodside hospital site. Yet pulling down these large gum trees that have been there for over fifty years and enhance the street scape need to be removed. The developers wish to remove these trees to make a driveway for the underground car park but with a realistic realignment of the driveway these beautiful trees could be saved. It is very distressing for may of the residents of Dalgety Street. The trees are just beautiful. I might add these aren't the only trees which they wish to remove but are the most important for the street. Hopefully considerations will be viewed to save these trees."

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

15. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING

16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

17. NEW BUSINESS OF AN URGENT NATURE

18. MATTERS BEHIND CLOSED DOORS

19. CLOSURE