



# AGENDA

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## Ordinary Meeting of Council

Wednesday, 27 March 2013, 6.00pm



**CITY OF FREMANTLE**  
**NOTICE OF AN ORDINARY MEETING OF COUNCIL**

Elected Members

An Ordinary Meeting of Council of the City of Fremantle will be held on Wednesday, 27 March 2013 in the Council Chamber, Town Hall Centre, 8 William Street, Fremantle (access via stairs, opposite King's Square) commencing at 6.00 pm.

Graeme Mackenzie  
**CHIEF EXECUTIVE OFFICER**

22 March 2013

# **ORDINARY MEETING OF COUNCIL**

## **AGENDA**

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### **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

### **NYOONGAR ACKNOWLEDGEMENT STATEMENT**

"We acknowledge this land that we meet on today is part of the traditional lands of the Nyoongar people and that we respect their spiritual relationship with their country. We also acknowledge the Nyoongar people as the custodians of the greater Fremantle/Walyalup area and that their cultural and heritage beliefs are still important to the living Nyoongar people today."

### **ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

### **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

### **PUBLIC QUESTION TIME**

### **DISCLOSURES OF INTEREST BY MEMBERS**

### **APPLICATIONS FOR LEAVE OF ABSENCE**

### **PETITIONS / DEPUTATIONS / PRESENTATIONS**

### **CONFIRMATION OF MINUTES**

That the Minutes of the Ordinary Meeting of Council dated 27 February 2013 be confirmed as a true and accurate record.

### **ANNOUNCEMENTS BY THE MAYOR**

### **QUESTIONS OR PERSONAL EXPLANATIONS BY MEMBERS**

### **TABLED DOCUMENTS**

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## COMMITTEE REPORTS

### PLANNING SERVICES COMMITTEE 6 MARCH 2013

#### PSC1303-30 TUCKFIELD STREET, NO. 63 (LOT 170) RETROSPECTIVE APPROVAL FOR ALTERATIONS TO AN EXISTING SINGLE HOUSE AND PROPOSED MODIFICATIONS TO APPROVED DECK, BAY WINDOW AND CARPORT - (SS DA0179/12)

**DataWorks Reference:** 059/002  
**Disclosure of Interest:** Nil  
**Meeting Date:** 6 March 2013  
**Responsible Officer:** Manager Statutory Planning  
**Actioning Officer:** Coordinator Planning Mediation  
**Decision Making Level:** Planning Services Committee  
**Previous Item Number/s:** N/A  
**Attachment 1:** Supporting documents and plans  
**Attachment 2:** Photographs taken by the City  
**Date Received:** 1 May 2012 (amended plans 19 July 2012)  
**Owner Name:** Peter Neale  
**Submitted by:** Owner  
**Zoning LPS4:** Residential (R25)  
**Heritage Listing:** LPS4 and MHI (Level 3)  
**Existing Land use:** Single House



## **EXECUTIVE SUMMARY**

The application is referred to the Planning Services Committee (PSC) for determination as submissions have been received that cannot be addressed through conditions of planning approval.

Planning approval was granted in 2006 for two storey additions to the rear of the existing heritage listed building. During the construction process, certain changes have been made to the original planning approval, which has now lapsed. Works commenced but have not been completed within the specified time in the planning approval, which was a requirement under Town Planning Scheme No. 3.

A retrospective planning application was received for the unauthorised changes, as well as seeking planning approval for proposed works. Most of the works undertaken do not introduce any new planning issues, apart from the need to undertake a performance based assessment under the privacy requirements R-codes in relation to:

- A partly completed bay window to the side (south-eastern) elevation; and
- Window opening to the south-eastern upper level side of the balcony.

A performance based assessment is required for proposed changes to the approved rear deck.

The application also involves a proposed carport to the side of the dwelling, which has been considered acceptable following a heritage review of the application, as the original dwelling is on the Heritage List of Local Planning Scheme No. 4.

The application was advertised and two submissions were received.

Having regard to the planning framework, the heritage assessment and the performance based assessment, it is recommended that conditional planning approval can be granted subject to special conditions relating to the provision of screening to the:

- windows to the bay window; and
- side of the upper level balcony.

A draft condition of approval has been included in the report should Council form the opinion that privacy screening is required on the proposed deck to protect the loss of privacy to the property at No. 61 Tuckfield Street, through the potential future loss of landscaping.

## **BACKGROUND**

The site is zoned Residential under the provisions of the City's Local Planning Scheme No. 4 ("LPS4"), and has a density coding of R25. The original building is on the Heritage List of LPS4 and is a Category 3 building on the City's Municipal Heritage Inventory.

To the north-east of the site (left hand side) is a battle-axe lot (No. 65 Tuckfield Street) which has a single house on it. The driveway to the rear lot is located along the common boundary with the development site.

The land to the south-east (rear) is vacant land.

There is a single house to the south-west of the site (right hand side) on No. 61 Tuckfield Street. The dwelling is located to the front of the site. Behind the dwelling is a brick/timber/metal clad outbuilding located on the common boundary with the development site and the rear of the structure aligns approximately with the rear of No. 63 Tuckfield Street. A timber structure is located further towards the rear of the site.

The site opposite the development site is a single house and is on the State Register of Heritage Places.

There is a cross fall in the development site of, with the greatest crossfall being approximately 2.0m near the rear boundary from the northern side boundary down to the southern side boundary. When looking at the dwelling from the rear of the site, the dwelling (which has a loft space within the roof) appears as:

- single storey from No. 65 Tuckfield Street; and
- two storeys from No. 61 Tuckfield Street.

Planning approval was granted under Town Planning Scheme No. 3 on the 23 May 2006 for two storey additions and alterations to the rear of the existing single house (DA158/06). The development was required to be completed within a three year period. A two year extension to the planning approval was granted in 2009, which meant that the development was required to be completed by May 2011.

A building licence was issued in December 2006. The validity of that licence was extended to June 2008 but no further extensions were sought.

The City received a complaint in relation to works being undertaken on the site. An inspection was carried out and based on further investigation, it was revealed that:

- the relevant approvals had lapsed; and
- certain works had been undertaken that were not in accordance with the now lapsed plans.

Upon being advised that unauthorised works had been carried out, the owner then submitted an application for retrospective planning approval in May 2012. Work ceased on the “new” two storey addition to the rear of the site in May 2012.

Planning approval was granted for restoration works to be undertaken on the original heritage listed dwelling on the 22 June 2012 (DA0226/12).

## **APPLICATION DETAILS**

The planning application is for:

- Retrospective approval for works undertaken that were contrary to the lapsed approval for the two storey addition to the rear of the main heritage listed building; and
- Planning approval for the completion of the works associated with the two storey additions.



## **Retrospective Planning Approval**

The following departures were identified from the approved 2006 plans:

### Lower Basement level

1. Lower basement level has been created –has an opening for a door and windows to the south-east and south-west elevations.

### Main Ground floor level

2. Bay window has been partly constructed to the south-western elevation – not completed;
3. Window on south-eastern side modified as a consequence of addition of bay window;
4. Change to internal stair configuration and subsequent change to upper level design of roof; and
5. New door opening and window and modifications to window openings to the north-eastern side of development at the lower level;

### Upper Level

6. Upper level roof over proposed bedroom has been modified and now provides for walls with incomplete window openings to the south-west and north-east sides of that room;
7. Proposed storage space within the roof space of the main heritage dwelling, with access from the main bedroom;
8. Window to south-western side of balcony to main bedroom;

### Heritage listed building

9. Flooring and roof to verandah have been removed;
10. Roof of the proposed building has been replaced with new material and the rear section of the roof over the original building has been modified; and
11. Repair work has been undertaken on the external walls of the original building.

Of those works, only points 2 and 8 will require further consideration due to those needing an assessment against the Performance Criteria of the R-codes.

## **Proposed works for planning approval**

The existing development is almost complete apart from the finishing off of the development. It is proposed to:

- A. complete the finishing off of the existing structure;
- B. modify the design of the approved rear deck; and
- C. construct a car port to the south-western side of the heritage listed building.

## **STATUTORY FRAMEWORK**

The proposed development has been assessed against the relevant provisions contained in LPS4, the R-Codes and Council Local Planning Policies. The proposed development includes the discretion in relation to the privacy design requirements of the R-codes.

Detailed assessment and discussion is contained in the Planning Comment section of this report.

## **CONSULTATION**

### **Public Consultation**

The planning application was the subject of two advertising periods. The second advertising period occurred as more detailed plans and supporting documentation was received by the City. At the close of the second submission period on the 16 August 2012, the City had received two submissions

The following key issues have been raised in those submissions:

- i) Objection to the proposed window on the northeast upper storey (left side) which results in overlooking – window is unauthorised and should not be permitted, even if compliant with the R-codes or Council policies;
- ii) Objection to the expansion of the rear deck and location of swimming pool on the boundary - both have potential to create significant noise and amenity nuisance;
- iii) Concern over loss of privacy from right hand side living room window at the main floor level (now partly constructed as a bay window) that was the subject of a previous condition of planning approval (2006), that was imposed to address privacy concerns;
- iv) Queries whether the south-eastern (rear) facing window to the new main floor living room window was required to be screened like the south-western (right side) facing window referred above – should be the subject of the same glazing condition of approval;
- v) Change to the size and shape of the rear deck, brings the deck closer to the south-western boundary and as such, should be the subject of a condition regarding privacy screening;
- vi) Concern over loss of privacy from south-western (right side) facing upper level balcony.

Those matters that do not meet the relevant standards (iii, v and vi) are discussed in the Planning Comment Section of the report.

### Heritage Assessment

An internal heritage assessment was undertaken in relation to the two planning applications received for the site. The Heritage Assessment recommended specific conditions to be imposed in relation to the planning application DA0226/12, however, no special conditions are considered necessary for this planning application, which deals primarily with the completion of the additions to the existing heritage listed building.

## **PLANNING COMMENT**

### **Part 1 – Works subject to retrospective approval**

#### DE6.8 – PRIVACY

##### A South-western (right side) privacy setback to bay window of dining room

| <b>Privacy Setback</b>    | <b>Required</b> | <b>Provided</b> | <b>Discretion</b> |
|---------------------------|-----------------|-----------------|-------------------|
| South-western – mid-level | 6.0m            | 3.275           | 2.725m            |

As part of the 2006 planning approval, the owner proposed a full height window to the right hand side of the building (dining room) which resulted in potential overlooking into No. 61 Tuckfield Street. A condition of planning approval required this window (set back 3.875m from the side boundary) to be provided with “fixed obscure or translucent’ glass or a sill height of 1.6m. This window has been modified by reducing its width and raising the bottom of the window to a normal window height. The partly completed bay window has been installed in the section of wall where the reduced width of the window has occurred.

The applicant commenced the construction of a bay window to the street side of the window referred to in the preceding paragraph. The opening, if approved, will be set back 3.275 (0.6m closer) to the side boundary than the other approved dining room window in this wall.

It is proposed to have hinged stained glass openable windows to the window that faces towards 61 Tuckfield Street. The owner is proposing that the windows only open a maximum of 30 degrees from the closed position. As the windows are openable, the R-codes classify this window as a major opening, requiring a setback of 6.0m compared to the 3.275m setback. Therefore, an assessment is required having regard to the Performance Criteria of the R-codes.

From photographs 2, 3 and 4 of Attachment 2, it can be seen that the existing outbuilding and landscaping shields the view into the adjoining property.

It is noted that in September 2012, the City issued a demolition licence to the owner of No. 61 Tuckfield Street to remove the rear brick/timber/metal clad outbuilding on the common boundary with the development site. The demolition licence had not been acted upon at the time of the writing of this report. If acted upon, then the area to the rear of the existing dwelling at No. 61 Tuckfield Street would be open to overlooking.

To address this potential impact, it is proposed that the City’s standard privacy condition be imposed.

**B South-western (right side) privacy setback to side window of upper level balcony**

| <b>Privacy Setback</b>                                  | <b>Required</b> | <b>Provided</b> | <b>Discretion</b> |
|---|-----------------|-----------------|-------------------|
| Side window to upper level balcony (south-western side) | 7.5m            | 7.1m            | 0.4m              |

The applicant is required to seek a 0.4m variation to the privacy setback requirements of the R-codes for a side window to an upper level balcony. The main balcony outlook (to the rear of the site) complies with the acceptable Standards of the R-Codes. Photographs 6 and 7 show the side view from this balcony level. The landscaping on the adjoining site assists in protecting the privacy to the adjoining property at No 61 Tuckfield Street. If the landscaping is removed for whatever reasons, the privacy to the rear of No. 61 Tuckfield Street will be lost. To address this, it is considered on balance, that a screen which

prevents a downward view into the adjoining property would address any privacy concerns from this opening, and as such, the recommendation of approval contains the relevant condition.

## Part 2 – Proposed Works

### A South-western (side) setback to proposed deck

#### DE6.8 – PRIVACY

| Side Boundary Setback          | Required | Provided | Discretion |
|--------------------------------|----------|----------|------------|
| South-western – mid-level deck | 7.5m     | 6.175    | 1.325m     |

The 2006 approved rear deck measured 5.2m in width, 2.4m in depth and setback 6.875 from the south-western boundary. A condition of planning approval was not imposed in the 2006 approval to require a privacy screen along the south-western side of the balcony, even though the side of the deck was closer than the Acceptable Development requirement of 7.5m.

The deck is proposed to be set back 6.175m from the side boundary and as such, requires assessment against the Performance Criteria of DE6.8.1 of the R-Codes.

The view from the location of the proposed deck (refer to photograph 5) will be towards the rear one-third of the adjoining property at No. 61 Tuckfield Street. There is an existing outbuilding that is located on No. 61 Tuckfield Street, which abuts the common boundary and finishes near the rear of the existing addition on No. 63 Tuckfield Street. As the circumstances exist at present, the view from the proposed deck towards No. 63 Tuckfield Street is:

- towards the rear section of No. 61 Tuckfield Street,
- not onto any sensitive area (private courtyard or major openings);
- onto an existing outbuilding; and
- partially screened by landscaping on the development site.

On balance, the discretion is supported as the area of the adjoining property that is potentially affected by the loss of privacy is considered not to be a private outdoor living area of the site (rear setback area). Further, the existing landscaping, outbuilding (on 61 Tuckfield Street); and the location/height of the rear addition on the development site screens the active habitable space of No. 61 Tuckfield Street.

If Council was of the view that a condition should be imposed to address the potential future loss of the landscaping/outbuilding on No. 61 Tuckfield Street, then the following condition could be imposed:

*Prior to occupation, the south-eastern elevation to the rear deck, as indicated in red on the approval plans dated 19 July 2012, shall be provided with either:*

- fixed obscured or translucent glass to a height of 1.60 metres above floor level,*
- or*

- ii) fixed with vertical screening, with openings not wider than 5cm and with a maximum of 20% perforated surface area, to a minimum height of 1.60 metres above the floor level, or*
- iii) a minimum sill height of 1.60 metres as determined from the internal floor level, or*
- iv) screened by an alternative method to the satisfaction of the Chief Executive Officer, City of Fremantle,*  
*in accordance with Clause 6.8.1 A1 of the Residential Design Codes and thereafter maintained to the satisfaction of Chief Executive Officer, City of Fremantle.*

## **CONCLUSION**

The development involves work undertaken that was not in accordance with the planning approval issued in 2006. Most of those changes have been minor and have not introduced any new planning issues apart from the matters raised in Part 1 of the Planning Comment section.

In relation to the matters raised in Part 1 above, it is considered that conditional approval could be granted. A condition of planning approval relating to the protection of privacy to the property at No. 61 Tuckfield Street from the openings to the side of the upper level balcony and the bay window, have been included in the recommendation of approval.

Should Council form the view that further protection of the privacy to No. 61 Tuckfield Street is required from the modified deck area, a condition of planning approval has been prepared in the preceding section.

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr A Sullivan**

**That the application be APPROVED under the Local Planning Scheme No. 4 for the retrospective works and proposed works to an existing single house at No. 63 (Lot 170) Tuckfield Street, Fremantle, subject to the following condition(s):**

- a) The development hereby permitted shall take place in accordance with the revised plans dated 19 July 2012, incorporating the conditions listed in this approval.**
- b) All storm water discharge shall be contained and disposed of on-site.**
- c) Prior to occupation, the south-eastern elevation of the upper level balcony and the windows to the mid-level bay window, as indicated in red on the approval plans dated 19 July 2012, shall be provided with either:
  - i) fixed obscured or translucent glass to a height of 1.60 metres above floor level, or**
  - ii) fixed with vertical screening, with openings not wider than 5cm and with a maximum of 20% perforated surface area, to a minimum height of 1.60 metres above the floor level, or**
  - iii) a minimum sill height of 1.60 metres as determined from the internal floor level, or**
  - iv) screened by an alternative method to the satisfaction of the Chief Executive Officer, City of Fremantle,****in accordance with Clause 6.8.1 A1 of the Residential Design Codes and thereafter maintained to the satisfaction of Chief Executive Officer, City of Fremantle.****

**CARRIED: 4/1**

| <b>For</b>  | <b>Against</b>    |
|---|-------------------|
| Cr Robert Fittock<br>Cr Josh Wilson<br>Cr Bill Massie<br>Cr Andrew Sullivan | Cr Ingrid Waltham |

**The above item is referred to the Ordinary Meeting of Council for determination in accordance with 1.1 or 2.1 of the City of Fremantle Delegated Authority Register which requires that at least 5 members of the committee vote in favour of the Committee Recommendation in order to exercise its delegation.**

**PSC1303-33 PROPOSED SCHEME AMENDMENT NO 55 - BICYCLE PARKING AND  
END OF TRIP FACILITIES - FINAL ADOPTION**

**DataWorks Reference:** 218/061  
**Disclosure of Interest:** Nil  
**Meeting Date:** 6 March 2013  
**Responsible Officer:** Manager Planning Projects  
**Actioning Officer:** Strategic Planning Officer  
**Decision Making Level:** Council  
**Previous Item Number/s:** PSC1206-85, 6 June 2012; PSC1207-102, 4 July 2012;  
PSC1210-167, 24 October 2012  
**Attachments:**  
1. Schedule of Submissions  
2. Austroads Cycling Aspects to Austroads Guides –  
Appendix F  
3. Schedule of Modifications

**EXECUTIVE SUMMARY**

The purpose of this report is to recommend to Council final adoption of Amendment No. 55, bicycle parking and end of trip facilities, to the City's Local Planning Scheme No. 4 (LPS4).

The scheme amendment introduces into LPS4 the requirements for different types of bicycle racks (long stay (Class 1 and 2) or short stay (Class 3)) for different uses and will also require end of trip facilities (showers and storage lockers) to be provided where long stay bicycle racks are also required in new developments.

The amendment was placed out for public comment and nine submissions were received. The submissions support the aims of the scheme amendment and three submissions provided further comments. Minor modifications to the Scheme amendment have been made in light of comments received.

Therefore, it is recommended that Council resolves to adopt the amendment to the City's LPS4 with minor modification.

**BACKGROUND**

At its ordinary meeting of Council, 24 October 2012, Council adopted Scheme Amendment No 55, bicycle parking and end of trip facilities, for public comment after previous Council support, in principle, for such provisions.

For further background information please see the minutes for previous reports on bicycle parking and end of trip facilities (PSC1206-85, 6 June 2012; PSC1207-102, 4 July 2012; PSC1210-167 – 24 October 2012).

**CONSULTATION**

Following referral from the Environmental Protection Authority, advertising of the scheme amendment was undertaken in accordance with regulation 25(2) of the Town Planning Regulations 1967. The proposed scheme amendment was advertised for comment from

15 January 2013 to 1 March 2013, with advertisements being placed in the Fremantle Gazette for two consecutive weeks and West Australian newspaper for one week.

The City's precinct groups, utility companies, and key agencies were also specifically notified and copies of the amendment and policy documents were made available for viewing at the Service and Information Counter at the Town Hall Centre and on the City's website.

Nine submissions were received (refer to Attachment 1 – schedule of submissions for further information). All submissions are generally supportive of the scheme amendment stating no objection. Three submissions (Main Roads WA, Australian Bicycle Council and the Department of Transport) provided further comments.

The main submission point from Main Roads and the Australian Bicycle Council was in relation to the City's current definition of Bicycle Rack in LPS4, which refers to *Austroads standards part 14*. *Austroads standards part 14* has been superseded by *Austroads Guide to Traffic Management Part 11: Parking*. This point has been taken up as a modification to the Scheme amendment. See the 'Planning Comment' section of this report for more information.

Other comments raised in submissions have been addressed in the Planning Comment section of this report and in the schedule of submissions. For further information please refer to Attachment 1 for the schedule of submissions.

## **PLANNING COMMENT**

The amendment will introduce provisions into the Scheme that:

- Apportion the different types of bicycle racks (long stay (Class 1 and 2) or short stay (Class 3)) to each land use in table 2 – vehicle parking, as per *Austroads Cycling Aspects of Austroads Guides*; and
- Require end of trip facilities (showers and storage lockers) to be provided in large new developments where long stay bicycle racks are also required.

Both of these are discussed below.

### **Bicycle racks**

The requirement for bicycle racks by land use and the following definition of bicycle rack has been in the City of Fremantle Local Planning Scheme No. 4 (LPS4) since it was gazetted March 2007:

*Bicycle rack: has the same meaning as given to it in the Austroads standards part 14.*

The *Austroads standards part 14*, referenced in the definition of bicycle rack in LPS4 (above), however, has been superseded by *Austroads Guide to Traffic Management Part 11: Parking*. This document then references *Austroads Cycling Aspects of Austroads Guides (Austroads)*. *Austroads* provides similar information as previously provided in *Austroads standards part 14* in relation to class 1, 2 and 3 bicycle racks. *Austroads* also includes the same information on the different types of bicycle racks required for each land use (see attachment 2) as previously provided in *Austroads standards part 14*.



Accordingly it is recommended a minor modification be made to the Scheme amendment to refer to *Austrroads Cycling Aspects to Austrroads Guides* in the definition of Bicycle Rack in LPS4 instead of *Austrroads standards part 14*. Proposed new definition of Bicycle Rack:

*Bicycle rack: Has the same meaning as given to it in the Austrroads Cycling Aspects to Austrroads Guides*

*Austrroads Cycling Aspects to Austrroads Guides* (Austrroads), outlines three different types of bicycle racks: class 1 and 2 (long stay i.e. staff bicycle parking) and class 3 (short stay i.e. visitor bicycle parking) bicycle parking, for a variety of land uses (see attachment 2). LPS4 currently only specifies one type of bicycle rack and there is uncertainty around how specifically this is to be provided with reference to three different long and short stay bicycle rack classes in Austrroads. Accordingly the Scheme amendment will include bicycle rack requirements into LPS4's table 2 – vehicle parking, that specifies what class 1, 2 and 3 bicycle rack standards are required for each land use, based on the Austrroads standards (see attachment 2).

The Australian Bicycle Council, in their submission, suggest including additional bicycle rack provisions for the following:

- Child care premises (for staff and parents dropping kids off)
- Garden centre or hardware store or nursery (for staff and customers)
- Places of worship

Austrroads, however, does not provide any bicycle parking requirements for the above uses. The Australian Bicycle Council further suggests that the *Australian Standard AS2890: Bicycle Parking Facilities* will be updated in the next 12-18 months. Once this review is completed the provisions of the Scheme could be reviewed also and amended if required.

The following note will be added to LPS4 after Table 2 - Vehicle Parking following gazettal of the scheme amendment as notes are for explanatory reasons only and do not form part of the scheme text.

*Note:*

*Class 1 – High security level – Fully enclosed individual lockers*

*Class 2 – Medium security level – Locker compounds fitted with Class 3 facilities with communal access using duplicate keys*

*Class 3 – Low security level – Facilities to which the bicycle frame and wheels can be locked*

*For more information see Austrroads Cycling Aspects to Austrroads Guides*

### **End-of-trip facilities - Shower and change facilities**

End of trip facilities such as shower and change facilities, are related to bicycle parking but can also provide convenience to staff for other activities such as alternative ways of getting to work or exercising during the working day. Showering facilities are not currently required by LPS4 or other planning policies or explicitly required under the National Construction Code of Australia (there are requirements in the construction codes for disability access bathrooms which include a shower, however these are for a different purpose than end of trip facilities).

It is considered reasonable to require large new developments to provide showers. Therefore the following provisions are proposed:

*Any new commercial use class development shall include shower and change facilities for employees in accordance with the following table 3.*

**TABLE 3 - SHOWER FACILITIES**

| No. of bicycle racks required   | Ratio of number of showers required to the number of bicycle racks required                              |
|---|--|
| Up to the first 10 bicycle racks required                               | One male and one female shower (or 2 unisex) required for every 10* Class 1 or 2 bicycle racks required  |
| Bicycle racks required in excess of the first 10 Bicycle racks required | One male and one female shower (or 2 unisex) required for every 20** Class 1 or 2 bicycle racks required |

\*Calculations rounded up to the nearest 10

\*\*Calculations rounded up to the nearest 20

Additional to shower facilities it is considered reasonable for a development to also provide locker facilities for the storage of personal items and clothing. Accordingly the scheme amendment will include a provision that requires one locker per long stay bicycle rack required. This is in line with the Green Building Council of Australia, green star building requirements.

There are several other minor changes required as part of this scheme amendment. These changes do not change the intent of the scheme amendment, but clarify minor errors in the formatting and wording. See schedule of modifications in Attachment 3 for more information.

## **CONCLUSION**

The scheme amendment introduces into LPS4 the requirements for different types of bicycle racks (long stay (Class 1 and 2) or short stay (Class 3)) for different uses and will also require end of trip facilities (showers and storage lockers) to be provided where long stay bicycle racks are required in new developments.

The submissions received on the amendment were generally supportive. It is recommended Council resolve adopt Scheme Amendment No. 55 to LPS4 with minor modifications.

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr A Sullivan**

**That Council:**

1. Note the submissions received as detailed in the Officer's report and attachment 1;
2. Resolve, pursuant to Section 75 of the Planning and Development Act 2005 and Regulation 17(2)(a) of the Town Planning Regulations 1967, to adopt with modification the following amendment to the City of Fremantle Local Planning Scheme No. 4:
  - a) Rename 'Table 2 – Zoning' to 'Table 1 – Zoning' and replace all other references to 'Table 2' throughout the Local Planning Scheme to refer to 'Table 1'.
  - b) Replace the Bicycle Racks column in Table 3 – Vehicle Parking with the following and replace all other references to 'Table 3' throughout the Local Planning Scheme to refer to 'Table 2'.

**TABLE 2 - VEHICLE PARKING**

| Use Class   | Bicycle Racks  |
|---|--|
| <b>RESIDENTIAL USE CLASSES</b>  |  |
| Single house<br>Grouped dwelling<br>Multiple dwelling<br>Aged or Dependent persons dwelling<br>Ancillary Accommodation<br>Single bedroom dwelling | As per Residential Design Codes  |
| Small secondary dwelling  | Not applicable   |
| Home business   | Not applicable   |
| Home occupation   | Not applicable   |
| Home office   | Not applicable   |
| Residential Building  | Class 1: 1 per 4 lodging room<br>Class 3: 1 per 16 lodging rooms<br><br>Nursing home:<br>Class 1: 1 per 7 beds<br>Class 3: 1 per 60 beds |
| Bed & breakfast accommodation   | Not applicable   |
| <b>COMMERCIAL AND INDUSTRIAL USE CLASSES</b>  |  |
| Child care premises   | Not applicable   |
| Commercial  |  |
| Bank/building society   | Class 1 or 2: 1 per 200 m <sup>2</sup> gla<br>Class 3: Two   |
| Funeral parlour   | Not applicable   |
| Garden centre<br>Hardware store   | Not applicable   |

| Use Class                     | Bicycle Racks  |
|-------------------------------|--|
| Market                        | Class 3: 1 per 10 stalls   |
| Nursery                       | Not applicable   |
| Office                        | Class 1 or 2: 1 per 200 m <sup>2</sup> gla<br>Class 3: 1 per 750 m <sup>2</sup> gla over 1000 m <sup>2</sup> gla   |
| Showroom<br>Trade display     | Class 1: 1 per 750 m <sup>2</sup> nla<br>Class 3: a per 1000 m <sup>2</sup> nla  |
| Veterinary consulting rooms   | Class 2: 1 per 8 practitioners   |
| Veterinary hospital           | Class 2: 1 per 8 practitioners   |
| Education Establishment       |  |
| Primary school                | Class 2: 1 per 5 students, over year 4   |
| High school                   | Class 2: 1 per 5 students  |
| Tertiary school               | Class 1 or 2: 1 per 100 fulltime students<br>Class 2: 2 per 100 fulltime students  |
| Entertainment                 |  |
| Amusement (public)            | Class 3: 2 plus 1 per 50 m <sup>2</sup> gla  |
| Betting agency                | Class 1 or 2: 1 per 200 m <sup>2</sup> gla<br>Class 3: 1 per 750 m <sup>2</sup> gla over 1000 m <sup>2</sup> gla   |
| Cinema                        | Class 1: 1 per 300 m <sup>2</sup> gla<br>Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)  |
| Club premises                 | Class 1: 1 per 300 m <sup>2</sup> gla<br>Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)  |
| Fast food outlet              | Class 1: 1 per 100 m <sup>2</sup> gla<br>Class 3: 1 per 50 m <sup>2</sup> gla  |
| Hotel/tavern                  | Class 1: 1 per 25m m <sup>2</sup> bar floor area and 1 per 100 m <sup>2</sup> lounge and beer garden<br>Class 3: 1 per 25m m <sup>2</sup> bar floor area and 100 m <sup>2</sup> lounge and beer garden |
| Motel                         | Class 1: 1 per 40 units  |
| Night club                    | Not applicable   |
| Private recreation            | Class 1 or 2: 1 per 4 employees<br>Class 3: 1 per 200 m <sup>2</sup> gla   |
| Reception centre              | Class 3: 1 per 30 seats or* 1 per 100 people accommodated  |
| Restaurant                    | Class 1 or 2: 1 per 100 m <sup>2</sup> public area<br>Class 3: Two   |
| Tourist accommodation         | Not applicable   |
| Health Services               |  |
| Consulting rooms              | Class 2: 1 per 8 practitioners<br>Class 3: 1 per 4 practitioners   |
| Medical centre                | Class 2: 1 per 8 practitioners<br>Class 3: 1 per 4 practitioners   |
| Hospital/ nursing home/hostel | Class 1: 1 per 15 beds<br>Class 3: 1 per 30 beds   |
| Place of worship              | Not applicable   |
| Shop                          |  |
| Convenience store             | Class 1: 1 per 300 m <sup>2</sup> gla<br>Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)  |

| Use Class                                 | Bicycle Racks   |
|---|---|
| Lunch bar                                 | Class 1: 1 per 300 m <sup>2</sup> gla<br>Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla) |
| Shop local                                | Class 1: 1 per 300 m <sup>2</sup> gla<br>Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla) |
| Shop with dwelling                        | Class 1: 1 per 300 m <sup>2</sup> gla<br>Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla) |
| Shopping centre                           | Class 1: 1 per 300 m <sup>2</sup> gla<br>Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla) |
|   | Class 1: 1 per 300 m <sup>2</sup> gla<br>Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla) |
|   | Class 1: 1 per 300 m <sup>2</sup> gla<br>Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla) |
| Civic Use                                 | Class 2: 1 per 1500 m <sup>2</sup> gla<br>Class 3: 2 and 1 per 1500 m <sup>2</sup> gla                        |
| Community Purpose                         | Class 2: 1 per 1500 m <sup>2</sup> gla<br>Class 3: 2 and 1 per 1500 m <sup>2</sup> gla                        |
| Transport                                 |   |
| Commercial vehicle parking                | Not applicable  |
| Marine technology and ship building       | Not applicable  |
| Motor vehicle, boat or caravan sales      | Not applicable  |
| Motor vehicle wash                        | Not applicable  |
| Service station<br>Petrol filling station | Not applicable  |
| Cottage                                   | Not applicable  |
| General                                   | Class 1 or 2: 1 per 150 m <sup>2</sup> gla  |
| Light                                     | Class 1 or 2: 1 per 1000 m <sup>2</sup> gla   |
| Service                                   | Class 1: 1 per 800 m <sup>2</sup> gla   |
| Storage                                   |   |
| Fuel depot                                | Not applicable  |
| Storage yard                              | Not applicable  |
| Warehouse                                 | Not applicable  |
| Transport                                 |   |
| Motor vehicle repair                      | Not applicable  |
| Motor vehicle wrecking                    | Not applicable  |
| Transport depot                           | Not applicable  |

c) Insert after Clause 5.7.3.2 the following clause 5.7.3.3 and 5.7.3.4:

**5.7.3.3 Council may waive the class 1 or 2 bicycle rack requirements of Table 2, where, in the opinion of the Council, the development application is for a minor change of use.**

**5.7.3.4 Council may waive the class 3 bicycle rack requirements of Table 2, where the provision of such bicycle racks would:**

**(i) be incompatible with the overall design of the development; and**

**(ii) the required number of class 3 racks to be provided can adequately be provided by the applicant on public land in the immediate vicinity of the development; and**

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

**d) Insert after clause 5.15 the following clause 5.16:**

**5.16 End of Trip Facilities**

**5.16.1 Any new commercial use class development shall include shower and change facilities for employees in accordance with the following Table 3 - Shower facilities.**

**TABLE 3 - SHOWER FACILITIES**

|   |  |
|---|--|
| No. of bicycle racks required   | Ratio of number of showers required to the number of bicycle racks required                              |
| Up to the first 10 bicycle racks required                               | One male and one female shower (or 2 unisex) required for every 10* Class 1 or 2 bicycle racks required  |
| Bicycle racks required in excess of the first 10 Bicycle racks required | One male and one female shower (or 2 unisex) required for every 20** Class 1 or 2 bicycle racks required |

\*Calculations rounded up to the nearest 10

\*\*Calculations rounded up to the nearest 20

**5.16.2 For every class 1 or 2 bicycle rack required in Table 2 one locker shall be provided within the development in a location that is easily accessible to the shower facilities required under clause 5.16.1, where required.**

- e) **Replace reference to Austroads standards part 14, in the definition of bicycle rack in General definitions, 12.1 - Schedule 1 – Dictionary of defined words and expressions with the wording: Austroads Cycling Aspects to Austroads Guides so that the definition of Bicycle Rack reads:**

**Bicycle rack: Has the same meaning as given to it in the Austroads Cycling Aspects to Austroads Guides.**

- f) **Insert the following note after table 2 subsequent to gazettal of scheme amendment No. 55:**

**Note:**

**Class 1 – High security level – Fully enclosed individual lockers**

**Class 2 – Medium security level – Locker compounds fitted with Class 3 facilities with communal access using duplicate keys**

**Class 3 – Low security level – Facilities to which the bicycle frame and wheels can be locked**

**For more information see Austroads Cycling Aspects to Austroads Guides**

- 3. Authorise the Mayor and Chief Executive Officer to execute the relevant documentation and affix the common seal of the City of Fremantle on the documentation.**
- 4. Request the Minister for Planning to grant final consent to Scheme Amendment No. 55 as referred to in (2) above.**

**CARRIED: 5/0**

| <b>For</b>   | <b>Against</b> |
|--|----------------|
| Cr Robert Fittock<br>Cr Josh Wilson<br>Cr Ingrid Waltham<br>Cr Bill Massie<br>Cr Andrew Sullivan |                |



**PSC1303-34 DRAFT LOCAL PLANNING POLICY 1.3 - PUBLIC NOTIFICATION OF PLANNING PROPOSALS - ADOPTION FOR PUBLIC ADVERTISING**

**Disclosure of Interest:** Nil  
**Meeting Date:** 6 March 2013  
**Responsible Officer:** Manager Statutory Planning  
**Actioning Officer:** Manager Statutory Planning  
**Decision Making Level:** Council  
**Previous Item Number/s:** PSC1105-94 (25 May 2011)  
**Attachment 1:** Current Local Planning Policy 1.3 Public Notification of Planning Proposals

**EXECUTIVE SUMMARY**

The purpose of this report is to recommend that Council adopt an amended local planning policy, *LPP1.3 Public Notification of Planning Proposals* to clarify and update the provisions of the policy.

It is recommended that the amended local planning policy be adopted for the purpose of advertising for public comment in accordance with clause 2.4 of Local Planning Scheme No.4.

**BACKGROUND**

In May 1991 Council adopted policy D.A.5 'Advertising and Notification of Development Applications'. This policy was last reviewed in August 1994.

In April 1982 Council adopted policy D.A.2 'Access to Planning Applications and Lodging Submissions'. This policy was last reviewed in August 1997.

In July 2001 Council adopted policy D.A.14 'Consultation / Notification for the Assessment of Significant Development Applications'. There is no record that this policy has ever been reviewed.

In March 2007 Local Planning Scheme No. 4 was gazetted and contained provisions to allow Council to prepare and adopt local planning policies in respect of any matter related to the planning and development of the Scheme area and to amend or rescind any policies.

In May 2008 Council revoked D.A.2, D.A.5 and D.A.14 and replaced them with *LPP1.3 Public Notification of Planning Proposals*. This policy has not been reviewed since this time.

In May 2011 Council updated LPP 1.3.

In the interest of achieving a balance between keeping the community informed and the efficient processing of planning proposals, the policy has primarily been amended to allow for the following:

1. Deleting the requirement to compulsory advertise all proposals for properties that have a management category of 1 or 2 on the MHI;

2. Simplifying the clause relating to advertising planning proposals that incorporate a significant exercise of discretion against the requirement of the LPS4, the R Codes or planning policy;
3. Deleting the requirement for a community information session for significant planning applications based on poor turn out over the last 3 years and require that community information sessions be conducted for significant scheme amendments;
4. Delete the requirement to advertise scheme amendments in the Western Australian news paper (a local newspaper is sufficient);
5. Clarify when public notification periods commence for development applications and other planning proposals;
6. Increase the additional consultation period around the Christmas/new year holiday period.
7. Modifying the sign on site details to be consistent with the City's new style guide;
8. More clearly define what adjoining properties are advertised to (i.e. including properties separated by a right of way less than 6.0 wide which is consistent with the requirements of the R Codes);
9. Clarify that generally advertising will not be initiated on request by a member of the public if the proposal is not required to be advertised in accordance with the terms of this policy; and
10. General formatting (i.e. renumbering, consistent wording, legislation reference updates and capitalisation)

## STATUTORY AND POLICY IMPLICATIONS

### Local Planning Scheme No. 4 (LPS4)

Clause 2.4 of LPS4 allows Council to amend a local planning policy and outlines the procedure that must be followed in order to amend a policy. The process of amending a local planning policy under the Scheme is identical to the process of making a new policy.

## CONSULTATION

Should Council resolve to proceed with the amendments to the local planning policy, the draft amended policy will be advertised in accordance with the requirements of clause 2.4 of Local Planning Scheme No. 4 which includes:

1. Advertisement in a local newspaper for 2 consecutive weeks detailing where the policy can be inspected, the subject and nature of the draft policy and closing date of the 28 day advertising period;
2. Listing on the City's web site; and
3. Referral to precinct groups

## PLANNING COMMENT

The specific proposed modifications to the policy are discussed below.

|    | PROPOSED POLICY CHANGE                                  | COMMENT   |
|----|---|---|
| 1. | Delete clause 1 (2) that requires all proposal that are | A significant number of development applications are received for minor works to level 1 or 2 listed buildings (e.g. internal works, air-conditioners, window modification, front fences, |

|           |  |   |
|-----------|--|---|
|           | <p>level 1 or 2 on the MHI be advertised</p>   | <p>painting etc) that have minimal or no impact on the streetscape or adjoining properties and are currently required to be advertised. This significantly delays the processing of the application. Heritage assessments are still required to be undertaken for these proposals and in the instance that a proposal seeks discretion against a requirement of LPS4, R Codes or planning policy, advertising will be required.</p> <p>The deletion of the requirement for the compulsory advertising for all such applications would represent a significant process improvement. A discretionary clause has been added stating that notwithstanding the above, if it is the public interest to advertise a proposal, planning applications for level 1 or 2 listed buildings (or any other planning proposal) can still be advertised. Such a judgment would be made by senior planning staff having regard to the potential impact of the proposal on the streetscape and adjoining neighbours.</p>  |
| <p>2.</p> | <p>Simply clause 1(4) - relating to advertising planning proposals that incorporate a significant exercise of discretion</p> | <p>Currently this clause requires advertising for proposals that incorporate:</p> <ol style="list-style-type: none"> <li>1. the significant exercise of discretion against the requirement of the LPS4, the R Codes or planning policy; and</li> <li>2. significant urban design and streetscape impacts; or</li> <li>3. other amenity impacts (summarised).</li> </ol> <p>In practice clause 1 above includes those matters raised in clauses 2 and 3 i.e. amenity, streetscape or urban design impacts are covered in the various statutory documents the City uses to assess planning proposals that include LPS4, the R Codes and planning policy. On this basis it is recommended that items 2 and 3 above be deleted from this clause.</p>  |
| <p>3.</p> | <p>Clause 5 - Deletion of the requirement for community information sessions for 'significant' planning applications</p>     | <p>In the past 3 years approximately 6 community information sessions for planning applications have been held with public attendance ranging from 0 to 10. The majority of the public who attended these sessions had already viewed plans (either online or at the City offices). Also the questions asked at the information sessions could have easily been answered by the assessing planning officer either on the phone or via a meeting. For non 'significant' applications where several members of the community have requested information/clarification, planning staff have arranged public meetings to address issues. On this basis it is considered that sufficient mechanisms currently exist to address community questions/concerns for significant planning proposals. On this basis it is recommended that this requirement be deleted. It is also proposed to require community information session for significant scheme amendments.</p> <p>Note that it is proposed to retain the requirement for community information sessions for structure plans and detailed areas plans.</p> |
| <p>4.</p> | <p>Clause 5 –Delete the requirement to advertise scheme</p>  | <p>The publishing of a scheme amendment in the state newspaper costs approximately \$700-900 and is not a requirement of the regulations. It is sufficient for an</p>   |

|     |   |   |
|-----|---|---|
|     | amendments in the Western Australian newspaper  | amendment to be published in a local newspaper.<br>On this basis it is recommended that this requirement be deleted and this row in the table be deleted.   |
| 5.  | Clause 10 (a) - Increase the additional consultation period around the Christmas/new year holiday period  | Currently clause 10(a) requires that 14 days be added to the usual consultation period for consultation that falls between 18 December to 8 January. It is proposed to extend this period to 15 December to 15 January to represent the middle of each month.   |
| 6.  | Explanatory Note 1 - Clarify when public notification periods commence for development applications and other planning proposals  | This note currently states that for all planning proposals, the advertising period is deemed to commence the days after the date shown of advertising letters. LPS4 states that for planning proposals other than development applications (i.e. scheme amendments, structure plans, detailed area plans and local planning policies) advertising commences for the date public notice is published in a local newspaper. On this basis it is recommended that explanatory note 1 be modified accordingly.  |
| 7.  | Explanatory Note 3 – modifications of the sign on site requirements   | Currently this clause is overly prescriptive in terms of the details of a sign on site (e.g. letter size, sign dimensions etc) such that minor modifications for the purpose of process improvement or updated signage guide require the policy to be amended through a lengthy statutory process. It is the current process that specific signage details are provided to the applicant once a development application is lodged and it is determined that a sign on site is required. The modification of this clause will not change this process. |
| 8.  | Explanatory Note 4 – diagrams explaining what “adjoining” properties should be advertised to.   | An additional diagram has been added to clarify that properties separated by a right of way less than 6.0m in width are also considered “adjoining” properties and are therefore required to be included in the advertising process. This is consistent with the advertising requirements of the R Codes.   |
| 9.  | Explanatory Note 6 - Clarify that generally advertising will not be initiated on request by a member of the public if the proposal is not required to be advertised in accordance with the terms of this policy | This note currently states that precinct groups are able to initiate comments on an application that has been received that has not been advertised. It is not appropriate for any member of the public to require that an application is advertised where there is no requirement to do so under the terms of this policy.   |
| 10. | General formatting  | This generally includes renumbering, legislation reference updates and capitalisation and ensuring the wording is consistent throughout the policy. These changes to not change the intent of any of the policy provisions.   |

## **CONCLUSION**

The revised policy is considered to refine and clarify the existing advertising process which will streamline planning proposal assessment.

It is therefore recommended that Council resolve to adopt the revised policy for the purpose of advertising. Following the close of advertising, a further report will be presented to Council for consideration for the final adoption of the revised policy.

## OFFICERS RECOMMENDATION

### MOVED: Cr A Sullivan

That Council adopt the draft amended Local Planning Policy, LPP1.3 Public Notification of Planning Proposals, for advertising in accordance with the procedures set out in clause 2.4 of the City of Fremantle Local Planning Scheme No. 4, as shown below:

## CITY OF FREMANTLE

### LOCAL PLANNING POLICY LPP 1.3

#### Public Notification of Planning Proposals

ADOPTION DATE: 28 May 2008  
AMENDED: 25 May 2011 and ??/??/2013  
AUTHORITY: LOCAL PLANNING SCHEME NO. 4; RESIDENTIAL DESIGN CODES (2010); TOWN PLANNING REGULATIONS 1967

#### Introduction

This policy provides guidance on the exercise of discretion under Local Planning Scheme No. 4 in terms of when public notice is given, and the means and duration of public notice periods, where these are not prescribed by the Local Planning Scheme. The opinions of affected property owners and the general public can inform but cannot be a substitute for the exercise of professional advice by City officers. This policy does not replace or alter the Council's obligations under the *Freedom of Information Act, 1992*.

#### Aims and objectives

- 1) To provide for a consistent approach on the circumstances when public notice is given, and the means and duration of public notice periods, of planning proposals,
- 2) To recognise the balance between the need for the community to be informed of, and have reasonable opportunity for input into, planning proposals, and the administrative need to process planning proposals in an efficient manner, and within prescribed statutory timeframes.

#### Scope of the Policy

This policy is applicable to the entire municipal area of the City of Fremantle and will be applied by the City when making discretionary decisions relating to public notice of planning proposals. Planning proposals in the context of this policy include development applications; Structure Plans; Scheme Amendments and Detailed Area Plans. For the purposes of this policy, in circumstances where consultation is undertaken it will include both the owners and occupiers of properties that, in the opinion of the City, may be affected by the proposal and/or other stakeholders where these are identified. The Policy also applies to Planning Applications for which the Council is not the final decision making authority.

#### Statutory background

Local Planning Scheme No 4 includes a number of clauses relating to the giving of public notice of development applications, Structure Plans, Detailed Area Plans and Local

Planning Polices. Some requirements relating to the public notice of development applications are mandatory, while others provide the Council with discretion as to whether a proposal is advertised and the method of that advertising.

Part 4 of the Residential Design Codes November 2010 requires that the Council notify potentially affected neighbours in certain circumstances.

The *Town Planning Regulations 1967* prescribe the means of public notice of a Local Planning Scheme amendment, and provide the Minister with discretion to determine additional means of notice. In certain cases, the Council may initiate advertising of a Scheme amendment, or provide advice to the Minister and Western Australian Planning Commission on the appropriate means of giving public notice and the duration of that notice.

## POLICY

### 1. Requirement to give public notice of certain planning applications under clause 9.4 of the Scheme.

In addition to where notice is prescribed by Local Planning Scheme No. 4, public notice will also be given of the following Planning Applications prior to consideration for approval where the application:

a) involves the complete demolition of a building where the building is located on a site listed on the Register of Heritage Places under the *Heritage of Western Australia Act 1990*, on the Heritage List under clause 7.1 of the Scheme or within a Heritage Area designated under clause 7.2 of the Scheme,

or

(b) involves a subdivision or survey strata creating more than twenty (20) lots and the proposal has not previously been advertised as part of a Scheme Amendment or Structure Plan,

or

(c) Involves a significant exercise of discretion in terms of the Local Planning Scheme, Residential Design Codes or Policy provisions

or

(d) Has significant strategic planning impacts in terms of the implementation of a strategic planning objective, the scale of the development, or are significantly different from the predominant and expected pattern of land use within the locality.

1.1 Notwithstanding the above, planning proposals that do not meet the above criteria are able to be advertised, at the discretion of the Manager/Coordinator Statutory Planning if it is considered in the public interest to do so.

### 2. Significant planning applications

Where a planning application meets any 2 of the criteria above, that application shall be considered to be a significant application in terms of this policy.

### 3. Evidence of non objection

Notwithstanding the above, the Council will waive the notification requirements in respect of residential planning applications involving the exercise of discretion under the Residential Design Codes or Council Policy in cases where:

- (a) The application involves the notification of one neighbour only (see note 4 at the end of this policy),

OR

- (b) The applicant provides a copy of the plan including a certification by the owners and occupiers of the adjoining property stating that they have no objections to the proposal. Signatures should include all persons shown as owners on the Certificate of Title and ownership details will be confirmed. The certification must include:

- The full name of the owner/s or occupier/s certifying non objection clearly printed in capital letters and a signature;
- A statement printed in capital letters indicating no objection to the proposal; and
- A current contact address printed in capital letters and a contact telephone number.

#### 4. Refusal of applications without giving of public notice

Any planning proposal may be refused by the Council without the giving of public notice.



5. Means and duration of notice of planning proposals

|                                   | Standard application               | Significant application | Scheme Amendment                        | Structure Plan and Detailed Area Plan | Local Planning Policy |
|-----------------------------------|------------------------------------|-------------------------|---|---------------------------------------|-----------------------|
| Time period (1)                   | 14 days                            | 28 days                 | 42 days unless agreed otherwise by WAPC | SP - 42 days<br>DAP – 28 days         | 28 days               |
| Local newspaper notice (2)        | No                                 | Yes                     | Yes                                     | Yes                                   | Yes                   |
| Sign on site (3)                  | No                                 | Yes                     | Yes, if proposing rezoning of land      | Yes                                   | No                    |
| Notice to owners and occupiers    | Yes, adjoining properties only (4) | Yes, 100m radius (5)    | Yes, 100m radius (5)                    | Yes, 100m radius (5)                  | No                    |
| Web site                          | No                                 | Yes                     | Yes                                     | Yes                                   | Yes                   |
| Precinct groups (6)               | No                                 | Yes                     | Yes                                     | Yes                                   | Yes                   |
| Community Information session (7) | No                                 | No                      | Yes (8)                                 | Yes                                   | No                    |
| Government Gazette                | No                                 | No                      | Yes                                     | No                                    | No                    |

*Numbers in brackets ( ) refer to Explanatory Notes at the end of this policy.*

**6. Additional public notice of proposal previously advertised**

- (a) Where a planning proposal is subsequently modified prior to its final determination and additional variations arise from the modifications; or
- (b) Where an application to amend an existing planning approval is received under clause 8.3 of the Scheme, and additional variations arise from the proposed amendments;

Additional public notice shall be given in the same manner under the provisions of this policy as if the modified/amended proposal was received as a new development application.

7. Amendments to Structure Plans

No public notice will be given of an application to vary an existing Structure Plan under Clause 6.2.6.1 of the Scheme. Public notice will be given of any other application to vary a Structure Plan as if it were a new plan.

8. Approval subject to later approval of details

Where a planning application has been approved subject to later approval of details under Clause 10.8 of the Scheme the subject applications for further approval will not be notified for public comment unless specified in the original approval or required by the Scheme and/or policy.

9. Planning Proposals where the Council is not the final decision maker

Public notice will be given of planning proposals where the Council is not the decision maker in the same way as those where the final decision is made by the Council. A full copy of any submissions received will be forwarded to the decision maker. Council is not responsible for informing any submitter of the decision maker's final decision.

10. Holiday periods

An additional 14 days will be added to any notice period prescribed under this Policy where any part of the notification period falls within the following dates:

- (a) Between 15 December and 15 January
- (b) Between one week before and one week after Easter Sunday

11. Notification of interested parties that a matter is listed on a Council Standing Committee Agenda

- (a) Applications for approval to commence a use or to commence or carry out development – the landowner, applicant and all parties who have made a submission will be notified in writing of the date at which an item will be listed on a Standing Committee agenda.
- (b) Planning proposals that alter the development potential of land which have not previously been advertised – regardless of the recommendation of any report, notification that an item that affects the development potential of land will be considered by a Standing Committee will be undertaken in accordance with Explanatory Note (4) and will also include the landowner and the applicant.
- (c) Planning proposals that alter the development potential of land which have previously been advertised - the landowner, applicant and all parties who have made a submission will be notified in writing of the date at which an item will be listed on a Standing Committee agenda.

Should a Standing Committee refer the item to full Council for determination, the same parties referred to above shall also be notified of the date of the Council meeting.

In all cases, staff will endeavour to ensure that the written notification is mailed on the Friday prior to the scheduled meeting date.

12. Notification of the Council/Committee/City decision

The applicant, the owner and all authors of written submissions will be advised of the decision of the Council/Committee/City in the form of a written notification of the decision and any associated conditions, advisory notes or refusal reasons.

13. Availability of documents

All plans and written information forming part of the proposal shall be made available for public viewing and access during the public notice period of that proposal. The documentation may be viewed at the City's Service and Information counter without an appointment and copies of the plans and related information will be provided on request.

When a development application is submitted, the plans and written information forming part of the proposal will be copied and given to an interested party on request during the public notice period. On this basis making an application for development approval is taken as having given consent to the City providing to members of the public copies of plans and written information forming part of the proposal.

14. Requests for changes to public notice periods

Requests for extensions or reductions of public notice periods prescribed by this policy will not be approved by staff. Staff will make every reasonable effort to make the Council aware of any submissions received after closure of notice periods.

15. Opportunity for applicant to respond to submissions

Copies of written submissions will be given to the applicant to provide the applicant the opportunity to respond to issues raised in any submissions. Personal details such as names, telephone numbers and addresses however will not be given to the applicant.

16. Submissions reported to Council

Officer reports to Council will include a summary of the issues raised in any of the submissions received as part of the advertising process. If the text of a submission is to be included in the report, the author's personal details will not be identified. Full copies of submissions are available to Elected Members upon request but will not be made available to members of the public unless required by law.

Where an interested party does not respond to an invitation to make a submission on a proposal, Council will not view this as signifying no objection to that proposal.

EXPLANATORY NOTES

- (1) For development applications the time period shall be deemed to have commenced one day after the date shown on the letters that are sent to owners and occupiers by the City. For all other planning proposals the time period for advertising shall commence on the date public notice is published in a local newspaper.
- (2) A local newspaper notice is an in a local newspaper, run for two consecutive weeks during the advertising period. Newspaper notices are arranged by the City with the costs payable by the applicant.

- (3) A sign on the site shall be erected in a prominent position on the site to the satisfaction of Council. Where land subject to a proposal has more than one street frontage or where a site is very large, the applicant shall locate one sign in a prominent location and shall provide sufficient additional signs on each street alignment.

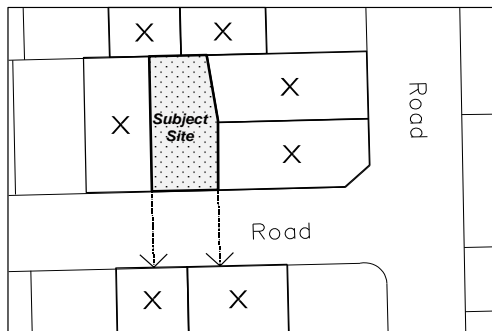
The sign/s should be erected on the property boundary or within 0.5m of the boundary and be clearly visible from outside of the property boundary. The sign/s should be maintained in a good condition for the duration of the advertising period.

The City will provide the specific requirements of the sign (eg timing, lettering size and overall sign dimensions) to the applicant after the application is lodged a preliminary assessment is made as to whether a sign on site is required. Any signage will be in accordance with the City's Style Guide.

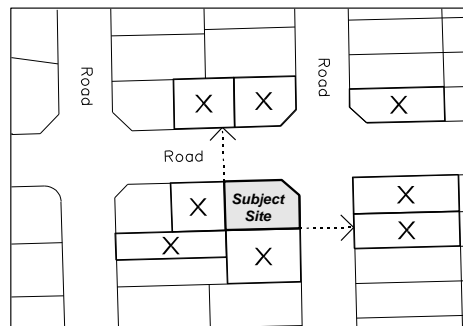
Responsibility for the costs, erection, maintenance and removal of sign/s lies with the applicant.

- (4) Means a letter to all owners and occupiers of all abutting properties (those sharing any common boundary and including diagonally opposite or those separated by a right-of-way or access way less than 6.0m in width) as shown below:

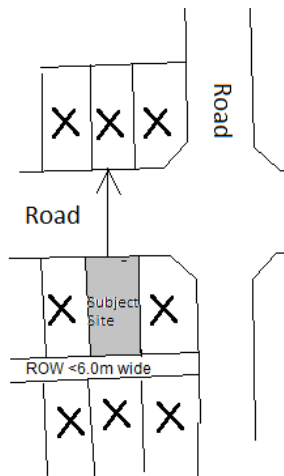
Example (a)



Example (b)



Example (c)



excepting in the case of an application for discretionary approval relating to a side or rear setback variation behind the building line, or to the privacy requirements

contained within Element 6.8 of the Residential Design Codes 2010, where only the owner/occupier of the property onto whose boundary the discretion is sought will be notified.

- (5) Means a letter to all owners and occupiers of all properties which fall wholly or partly within a radius of 100 metres from the boundary of the subject land on which the development is proposed.
- (6) The Precinct groups will be requested to formally comment on all applications under this policy other than standard applications. Precinct groups will be given the standard consultation period,
- (7) A community information session on the proposal will be held with invitation extended to Councillors, interested community members, and applicants. The information session will be held during the public consultation period, normally at least one week prior to completion to enable participants to make a formal written submission to Council after the session.
- (8) Community information sessions are only required for significant scheme amendments. A significant scheme amendment as determined by the Manager Planning Policy and Projects would include (but not limited to) large scale rezoning, an amendment that has significant strategic planning impacts or an amendment that is significantly different from the predominant and expected pattern of land use in the area.

**Cr J Wilson MOVED an amendment to the Officer's Recommendation to change the following wording:**

|                                   | Standard application | Significant application | Scheme Amendment | Structure Plan and Detailed Area Plan | Local Planning Policy |
|-----------------------------------|----------------------|-------------------------|------------------|---------------------------------------|-----------------------|
| Community Information session (7) | No                   | Yes                     | Yes (8)          | Yes                                   | No                    |

| For  | Against |
|--|---------|
| Cr Robert Fittock<br>Cr Josh Wilson<br>Cr Ingrid Waltham<br>Cr Bill Massie<br>Cr Andrew Sullivan |         |

**COMMITTEE RECOMMENDATION**

**MOVED: Cr A Sullivan**

**That Council adopt the draft amended Local Planning Policy, LPP1.3 Public Notification of Planning Proposals, for advertising in accordance with the procedures set out in clause 2.4 of the City of Fremantle Local Planning Scheme No. 4, as shown below:**

**CITY OF FREMANTLE  
LOCAL PLANNING POLICY LPP 1.3**

**Public Notification of Planning Proposals**

**ADOPTION DATE: 28 May 2008  
AMENDED: 25 May 2011 and ??/??/2013  
AUTHORITY: LOCAL PLANNING SCHEME NO. 4; RESIDENTIAL DESIGN CODES (2010); TOWN PLANNING REGULATIONS 1967**

**Introduction**

**This policy provides guidance on the exercise of discretion under Local Planning Scheme No. 4 in terms of when public notice is given, and the means and duration of public notice periods, where these are not prescribed by the Local Planning Scheme. The opinions of affected property owners and the general public can inform but cannot be a substitute for the exercise of professional advice by City officers. This policy does not replace or alter the Council's obligations under the *Freedom of Information Act, 1992.***

### **Aims and objectives**

- 1) To provide for a consistent approach on the circumstances when public notice is given, and the means and duration of public notice periods, of planning proposals,
- 2) To recognise the balance between the need for the community to be informed of, and have reasonable opportunity for input into, planning proposals, and the administrative need to process planning proposals in an efficient manner, and within prescribed statutory timeframes.

### **Scope of the Policy**

This policy is applicable to the entire municipal area of the City of Fremantle and will be applied by the City when making discretionary decisions relating to public notice of planning proposals. Planning proposals in the context of this policy include development applications; Structure Plans; Scheme Amendments and Detailed Area Plans. For the purposes of this policy, in circumstances where consultation is undertaken it will include both the owners and occupiers of properties that, in the opinion of the City, may be affected by the proposal and/or other stakeholders where these are identified. The Policy also applies to Planning Applications for which the Council is not the final decision making authority.

### **Statutory background**

Local Planning Scheme No 4 includes a number of clauses relating to the giving of public notice of development applications, Structure Plans, Detailed Area Plans and Local Planning Polices. Some requirements relating to the public notice of development applications are mandatory, while others provide the Council with discretion as to whether a proposal is advertised and the method of that advertising.

Part 4 of the Residential Design Codes November 2010 requires that the Council notify potentially affected neighbours in certain circumstances.

The *Town Planning Regulations 1967* prescribe the means of public notice of a Local Planning Scheme amendment, and provide the Minister with discretion to determine additional means of notice. In certain cases, the Council may initiate advertising of a Scheme amendment, or provide advice to the Minister and Western Australian Planning Commission on the appropriate means of giving public notice and the duration of that notice.

### **POLICY**

1. Requirement to give public notice of certain planning applications under clause 9.4 of the Scheme.

In addition to where notice is prescribed by Local Planning Scheme No. 4, public notice will also be given of the following Planning Applications prior to consideration for approval where the application:

- b) involves the complete demolition of a building where the building is located on a site listed on the Register of Heritage Places under the *Heritage of Western Australia Act 1990*, on the Heritage List under clause 7.1 of the

Scheme or within a Heritage Area designated under clause 7.2 of the Scheme,

or

(b) involves a subdivision or survey strata creating more than twenty (20) lots and the proposal has not previously been advertised as part of a Scheme Amendment or Structure Plan,

or

(c) Involves a significant exercise of discretion in terms of the Local Planning Scheme, Residential Design Codes or Policy provisions

or

(d) Has significant strategic planning impacts in terms of the implementation of a strategic planning objective, the scale of the development, or are significantly different from the predominant and expected pattern of land use within the locality.

1.1 Notwithstanding the above, planning proposals that do not meet the above criteria are able to be advertised, at the discretion of the Manager/Coordinator Statutory Planning if it is considered in the public interest to do so.

## 2. Significant planning applications

Where a planning application meets any 2 of the criteria above, that application shall be considered to be a significant application in terms of this policy.

## 3. Evidence of non objection

Notwithstanding the above, the Council will waive the notification requirements in respect of residential planning applications involving the exercise of discretion under the Residential Design Codes or Council Policy in cases where:

(a) The application involves the notification of one neighbour only (see note 4 at the end of this policy),

OR

(b) The applicant provides a copy of the plan including a certification by the owners and occupiers of the adjoining property stating that they have no objections to the proposal. Signatures should include all persons shown as owners on the Certificate of Title and ownership details will be confirmed. The certification must include:

- The full name of the owner/s or occupier/s certifying non objection clearly printed in capital letters and a signature;
- A statement printed in capital letters indicating no objection to the proposal; and
- A current contact address printed in capital letters and a contact telephone number.

## 4. Refusal of applications without giving of public notice



**Any planning proposal may be refused by the Council without the giving of public notice.**

**5. Means and duration of notice of planning proposals**

|                                   | Standard application               | Significant application | Scheme Amendment                        | Structure Plan and Detailed Area Plan | Local Planning Policy |
|-----------------------------------|------------------------------------|-------------------------|---|---------------------------------------|-----------------------|
| Time period (1)                   | 14 days                            | 28 days                 | 42 days unless agreed otherwise by WAPC | SP - 42 days<br>DAP – 28 days         | 28 days               |
| Local newspaper notice (2)        | No                                 | Yes                     | Yes                                     | Yes                                   | Yes                   |
| Sign on site (3)                  | No                                 | Yes                     | Yes, if proposing rezoning of land      | Yes                                   | No                    |
| Notice to owners and occupiers    | Yes, adjoining properties only (4) | Yes, 100m radius (5)    | Yes, 100m radius (5)                    | Yes, 100m radius (5)                  | No                    |
| Web site                          | No                                 | Yes                     | Yes                                     | Yes                                   | Yes                   |
| Precinct groups (6)               | No                                 | Yes                     | Yes                                     | Yes                                   | Yes                   |
| Community Information session (7) | No                                 | Yes                     | Yes (8)                                 | Yes                                   | No                    |
| Government Gazette                | No                                 | No                      | Yes                                     | No                                    | No                    |

*Numbers in brackets ( ) refer to Explanatory Notes at the end of this policy.*

**6. Additional public notice of proposal previously advertised**

- (c) Where a planning proposal is subsequently modified prior to its final determination and additional variations arise from the modifications; or
- (d) Where an application to amend an existing planning approval is received under clause 8.3 of the Scheme, and additional variations arise from the proposed amendments;

**Additional public notice shall be given in the same manner under the provisions of this policy as if the modified/amended proposal was received as a new development application.**

#### **7. Amendments to Structure Plans**

**No public notice will be given of an application to vary an existing Structure Plan under Clause 6.2.6.1 of the Scheme. Public notice will be given of any other application to vary a Structure Plan as if it were a new plan.**

#### **8. Approval subject to later approval of details**

**Where a planning application has been approved subject to later approval of details under Clause 10.8 of the Scheme the subject applications for further approval will not be notified for public comment unless specified in the original approval or required by the Scheme and/or policy.**

#### **9. Planning Proposals where the Council is not the final decision maker**

**Public notice will be given of planning proposals where the Council is not the decision maker in the same way as those where the final decision is made by the Council. A full copy of any submissions received will be forwarded to the decision maker. Council is not responsible for informing any submitter of the decision maker's final decision.**

#### **10. Holiday periods**

**An additional 14 days will be added to any notice period prescribed under this Policy where any part of the notification period falls within the following dates:**

- (c) Between 15 December and 15 January**
- (d) Between one week before and one week after Easter Sunday**

#### **11. Notification of interested parties that a matter is listed on a Council Standing Committee Agenda**

- (a) Applications for approval to commence a use or to commence or carry out development – the landowner, applicant and all parties who have made a submission will be notified in writing of the date at which an item will be listed on a Standing Committee agenda.**
- (b) Planning proposals that alter the development potential of land which have not previously been advertised – regardless of the recommendation of any report, notification that an item that affects the development potential of land will be considered by a Standing Committee will be undertaken in accordance with Explanatory Note (4) and will also include the landowner and the applicant.**
- (c) Planning proposals that alter the development potential of land which have previously been advertised - the landowner, applicant and all parties who have made a submission will be notified in writing of the date at which an item will be listed on a Standing Committee agenda.**

**Should a Standing Committee refer the item to full Council for determination, the same parties referred to above shall also be notified of the date of the Council meeting.**

**In all cases, staff will endeavour to ensure that the written notification is mailed on the Friday prior to the scheduled meeting date.**

#### **12. Notification of the Council/Committee/City decision**

**The applicant, the owner and all authors of written submissions will be advised of the decision of the Council/Committee/City in the form of a written notification of the decision and any associated conditions, advisory notes or refusal reasons.**

#### **13. Availability of documents**

**All plans and written information forming part of the proposal shall be made available for public viewing and access during the public notice period of that proposal. The documentation may be viewed at the City's Service and Information counter without an appointment and copies of the plans and related information will be provided on request.**

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**Requests for extensions or reductions of public notice periods prescribed by this policy will not be approved by staff. Staff will make every reasonable effort to make the Council aware of any submissions received after closure of notice periods.**

#### **15. Opportunity for applicant to respond to submissions**

**Copies of written submissions will be given to the applicant to provide the applicant the opportunity to respond to issues raised in any submissions. Personal details such as names, telephone numbers and addresses however will not be given to the applicant.**

#### **16. Submissions reported to Council**

**Officer reports to Council will include a summary of the issues raised in any of the submissions received as part of the advertising process. If the text of a submission is to be included in the report, the author's personal details will not be identified. Full copies of submissions are available to Elected Members upon request but will not be made available to members of the public unless required by law.**

**Where an interested party does not respond to an invitation to make a submission on a proposal, Council will not view this as signifying no objection to that proposal.**

**EXPLANATORY NOTES**

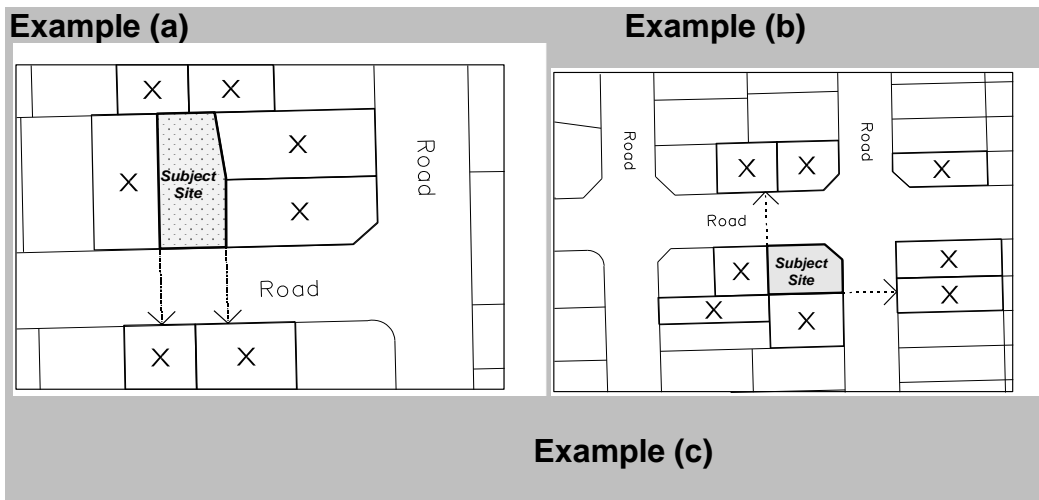
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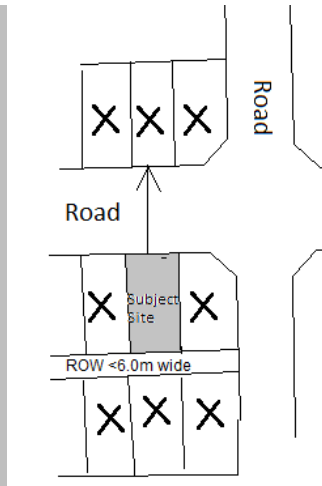
The sign/s should be erected on the property boundary or within 0.5m of the boundary and be clearly visible from outside of the property boundary. The sign/s should be maintained in a good condition for the duration of the advertising period.

The City will provide the specific requirements of the sign (eg timing, lettering size and overall sign dimensions) to the applicant after the application is lodged a preliminary assessment is made as to whether a sign on site is required. Any signage will be in accordance with the City’s Style Guide.

Responsibility for the costs, erection, maintenance and removal of sign/s lies with the applicant.

- (4) Means a letter to all owners and occupiers of all abutting properties (those sharing any common boundary and including diagonally opposite or those separated by a right-of-way or access way less then 6.0m in width) as shown below:





excepting in the case of an application for discretionary approval relating to a side or rear setback variation behind the building line, or to the privacy requirements contained within Element 6.8 of the Residential Design Codes 2010, where only the owner/occupier of the property onto whose boundary the discretion is sought will be notified.

- (5) Means a letter to all owners and occupiers of all properties which fall wholly or partly within a radius of 100 metres from the boundary of the subject land on which the development is proposed.
- (6) The Precinct groups will be requested to formally comment on all applications under this policy other than standard applications. Precinct groups will be given the standard consultation period,
- (7) A community information session on the proposal will be held with invitation extended to Councillors, interested community members, and applicants. The information session will be held during the public consultation period, normally at least one week prior to completion to enable participants to make a formal written submission to Council after the session.
- (8) Community information sessions are only required for significant scheme amendments. A significant scheme amendment as determined by the Manager Planning Policy and Projects would include (but not limited to) large scale rezoning, an amendment that has significant strategic planning impacts or an amendment that is significantly different from the predominant and expected pattern of land use in the area.

**CARRIED: 5/0**

| For  | Against |
|--|---------|
| Cr Robert Fittock<br>Cr Josh Wilson<br>Cr Ingrid Waltham<br>Cr Bill Massie<br>Cr Andrew Sullivan |         |

**REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION**

The Committee felt the community information sessions should continue to be held.

**PSC1303-5 PROPOSED REVOCATION OF LOCAL PLANNING POLICY - DBH5 SATELLITE DISHES, AIR CONDITIONERS AND ANTENNAS**

**DataWorks Reference:** 117/010  
**Disclosure of Interest:** Nil  
**Meeting Date:** 6 March 2013  
**Responsible Officer:** Manager Planning Projects  
**Actioning Officer:** Strategic Planning Officer  
**Decision Making Level:** Council  
**Previous Item Number/s:** None  
**Attachments:**  
1. DBH5 Satellite dishes, air conditioners and antennas  
2. LPS4 Schedule 15 – External fixtures, Air conditioner units and minor structures provisions

### **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council approval to revoke Local Planning Policy *DBH5 Satellite dishes, air conditioners and antennas*.

The City receives few applications for satellite dishes, air conditioners or antennas as many are permitted under the ‘minor development permitted without planning approval’ provisions of Schedule 15 of the City’s Local Planning Scheme No. 4. However where a planning application is received the application can adequately be assessed with through current planning documents and on a case by case basis.

Accordingly, Local Planning Policy *DBH5 Satellite dishes, air conditioners and antennas* is considered to be obsolete in the City’s statutory planning framework. It is therefore recommended that Council resolve to revoke this policy.

### **BACKGROUND**

On 8 March 2007 the City’s Local Planning Scheme No. 4 (LPS4) was gazetted, resulting in an ongoing review of local planning policies. The purpose of the review is to ensure that local planning policies are consistent with, and do not duplicate, the contents of LPS4 or other planning documents. Where policies are no longer relevant to the City’s statutory planning framework it is recommended they be revoked.

As part of this ongoing policy review the provisions of Local Planning Policy *DBH5 Satellite dishes, air conditioners and antennas* have been identified as being redundant and the policy no longer required. It is therefore recommended that the policy be revoked.

A copy of the policy is provided as an attachment to this report (Refer to attachment 1).

### **STATUTORY AND POLICY ASSESSMENT**

Pursuant to clause 2.5.1(b) of the City’s Local Planning Scheme No. 4, Council may revoke a local planning policy by the publication of a formal notice of revocation by the Council once a week for 2 consecutive weeks in a local newspaper circulating in the Scheme area.

## PLANNING COMMENT

Local Planning Policy *DBH5 Satellite dishes, air conditioners and antennas* was adopted in December 1993 and amended in August 1997. It refers to when planning approval is needed for such development and factors to be considered in determining applications.

Since adoption of the policy, other planning documents have been introduced to the City and State's statutory planning framework that provide a regulatory basis for controlling such development. These documents include the City's Local Planning Scheme No. 4 (LPS4), gazetted 8 March 2007, and the Western Australian Planning Commission's State Planning Policy 3.1 – Residential Design Codes (R-codes) which was first introduced in 2002 and further updated in 2008 and 2010.

There is a contradiction between elements of Policy DBH5 and LPS4 (which is the prevailing statutory planning instrument), particularly in terms of specifying the circumstances in which planning approval will be required. A particular weakness of Policy DBH5 is its inclusion of a degree of subjective judgement to determine whether or not planning approval is required – it states that an application is required “When, in the opinion of Council, the size, position or visual impact of the satellite dish or air conditioner will have a significant impact on adjoining sites or the general locality”. LPS4 adopts a less ambiguous, and more transparent, approach to specifying the circumstances in which planning approval is, or is not, required based on matters of fact relating to the size and location of the development.

In the City's LPS4 satellite dishes and antennas come under the definition of external fixtures where they are fixed to the building and are defined as minor structures where they are free standing. Air conditioners are excluded from this definition.

### Definitions from LPS4

| External fixtures   | Minor structures   |
|---|--|
| means items attached to (or emerging from) buildings including, without limiting the generality of the foregoing, external hot water heater systems, gas cylinders, plumbing vents, solar panels, satellite dishes, aerials, basketball and netball hoops, outdoor lighting, and TV and radio antennae, but not including air conditioning units. | means free standing structures not attached to a building including, without limiting the generality of the foregoing, letter boxes, clothes lines, children's play equipment, basketball and netball hoops, barbecues and free standing satellite dishes, but not including flag poles. |

LPS4 includes a schedule (No. 15) of minor development that is permitted without requiring planning approval. In Schedule 15 external fixtures, air conditioners and minor structures are identified as minor development and specific criteria are provided to determine the circumstances in which such development will not require planning approval (see attachment 2 for the full provisions of Schedule 15 applicable to external fixtures, air conditioning units and minor structures). For example, on a property that is not heritage listed an external fixture would not require planning approval where:

- it does not exceed 1.8m in height and is fixed to a wall of a building which faces the rear or a side boundary (excluding walls facing secondary streets), or
- it is fixed to a plane of the roof of a building or to a flat roof, and projects no more than 1m above the part of the existing roof to which the fixture is attached or



projects no more than 2m above the highest part of the existing roof at any point in the case of an aerial or antenna.

- A satellite antenna or dish would not require planning approval where the diameter does not exceed 1m.

Due to the permitted development provisions in Schedule 15 of LPS4 the City receives few applications for satellite dishes, air conditioners and antennas. If a planning application is still required for any these types of development it can be assessed on its own merits under the following clauses of LPS4:

- the amenity provisions of the objectives of the relevant zone, e.g. *Development within the residential zone shall 4.2.1(a)(ii) safeguard and enhance the amenity of residential areas and ensure that development, including alterations and additions, are sympathetic with the character of the area.*
- Clause 10.2.1 (o) Matters to be considered by Council when considering an application e.g. *the preservation of the amenity of the locality*

Applications relating to residential properties are also assessed under the external fixtures provisions of the R-codes. The R-codes acceptable development and performance criteria are presented in the table below. Basically where the development is not visible from the street or does not detract from the streetscape or the visual amenity of residents or neighbouring properties, the R-codes criteria can be satisfied. Such applications are easily assessed on a case by case basis against these criteria.

Design Element 6.10.2 - External fixtures.

| Acceptable Development  | Performance Criteria   |
|---|--|
| <p>A2.1 The location of solar collectors attached to or emerging from buildings is permitted as of right as primacy must be given to maximising the efficiency of these units.</p> <p>A2.2 Television aerials of the standard type, essential plumbing vent pipes above the roof line and external roof water down pipes.</p> <p>A2.3 Other external fixtures that:</p> <ul style="list-style-type: none"> <li>i are not visible from the primary street;</li> <li>ii are designed integrally with the building; or</li> <li>iii are located so as not to be visually obtrusive.</li> </ul> <p>A2.4 Antennae, satellite dishes and the like not visible from the street</p> | <p>P2 Solar collectors permitted as of right and other external fixtures that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.</p> |

**CONCLUSION**

Local Planning Policy *DBH5 Satellite dishes, air conditioners and antennas* is considered to be obsolete and no longer useful in the City’s statutory planning framework. The types of development the policy addresses can now more appropriately be dealt with through current planning documents, particularly LPS4 and the R-codes.

It is therefore recommended that Council resolve to revoke *DBH5 Satellite dishes, air conditioners and antennas*.

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**That Council, in accordance with Clause 2.5.1(b) of Local Planning Scheme No 4, revoke local planning policy DBH5 'Satellite dishes, air conditioners and antennas'.**

**MOVED: Cr A Sullivan**

**CARRIED: 5/0**

| <b>For</b>   | <b>Against</b> |
|--|----------------|
| Cr Robert Fittock<br>Cr Josh Wilson<br>Cr Ingrid Waltham<br>Cr Bill Massie<br>Cr Andrew Sullivan |                |

## **PLANNING SERVICES COMMITTEE 20 MARCH 2013**

### **PSC1303-42 KINGS SQUARE PROJECT - PUBLIC REALM DESIGN**

**DataWorks Reference:** 053/004, 203/023  
**Disclosure of Interest:** nil  
**Meeting Date:** Planning Services Committee 20 March 2013  
**Previous Item:** PSC1302-27  
**Responsible Officer:** Manager Planning Projects  
**Actioning Officer:** Strategic Urban Designer  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

#### **EXECUTIVE SUMMARY**

**This report recommends that a suitable consultant team be engaged in 2013/14 to prepare design concepts and cost estimates for the upgrading of Newman Court, the areas of Adelaide Street, Queen Street and William Street encircling Kings Square, and the environs of St Johns Church based on the adopted Kings Square Urban Design Strategy.**

**This timing would enable the streetscape designs to be prepared in conjunction with the preparation of architectural designs for the various building components of the Kings Square project.**

**Funding of \$90,000 would be required for consulting fees and costs during 2013/14.**

**Preparation of the concept designs will also enable more accurate costs and opportunities for staging of implementation to be identified for further consideration by Council.**

#### **BACKGROUND**

At a Special Council meeting on 11 February 2013 the Kings Square Redevelopment Business Plan was adopted. The Council also resolved to:

*Request officers prepare a report for consideration by council on the processes for developing the detailed design for the public realm spaces in the precinct.*

At its meeting on 27 February 2013 the Council resolved to conduct an architectural design competition for the selection of a design concept approach and consultant team for development of the City's Core Facilities in Kings Square, comprising library, civic chamber, administrative and surplus offices, council services, urban room, café and specialty retail in accordance with the adopted Kings Square Project Business Plan, together with all of the public realm area of High Street within Kings Square (Reserve 41176).

This report addresses the process to prepare detailed designs for the remaining public realm spaces in the precinct. These spaces comprise Newman Court, the areas of Adelaide Street, Queen Street and William Street encircling Kings Square, and the environs of St Johns Church.

## COMMENT

The Kings Square Urban Design Strategy, which was adopted by Council in June 2012, provides the basis for any future upgrading of the public domain of Kings Square and Queen Street. In particular the strategy recommended:

- Restore the historical street pattern as a key part of the heritage of the place.
- Provide a variety of public spaces in size and character, with the total area being similar to current.
- Spaces to be able to accommodate occasional major civic events or gatherings, smaller more regular and organised events (with appropriate shelter, amenity and infrastructure), markets and commercial events, busy shopping spaces and quiet contemplative spaces.
- Key public spaces must demonstrate how they can be combined and adapted to create larger spaces for rare but significant events without loss to every day, informal, small-scale spaces.
- Create places along the edges for people to occupy – provide enhanced footpaths along Adelaide Street and Newman Court.
- Emphasise the civic importance of the square through ordered tree planting along the edges.
- All streets (except Queen Street) to be ‘shared spaces’ for shared pedestrian, cyclist, vehicle use.
- Re-open Newman Court to vehicle traffic within a space designed to be shared with pedestrians and cyclists.
- Restore traffic circulation around the square.
- Ensure vehicle access ways can be used as one-way or two-way without major modification.
- Retain and reinforce pedestrian connections to/from the square via existing street networks as the highest priority, although additional/improved off-street secondary connections to be pursued where possible. Include improving pedestrian (and possible vehicle) connection to South Terrace strip from Newman Court.
- Retain on-street parking, generally a similar number as current, however street parking to be re-arranged to reduce visual and physical impact on the square by locating on one side of the street only (preferably the inside edge of the square) and/or grouping bays.

With regard to the environs of St Johns Church the strategy recommended:

- Articulate outdoor spaces for church events.
- Create consolidated green space that offers an increase in the quality of passive recreational amenity.
- Retain healthy Moreton Bay figs.
- Retain palms in front of church and plant more to Queen Street frontage to define the church outdoor activity area.

The design of these spaces also needs to be integrated with the proposed redevelopment of the City’s civic and administration facilities, the former Myer building, and the Queensgate and Spicer sites with regard to pedestrian, cycle and vehicle access to these sites, ground level uses (e.g. opportunities for al fresco dining), shelter, landscaping, viewlines, etc.

It would therefore be appropriate that streetscape concepts be prepared at the same time as the design development stage for the adjacent buildings – anticipated to be 2013/14.

A consultant team would need to be engaged that comprises skills in urban design, landscape architecture and civil engineering. The team would be required to work closely with the design teams for the various buildings of the Kings Square project. It is estimated that funding of \$90,000 would be required for consulting fees and costs during 2013/14.

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

Based on the recent upgrading, total reconstruction and conversion of Bayview Terrace Claremont to a shared space, costs for design and construction of shared spaces around Kings Square could be up to \$1500 per square metre. The area of the three road reserves around the square totals approximately 6500 sqm; therefore total costs may be in the order of up to \$9m. This does not include the High Street reserve and the grounds of St Johns Church.

### **Legal**

Nil

### **Operational**

Nil

### **Organisational**

Nil

## **CONCLUSION**

Preparation of concept designs during 2013/14 will enable the streetscape designs to be coordinated with the design development stage of the various building components of the Kings Square project. Preparation of the concept designs will also enable more accurate costs and opportunities for staging of implementation to be identified for further consideration by Council.

## **STRATEGIC AND POLICY IMPLICATIONS**

The recommendation would commence the implementation of the Council's adopted Kings Square Urban Design Strategy with regard to the upgrading of the public realm in and around the square.

## **COMMUNITY ENGAGEMENT**

There was an intensive community engagement process in the preparation of the Kings Square Urban Design Strategy prior to its adoption by Council. It is anticipated that there would be further community input as the detailed designs for the public spaces are developed.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

### OFFICER'S RECOMMENDATION

That

1. A suitable consultant team be engaged in 2013/14 to prepare design concepts and cost estimates for the upgrading of Newman Court, the areas of Adelaide Street, Queen Street and William Street encircling Kings Square, and the environs of St Johns Church based on the adopted Kings Square Urban Design Strategy. The streetscape designs to be prepared in conjunction with the preparation of architectural designs for the various building components of the Kings Square project.
2. Funding of \$90,000 for consultancy fees to prepare the streetscape concept designs be placed for consideration in the 2013/14 draft budget process.
3. Staging and future funding requirements for implementation of the streetscape improvements be determined following consideration of the concept designs by Council.

**Cr R Pemberton MOVED an amendment to the Officer's Recommendation to include the following wording in 1:**

*The brief for the design concept should also include a suitable play area for young children if one has not been incorporated into the selected design for the City's Core Facilities and adjacent public realm resulting from the design competition.*

**CARRIED: 7/0**

| <b>For</b>  | <b>Against</b> |
|---|----------------|
| Mayor, Brad Pettitt<br>Cr Rachel Pemberton<br>Cr Robert Fittock<br>Cr Ingrid Waltham<br>Cr Bill Massie<br>Cr Andrew Sullivan<br>Cr David Hume |                |

**COMMITTEE RECOMMENDATION**

**MOVED: Cr A Sullivan**

**That**

- 1. A suitable consultant team be engaged in 2013/14 to prepare design concepts and cost estimates for the upgrading of Newman Court, the areas of Adelaide Street, Queen Street and William Street encircling Kings Square, and the environs of St Johns Church based on the adopted Kings Square Urban Design Strategy. The streetscape designs to be prepared in conjunction with the preparation of architectural designs for the various building components of the Kings Square project. *The brief for the design concept should also include a suitable play area for young children if one has not been incorporated into the selected design for the City's Core Facilities and adjacent public realm resulting from the design competition.***
- 2. Funding of \$90,000 for consultancy fees to prepare the streetscape concept designs be placed for consideration in the 2013/14 draft budget process.**
- 3. Staging and future funding requirements for implementation of the streetscape improvements be determined following consideration of the concept designs by Council.**

**CARRIED: 7/0**

| <b>For</b>  | <b>Against</b> |
|---|----------------|
| Mayor, Brad Pettitt<br>Cr Rachel Pemberton<br>Cr Robert Fittock<br>Cr Ingrid Waltham<br>Cr Bill Massie<br>Cr Andrew Sullivan<br>Cr David Hume |                |

**PSC1303-43 WESTGATE MALL - RESERVE NO. 38030 PEDESTRIAN ACCESS WAY - PROPOSED (TEMPORARY) PARTIAL CLOSURE OF LOT 2130 PROVIDING OPTIONS TO LEASE AND SECURE ACCESS - (KW)**

**Disclosure of Interest:** Nil  
**Meeting Date:** 20 March 2013  
**Responsible Officer:** Manager Statutory Planning  
**Actioning Officer:** Land Administrator  
**Decision Making Level:** Council  
**Previous Item Number/s:** SGS0903-2 and SGS0905-10  
**Attachment 1:** Reserve No.38030 enquiry details.  
**Attachment 2:** WAPC Procedure for the closure of PAW's.

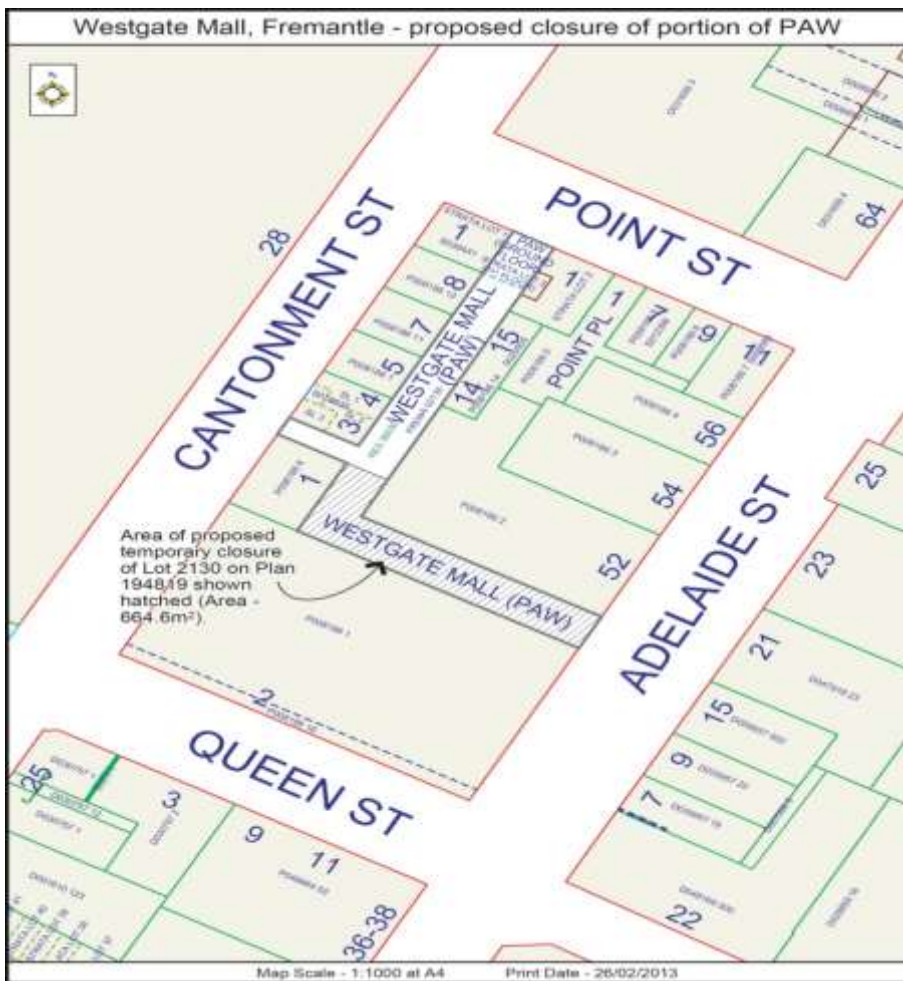


Figure 1 - not shown to scale above.



## **EXECUTIVE SUMMARY**

The Pedestrian Access Way (PAW) Reserve No. 38030 being Lots 2130 and 55 and known as Westgate Mall, is the subject of a number of discussions with Council and the Department Of Regional Development and Lands (RDL) in order to improve security and increase vitality in the area. This proposal involves the temporary closure of a portion of Lot 2130 shown as the hatched area in the map above ("the land").

Subject to the Minister for Lands approval, the proposed partial PAW closure will transfer the land back to the status of Unallocated Crown Land (UCL). As UCL the Minister may grant a Lease directly to the City in accordance with Section 79 of the Land Administration Act 1997. The lease term could be 10 years or may coincide with Council's receipt of a major development application whereby the re-location of the Adelaide Street Westgate Mall access leg to mid block could be achieved (in accordance with Local Planning Policy 3.1.5 major off-street pedestrian routes).

In order to achieve these outcomes the City is required by RDL to;

1. Provide a Business Case (for a Commercial Venture) detailing the financial aspects of the proposed leasing arrangement. The Crown is likely to charge rent at 25% of unimproved market rental. The Business Case will outline the City's requirement to allow the access leg from Adelaide Street, Fremantle to be closed off at any time.
2. Initiate a formal PAW closure in relation to the Land.
3. Excise the subject Land from Reserve No. 38030 including the creation of a Deposited Plan. All survey costs are paid by the City.

In order to facilitate commercial activity and restrict public access through the Adelaide Street access leg of the PAW, it is recommended that Council;

1. Approve the proposed temporary closure of a portion of Lot 2130 located within the Pedestrian Access Way Reserve No. 38030 (Westgate Mall) for the purposes of returning the land to the Crown as Unallocated Crown Land (UCL) - in order for the City of Fremantle to lease the UCL directly from the Crown.
2. Approve the proposed Lease of the UCL land described in Item 1 above between RDL and the City of Fremantle whereby the City may sub-lease to commercial tenants and restrict public access from the Adelaide Street, Fremantle leg - subject to the Ministers approval of both item 1 and 2.

## **BACKGROUND**

At its Ordinary Meeting held on 25<sup>th</sup> March 2009 (SGS0903-2) the Council resolved to:

1. *"Agree to not proceed at this time with the closure of the Adelaide St leg of the Westgate Mall Pedestrian Access Way as it is considered that the closure would not properly resolve the current problems with the mall, particularly in the current economic and property development market."*

2. *Investigate the possibility of using the mall for an ongoing low cost markets. Give consideration to the allocation in the draft 2009/10 budget to undertake upgrading of the current mall including the installation of security CCTV, improved landscaping and street furniture and installation and management of a gate system.*
3. *Officers bring back a report on the feasibility of part two and possible sources of contribution of these items by May 2009".*

At its Ordinary Meeting held on 27<sup>th</sup> May 2009 (SGS0905-10) the Council resolved to:

1. *"Receive this report outlining the feasibility of security CCTV, entry gates, markets and landscape improvements to the Westgate mall Public Access Way.*
2. *Give consideration to the allocation of \$75,000 in the draft 2009/10 budget to install security CCTV, and to improve planting and street furniture in the PAW.*
3. *Give consideration to the allocation of \$25,000 in the 2009/10 budget to undertake a feasibility study of markets in the mall, including opportunities for ongoing funding of the markets.*
4. *Council immediately advertise for expressions of interest from suitably qualified people to be involved in the management of or running of stalls in Westgate Mall either as managers or stall owners or both. The expressions of interest should include but not be confined to details of usage of available space including type of stalls and approximate rentals.*
5. *A summary of recent university student ideas put forward for refurbishment of Westgate mall as part of the Fremantle on the Edge Curtin University project be brought to Council in June in order that Council can decide if it wishes to explore any ideas further. The Green Living Wall proposal in particular attracted significant interest and was a highlight of the student presentations.*
6. *Talks be held with the Fremantle Growers Markets who are due to leave their current location at the end of October 2009 to see if they have any interest in being relocated to Westgate Mall.*
7. *All shop owners in the vicinity be written to alerting them to Council's interest in improving the Westgate Mall in terms of improved usage, security, and planting and street furniture. Shop owners in the mall should be encouraged to improve the condition of their awnings, which are not the responsibility of Council."*

On 03 November 2011 a meeting was held with the Team Leader of RDL and the City of Fremantle Property Co-ordinator. At this meeting the City was provided with a course of action to transfer the subject Land from a PAW to a Mall or Plaza Reserve that included the installation of gates to the PAW access points.

On 09 November 2011 the Land Administrator clarified the process from the earlier meeting with the Team Leader of RDL. The process to install gates to the access points required the creation of a local law to allow the Mall to be closed off at night. Additional

Local Laws were required for any parking requirements to allow retail owners/suppliers to drop off goods for example.

During April and May of 2012 the City discussed other options with the senior staff at RDL in order to find a way to close off and provide improved security for tenants and the public alike. RDL staff suggested presenting the City's requirements in a Business Case together with an application to close a portion of the PAW being the subject Land. The proposal would allow the Land to be returned to the Crown allowing the RDL to lease directly to the City providing the power to sublease to tenants. With the PAW status removed the blocking off of the Adelaide Street access leg could be achieved subject to the Minister's approval. The proposal and process was further examined with RDL on 25 February 2013 as the proposal for this report.

## **STATUTORY REQUIREMENTS**

### PAW closure process

The City is required to follow the "Procedure for the Closure of Pedestrian Access Ways" as set out in the October 2009 WAPC Planning Guidelines ("Guidelines") included as Attachment 2 of this report. The new closure procedure is based on the concept of a pedestrian and cycle access plan. Option B of the Guidelines is selected as the appropriate procedure to close a PAW within the City of Fremantle as the City does not have a WAPC endorsed pedestrian and cycle access plan. In addition to the PAW closure report noted in Step 1 of the Guidelines, RDL have requested that the City submit a Business Case in relation to the commercial aspect of the proposal.

The Guidelines are framed around a PAW closure and amalgamation with the adjoining properties in accordance with Section 87 of the Land Administration Act 1997. In relation to the subject Land (shown in figure 1), the proposal will involve a temporary PAW closure with the reinstatement of the PAW at a later date. The relevant information from the Guidelines for a temporary PAW closure are summarised below;

### Temporary pedestrian access way closure

*"The temporary closure of a pedestrian access way may be considered as an alternative to permanent closure where:*

- *Other methods of dealing with safety, crime and anti-social behaviour have proven to be unsuccessful; and*
- *Permanent closure is not desirable due to the possible need for future access.*

The Guidelines for Option B is summarised below:

|        |   |
|--------|---|
| Step 1 | The City prepares a PAW closure report.   |
| Step 2 | The City refers the closure report to all relevant infrastructure providers and any other agencies for comment.   |
| Step 3 | The City consults the community likely to be affected by the proposed closure (including all abutting landowners) and seeks their comments in writing.                              |
| Step 4 | The City assesses any comments and advice received from infrastructure providers, agencies and the community and determines whether to close the PAW or retain it and keep it open. |

|        |   |
|--------|---|
| Step 5 | If the City resolves to close the PAW it advises all abutting landowners of its decision and seeks support for the closure.         |
| Step 6 | The City submits a written request to close the PAW to the WAPC with relevant supporting information.                               |
| Step 7 | The WAPC assesses the proposal and communicates its decision to the local government.   |
| Step 8 | On receipt of the WAPC's endorsement, the local government proceeds with the closure, and refers the request to RDL for processing. |

A more detailed explanation of the process is included in attachment 2.

## **COMMENTS**

The earlier proposal to transfer the subject Land from a PAW to a Mall Reserve provided the City with the ability to close off the access points at night with gates. However the proposal was discarded as the Land Administration Act (Section 59) is quite clear that a Mall Reserve must provide vehicular and pedestrian access without any mention of restrictions to that access. Therefore the security issues were not resolved with this option.

The current proposal to close the Adelaide Street leg of the PAW (as shown in figure 1) will allow the land to be leased directly to the City from RDL. The City is required by State RDL to include a Business Case as part of the PAW closure process. Therefore the City's requirements to close access from the Adelaide Street leg with a temporary building or gate may be included within the Business Case initially and then to form part of the Head Lease agreement. Subject to the Ministers approval, the negotiated Head Lease between the RDL and the City of Fremantle should include a clause to allow the restriction of the Adelaide Street access leg with either a gate or temporary building. The Lease period could be 10 years or perhaps the Lease might end upon the City's receipt of a major development application whereby the future plans to re-align the Adelaide Street access leg could be achieved.

## **EXTERNAL SUBMISSIONS**

### ***Community***

Public advertising for a minimum of 35 days is a requirement of a formal PAW closure.

## **CONCLUSION**

In order for the City to improve the vitality, security and safety of Westgate Mall it is necessary to restrict access from the Adelaide Street PAW with either a temporary building or gates. The City also wishes to lease parts of the subject Land (as shown in figure 1). In order to achieve these objectives the City has been advised by senior officers at RDL to follow the process discussed above and summarised below;

1. Provide a Business Case (for a Commercial Venture) detailing the financial aspects of the proposed leasing arrangement. The Crown is likely to charge rent at 25% of unimproved market rental. The Business Case will outline the City's requirement to allow the access leg from Adelaide Street, Fremantle to be closed off at any time.
2. Initiate a formal PAW closure in relation to the Land.

3. Excise the subject Land from Reserve No. 38030 including the creation of a Deposited Plan. All survey costs are paid by the City.

## **COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr A Sullivan**

**That Council;**

1. **APPROVE** the proposed temporary closure of a portion of Lot 2130 located within the Pedestrian Access Way Reserve No. 38030 - Westgate Mall, Fremantle (as detailed in the City's map dated 26 February 2013 - Figure 1) for the purposes of returning the land to the Crown as Unallocated Crown Land (UCL) - in order for the City of Fremantle to lease the UCL directly from the Crown.
2. Undertake a public consultation and advertising process including a 35 day public comment period in regard to the proposed temporary closure of a portion of the Pedestrian Access Way as described in item 1.
3. Following the completion of the advertising period, consider the submissions received during the advertising and public consultation in a report to Council for a final decision prior to an application being made to the Western Australian Planning Commission (WAPC) and the department of Regional Development and Lands (RDL) requesting the temporary closure of the Pedestrian Access Way described in item 1.

**CARRIED: 7/0**

| <b>For</b>  | <b>Against</b> |
|---|----------------|
| Mayor, Brad Pettitt<br>Cr Rachel Pemberton<br>Cr Robert Fittock<br>Cr Ingrid Waltham<br>Cr Bill Massie<br>Cr Andrew Sullivan<br>Cr David Hume |                |

**PSC1303-44 MODIFICATION TO LOCAL PLANNING POLICY 1.6 - PREPARING HERITAGE ASSESSMENTS (LPP 1.6) - FINAL ADOPTION**

**DataWorks Reference:** 117/035  
**Disclosure of Interest:** Nil  
**Meeting Date:** 20 March 2013  
**Responsible Officer:** Manager Statutory Planning  
**Actioning Officer:** Strategic Planner  
**Decision Making Level:** Council  
**Previous Item Number/s:** PSC1211-175 (28 November 2012)  
**Attachments:**  
1. PSC1211-175 LPP 1.6 Adoption for Advertising  
2. Modifications to LPP 1.6 with track changes

**EXECUTIVE SUMMARY**

The purpose of this report is to recommend to Council final adoption of the modifications to *Local Planning Policy 1.6 – Preparing Heritage Assessments* (LPP1.6).

LPP1.6, originally adopted on 25 February 2009, provides the framework for when a Heritage Assessment is required and outlines the format for a Heritage Assessment. The proposed modifications to the policy will overall update the wording of the policy and refine the Heritage Assessment format. Specifically the main changes to the policy are:

1. Deleting the requirement for a Statement of Conservation;
2. Increasing the applicability of a Heritage Assessment from two years to five years;
3. Refining the Statement of Heritage Impact assessment criteria;
4. Adding fences to minor development and renaming the clause;
5. Including a new clause that gives senior staff discretion on when to require or exempt a proposed development from requiring heritage assessment.

The draft local planning policy was placed out for public comment for not less than 42 days in accordance the requirements of Local Planning Scheme No. 4 and Local Planning Policy 1.3, with no submissions received. However, officers recommend that some minor adjustments are made to ensure the consistent and correct application of the policy.

It is therefore recommended that Council adopt the modified Local Planning Policy 1.6 in accordance with clause 2.4 of Local Planning Scheme No. 4, with minor modification.

**BACKGROUND**

At its Ordinary Meeting of 28 November 2012, Council resolved to adopt modified *Local Planning Policy 1.6 – Preparing Heritage Assessments* for the purpose of public advertising (please see the full report at Attachment 1).

The proposed modifications will overall update the wording of the policy, as originally adopted on 25 February 2009, to refine the Heritage Assessment format, include an additional development that does not always require a Heritage Assessment, rename the 'minor development' clause, delete the requirement for a Statement of Conservation and introduce a new clause which allows for more discretion on when a Heritage Assessment is required or exempt. The purpose and intent of the policy remains unchanged.

## **STATUTORY AND POLICY ASSESSMENT**

The draft local planning policy has been prepared under the provisions of Part 2 – Local Planning Policy Framework of Local Planning Scheme No. 4 (LPS4).

## **CONSULTATION**

The draft local planning policy was advertised in accordance with clause 2.4 of LPS4 and *Local Planning Policy 1.3 - Public Notification of Planning Proposals*. The draft local planning policy was subsequently advertised for comment from 11 December 2012 to 25 January 2013, with advertisements being placed in the Fremantle Gazette for two consecutive weeks. The City's precinct groups were also specifically notified and copies of the policy were made available for viewing at the Service and Information Counter at the Town Hall Centre and on the City's website.

No submissions were received during the consultation period.

## **PLANNING COMMENT**

### **Recommended Minor Modifications**

On further review of the policy during the advertising period, officers recommend that some minor adjustments are made to improve the overall clarity and functionality of the policy and to ensure the consistent and correct application of the policy. This includes general formatting (i.e. renumbering, consistent wording, legislation reference updates and capitalisation). The proposed modifications are not considered to change the intent or purpose of the advertised policy and therefore it is not considered that re-advertising of the policy is required.

Each modification has been detailed below (excluding general formatting) and a full copy of the policy with all changes clearly tracked can be found at Attachment 2 of this report.

#### Modification to the Title

The title of the policy as advertised is *Local Planning Policy 1.6 – Preparing Heritage Assessments*. This policy applies to both the application and preparation of a heritage assessment. Therefore officers recommend the title be modified as follows for consistency with the purpose and application of the policy:

*Local Planning Policy 1.6 – Heritage Assessment*

#### Modification to Statutory Background

To maintain consistency with existing and recently adopted local planning policies and to provide transparency as to the planning provisions under which this policy revision was

made, it is recommended the following statement be included in the Statutory Background of the modified LPP 1.6:

*This Local Planning Policy is prepared under the provisions of Part 2 of the City of Fremantle's Local Planning Scheme No. 4 ('LPS4' or 'the Scheme').*

#### Inclusion of an Application section

As advertised, the Statutory Background of the policy states the following:

*In order to meet its obligations to assess various statutory planning proposals the Council will from time to time include specific expert advice on heritage matters as part of the planning assessment. In this policy, the term 'proposals' includes planning applications, Structure Plans, Detailed Area Plans and Town Planning Scheme amendment proposals.*

To maintain consistency with the format of other recently adopted local planning policies, and to clarify the application of the policy, it is recommended the section of the Statutory Background as highlighted in grey above be removed and placed under the separate heading of 'Application' with minor re-wording.

Additionally, it is recommended the following provision of clause 2.3 be relocated for inclusion in the 'Application' section of the policy, where it considered more relevant.

*2.1 Unless previously obtained on another similar or relevant proposal for the same property within five calendar years of the date of application, the Council will undertake heritage assessment in accordance with Table 4 below.*

The Application section for inclusion into the policy is recommended to read as follows:

#### **Application**

*This policy applies to planning applications, Structure Plans, Detailed Area Plans and Local Planning Scheme amendments ('proposal').*

*A Heritage Assessment will not be required whereby a Heritage Assessment has been previously obtained on another similar or relevant proposal for the same property and within five calendar years of the date of application of that proposal.*

#### Modification to the format

In addition to general formatting (i.e. renumbering, consistent wording, legislation reference updates and capitalisation) it is recommended that *clause 1 – Content of Heritage Assessment* and *clause 2 – Circumstances where a Heritage Assessment will be undertaken* are reversed so that the circumstances of when a heritage assessment is required immediately proceeds the 'Application' of the policy. A modification to the title of proposed clause 1 is also recommended:

- Clause 1 – Circumstances where a Heritage Assessment will be undertaken
  - When a Heritage Assessment is required
- Clause 2 – Content of a Heritage Assessment

This modification maintains consistency with the format of existing and recently adopted local planning policies and improves the overall functionality of the policy.



Modification to clause 2 - Circumstances where a Heritage Assessment will be undertaken  
 Clause 2 of the policy was advertised as follows:

2. *Circumstances where a Heritage Assessment will be undertaken*

2.1 *Unless previously obtained on another similar or relevant proposal for the same property within five calendar years of the date of application, the Council will undertake heritage assessment in accordance with Table 4 below.*

*Where a proposal falls within two columns under this table the higher level of assessment shall be undertaken.*

*Table 4 – When a Heritage Assessment is required*

|                            | <i>State Register of Heritage Places or Heritage List or Category 1 on MHI</i> | <i>Heritage List (Category 2 and 3 on MHI)</i>        | <i>Within or adjacent to West End Conservation Area</i> | <i>Where not on Heritage List</i>             |
|----------------------------|--|---|---|---|
| <i>Heritage assessment</i> | <i>Required unless existing</i>  | <i>Always required unless specified in clause 2.3</i> | <i>Always required unless specified in clause 2.3</i>   | <i>Demolition of a primary structure only</i> |

2.2 *Notwithstanding the requirements of Table 4 above, and at the discretion of the Manager Statutory Planning and Coordinator Statutory Planning and on the advice of the Coordinator of Heritage, a Heritage Assessment:*

- (i) may not be required; or*
- (ii) can be provided in a modified format; or*
- (iii) may be required.*

2.3 *For the purposes of this policy, the following development would not always require a heritage assessment as per Table 4:*

- (i) Small scale new structures on the subject site which are not attached to the building (such as sheds or outbuildings) which are located out of the front setback area.*
- (ii) Ancillary lightweight structures added to buildings (such as timber patios, sails, carports, pergolas) which are located out of the front setback area.*
- (iii) Fixtures to buildings (such as antennae, aerials, air conditioning units, solar panels, signs), which do not face the street and do not involve any significant structural alteration to the building.*
- (iv) Non structural internal changes.*
- (v) Fences where they are in accordance with the City’s Local Planning Policy 2.8 – Fences Policy.*

To improve the overall clarity and functionality of the policy officers recommend the following modifications to clause 2 and as shown in italics below:

- Relocate the provision of clause 2.1 to the Application section of the policy;
- Convert Table 4 into a list format;
- Clause 2.2 – modify to specify the circumstances in which discretion may be given to allow/exempt a heritage assessment under clause 2.1 and 2.3; and

- Renumber to clause 1 as discussed under 'Modification to the format' above.

1. *When a Heritage Assessment is required*

1. *A Heritage Assessment will be required in accordance with clause 2 for one or more of the following development proposals:*

- (i) Demolition of the primary structure/building.*
- (ii) Demolition of any other structure of masonry or timber construction*
- (iii) All development on State Register of Heritage Places and/or Heritage Listed properties with a Municipal Heritage Inventory Management Category Level 1, 2 and 3.*
- (iv) All development on property located within the West End Conservation Area (as set out in DGF14 Fremantle West End Conservation Area Policy).*

1.2 *Notwithstanding clause 1.1, the following development proposals do not require a Heritage Assessment for Heritage Listed properties with a Municipal Heritage Inventory Management Category Level 2 and 3:*

- (i) Small scale new structures on the subject site which are not attached to the primary structure/building (such as outbuildings) and which are located out of the front setback area.*
- (ii) Ancillary lightweight structures added to buildings (such as timber patios, sails, pergolas) which are located out of the front setback area.*
- (iii) Fixtures to buildings (such as antennae, aerials, air conditioning units, solar panels, signs), which do not face the street and ~~de~~ the installation would not involve any significant structural alteration to the building.*
- (iv) Non structural internal changes.*
- (v) Fences whereby they are in accordance with the City's Local Planning Policy 2.8 – Fences Policy.*

1.3 *Notwithstanding the requirements of clauses 1.1 and 1.2 above, the Manager Statutory Planning, with due regard to the advice of the Heritage Coordinator, may determine that:*

- (i) A Heritage Assessment is required for any development proposal that is considered to impact on the heritage significance of the place or locality; or*
- (ii) A Heritage Assessment is not required for any development proposal that presents minimal to no impact on the heritage significance of the place or locality.*

Modification to clause 2.1 – Statement of Heritage Significance

Modification to this clause is recommended to remove repetition of information and provide clarity as to the content and preparation of the Statement of Heritage Significance as follows:

*2.1 Statement of Heritage Significance*

*A Statement of Heritage Significance should define the heritage values embodied in the place itself, its fabric, setting, use, and related places. Each place has its own combination of values, which together provide its heritage significance.*

~~A Statement of Heritage Significance should be prepared through a process, of investigating the place and the records associated with it and include an assessment of the aesthetic, historic, scientific and social/spiritual values for past, present and future generations.~~

~~As a minimum requirement, the heritage assessor (as defined in part 3 of this policy) shall undertake the following process of collecting and analysing information in the preparation of the Statement of Heritage Significance:~~

- ~~• Research of historical documents (such as rates books, archives etc)~~
- ~~• An inspection of the place~~

~~Additional research may be required at the discretion City of Fremantle heritage staff.~~

~~A Statement of Heritage Significance should be presented in accordance with clause 2.1.1 and prepared through the following process:~~

- ~~• An inspection of the place~~
- ~~• Collection and analysis of historical documents (such as rates books, archives etc)~~
- ~~• An assessment of the aesthetic, historic, scientific and social/spiritual values for past, present and future generations.~~

#### Removal of clause 3 – Heritage Assessor

Clause 3 sets out who may undertake a heritage assessment. Upon original adoption of this policy, the City did not have the capacity to complete all required heritage assessments 'in house' and the services of external independent heritage architect(s) were regularly engaged to undertake the assessment. The City now has full capacity to complete required heritage assessments by qualified staff internally. Therefore it is considered this clause of the policy to now be redundant and removal is recommended.

## **CONCLUSION**

The modifications to *Local Planning Policy 1.6 – Preparing Heritage Assessments* (LPP1.6) will overall update the wording of the policy, refine the Heritage Assessment format, include an additional development that does not always require a Heritage Assessment, rename the 'minor development' clause, delete the requirement for a statement of conservation and introduce a new clause which allows for more discretion as to when a Heritage Assessment is required.

The modified Local Planning Policy 1.6 was advertised in accordance with part 2 of LPS4, with no submissions received. However, officers have recommended minor adjustment to the modified policy to ensure the consistent and correct application of the policy and of which include modification to the following:

- Policy title;
- Inclusion of an Application section;
- Conversion of Table 4 into a list format;
- Modification to clause 2.2 to specify when discretion may be given to the exemption or requirement of a heritage assessment; and
- Removal of clause 3 – Heritage Assessor

These modifications are not considered to alter the intent or purpose of the policy and therefore it is considered that re-advertising of the modified policy is not required.

It is therefore recommended that Council adopt the local planning policy in accordance with clause 2.4 of LPS4 with minor modification.

## **COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr A Sullivan**

**Adopt the local planning policy, Local Planning Policy 1.6 – Heritage Assessment, in accordance with the procedures set out in clause 2.4 of the City of Fremantle Local Planning Scheme No. 4, as shown below:**

# **CITY OF FREMANTLE**

## **LOCAL PLANNING POLICY 1.6**

### **HERITAGE ASSESSMENT**

**ADOPTION DATE: 25 February 2009**  
**AMENDED: ###/###/2013**  
**AUTHORITY: LOCAL PLANNING SCHEME NO.4**

#### **STATUTORY BACKGROUND**

This Local Planning Policy is prepared under the provisions of Part 2 of the City of Fremantle's Local Planning Scheme No. 4 ('LPS4' or 'the Scheme').

Clause 10.2.1 of the Scheme prescribes the matters to which the Council is required to afford due regard in considering a proposal. Included amongst these matters are any potential impacts that a proposal may have on the heritage values of an existing place and its context including the streetscape and/or heritage area.

Clause 7.4 of the Scheme prescribes that the Council may require a Heritage Assessment to be carried out prior to the approval of any development proposed in a heritage area or in respect of a heritage place listed on the Heritage List.

In order to meet its obligations to assess various statutory planning proposals the Council will from time to time include specific expert advice on heritage matters as part of the planning assessment.

#### **PURPOSE**

The purpose of this policy is to provide a format for Heritage Assessments and outline when a Heritage Assessment is required.

Any Heritage Assessment provided or obtained in accordance with this policy will be considered a public document for the purpose of the assessment of a proposal.

All terms and definitions related to heritage used in this policy are based on the terms used in "*The Burra Charter 1999 – the Australia ICOMOS Charter for Places of Cultural Significance*". Council adopted the principles of the Burra Charter as good practice for heritage listed places in June 2000.

## **APPLICATION**

This policy applies to planning applications, Structure Plans, Detailed Area Plans and Local Planning Scheme amendments ('proposal').

A Heritage Assessment will not be required whereby a Heritage Assessment has been previously obtained on another similar or relevant proposal for the same property and within five calendar years of the date of application of that proposal.

## **POLICY**

### **1. When a Heritage Assessment is required**

**1.1 A Heritage Assessment will be required in accordance with clause 2 for one or more of the following development proposals:**

- (i) Demolition of the primary structure/building.**
- (ii) Demolition of any other structure of masonry or timber construction.**
- (iii) All development on State Register of Heritage Places and/or Heritage Listed properties with a Municipal Heritage Inventory Management Category Level 1, 2 and 3.**
- (iv) All development on property located within the West End Conservation Area (as set out in Local Planning Policy DGF14 Fremantle West End Conservation Area Policy).**

**1.2 Notwithstanding clause 1.1, the following development proposals do not require a Heritage Assessment for Heritage Listed properties with a Municipal Heritage Inventory Management Category Level 2 and 3:**

- (i) Small scale new structures on the subject site which are not attached to the primary structure/building (such as outbuildings) and which are located out of the front setback area.**
- (ii) Ancillary lightweight structures added to buildings (such as timber patios, sails, carports, pergolas) which are located out of the front setback area.**
- (iii) Fixtures to buildings (such as antennae, aerials, air conditioning units, solar panels, signs), which do not face the street and do the installation would not involve any significant structural alteration to the building.**
- (iv) Non structural internal changes.**
- (v) Fences whereby they are in accordance with the City's Local Planning Policy 2.8 – Fences Policy.**

**1.3 Notwithstanding the requirements of clauses 1.1 and 1.2 above, the Manager Statutory Planning, with due regard to the advice of the Heritage Coordinator, may determine that:**

- (i) A Heritage Assessment is required for any development proposal that is considered to impact on the heritage significance of the place or locality; or**
- (ii) A Heritage Assessment is not required for any development proposal that presents minimal to no impact on the heritage significance of the place or locality.**

**2. Content of Heritage Assessment**

A Heritage Assessment shall consist of the following components:

- (i) Statement of Heritage Significance
- (ii) Statement of Heritage Impact

**2.1 Statement of Heritage Significance**

A Statement of Heritage Significance should define the heritage values embodied in the place itself, its fabric, setting, use, and related places. Each place has its own combination of values, which together provide its heritage significance.

A Statement of Heritage Significance should be presented in accordance with clause 2.1.1 and prepared through the following process:

- An inspection of the place
- Collection and analysis of historical documents (such as rates books, archives etc)
- An assessment of the aesthetic, historic, scientific and social/spiritual values for past, present and future generations.

**2.1.1 REPORT FORMAT FOR STATEMENT OF HERITAGE SIGNIFICANCE:**

- Description of the Place
  - (i) Historical notes
  - (ii) Physical descriptions

- Heritage Values

|                               |  |
|-------------------------------|--|
| <b>Nature of significance</b> |  |
| Aesthetic value               |  |
| Historic value                |  |
| Scientific value              |  |
| Social/spiritual value        |  |
| <b>Degree of significance</b> |  |
| Rarity                        |  |
| Representativeness            |  |
| Integrity                     |  |
| Authenticity                  |  |

- Statement of Heritage Significance

|  |              |      |                 |
|--|--------------|------|-----------------|
| <b>Significance</b>  |              |      |                 |
| Exceptional  | Considerable | Some | Limited or none |
| <b>Comments:</b><br><i>The Heritage Significance assessment shall identify the overall significance of the place using the above categories, and identify zones of significance within the place itself, and within a local context.</i> |              |      |                 |

**2.2 Statement of Heritage Impact**

The Statement of Heritage Impact examines the impact of the proposal on the heritage significance of the place, and includes a professional judgment concerning the impact of the proposal on the identified heritage values of the place, as identified in clause 2.1.

**2.2.1 REPORT FORMAT FOR STATEMENT OF HERITAGE IMPACT:**

- **Statement of Heritage Impact**

|  |  |
|--|--|
| <b>The level of positive and negative impact that the proposal will have on the heritage significance of the place with regard to the following criteria:</b>  |  |
| <b>The extent of loss of significant fabric.</b>   |  |
| <b>The extent of conservation work to significant fabric.</b>  |  |
| <b>The permanent impact that the proposal is likely to have on the values that contribute to the heritage significance of the place.</b>   |  |
| <b>The impact a proposal will have on a heritage building in terms of its use siting, bulk, form, scale, character, colour, texture and materials.</b>   |  |
| <b>The impact the proposal will have on the visual setting and the other relationships that contribute to the heritage significance of the place.</b>  |  |
| <b>The impact the proposal will have on the streetscape and townscape characteristics of the area in which it stands.</b>  |  |
| <b>The impact the proposal will have on important public views and spaces, vistas, landmarks and landscape features.</b>   |  |
| <b>Conclusion and recommendation(s)</b>  |  |
| <ul style="list-style-type: none"> <li>• <b>The degree of positive and negative impact on the place in terms of its heritage significance is:</b></li> <li>• <b>With consideration of this, the following conditions are recommended:</b></li> </ul> |  |

**CARRIED: 7/0**

| <b>For</b>  | <b>Against</b> |
|---|----------------|
| Mayor, Brad Pettitt<br>Cr Rachel Pemberton<br>Cr Robert Fittock<br>Cr Ingrid Waltham<br>Cr Bill Massie<br>Cr Andrew Sullivan<br>Cr David Hume |                |



**PSC1303-45 PROPOSED SUBMISSION ON THE DRAFT STATE PLANNING STRATEGY**

**DataWorks Reference:** 102/009  
**Disclosure of Interest:** Nil  
**Meeting Date:** 20 March 2013  
**Responsible Officer:** Manager Planning Projects  
**Actioning Officer:** Strategic Planning Officer  
**Decision Making Level:** Council  
**Previous Item Number/s:** None  
**Attachments:** None

**EXECUTIVE SUMMARY**

**On 19 December 2012, the Minister for Planning launched the Western Australia draft State Planning Strategy (the strategy) for public consultation. The public consultation period for the strategy closes on 29 March 2013.**

**The purpose and function of the strategy is to provide a sound basis for the integration and coordination of strategic planning across state, regional and local jurisdictions. The strategy presents a vision for Western Australia to 2050 and beyond, based on a framework of planning principles, strategic goals and state-wide strategic directions.**

**It is recommended that the Council makes a submission on the draft strategy, supporting its objectives but also expressing concern about the approach to implementation, monitoring and review of the strategy.**

**BACKGROUND**

On 19 December 2012 the Minister for Planning launched the draft State Planning Strategy (the strategy) for public consultation. The purpose and function of the strategy is to provide a sound basis for the integration and coordination of strategic planning across Western Australia's state, regional and local jurisdictions. The strategy presents a vision for Western Australia to 2050 and beyond based on a framework of planning principles, strategic goals and state strategic directions (refer to figure 1 below). The strategy is intended to inform community, economic, environmental, infrastructure, development and governance decisions throughout the State and build upon the strategic planning capacity and capability of Western Australia to better predict, adapt to and manage change in future years to 2050 and beyond. The public consultation period for the strategy closes 29 March 2013.

The State Planning Strategy was first published in 1997. The 1997 strategy contained a strictly land use planning perspective with a regional focus. Many of its priority actions were implemented through a series of annual audits up to the year 2000. The revised strategy, reaches beyond simply land use planning to place priority on managing future communities, environment and economic growth with a threefold, local, regional and state, focus.

The strategy is structured into four parts (refer to figure 1 below), Vision, Principles, Strategic goals and strategic directions, and is the lead strategic planning document within Government (refer to figure 2 below).

Figure - 1. The State Planning Strategy structure



Figure - 2. The State Planning Strategy positioning



The strategy’s vision is as follows:

**A diverse state:** offering the diversity of ecosystems, landscapes, enterprises, people and cultures.

**A liveable State:** the place of choice for the brightest and best.

**A connected State:** as connected to the rest of the world as any other place.

**A collaborative State:** enabling alignments that progress the State’s sustained prosperity.

**Planning for sustained prosperity**

In the strategy five interrelated strategic goals have been identified with the view to realising a vision of sustained prosperity for Western Australia:

- Global competitiveness will be enhanced through economic diversification
- Economic expansion and inter-regional collaboration will build strong and resilient regions
- Investment in infrastructure and social capital will build sustainable communities
- Infrastructure planning and coordination will achieve efficiencies and promote economic growth
- Sustainable development and efficient use of resources will enhance environmental conservation

The strategy then outlines the challenges and opportunities for the state under the ten strategic directions of key importance to Western Australia’s sustained growth:

1. Economic development
2. Education, training and knowledge transfer

3. Tourism
4. Environment
5. Agriculture and food
6. Physical infrastructure
  - 6.1. Movement of people, resources and information
  - 6.2. Water
  - 6.3. Energy
  - 6.4. Waste
  - 6.5. Telecommunications
7. Social infrastructure
  - 7.1. Spaces and places
  - 7.2. Affordable living
  - 7.3. Health and wellbeing
8. Land availability
9. Remote settlements
10. Security.

## **PLANNING COMMENT**

The draft strategy is comprehensive in scope and attempts to consider a broad range of issues and strategic directions on a state-wide scale. The strategy is an improvement on the previous State Planning Strategy (1997), which had a relatively narrow, primarily land use planning, focus. Once finalised the strategy should be a wide ranging, strategic planning document that aims to ensure the State has the capacity to adapt and respond to change, whilst still delivering equitable and sustainable growth to 2050 and beyond.

As the strategy is of State significance and will potentially guide planning and development (and other factors) in Western Australia for the next forty years, it is considered important for the City of Fremantle to make a submission on the document.

It is considered the City should express its general support for the strategy as a high level state wide document, to guide development and economic growth in WA to 2050 and beyond. The holistic approach to the State Planning Strategy is commended as it is a marked improvement on the previous State Planning Strategy (1997). The comprehensive background material and analysis of issues gives the draft document a good foundation on which to base strategic decisions and direction for the State.

The key to the success of any strategy of this nature, however, is to have a strong core of implementation, monitoring and review. While the strategy is comprehensive in its survey and analysis it is vague on the details of implementation and monitoring and review.

### Implementation

There is no implementation section in the strategy to provide the framework to guide the future growth and development of the State. The strategy also does not allocate resources, timeframes or responsible authorities to each goal or strategic direction. This gives key stakeholders little guidance on how implementation will be achieved in practice and what their role is in implementation of the strategy.

The vision and strategic goals for Western Australia expressed in the strategy are supported by the City of Fremantle as they focus on a strong and connected economy,

sustainable urban and regional communities, coordinated and planned hard (e.g. road and rail) and social (e.g. education and health) infrastructure and the efficient use of resources to enhance environmental conservation. However there is no clear sense of how these goals link to the strategic directions of the document and no overall summary of how they will be achieved. Additionally there is no discussion or direction on how the vision and goals should be reflected in other State, regional or local strategies and policies, whether already adopted or under preparation. The City considers other strategies and policies are the key implementation mechanisms for the goals in the strategy however the linkage between the State Planning Strategy and such other documents is not clear.

The strategy lacks any indication of the relative priority of different Strategic Directions to one another, or how potential conflicts between different Strategic Directions will be resolved. For example, land availability for industrial uses (especially in the mining and energy sectors) to meet the objective of the Economic Development strategic direction may be in conflict with objectives linked to retention of good quality agricultural land (Agriculture and Food) and/or nature conservation (Environment), but the strategy gives no indication of how such conflicts might be resolved or managed. Instead, the strategy tends to treat each of the 10 'Strategic Directions' in a standalone manner with little integration between them.

The Implementation of actions to deliver this strategy would clearly require a 'whole of Government' approach as many of the issues are the responsibility of Government agencies other than Western Australian Planning Commission or Department of Planning. Although the preface to the strategy makes reference to a collaborative approach to planning for infrastructure and economic development, there is no clear sense from the document that there is commitment across all State agencies to supporting implementation of the state wide strategy, or how it will be used to guide decision-making about investment or policy direction by other State agencies.

### Monitoring and review

The draft strategy lacks a programme for periodic monitoring and review of the strategic goals and directions to measure the State's social, environmental and economic performance up to 2050 and beyond. This omission should be addressed in the final version of the document.

### Further comments

It is also considered that the strategy should include the following additional outcomes under the relevant strategic directions headings:

- 4. Environment – Increased levels of sustainable building design.
- 4. Environment - recognition on the State's built heritage and the importance to conserve and maintain places of significance.
- 6.1 Movement of people, resources – A well connected and enhanced rail network in the state, including light rail in urban areas.

## **CONCLUSION**

The purpose and function of the strategy is to provide a sound basis for the integration and coordination of strategic planning across state, regional and local jurisdictions. The

strategy presents a vision for Western Australia to 2050 and beyond based on a framework of planning principles, strategic goals and state-wide strategic directions.

It is recommended that the Council makes a submission on the State Planning Strategy as outlined in the Planning Comment section above.

## **COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr A Sullivan**

**That Council authorise the Chief Executive Officer to submit the following comments to the Minister of Planning as the City of Fremantle's submission on the Draft State Planning Strategy:**

**The City of Fremantle is generally supportive of the strategy as a high level state wide document, to guide development and economic growth in Western Australia to 2050 and beyond. The holistic approach to the State Planning Strategy is commended as it is a marked improvement on the previous State Planning Strategy (1997). The comprehensive background material and analysis of issues gives the draft document a good foundation on which to base strategic decisions and direction for the State.**

**The key to the success of any strategy of this nature, however, is to have a strong core of implementation, monitoring and review. While the strategy is comprehensive in its survey and analysis it is vague on the details of implementation and monitoring and review. Specific comments are provided below:**

### **Implementation**

**There is no implementation section in the strategy to provide the framework to guide the future growth and development of the state. The strategy also does not allocate resources, timeframes or responsible authorities to each goal or strategic direction. This gives key stakeholders little guidance on how implementation will be achieved in practice and what their role is in implementation of the strategy.**

**The vision and strategic goals for Western Australia expressed in the strategy are supported by the City of Fremantle as they focus on a strong and connected economy, sustainable urban and regional communities, coordinated and planned hard (e.g. road and rail) and social (e.g. education and health) infrastructure and the efficient use of resources to enhance environmental conservation. However there is no clear sense of how these goals link to the strategic directions of the document and no overall summary of how they will be achieved. Additionally there is no discussion or direction on how the vision and goals should be reflected in other State, regional or local strategies and policies, whether already adopted or under preparation. The City considers other strategies and policies are the key implementation mechanisms for the goals in the strategy however the linkage between the State Planning Strategy and such other documents is not clear.**

**The strategy lacks any indication of the relative priority of different Strategic Directions to one another, or how potential conflicts between different Strategic**

Directions will be resolved. For example, land availability for industrial uses (especially in the mining and energy sectors) to meet the objective of the Economic Development strategic direction may be in conflict with objectives linked to retention of good quality agricultural land (Agriculture and Food) and/or nature conservation (Environment), but the strategy gives no indication of how such conflicts might be resolved or managed. Instead, the strategy tends to treat each of the 10 'Strategic Directions' in a standalone manner with little integration between them.

The Implementation of actions to deliver this strategy would clearly require a 'whole of Government' approach as many of the issues are the responsibility of Government agencies other than Western Australian Planning Commission or Department of Planning. Although the preface to the strategy makes reference to a collaborative approach to planning for infrastructure and economic development, there is no clear sense from the document that there is commitment across all State agencies to supporting implementation of the state wide strategy, or how it will be used to guide decision-making about investment or policy direction by other State agencies.

**Monitoring and review**

The draft strategy lacks a programme for periodic monitoring and review of the strategic goals and directions to measure the State's social, environmental and economic performance up to 2050 and beyond. This omission should be addressed in the final version of the document.

**Further comments**

It is also considered that the strategy should include the following additional outcomes under the relevant strategic directions headings:

- 4. Environment – Increased levels of sustainable building design.
- 4. Environment – Recognition of the State's built heritage and the importance to conserve and maintain places of cultural heritage significance.
- 6.1 Movement of people, resources – A well connected and enhanced rail network in the state, including light rail in urban areas.

**CARRIED: 7/0**

| <b>For</b>  | <b>Against</b> |
|---|----------------|
| Mayor, Brad Pettitt<br>Cr Rachel Pemberton<br>Cr Robert Fittock<br>Cr Ingrid Waltham<br>Cr Bill Massie<br>Cr Andrew Sullivan<br>Cr David Hume |                |

## **STRATEGIC AND GENERAL SERVICES COMMITTEE 13 MARCH 2013**

### **SGS1303-1 CLIMATE CHANGE ADAPTION PLAN - FINAL ADOPTION**

**DataWorks Reference:** 036/069 and 078/025  
**Disclosure of Interest:** Nil  
**Meeting Date:** 13 March 2013  
**Previous Item:** SGS1211-3  
**Responsible Officer:** Peter Pikor, Director Technical Services  
**Actioning Officer:** Paul Garbett, Manager Planning Projects and Policy  
**Decision Making Authority:** Council  
**Agenda Attachments:** Climate Change Adaption Plan

### **EXECUTIVE SUMMARY**

**Adoption of a Climate Change Adaptation Plan is one of the Council's key strategic projects for 2012-13, and a specific project under the 'Climate Change and Environmental Protection' Strategic Imperative in the City's Strategic Plan 2010-15.**

**During 2012 the Climate Change Adaptation Working Group prepared a draft Climate Change Adaptation Plan, which was adopted for the purpose of public consultation in November 2012. The plan identifies a number of actions across the themes of rising sea level, increased temperature, decreased rainfall and increased storm intensity. The plan allocates a responsible directorate, a timeline and stipulates the level of influence that the City has over each action.**

**The draft plan was advertised for public comment from the beginning of December 2012 until 18 January 2013. 4 submissions were received; 2 expressed support for the plan, one was from a local government in South Australia offering to share information on sea level rise monitoring work, and one suggested additional content and a more comprehensive approach to risk analysis of impacts and their relationship to actions in the plan.**

**Points raised in submissions are addressed in the main section of this report. Officers do not consider that further amendments to the draft plan are appropriate having regard to the submissions, and it is recommended that the plan as presented in the agenda attachment be adopted.**

### **BACKGROUND**

On 14 November 2012 the Strategic and General Services Committee acting under delegation resolved that the draft Climate Change Adaptation Plan should be released for public comment, and that subsequently a report be presented to Council with a summary of the community consultation and any amendments recommended by officers (see previous item SGS1211-3 for further detail).

#### *Consultation*

The draft plan was advertised for public comment from the beginning of December 2012 until 18 January 2013. Four submissions were received as follows:

1. East Fremantle resident – supports the plan, and strongly urges the Council to back it with adequate funding to implement the actions in the plan. An annual report on implementation will encourage all parts of the City's organisation to ensure actions are carried out.
2. Fremantle Ports – supports the City's initiative in preparing the plan. The plan's reference to keeping actions relating to sea level rise at a strategic level pending the outcome of more detailed modelling being undertaken by the Cockburn Sound Coastal Alliance is noted and supported. Requests that information from this modelling be shared with Fremantle Ports when it is available; similarly the Port is happy to share information it possesses that may assist with work relating to sea level rise impacts.
3. City of Port Adelaide Enfield, South Australia – notes the reference to the sea level rise modelling being undertaken by the Cockburn Sound Coastal Alliance, which is similar to modelling carried out by Port Adelaide Enfield Council in 2006. Offers to share information if this would be helpful.
4. Resident and postgraduate student who attended some Working Group meetings and contributed to presentation of climate change impacts contained in the plan as part of Master's thesis – comments that Australian Government guidelines recommend a full risk analysis of climate change impacts, and prioritisation of actions should be expressed in terms of high and low as well as by short term and long term. Also comments that not all identified impacts correlate with actions, e.g. identified health impacts from higher temperatures do not translate into actions involving health and emergency services.

## **COMMENT**

The submissions received have been reviewed by officers. Only one submission makes comments that are in any way critical of the draft plan, and these comments relate primarily to concerns over the rigour of the methodology and the approach to the identification and prioritisation of actions.

During the preparation of the draft plan the Working Group acknowledged that the identified climate change impacts are wide-ranging, and adaptation will require responses from many parts of our society. The Working Group also recognised that the City of Fremantle as a local government authority has limited resources and also limited jurisdiction. In recognition of these facts, and to put in context the City's level of influence over each action, the actions in the plan have been categorised as follows:

- Corporate actions – those that the City has the most control over. These mostly involve the City's infrastructure assets and generally do not require significant input from any other person or agency.
- Community actions – actions that the City can undertake to assist the community to adapt – including things that the City can do to regulate community behaviour.
- Advocacy and communication – actions that are clearly outside the City's jurisdiction, where the City's role is limited to trying to influence or work with other agencies.



The Working Group made a conscious decision to focus the plan primarily on corporate actions where the City has sufficient control to deliver tangible outcomes, assuming allocation of sufficient resources for implementation. The community and advocacy actions were limited to matters where the Working Group considered there was a reasonable prospect that the City's involvement could influence the outcome, and where the matter is particularly important in the context of Fremantle.

In adopting this approach, the Working Group and officers acknowledge that the plan is open to criticism (as expressed through one submission) on the grounds that not all identified impacts have corresponding actions, and therefore the plan is not as comprehensive as it might be. However, the Working Group considered that it was more important to produce a plan that was realistically capable of implementation using the resources available to the City now and over the next few years. The Working Group also recognised that action in response to some of the identified impacts is, or should be the responsibility of other agencies or tiers of government, and in some cases requires a response at a region or state wide level. Therefore there would be limited value in referring to such actions in the City's own plan.

Similarly, carrying out comprehensive risk assessments of all the impacts identified in the plan would require substantial resources that exceed the City's capacity. Nevertheless, in key areas such as the potential impact of sea level rise and coastal storm events upon City infrastructure assets, the plan does include an action to undertake further risk assessment.

After reviewing the submissions and having regard to the Working Group's previous deliberations over the plan's scope and content, officers do not consider it is appropriate to recommend any amendments to the draft version of the plan at this time.

However it is acknowledged that periodic review of the plan will be appropriate as well as monitoring progress with the implementation of the actions contained in the plan. This might result in future amendments, particularly to take account of the outcomes of related work such as the more detailed sea level rise impact study being undertaken by the Cockburn Sound Coastal Alliance (of which the City of Fremantle is a member).

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

Implementation of this plan will have implications for the City's budget over several years. Accurate cost estimates have not yet been developed for all of the actions contained in the plan, and this will need to be done for relevant actions as part of the annual budget process.

### **Legal**

WALGA has commissioned legal advice pertaining to the risks of action and inaction regarding climate change adaptation for local governments. This has particular relevance for the City in regards to its roles relating to planning, infrastructure and asset management, water and environmental management and governance. This will need to be reviewed in more detail as the actions are implemented – especially development of planning policies and changes to the planning scheme.

### **Operational**

Implementation of this plan will place a workload on the City's staff. In addition to officer time, some actions will require specific budget provision and therefore implementation of these actions in accordance with the timeframes (short, medium or long term) indicated in the plan will be contingent upon budget allocation.

### **Organisational**

Nil

### **CONCLUSION**

The adoption of an Adaptation Plan to guide the City in addressing some of the unavoidable impacts of climate change will complement the strategy for climate change mitigation which the City has already adopted in the form of the Low Carbon City Plan 2011-2015.

Issues raised in the four public submissions received in response to community consultation on the draft Climate Change Adaptation Plan have been summarised in this report. Officers do not consider any amendments are required in response to the submissions for the reasons outlined in the Comment section of this report. Therefore it is recommended that Council adopt the Climate Change Adaptation Plan as presented in Attachment 1.

### **STRATEGIC AND POLICY IMPLICATIONS**

Preparation of the Climate Change Adaptation Plan is a specific project under the 'Climate Change and Environmental Protection' Strategic Imperative in the City's Strategic Plan 2010-15.

### **COMMUNITY ENGAGEMENT**

Details of the community engagement are addressed under the consultation heading in the Background of this report.

### **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

### **COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr J Strachan**

**That Council adopt the attached Climate Change Adaptation Plan.**

**CARRIED: 5/0**

| <b>For</b>          | <b>Against</b> |
|---------------------|----------------|
| Mayor, Brad Pettitt |                |

|   |  |
|---|--|
| Cr Jon Strachan<br>Cr Tim Grey-Smith<br>Cr David Hume<br>Cr Doug Thompson |  |
|---|--|

## **SGS1303-2 TENDER FCC396/13 - BUILDING MAINTENANCE SERVICES**

**DataWorks Reference:** 135/001  
**Disclosure of Interest:** Nil  
**Meeting Date:** 13 March 2013  
**Previous Item:** Nil  
**Responsible Officer:** Peter Pikor, Director Technical Services  
**Actioning Officer:** Samuel Bryce, Manager City Assets  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

### **EXECUTIVE SUMMARY**

**Tender FCC 396/13 for general building maintenance services was advertised on 30 January 2013 and closed on 15 February 2013. It allows for a contract period from 1 April 2013 to 31 March 2015. Tender documents identified 11 categories of maintenance works to allow for tender pricing to be submitted against those specific categories.**

**A total of 22 tenderer responses were received across the various categories, with a number of those submitting tenders relating to more than one category of maintenance for consideration.**

**Based on council's officer assessment of relevant qualitative and quantitative criteria, the highest ranking tenderers have been recommended to form a panel contract for the various categories of building maintenance.**

**The acceptance of tendered rates on a panel basis provides council's officers with sufficient flexibility for future works if some contractor resources are not available, while ensuring that contracted services should be able to meet City of Fremantle requirements on qualitative and quantitative criteria at competitive pricing.**

### **BACKGROUND**

To enable the City of Fremantle to establish a number of contractors which are capable of offering professional services for specific building maintenance tasks at competitive market pricing, tender FCC 396/13 was formed to allow for tenders to be submitted on the following categories of maintenance:

1. Asbestos removal
2. Automatic door specialists
3. Fencing
4. Floor coverings
5. Glazing
6. General building maintenance
7. Gardening
8. Heritage building works
9. Painting

- 10. Roofing
- 11. Sewerage pumps

Tenders closed on 15 February 2013, with a total of 22 tenderers providing details for 110 separate bids covering the 11 categories of maintenance.

## COMMENT

City officers have reviewed the bids submitted for all the maintenance categories and have ranked the tenderers based on the qualitative and quantitative criteria as noted.

Evaluations and recommended tenderers are noted below:

### Quote/Tender

**Number:** FCC396/13  
**Project Name:** Asbestos  
**Date:** 18/02/2013  
min call out for an hour

|                                       | Methodology | Experience | Resources | References | Price       | Total Score |
|---------------------------------------|-------------|------------|-----------|------------|-------------|-------------|
| <b>Quoter/Tenderer (Company Name)</b> | <b>15</b>   | <b>15</b>  | <b>15</b> | <b>15</b>  | <b>40</b>   | <b>100</b>  |
| <b>SOS Enterprises</b>                | <b>10</b>   | <b>10</b>  | <b>12</b> | <b>13</b>  | <b>10.1</b> | <b>55.1</b> |
| Northerly Property                    | 5           | 5          | 7         | 7          | 5.6         | 29.6        |
| Hilltop Group                         | 10          | 10         | 10        | 10         | 8.1         | 48.1        |
| <b>CPD Group</b>                      | <b>8</b>    | <b>8</b>   | <b>8</b>  | <b>8</b>   | <b>22.5</b> | <b>54.5</b> |
| Men Behaving Handy                    | 5           | 5          | 7         | 7          | 8.7         | 32.7        |
| <b>Roof and Wall Doctor</b>           | <b>12</b>   | <b>13</b>  | <b>14</b> | <b>14</b>  | <b>4.5</b>  | <b>57.5</b> |
| West Coast Construction               | 5           | 5          | 7         | 7          | 5.0         | 29.0        |
| M C Handiworx                         | 0           | 0          | 0         | 0          | 40.0        | 40.0        |
| R E Asset Logistics                   | 5           | 5          | 7         | 7          | 10.3        | 34.3        |
| <b>Robinson Buildtech</b>             | <b>12</b>   | <b>13</b>  | <b>14</b> | <b>14</b>  | <b>24.2</b> | <b>77.2</b> |

Based on the tender evaluation it is recommended SOS Enterprises, CPD Group, Roof and Wall Doctor and Robinson Buildtech be included in a panel of contractors that is capable of providing the City with the best value for money.

Approximate funds expended for asbestos works in the 2011-12 financial year was \$25 000.

**Quote/Tender**

**Number:** FCC396/13  
**Project Name:** Autodoor  
**Date:** 18/02/2013  
min call out for an hour

|                                       | Methodology | Experience | Resources | References | Price       | Total Score |
|---------------------------------------|-------------|------------|-----------|------------|-------------|-------------|
| <b>Quoter/Tenderer (Company Name)</b> | <b>15</b>   | <b>15</b>  | <b>15</b> | <b>15</b>  | <b>40</b>   | <b>100</b>  |
| CPD Group Pty Ltd                     | 8           | 8          | 8         | 8          | 6.9         | 38.9        |
| West Coast Construction               | 5           | 5          | 7         | 7          | 5.0         | 29.0        |
| M C Handiworx                         | 0           | 0          | 0         | 0          | 40.0        | 40.0        |
| <b>Elexacom</b>                       | <b>14</b>   | <b>14</b>  | <b>14</b> | <b>13</b>  | <b>10.4</b> | <b>65.4</b> |
| R E Asset Logistics                   | 5           | 5          | 7         | 7          | 10.3        | 34.3        |
| <b>Robinson Buildtech</b>             | <b>12</b>   | <b>13</b>  | <b>14</b> | <b>14</b>  | <b>24.2</b> | <b>77.2</b> |
| Go Doors                              | 10          | 12         | 13        | 13         | 8.7         | 56.7        |

Based on the tender evaluation it is recommended that Elexacom and Robinson Buildtech be included in a panel of contractors for auto door maintenance.

Approximate funds expended for auto doors in the 2011-12 financial year was \$10 000.

**Project Name:** Fencing  
**Date:** 18/02/2013  
min call out for an hour

|                                       | Methodology | Experience | Resources | References | Price       | Total Score |
|---------------------------------------|-------------|------------|-----------|------------|-------------|-------------|
| <b>Quoter/Tenderer (Company Name)</b> | <b>15</b>   | <b>15</b>  | <b>15</b> | <b>15</b>  | <b>40</b>   | <b>100</b>  |
| <b>Northerly Property</b>             | <b>10</b>   | <b>11</b>  | <b>12</b> | <b>13</b>  | <b>8.0</b>  | <b>54.0</b> |
| Integrated Service                    | 5           | 5          | 7         | 7          | 13.3        | 37.3        |
| SOS Enterprises                       | 5           | 5          | 7         | 7          | 10.1        | 34.1        |
| CPD Group                             | 8           | 8          | 8         | 8          | 8.1         | 40.1        |
| <b>Emso Mtnce</b>                     | <b>10</b>   | <b>12</b>  | <b>10</b> | <b>14</b>  | <b>15.2</b> | <b>61.2</b> |
| Men Behaving Handy                    | 10          | 10         | 10        | 10         | 8.7         | 48.7        |
| West Coast Construction               | 5           | 5          | 7         | 7          | 5.0         | 29.0        |
| M C Handiworx                         | 0           | 0          | 0         | 0          | 40.0        | 40.0        |
| R E Asset Logistics                   | 5           | 5          | 7         | 7          | 10.3        | 34.3        |
| <b>Robinson Buildtech</b>             | <b>12</b>   | <b>13</b>  | <b>14</b> | <b>14</b>  | <b>24.2</b> | <b>77.2</b> |

Based on the tender evaluation it is recommended Robinson Buildtech, Emso Maintenance, Northerly Property be included in a panel of contractors for fencing providing the best value for money.

Approximate funds expended for fencing in the 2011-12 financial year was \$5 000.

**Quote/Tender**

**Number:** FCC396/13

**Quote/Tender**

**Number:** FCC396/13

**Project Name:** Floorcoverings

**Date:** 18/02/2013

min call out for an hour

| Quoter/Tenderer                       | Document Attached? | Details/Comments |            |           |             | Price Inc Gst |
|---------------------------------------|--------------------|------------------|------------|-----------|-------------|---------------|
|                                       |                    | Methodology      | Experience | Resources | References  | Price         |
| <b>Quoter/Tenderer (Company Name)</b> | <b>15</b>          | <b>15</b>        | <b>15</b>  | <b>15</b> | <b>40</b>   | <b>100</b>    |
| Northerly Property                    | 5                  | 5                | 7          | 7         | 3.7         | 27.7          |
| Integrated Service                    | 5                  | 5                | 7          | 7         | 13.3        | 37.3          |
| SOS Enterprises                       | 5                  | 5                | 7          | 7         | 10.1        | 34.1          |
| <b>CPD Group</b>                      | <b>8</b>           | <b>8</b>         | <b>8</b>   | <b>8</b>  | <b>17.4</b> | <b>49.4</b>   |
| West Coast Construction               | 5                  | 5                | 7          | 7         | 5.0         | 29.0          |
| M C Handiworx                         | 0                  | 0                | 0          | 0         | 40.0        | 40.0          |
| R E Asset Logistics                   | 5                  | 5                | 7          | 7         | 10.3        | 34.3          |
| <b>Robinson Buildtech</b>             | <b>12</b>          | <b>13</b>        | <b>14</b>  | <b>14</b> | <b>24.2</b> | <b>77.2</b>   |

Based on the tender evaluation it is recommended Robinson Buildtech and CPD Group be included in a panel of contractors provided the best value for money.

Approximate funds expended for floor coverings in the 2011-12 financial year was \$20 000.

**Quote/Tender**

**Number:** FCC396/13

**Project Name:** Glazing Works

**Date:** 18/02/2013

min call out for an hour

| Methodology | Experience | Resources | References | Price | Total Score |
|-------------|------------|-----------|------------|-------|-------------|
|-------------|------------|-----------|------------|-------|-------------|

| Quoter/Tenderer<br>(Company Name) | 15        | 15        | 15        | 15        | 40          | 100         |
|-----------------------------------|-----------|-----------|-----------|-----------|-------------|-------------|
| <b>O'Brien Glass</b>              | <b>13</b> | <b>14</b> | <b>12</b> | <b>13</b> | <b>9.6</b>  | <b>61.6</b> |
| Integrated Service                | 5         | 5         | 7         | 7         | <b>13.3</b> | <b>37.3</b> |
| SOS Enterprises                   | 5         | 5         | 7         | 7         | <b>10.1</b> | <b>34.1</b> |
| CPD Group                         | 8         | 8         | 8         | 8         | <b>19.4</b> | <b>51.4</b> |
| West Coast Construction           | 5         | 5         | 7         | 7         | <b>5.0</b>  | <b>29.0</b> |
| M C Handiworx                     | 0         | 0         | 0         | 0         | <b>40.0</b> | <b>40.0</b> |
| R E Asset Logistics               | 5         | 5         | 7         | 7         | <b>10.3</b> | <b>34.3</b> |
| <b>Robinson Buildtech</b>         | <b>12</b> | <b>13</b> | <b>14</b> | <b>14</b> | <b>24.2</b> | <b>77.2</b> |

Based on the tender evaluation it is recommended Robinson Buildtech and O'Brien Glass be included as a panel of contractors for glazing works.  
Approximate funds expended for glazing in the 2011-12 financial year was \$20 000.

**Quote/Tender**

**Number:**

FCC396/13

**Project Name:**

**General Building**

**Date:**

18/02/2013

min call out for an hour

|   | Methodology | Experience | Resources | References | Price       | Total Score |
|---|-------------|------------|-----------|------------|-------------|-------------|
| <b>Quoter/Tenderer<br/>(Company Name)</b> | <b>15</b>   | <b>15</b>  | <b>15</b> | <b>15</b>  | <b>40</b>   | <b>100</b>  |
| <b>SOS Enterprises</b>                    | <b>14</b>   | <b>12</b>  | <b>13</b> | <b>14</b>  | <b>10.1</b> | <b>63.1</b> |
| Northerly Property                        | 12          | 13         | 12        | 13         | <b>7.0</b>  | <b>57.0</b> |
| Hilltop Group                             | 12          | 12         | 10        | 14         | <b>9.1</b>  | <b>57.1</b> |
| Integrated Service                        | 5           | 5          | 7         | 7          | <b>13.3</b> | <b>37.3</b> |
| <b>CPD Group</b>                          | <b>14</b>   | <b>14</b>  | <b>14</b> | <b>14</b>  | <b>27.0</b> | <b>83.0</b> |
| Men Behaving Handy                        | 10          | 10         | 10        | 10         | <b>8.7</b>  | <b>48.7</b> |
| A E Hoskins & Sons                        | 12          | 13         | 14        | 14         | <b>6.5</b>  | <b>59.5</b> |
| <b>Emso Maintenance</b>                   | <b>12</b>   | <b>13</b>  | <b>12</b> | <b>14</b>  | <b>15.2</b> | <b>66.2</b> |
| West Coast Construction                   | 10          | 13         | 12        | 14         | <b>5.0</b>  | <b>54.0</b> |
| M C Handiworx                             | 0           | 0          | 0         | 0          | <b>40.0</b> | <b>40.0</b> |
| R E Asset Logistics                       | 12          | 12         | 11        | 7          | <b>10.3</b> | <b>52.3</b> |
| <b>Robinson Buildtech</b>                 | <b>12</b>   | <b>13</b>  | <b>14</b> | <b>14</b>  | <b>24.2</b> | <b>77.2</b> |

Based on the tender evaluation it is recommended SOS Enterprises, CPD Group, Emso Maintenance and Robinson Buildtech be included as a panel of contractors for general Building Maintenance



Approximate funds expended on general building maintenance in the 2011-12 financial year was \$450 000.

**Quote/Tender**

**Number:** FCC396/13  
**Project Name:** Gardening  
**Date:** 18/02/2013  
min call out for an hour

|                                     | Methodology | Experience | Resources | References | Price       | Total Score |
|-------------------------------------|-------------|------------|-----------|------------|-------------|-------------|
| <b>Quoter/Tender (Company Name)</b> | <b>15</b>   | <b>15</b>  | <b>15</b> | <b>15</b>  | <b>40</b>   | <b>100</b>  |
| Integrated Service                  | 5           | 5          | 7         | 7          | 13.3        | 37.3        |
| CPD Group                           | 8           | 8          | 8         | 8          | 6.9         | 38.9        |
| <b>Men Behaving Handy</b>           | <b>12</b>   | <b>12</b>  | <b>12</b> | <b>12</b>  | <b>8.7</b>  | <b>56.7</b> |
| West Coast Construction             | 5           | 5          | 7         | 7          | 5.0         | 29.0        |
| <b>M C Handiworx</b>                | <b>10</b>   | <b>7</b>   | <b>7</b>  | <b>10</b>  | <b>40.0</b> | <b>74.0</b> |

Based on the tender evaluation it is recommended M C Handiworx and Men Behaving Handy be included in a panel of contractors for gardening services.  
 Approximate funds expended on gardening in the 2011-12 financial year was \$10 000.

**Quote/Tender**

**Number:** FCC396/13  
**Project Name:** Heritage Works  
**Date:** 18/02/2013  
min call out for an hour

|                                     | Methodology | Experience | Resources | References | Price       | Total Score |
|-------------------------------------|-------------|------------|-----------|------------|-------------|-------------|
| <b>Quoter/Tender (Company Name)</b> | <b>15</b>   | <b>15</b>  | <b>15</b> | <b>15</b>  | <b>40</b>   | <b>100</b>  |
| SOS Enterprises                     | 5           | 5          | 7         | 7          | 10.1        | 34.1        |
| <b>CPD Group</b>                    | <b>12</b>   | <b>12</b>  | <b>14</b> | <b>14</b>  | <b>4.3</b>  | <b>56.3</b> |
| <b>A E Hoskins and Sons</b>         | <b>12</b>   | <b>13</b>  | <b>14</b> | <b>14</b>  | <b>6.5</b>  | <b>59.5</b> |
| <b>Roof and Wall Doctor</b>         | <b>12</b>   | <b>13</b>  | <b>14</b> | <b>14</b>  | <b>4.5</b>  | <b>57.5</b> |
| West Coast Construction             | 5           | 5          | 7         | 7          | 5.0         | 29.0        |
| <b>Emso Maintenance</b>             | <b>10</b>   | <b>11</b>  | <b>11</b> | <b>14</b>  | <b>15.2</b> | <b>61.2</b> |
| M C Handiworx                       | 0           | 0          | 0         | 0          | 40.0        | 40.0        |
| R E Asset Logistics                 | 5           | 5          | 7         | 7          | 10.3        | 34.3        |
| <b>Robinson</b>                     | <b>12</b>   | <b>13</b>  | <b>14</b> | <b>14</b>  | <b>24.2</b> | <b>77.2</b> |

|                  |  |  |  |  |  |  |
|------------------|--|--|--|--|--|--|
| <b>Buildtech</b> |  |  |  |  |  |  |
|------------------|--|--|--|--|--|--|

Based on the tender evaluation it is recommended CPD Group, A E Hoskins and Sons, Roof and Wall Doctor, Emso Maintenance and Robinson Buildtech be included in a panel of contractors for heritage works.

Approximate funds expended on heritage building works in the 2011-12 financial year was \$40 000.

**Quote/Tender**

**Number:** FCC396/13

**Project Name:** **Painting**

**Date:** 18/02/2013

Painting min call out for an hour

|                                       | <b>Methodology</b> | <b>Experience</b> | <b>Resources</b> | <b>References</b> | <b>Price</b> | <b>Total Score</b> |
|---------------------------------------|--------------------|-------------------|------------------|-------------------|--------------|--------------------|
| <b>Quoter/Tenderer (Company Name)</b> | <b>15</b>          | <b>15</b>         | <b>15</b>        | <b>15</b>         | <b>40</b>    | <b>100</b>         |
| Northerly Property                    | 10                 | 11                | 11               | 12                | 7.8          | 51.8               |
| Integrated Service                    | 5                  | 5                 | 7                | 7                 | 13.3         | 37.3               |
| SOS Enterprises                       | 5                  | 5                 | 7                | 7                 | 10.1         | 34.1               |
| Men Behaving Handy                    | 12                 | 12                | 12               | 12                | 8.7          | 56.7               |
| A E Hoskins & Sons                    | 12                 | 13                | 14               | 14                | 6.5          | 59.5               |
| Woodbridge Painting                   | 12                 | 12                | 12               | 14                | 12.8         | 62.8               |
| <b>CPD Group</b>                      | <b>14</b>          | <b>14</b>         | <b>14</b>        | <b>14</b>         | <b>28.6</b>  | <b>84.6</b>        |
| Emso Maintenance                      | 10                 | 12                | 11               | 14                | 15.2         | 62.2               |
| <b>Calibre Coatings</b>               | <b>11</b>          | <b>13</b>         | <b>12</b>        | <b>14</b>         | <b>36.4</b>  | <b>86.4</b>        |
| R E Asset Logistics Pty Ltd           | 10                 | 8                 | 8                | 7                 | 10.3         | 43.3               |
| <b>Cabra Contracts</b>                | <b>10</b>          | <b>12</b>         | <b>10</b>        | <b>14</b>         | <b>33.3</b>  | <b>79.3</b>        |
| Robinson Buildtech                    | 12                 | 13                | 14               | 14                | 24.2         | 77.2               |
| Colourific Painting                   | 11                 | 13                | 11               | 13                | 28.2         | 76.2               |
| West Coast Construction               | 10                 | 13                | 12               | 14                | 5.0          | 54.0               |
| M C Handiworx                         | 0                  | 7                 | 3                | 5                 | 40.0         | 55.0               |

Based on the tender evaluation it is recommended CPD Group, Cabra Contracts and Calibre Coatings be included in a panel of contractors for painting services.

Approximate funds expended on painting in the 2011-12 financial year was \$40 000.

**Quote/Tender**

**Number:** FCC396/13

**Project Name:** **Roofing**

**Date:** 18/02/2013

min call out for an hour

| Quoter/Tenderer                       | Document Attached? | Details/Comments |            |           |             | Price Inc Gst |
|---------------------------------------|--------------------|------------------|------------|-----------|-------------|---------------|
|                                       |                    | Methodology      | Experience | Resources | References  | Price         |
| <b>Quoter/Tenderer (Company Name)</b> | <b>15</b>          | <b>15</b>        | <b>15</b>  | <b>15</b> | <b>40</b>   | <b>100</b>    |
| Northerly Property                    | 10                 | 11               | 12         | 12        | 7.8         | 52.8          |
| Integrated Service                    | 5                  | 5                | 7          | 7         | 12.9        | 36.9          |
| <b>SOS Enterprises</b>                | <b>14</b>          | <b>12</b>        | <b>12</b>  | <b>13</b> | <b>10.1</b> | <b>61.1</b>   |
| Men Behaving Handy                    | 10                 | 10               | 10         | 10        | 8.7         | 48.7          |
| A E Hoskins & Sons                    | 12                 | 13               | 14         | 14        | 6.5         | 59.5          |
| Youngs Plumbing                       | 10                 | 11               | 11         | 12        | 5.7         | 49.7          |
| <b>CPD Group</b>                      | <b>14</b>          | <b>14</b>        | <b>14</b>  | <b>14</b> | <b>27.5</b> | <b>83.5</b>   |
| <b>Roof and Wall Doctor</b>           | <b>14</b>          | <b>14</b>        | <b>14</b>  | <b>14</b> | <b>4.5</b>  | <b>60.5</b>   |
| R E Asset Logistics Pty Ltd           | 13                 | 13               | 12         | 7         | 10.3        | 55.3          |
| <b>Robinson Buildtech</b>             | <b>12</b>          | <b>13</b>        | <b>14</b>  | <b>14</b> | <b>24.2</b> | <b>77.2</b>   |
| West Coast Construction               | 13                 | 14               | 13         | 14        | 5.0         | 59.0          |
| M C Handiworx                         | 0                  | 0                | 0          | 0         | 40.0        | 40.0          |

Based on the tender evaluation it is recommended CPD Group, Robinson Buildtech, SOS Enterprises and Roof and Wall Doctor represent best value for money for roofing services. Approximate funds expended on roofing in the 2011-12 financial year was \$85 000.

**Quote/Tender**

**Number:**

FCC396/13

**Project Name:**

**Sewerage Pumps**

**Date:**

18/02/2013

min call out for an hour

|                                       | Methodology | Experience | Resources | References | Price       | Total Score |
|---------------------------------------|-------------|------------|-----------|------------|-------------|-------------|
| <b>Quoter/Tenderer (Company Name)</b> | <b>15</b>   | <b>15</b>  | <b>15</b> | <b>15</b>  | <b>40</b>   | <b>100</b>  |
| CGA Plumbing & Gas                    | 5           | 5          | 7         | 7          | 9.2         | 33.2        |
| SOS Enterprises                       | 5           | 5          | 7         | 7          | 10.1        | 34.1        |
| A E Hoskins & Sons                    | 11          | 11         | 11        | 11         | 6.5         | 50.5        |
| <b>CPD Group</b>                      | <b>8</b>    | <b>8</b>   | <b>8</b>  | <b>8</b>   | <b>25.7</b> | <b>57.7</b> |
| R E Asset Logistics Pty Ltd           | 5           | 5          | 7         | 7          | 10.3        | 34.3        |
| <b>Robinson Buildtech</b>             | <b>12</b>   | <b>13</b>  | <b>14</b> | <b>14</b>  | <b>24.2</b> | <b>77.2</b> |
| West Coast                            | 5           | 5          | 7         | 7          | 5.0         | 29.0        |

|               |   |   |   |   |      |      |
|---------------|---|---|---|---|------|------|
| Construction  |   |   |   |   |      |      |
| M C Handiworx | 0 | 0 | 0 | 0 | 40.0 | 40.0 |

Based on the tender evaluation it is recommended Robinson Buildtech and CPD Group be included in a panel of contractors for sewerage pump.

Approximate funds expended on sewage pumps in the 2011-12 financial year was \$64 000.

Structural Engineering –6 submissions were received but the evaluation panel decided to withdraw this from the tender process and directly engage professional services.

It was noted that reference checks were completed and assessed as per information submitted at the time of assessment.

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

There are no specific budget implications involved with selection of panels of tenderers for categories of building maintenance works.

### **Legal**

Nil

### **Operational**

Nil

### **Organisational**

Nil

## **CONCLUSION**

There are 13 contractors recommended to provide a range of building maintenance services over a two year period. All contractors meet the quantitative and qualitative requirements outlined by the City.

The proposed acceptance of the recommended tenderers was endorsed by the City's Major Procurement Panel on 5 March 2013.

## **STRATEGIC AND POLICY IMPLICATIONS**

Nil

## **COMMUNITY ENGAGEMENT**

Nil

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

## COMMITTEE AND OFFICER'S RECOMMENDATION

**MOVED: Cr J Strachan**

**That Council accepts the offers at the tendered rates for tender FCC 396/13 from the following tenderers on a panel basis for the various categories of building maintenance works;**

- **Asbestos Removal: SOS Enterprises, CPD Group, Roof and Wall Doctor and Robinson Buildtech**
- **Automatic door specialists: Elexacom and Robinson Buildtech:**
- **Fencing: Northerly Property, Emso Maintenance and Robinson Buildtech**
- **Floor coverings: CPD Group and Robinson Buildtech**
- **Glazing: O'Brien Glass and Robinson Buildtech**
- **General Building Maintenance Enterprises: SOS Enterprises, CPD Group, Emso Maintenance and Robinson Buildtech**
- **Gardening: Men Behaving Handy and M C Handiworx**
- **Heritage Building works: CPD Group, A E Hoskins and Sons, Roof and Wall Doctor, Emso Maintenance and Robinson Buildtech**
- **Painting: CPD Group, Calibre Coating and Cabra Contracts**
- **Roofing: CPD Group, Robinson Buildtech, Roof and Wall Doctor and SOS Enterprises**
- **Sewerage pumps: Robinson Buildtech and CPD Group**

**CARRIED: 5/0**

| <b>For</b>   | <b>Against</b> |
|--|----------------|
| Mayor, Brad Pettitt<br>Cr Jon Strachan<br>Cr Tim Grey-Smith<br>Cr David Hume<br>Cr Doug Thompson |                |

## **SGS1303-3 Play Spaces Plan and Forward Works Program**

|                                   |   |
|-----------------------------------|---|
| <b>DataWorks Reference:</b>       | 030/026   |
| <b>Disclosure of Interest:</b>    | Nil   |
| <b>Meeting Date:</b>              | 13 March 2013   |
| <b>Previous Item:</b>             | Nil   |
| <b>Responsible Officer:</b>       | Marisa Spaziani, Director Community Development                                     |
| <b>Actioning Officer:</b>         | Vikki Barlow, Senior Project Officer - Recreation                                   |
| <b>Decision Making Authority:</b> | Council   |
| <b>Agenda Attachments:</b>        | Attachment 1 - Play spaces plan<br>Attachment 2 - Capital Works Program 2013 - 2016 |

### **EXECUTIVE SUMMARY**

**The Recreation Policy was endorsed by Council in 2011. The policy outlines the recreation priorities of Council including the development of local and major play spaces. To guide development a play spaces plan has been prepared. The report is seeking Council endorsement of the play spaces plan (attachment 1) and a three year capital works program (attachment 2).**

**An analysis of current provision of play grounds and demographics revealed that some play grounds are poorly located and non-compliant with Australian standards. An opportunity exists to enhance and develop strategic play space sites and where possible rationalise existing old and non-compliant play grounds (subject to community consultation).**

**It is proposed that the remaining play spaces reserve of \$400,000 is allocated to implement play space projects identified in 2013/14. Addition funding of \$790,000 is requested for 2014/15 and 15/16 financial years to complete identified projects. External funding will be sought to supplement Council's contribution.**

### **BACKGROUND**

Currently the City of Fremantle provides 46 playgrounds. Many of these facilities are ageing and are no longer compliant with Australian standards. In addition, some are not well located to cater for local demographics.

To replace all of the existing play grounds would be a costly exercise. A recent independent audit estimated that \$2.25 million is required over the next ten years to maintain play grounds to Australian standards.

To address this issue the strategic recreation needs assessment, endorsed by Council in 2010, recommended that where possible play ground facilities are consolidated and larger open space areas are enhanced by developing them as multi-functional play space areas.

The strategic recreation policy (SG48) endorsed by Council in 2011 stated that the City will work towards providing a network of local and major play spaces:

*Major Play Spaces:*

Located in larger parcels of open space and will service the immediate and adjacent suburbs.

*Local Play Spaces:*

Located in smaller parcels of open spaces and will cater for a highly localised catchment, servicing a catchment of up to 1 km radius.

A play spaces plan has been prepared to guide the development of the City's play space areas over the next ten years with projects defined for three years 2013 - 2016.

## **COMMENT**

*Aims of the plan*

The play spaces plan defines a play space as a space that includes a range of features (natural and built) and recreational opportunities for all age groups and abilities e.g. run-about areas, natural play elements, play equipment, fitness trails, and interpretive trails.

The play spaces plan aims to improve the quality of facilities and equipment provided at the City's parks through sourcing new innovative equipment and improving access. The cost to replace all play grounds is prohibitive for Council and therefore the plan aims to use resources more efficiently involving rationalising play grounds where possible and appropriate.

The play spaces plan includes strategies and detailed actions for the development of play spaces and takes into account demographic information from across the City's suburbs.

*Demographic Analysis*

The City of Fremantle population grew by 7% from 2006 – 2011. The greatest increases were empty nesters and retirees (60 – 69 years), primary school aged children (4 – 11 years) and seniors (70 – 85 years).

Overall, while couples with children increased from 2006 to 2011, the dominant profile reflects an ageing population with increasing numbers of empty nesters and retirees and seniors. It is important that future development of play spaces is guided by the demographic information.

*Strategies and Costs*

The play spaces plan (attachment 1) provides a set of strategies and detailed action plan which outlines how the City will develop high quality play space facilities and use resources more efficiently over time.

The strategies include:

- Upgrade major and local play space sites and where possible relocate play equipment from parks not designated as major or local play spaces.
- Engage local communities on decision making in relation to the consolidation of local play grounds and development of **local play space** sites.

- Engage the broader Fremantle community on the development of **major play space** sites including special needs groups i.e. people with disabilities, people from non-english speaking backgrounds and Aboriginal people.

A new high quality major play space would cost between \$500,000 to \$1million to develop a local play space the cost will be up to \$250,000.

It is proposed that external funding is sourced for major and local play space projects and that one major play space is delivered every three years to allow enough time to secure funding and plan effectively. Local play spaces should be upgraded annually.

The funding strategies for the play spaces plan include, continued investment into the play spaces reserve to support the capital works program (attachment 2), actively pursuing external grants through LotteryWest and Department of Sport and Recreation, and prioritising cash in lieu from developer's contributions.

The capital works program provides definition on the proposed play spaces projects over three years. After three years the plan will be evaluated and future projects defined.

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

The play spaces reserve was established in 2012/13 with \$1million. Currently \$600,000 is allocated to the Youth Plaza Project.

It is proposed that the remaining \$400,000 reserve funds be allocated to the first year implementation of the play spaces capital works program.

In addition to the reserve funding additional funding will be required to implement the proposed projects identified in the remaining two years of the program (details below).

External funding will be sought through LotteryWest and Department of Sport and Recreation with estimates provided in the table below.

| <b>Year</b> | <b>Upgrade</b> | <b>*External funding</b> | <b>Total</b> |
|-------------|----------------|--------------------------|--------------|
| 2013/14     | *\$380,000     | \$100,000                | \$280,000    |
| 2014/15     | \$165,000      | \$ 50,000                | \$115,000    |
| 2015/16     | \$625,000      | \$200,000                | \$425,000    |

\* Play spaces reserve funding

\* Subject to approval

### **Legal**

Nil



## **Operational**

The greatest impact will be on the City Parks and Landscape business unit as the delivery of the capital works program will sit in this area. There is a risk that the additional capital works projects will require more resources to be completed within the proposed timeframes. Parks and Landscapes will identify appropriate resources through the 2013/14 budget planning process.

## **Organisational**

Nil

## **CONCLUSION**

The city's open space areas and facilities are a major positive attraction to both residents and visitors. Opportunity exists to develop and enhance larger parcels of open spaces areas as multifunction areas that provide for a wide range of people and in particular will attract families.

According to the demographic profiles across Fremantle the City will seek to rationalise old and non-compliant play ground equipment and facilities and invest in play space sites identified in each suburb.

## **STRATEGIC AND POLICY IMPLICATIONS**

Nil

## **COMMUNITY ENGAGEMENT**

The City will seek community involvement in the development of local play spaces within this plan, in relation to:

- Selection of equipment and integration with the park landscape.
- Design of landscapes and the integration of play features.
- Replacement of play equipment.
- Consolidation of play spaces where there is an oversupply in order to provide higher quality spaces and play experiences (not necessarily at the same place).
- Access considerations.

The City will seek to be inclusive to all community members in relation to the points above.

The City will ensure children have opportunities to provide input into the design of local and major play spaces.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr J Strachan**

- 1. The play spaces plan (attachment 1) is endorsed for adoption.**
- 2. The remaining play spaces reserve of \$400,000 is utilised for play space upgrades identified in 2013/14 capital works program.**
- 3. The capital works program (attachment 2) is adopted and \$790,000 additional funding be allocated in the draft 2014/15 and draft 2015/16 financial year budgets for consideration.**

**CARRIED: 5/0**

| <b>For</b>   | <b>Against</b> |
|--|----------------|
| Mayor, Brad Pettitt<br>Cr Jon Strachan<br>Cr Tim Grey-Smith<br>Cr David Hume<br>Cr Doug Thompson |                |

## **SGS1303-4 DELEGATED AUTHORITY REVIEW - 2013**

|                                   |   |
|-----------------------------------|---|
| <b>DataWorks Reference:</b>       | 100/003                                       |
| <b>Disclosure of Interest:</b>    | Nil   |
| <b>Meeting Date:</b>              | Council - 27 March 2013                       |
| <b>Previous Item:</b>             | Nil   |
| <b>Responsible Officer:</b>       | Glen Dougall, Director Corporate Services     |
| <b>Actioning Officer:</b>         | Melody Foster, Governance Officer             |
| <b>Decision Making Authority:</b> | Council                                       |
| <b>Agenda Attachments:</b>        | Delegated Authority Register (Draft for 2013) |

### **EXECUTIVE SUMMARY**

**A review of the Delegated Authority Register has been undertaken in accordance with the Local Government Act requirement, to ensure that it contains the requirements for the City of Fremantle to function efficiently and to ensure that good governance is provided.**

### **BACKGROUND**

Under the Local Government Act 1995, local governments may delegate the exercise of any of its powers or duties to a committee of Council or the Chief Executive Officer (CEO) except those powers specifically identified under the Act. The CEO may then delegate these powers (or part thereof) to other officers but only in accordance with the delegation set by Council.

The last review was undertaken in May 2012. The Act requires that a review of delegations to committees and the CEO are to be undertaken at least once every financial year. Annual review of delegations ensure that they remain up to date with Council expectations and current to policy.

### **COMMENT**

Last year council made minor changes to delegations from Council to the CEO (3.7, 3.8.1, 3.18, 3.20, 3.21, 3.27 and 3.28) and approved the inclusion of new delegations (3.44, 4.19, 4.20 and 4.21).

This year one major amendment has been recommended, for delegation 3.38 Use of City of Fremantle Common Seal. The amendments made to this delegation have been recommended due to the changes made to the *Local Government Act 1995* as part of the *Local Government Amendment Bill 2009*, to include section 9.49A and 9.49B of the Act relating to execution and signing of documents by a local government.

In an attempt to address these changes to the act, it is recommended that 3.38 be amended to give the CEO delegation to authorise affixing of the Common Seal on a range of documents as identified by council and authorisation for other documents to be executed or signed without the Common Seal being affixed. This amendment will therefore avoid the need for every document to be individually considered by the Council for the purpose of determining whether the Common Seal should be affixed.

As in previous years the recommended changes to the delegations are provided below in table form for consideration. A draft copy of the Delegations Register is attached with this agenda for elected members to peruse the entire document if they wish to.

**Delegations by council to committees (Section 1 and 2)**

Nil

**Delegations by council to the CEO and by the CEO to employees (Section 3)**

| <b>Title of Delegation</b>   | <b>Page</b> | <b>Recommendation Summary</b>   |
|--|-------------|---|
| 3.8.1 Schedule of 'Authorised Officers'  | 14          | Amendment to remove positions from this delegation  |
| 3.17 Legal proceedings - authority to initiate proceedings and/or prosecutions     | 28          | Amendment to include a new position to this delegation  |
| 3.20 Stop work orders and seek injunctions – issue of                              | 31          | Amendment to include a new position to this delegation  |
| 3.29 Certain provisions about land – persons with express authority                | 40          | Amendment to include a new position to this delegation  |
| 3.29.1 Appendix 1 – certain provisions about land – persons with express authority | 41          | Amendment to include a new position to this delegation  |
| 3.31 Placement of regular newspaper column & advertising                           | 48          | To be deleted as this delegation is no longer required  |
| 3.38 Use of City of Fremantle common seal  | 55          | Amendment to change the name and content of this delegation to reflect the changes made to the Act. |
| 3.42 Short stay accommodation local law – issuing of notices and registration      | 59          | Amendment to remove a position from this delegation   |

**Delegations by council to employees from other legislation (Section 4)**

| <b>Title of Delegation</b>   | <b>Page</b> | <b>Recommendation Summary</b>  |
|--|-------------|--|
| 4.7 Functions delegated under Local Planning Scheme No.4                             | 69-71       | Amendment to remove and insert positions and minor changes to the wording of this delegation |
| 4.11 Caravan parks and camping grounds – delegated authority under the provisions of | 75-76       | Amendment to insert a new position to this delegation  |
| 4.19 Functions delegated under the <i>Building Act 2011</i>                          | 83          | Amendment to insert positions with sub-delegation  |

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

A number of delegations provide ability for officers or committees to exercise power to approve tenders or commit funding. These delegations are only provided where within policy and adopted budgets set by Council.

### **Legal**

Section 5.16 of the *Local Government Act 1995* makes provision for local government to delegate some of the powers and duties under the Act to committees, except for 5.17 which precludes some of these powers.

Section 5.42 of the Act makes provision to delegate some powers and duties to the CEO, except for exclusions under section 5.43. The Act also enables the CEO to further delegate these roles to officers, but only to the extent that Council has delegated power to the CEO.

All delegations need to be in writing and this will occur by way of letter signed by the Mayor to the CEO, and by the CEO to officers where delegation has been passed on.

Section 5.18 and section 5.46 (2) of the Act requires that an annual review of delegations to committees and the CEO be undertaken. This report complies with this requirement.

Council is also requested to review the appointments of the Chief Executive Officer and other nominated officers under the provisions of the *Local Government (Miscellaneous Provisions) Act 1960*, *Health Act 1911*, *Strata Titles Act 1985* and the City Planning Scheme 2005. The delegation will enable the officers to attend to specific matters for which delegation is possible in those Acts and City Planning Scheme.

### **Operational**

All officers are provided with written notice of their delegation by the Chief Executive Officer and advised of their obligation to declare an interest where they have a conflict of interest. If no alternative officer is delegated to process a matter where delegation exists it will either be the Chief Executive Officer that determines the matter through a recommendation from an appropriate officer, or the matter will be referred to council/committee.

A delegated responsibility does not necessarily need to be determined under delegation on every occasion, however it is generally the case.

### **Organisational**

All delegations can only be exercised within Council Policy or within the requirements of the statutory power originally provided and only within the level of delegation provided by Council.

## **CONCLUSION**

Delegations provide for an effective and efficient delivery of services to the Fremantle community. The recommendations contained in this report ensure that these delegations remain current to Council's structure, policies and procedures.

**STRATEGIC AND POLICY IMPLICATIONS**

The requested ongoing delegations assist in administering the strategic direction of Council.

**COMMUNITY ENGAGEMENT**

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr J Strachan**

**That Council adopts the amended Delegated Authority Register and delegations listed in this register in accordance the *Local Government Act 1995, Local Government (Miscellaneous Provisions) Act 1960, Health Act 1911, Strata Titles Act 1985, Local Planning Scheme, Building Act 2011 and Public Interest Disclosure Act 2003* as attached with the Strategic and General Services Committee agenda for March 2013.**

**CARRIED: 5/0**

| <b>For</b>   | <b>Against</b> |
|--|----------------|
| Mayor, Brad Pettitt<br>Cr Jon Strachan<br>Cr Tim Grey-Smith<br>Cr David Hume<br>Cr Doug Thompson |                |

**SGS1303-5** Mid year budget review - March 2012

**DataWorks Reference:** 091/014  
**Disclosure of Interest:** Nil  
**Meeting Date:** 13 March 2013  
**Previous Item:** C1207-5  
**Responsible Officer:** Glen Dougall, Director Corporate Services  
**Actioning Officer:** Alan Carmichael, Manager Finance and Administration  
**Decision Making Authority:** Council  
**Agenda Attachments:** Project timelines for deferred capital works items

## **EXECUTIVE SUMMARY**

**Local Governments are required to undertake a mid-year budget review each year to ensure sound financial management.**

**A review has been undertaken by Directorate and nature/type and the results have been considered by the Senior Management Group. The review has highlighted a number of changes due to various reasons outlined within the report.**

**The budget was originally adopted with an estimated closing municipal cash surplus of \$80,000 and City of Fremantle Trust Fund a Nil position. The adopted opening surplus in the 2012/13 Budget was \$4,352,375 comprising \$2,192,375 from municipal and \$2,160,000 from City of Fremantle Trust Fund. After completion and audit of the financial statement to 30 June 2012, the consolidated opening surplus came in at \$4,063,973 comprising \$2,037,037 from municipal and \$2,026,936 from City of Fremantle Trust Fund. Arising from this finalisation was a municipal deficit of \$155,338 and City of Fremantle Trust Fund deficit of \$133,064 which will all be addressed as part of this review.**

**Resolution SGS1212-10 from the Council meeting of 19 December 2012 reduced the adopted municipal cash surplus by \$15,000 and item PSC1302-27 from the 27 February 2013 Council meeting reduced it by a further \$60,000.**

**The budget review has determined that an estimated consolidated cash surplus to 30 June 2013 is estimated at \$69,975. The surplus is comprised of municipal surplus of \$69,975 and City of Fremantle Trust Fund deficit of Nil. The objective with the budget review has been to ensure the projects being deferred due to timing delays are fully funded for the new budget.**

**Whilst the resolution provided below seeks to shift funding between some areas within a service area, the report information mainly focuses on where a suggested change will affect the outcome of the budget at 30 June, 2013.**

## **BACKGROUND**

**The budget was adopted on 25 July 2012 with a municipal surplus of \$80,000 and City of Fremantle Trust Fund of Nil.**

Each year local governments are required to adopt a budget for the activities and services it will perform in the financial year. The Local Government Act 1995 requires that a review of the budget is to occur once a year for the period ending not earlier than 31 December of that financial year.

The report provides the review for the 2012/2013 adopted budget for the period ending 31 January 2013 and considers how any issues raised may affect the end of year result.

## **COMMENT**

### **City of Fremantle Trust Fund**

The estimated closing funds at 30 June 2013 for the trust fund were Nil as the anticipated repeal of the administering legislation will see the net assets of the trust transferred to the city and the budget provides for the net assets to be transferred to the Investment Reserve. Given the repealing legislation could still go to state parliament in the autumn session of 2013, it is still considered appropriate to assume the trust will be wound up by 30 June 2013. As a consequence, the budget deficit of \$133,064 in opening funds will be offset against other assets of the trust and at this stage it is not considered any value is to be gained by amending the budget assumptions for the amount of net assets to be distributed on winding up of the trust.

The trust has given officers authority to negotiate sale of the Tapper Street freehold properties but at this stage no budget allowance has been made in the budget for any sale prior to 30 June 2013.

### **Nature and Type (Organisational)**

*Employee Costs & Materials and Contracts:* Offsetting variations of approximately \$861,000 have been made between employee costs and materials and contracts to reflect the actual year to date and anticipated actual to 30 June 2013 for agency labour that is used to fill establishment positions. The majority of these changes are a result of vacant positions in the outside workforce that have been difficult to fill, so external labour has been used to ensure the works program is maintained. The adjustment reduces the adopted employee cost budget and increases the adopted materials and contracts budget by equivalent amounts.

*Reallocation of line budgets:* Within some business units self balancing budget variations within specific nature or types have been made to better report and manage the actual expenditures or revenues. In all business units this does not vary the budget by nature or type, but in some instances the budgets by program may vary though they will come to a nil net adjustment.



## **City Management**

### **Chief Executive Officer**

#### CEO's Office

*Materials and Contracts:* The Kings Square Project has incurred additional contracting and consulting costs than originally allowed for and will require a further \$180,000 to cover these costs. This will provide an additional \$50,000 for the remaining balance of the year to complete contractual arrangements.

#### Economic Development and Marketing

*Operating Grants plus Materials & Contracts:* The budget allowed for a \$50,000 grant from Tourism WA and associated expenditure for a marketing campaign. As the grant will not be received the budget is being amended to delete this \$50,000 from both revenue and expenditure.

*Fees & Charges:* Revenue for marketing campaigns has returned more than anticipated so is recommended to be increased from \$126,400 to \$140,000. Revenue for the Fremantle Visitor Centre is down and it is recommended that the budget be reduced by \$116,500.

*Materials & Contracts:* Decrease TV campaign by \$50,000 to \$50,000 due to unsuccessful grant application as highlighted above. Functions have incurred additional expenditure on Christmas decorations and entertainment and the Australia Day events and require an additional \$100,000 in their budget to undertake their planned activities.

An additional \$10,000 has also been added to the donations budget for the purpose of supporting the upcoming visit by the Gyuto Monks.

### **Corporate Services**

#### Finance

*Operating Grants:* Revisions to the final Grants Commission allocations has provided a decrease of \$52,000 less than originally projected.

*Interest Revenue:* The adopted budget incorrectly allowed for \$85,000 of interest revenue from underground power service charges. That program ceased as of 30 June 2012 and therefore will not be collected this year. As a result this budget is recommended to be reduced by \$85,000 to \$178,000.

#### Property Services

Building maintenance costs are reporting over the year to date budget estimate, but organisationally building maintenance cost are running to budget so no variation to budget is proposed.

#### Parking Services

*Fees & Charges:* Additional parking revenue of \$650,000 has been received as at 30 January, 2013. It is anticipated end of year result will see approximately \$930,000 additional parking revenue. Additional operating expenditure, including payments for lease arrangements plus \$12,000 for a new camera in Queensgate need to be adjusted and will offset some of this additional revenue, but it still produces a net positive contribution of \$768,750. If this estimate is not achieved by year end the City will automatically draw funds from the Parking Equalisation Reserve to cover any shortfall. This is in accordance with the purpose of the reserve.

### Administration Building

The office on level 1 of the administration building will be modified to make way for some staff to be transferred from the Queensgate building and improve air-conditioning airflow, natural lighting and ventilation around the IT, records and corporate services management areas. An allocation of \$40,000 has been added to the budget for the removal of internal walls and associated electrical and computer cabling.

### Community Safety and Integrated Patrols

*Parking Infringements:* Additional net infringement revenue of \$280,000 is anticipated by year end, after legal costs for outstanding infringements forwarded to the Fines Enforcement Registry (FER).

*Capital Grants:* A final grant payment of \$49,345 has been received for the CCTV program from 2011/2012. This final payment was not provided for in the budget and all capital costs were incurred last financial year, therefore is additional revenue for the current year.

*Materials & Contracts:* Additional budget of \$15,000 for handling abandoned vehicles, \$3,500 for hardware licenses \$40,000 for cleaning and maintenance of CCTV cameras.

*Capital:* \$29,000 for replacement of aged CCTV cameras, installation of micro link and a workstation.

### Rangers

A grant of \$3,335 has been received for implementation of the new Cat act and Council is required to provide matching funding of \$3,500. A grant invoice on emergency risk management that was reversed in 2012/013 has created a deficit of \$9,030.

### Community Development

#### Fremantle Arts Centre

Net revenue has increased by \$55,000 primarily from summer series events and expenditure has increased by a similar amount. Generally the changes to this area focus more around shifting budgets where the bottom line remains the same.

#### Fremantle Leisure Centre

*Fees and Charges:* It is now anticipated that the Leisure Centre pools will close from 1<sup>st</sup> June, 2013 to allow them to be emptied for the commencement of renewal works

programmed to commence in July. This will result in the June revenue streams not being achieved. This will result in \$208,715 reduction in revenue.

*Salaries and Wages:* The closure of the pools from June will also result in casual labour costs being reduced by \$102,000.

*Utilities:* Gas and electricity consumption for pool heating will be reduced as a result of the closure of the pools in June. This should see a saving of \$38,349. Therefore the net revenue reduction as a result of the closure will be \$68,366.

Operating expenditure needs to be increased by \$12,500 for increased maintenance costs of equipment (\$10,000) and health club minor assets (\$2,500). In capital expenditure, the replacement of the 25 metre inflatable toy (\$10,000) is deferred and those funds plus another \$10,000 be used to replace the pool blankets. In addition \$5,520 is required for gym equipment which is funded by a reduction in rental costs.

### Library

The actual revenue contribution from the Town of East Fremantle is \$27,000 higher than originally estimated and therefore this budget has been adjusted in this review.

## **Planning Services**

### Planning Projects and Policy

*Contracted Services:* An additional \$30,000 grant has been provided to finalise the on-line heritage register. As a result the City will increase the grant revenue and the related expenditure account. A further \$20,000 has been added for implementation of the plastic bag local law, and \$40,000 for legal fees associated with the Lefroy Road landfill site.

An additional \$15,000 has been added to contracted services for the co-sponsorship of a PhD research student.

### Health, Building and Compliance Services

*Fees & Charges:* Collection of the \$241,000 fine from a planning compliance fine is new revenue, but that is partially offset by lower building application fees.

## **Technical Services**

### Infrastructure Services

*Operating grants & contributions:* The level of private works allowed for in the adopted budget has not eventuated therefore it is considered prudent to reduce both budgets by \$350,000.

## **Capital Program**

## **Road Program**

An extra \$1.46 million is being requested to cover project design changes and new projects. This expenditure is partially funded by cost reductions and deferrals of \$265,315, an increase in MRWA grants of \$443,616 for the McCombe/South Street intersection works and increased contribution from the Parking Reserve of \$128,841. This leaves an additional \$645,500 required from municipal.

| Account String (Budget amount refers to this account) | Budget Category/Sub Category             | Existing Budget Expenditure/(Revenue) | Variation to Budget Expenditure/(Revenue) | Revised Budget Expenditure/(Revenue) |
|---|--|---------------------------------------|---|--------------------------------------|
| <b>Task Number</b>                                    | <b>Task Description</b>                  |                                       |   |                                      |
| <b>Roads</b>  |  |                                       |   |                                      |
| RC0000275   | William Street contra flow               | 73,000                                | 33,000                                    | 106,000                              |
| RC0000273   | South Terrace bike lanes                 | 90,200                                | 30,000                                    | 120,200                              |
| RC0000287   | Phillimore St - Parking for bike lanes   | 45,000                                | 25,000                                    | 70,000                               |
| RC0000189   | Const Phillimore St - Market St to Cliff | 109,943                               | 55,000                                    | 164,943                              |
| RC0000288   | Pensioner Guard car bays                 | 62,000                                | 34,000                                    | 96,000                               |
| RC0000203   | Const Port Beach Rd- Walter Pl to Tydema | 32,600                                | 110,000                                   | 142,600                              |
| 62.62100.4211.00.93.00000                             | Grant Capital State                      | (1,342,059)                           | (110,000)                                 | (1,452,059)                          |
| RC0000204   | Const SUP Train Line - Pearse to Congd   | 33,633                                | 44,367                                    | 78,000                               |
| 62.62100.4211.00.93.00000                             | Grant Capital State                      | (1,452,059)                           | (24,650)                                  | (1,476,709)                          |
| PC0000280   | Stage 2 Phillimore St Master Plan        | 100,000                               | (77,127)                                  | 22,873                               |
| PC0000281   | Stage 2 Phillimore St Master Plan        | 119,248                               | (92,928)                                  | 26,320                               |
| RC0000289   | Carparking Guidance system               | 300,000                               | 117,000                                   | 417,000                              |
| 90.90000.2273.00.00.1400                              | Restricted                               | -                                     | (287,695)                                 | (287,695)                            |

|                               |  |           |          |           |
|-------------------------------|--|-----------|----------|-----------|
| 2                             | Cash                                     |           |          |           |
| 62.62100.3111.00.93.0000<br>0 | Financial Reserve Transfer from_Capital  | (538,841) | 170,695  | (368,146) |
| RC0000284                     | Redevelopment of carpark lighting        | 55,000    | 21,000   | 76,000    |
| 62.62100.3111.00.93.0000<br>0 | Financial Reserve Transfer from_Capital  | (368,146) | (21,000) | (389,146) |
| RC0000294                     | South Tce - High St - Norfolk St         | 322,146   | 142,854  | 465,000   |
| RC0000187                     | Const High St - Market St to Cliff St    | 155,861   | 35,000   | 190,861   |
| RC0000191                     | Const Beach St - Parry St - Peter Hughes | 137,314   | 72,686   | 210,000   |
| RC0000265                     | Road resurfacing - Queen St              | 90,000    | (50,000) | 40,000    |
| RC0000269                     | Carrington St East (LeachHwy-McGregorRd) | 17,775    | 29,225   | 47,000    |
| RC0000270                     | Carrington St (Watkins St to Gallop St)  | 17,728    | 23,272   | 41,000    |
| RC0000271                     | Ord St (Finnerty St to Ellen St)         | 48,632    | 7,368    | 56,000    |
| RC0000186                     | Const Parry St - Queen Vic St to Beac    | 30,905    | 36,095   | 67,000    |
|                               | Extra works Market St                    | -         | 143,000  | 143,000   |
| 62.62100.4214.00.93.0000<br>0 | Grant Capital Non Govt Organisation      | -         | (17,000) | (17,000)  |
| RC0000306                     | Street Vision: Market St/South Tce       | 150,000   | 45,000   | 195,000   |
| RC0000300                     | Forrest Wilkinson Roundabout SBS         | 179,700   | 36,300   | 216,000   |

|                               |  |             |           |             |
|-------------------------------|--|-------------|-----------|-------------|
| RC0000197                     | Const SBS - High St / East St- Swanb                       | 20,000      | (16,000)  | 4,000       |
| RC0000266                     | Letchford St/Winterfold Rd - Roundabout                    | 52,000      | (40,000)  | 12,000      |
| RC0000298                     | Letchford St/Winterfold Rd - Roundabout                    | 25,000      | (7,000)   | 18,000      |
| RC0000259                     | Letchford St/Winterfold Rd Roundabout                      | 40,000      | 155,000   | 195,000     |
| RC0000258                     | McCombe Ave/South St Signals                               | 95,000      | 295,000   | 390,000     |
| 62.62100.4211.00.93.0000<br>0 | Grant Capital State  | (1,476,709) | (291,966) | (1,768,675) |
| PC0000320                     | Stirling Highway/ Harvest Rd verge landscape upgrade works | -           | 20,000    | 20,000      |

### Drainage

Additional \$38,500 required for Hampton Road project which can be effectively funded by the deferral of Phillimore Street works (\$38,500).

### Parks

The South Beach Universal Access Ramp that was budgeted for \$120,000 subject to receipt of a matching grant. This project is now being submitted for approval as a fully municipal funded project as no funding source has been identified. With Cantonment Hill it is proposed to spend the \$200,000 endorsed by Council and that is to be funded from the Cantonment Hill Reserve. In addition \$533,100 of projects is recommended for deferral. This is made up of the Fremantle Park eco-zoning of \$333,100 and the Mews Road carpark works for \$200,000.

### Buildings - Infrastructure

New projects of \$85,000 are being requested with \$50,000 of that to be funded by a transfer from the Leisure Centre Upgrade Reserve. In addition there is a \$107,029 saving from the Fremantle Markets drainage project and the proposed deferral of works, primarily Leisure Centre and Leighton Kiosk amounting to \$2,918,983. The Leighton Kiosk was to be loan funded but in view of the deferral it is recommended the \$1,100,000 loan not be raised and the expenditure to date of \$12,284 be funded from municipal sources. The Leisure Centre project works were primarily to be funded from the Sustainability reserve

therefore the there will be a reduction in the transfer from the reserve that matches the expenditure.

|                           |  |           |           |           |
|---------------------------|--|-----------|-----------|-----------|
| BC0000595                 | Leisure Centre<br>- lights<br>replacement<br>(New Project)                     |           | -         | 50,000    |
| 63.66200.3111.00.97.12009 | Financial<br>Reserve<br>Transfer<br>from_Capital                               | (50,000)  | (200,000) | (250,000) |
| BC0000442                 | Leisure Ctr-<br>Replace 25m<br>inflatable                                      | 10,000    | 12,500    | 22,500    |
| BC0000591                 | Bruce Lee<br>Clubrms<br>Floor/toilet<br>Replacemt                              | 10,000    | 8,000     | 18,000    |
| BC0000596                 | Fremantle<br>Bowling Club<br>ceiling/gutter<br>replacement<br>(NEW<br>PROJECT) | -         | 35,000    | 35,000    |
| BC0000597                 | Cantonment<br>Hill buildings<br>assessments                                    | -         | 50,000    | 50,000    |
| 63.66200.3111.00.97.12009 | Financial<br>Reserve<br>Transfer<br>from_Capital                               | (250,000) | (50,000)  | (300,000) |
| BC0000594                 | Civic Admin<br>building - office<br>fitout (NEW<br>PROJECT))                   | -         | 20,000    | 20,000    |
| BC0000303                 | Civic Admin<br>Roof Repair -   | 40,000    | (20,000)  | 20,000    |
| BC0000116                 | Fremantle<br>Markets -<br>Drainage   | 393,792   | (107,029) | 286,763   |
| BQO50003                  | QUARANTINE-<br>Disability/Genrl<br>Access Upgds                                | 35,000    | (35,000)  | -         |
| BQO50005                  | QUARANTINE-<br>RCD<br>compliance &<br>upgrades                                 | 10,000    | (10,000)  | -         |
| BQO50006                  | QUARANTINE-<br>Fire detection<br>& equipmt                                     | 25,000    | (25,000)  | -         |

|                                 |   |             |           |           |
|---------------------------------|---|-------------|-----------|-----------|
| BC-0000601                      | Arthur Head facility disability upgrade   | -           | 35,000    | 35,000    |
| BC-0000602                      | Hilton Upper clubroom RCD for power board | -           | 10,000    | 10,000    |
| BC-0000603                      | Warawee fire detection panel              | -           | 25,000    | 25,000    |
| <b>Infrastructure Buildings</b> |   |             |           |           |
| BC0000467                       | Landscp Oceansd pklnds UPGD               | 350,000     | (328,122) | 21,878    |
| BC0000468                       | Landscp Oceansd pklnds NEW                | 270,000     | (248,123) | 21,877    |
| BC0000466                       | Leighton Kiosk Redevpmt RENEW             | 950,000     | (937,716) | 12,284    |
| 62.26100.2517.00.92.11060       | Loans NC External Funded New Loans Raised | (1,100,000) | 950,000   | (150,000) |
| BC0000450                       | Arthur Head Infrastructure works          | 150,000     | (112,913) | 37,087    |
| 63.66200.3111.00.97.12003       | Financial Reserve Transfer from_Capital   | (220,000)   | 112,913   | (107,087) |
| BC0000465                       | Leighton Kiosk Redevpmt UPGD              | 150,000     | (150,000) | -         |
| 62.26100.2517.00.92.11060       | Loans NC External Funded New Loans Raised | (150,000)   | 150,000   | -         |
| BC0000511                       | Leisure Ctr-Pool Heat-Detailed Design     | 24,000      | (4,520)   | 19,480    |
| BC0000512                       | Leisure Ctr-Pool Heat-Main capital items  | 970,000     | (956,896) | 13,104    |
| BC0000518                       | Leisure Ctr-VSDs-VSDs                     | 60,000      | (31,409)  | 28,591    |
| BC0000519                       | Leisure Ctr-VSDs-Associated flow meters   | 17,000      | (17,000)  | -         |



|                           |   |             |           |           |
|---------------------------|---|-------------|-----------|-----------|
| BC0000520                 | Leisure Ctr-Monitor-Full proj exc mtrs  | 52,000      | (52,000)  | -         |
| BC0000521                 | Leisure Ctr-Monitor-Install meters      | 20,000      | (20,000)  | -         |
| BC0000513                 | Leisure Ctr-Pool Heat-Control System    | 48,000      | (48,000)  | -         |
| 62.35100.3111.00.92.11024 | Financial Reserve Transfer from_Capital | (1,271,000) | 1,129,825 | (141,175) |

### Buildings - Freehold

New projects of \$70,000 are being requested with \$50,000 of that to be funded by a transfer from the Cantonment Hill Reserve and \$20,000 saving from another project. In addition it is recommended the \$150,000 air conditioning project at Victoria Hall which was to be loan funded be deferred pending potential tenant replacement and further consideration of design.

| <b>Freehold Buildings</b> |   |           |           |          |
|---------------------------|---|-----------|-----------|----------|
| BC0000480                 | Victoria Hall-Air handling                | 150,000   | (150,000) | -        |
| 62.26100.2517.00.30.11052 | Loans NC External Funded New Loans Raised | (150,000) | 150,000   | -        |
| <b>Recurrent costs</b>    |   |           |           |          |
| BXO20007                  | CoF Civic Administration BORE             | 173,871   | 19,000    | 192,871  |
| BXO20085                  | City Works Whole Building BORE            | 18,689    | 26,700    | 45,389   |
| BXO20091                  | Round House - Arthur Head BORE            | 741       | 31,400    | 32,141   |
| BXO20242                  | PublicToilets&Chgrms-LeightonBch BORE     | 9,397     | 39,100    | 48,497   |
| 62.25410.4186.00.30.11008 | Revenue Insurance Settlement              | -         | (19,000)  | (19,000) |
| 62.63100.4186.00.97.11012 | Revenue Insurance Settlement              | -         | (26,700)  | (26,700) |
| 63.66200.4186.00.97.12003 | Revenue Insurance Settlement              | -         | (31,400)  | (31,400) |
| 62.26100.4186.00.00.12053 | Revenue Insurance Settlement              | -         | (39,100)  | (39,100) |

### Loan Borrowings

Item SGS1209-7 of 26 September 2013 approved a \$330,000 self supporting loan to the Fremantle Workers Club. There is no net impact to the budget as the loan liability amount is offset by an equivalent loan advance.

After reviewing the capital works program it has been identified that the following loan funded projects will not be substantially completed in the financial year therefore it is recommended that the loans not be raised and any minor expenditure incurred or likely to be incurred on the projects is provided from the municipal budget:-

- |                                  |             |
|----------------------------------|-------------|
| • Loan 285 Victoria Hall Upgrade | \$ 150,000  |
| • Loan 287 Leighton Beach Kiosk  | \$1,100,000 |

In addition it is recommended that the below loan also not be raised. If this recommendation is accepted the deferred loan borrowing program could be added back in 2013/2014 without any impact on the long term financial position of the Council.

:-

- |   |           |
|---|-----------|
| • Loan 286 Administration Building HVAC | \$150,000 |
|---|-----------|

### **Transfers to Reserves**

The budget includes a \$2.2 million transfer for the City of Fremantle Trust Fund was previously comment on under the trust heading and it is not intended to vary the estimated amount of the transfer at this review.

The \$3.9 million of sale proceeds from Bannister and Quarry Street properties has also been left unchanged as it is assumed they will be finalised prior to 30 June 2013. No allowance has been included for sale of Point Street or properties from the Kings Square Redevelopment as no sale proceeds are anticipated prior to 30 June 2013.

A \$34,961 transfer to the Leighton Beach Reserve is required after reconciling the specified area rate for 2011/2012, as required by the Local Government Act 1995.

### **Transfers from Reserves**

After review of the works program \$228,841 of new transfers are requested, but project deferrals mean \$1,656,125 of estimated budgeted transfers from reserve are no longer required.

### **Cash-in-Lieu**

The parking guidance system has been implemented and will commence providing live-feed data in the near future. It is recommended the City make use of the cash-in-lieu parking funds to support the implementation of this system. Currently an allocation of \$287,695 can be used for this purpose.

### **Profit/Loss on Sale of Assets**

Allowance has been made for the proposed transfer of the Fred Wright Centre and that is anticipated to produce a \$1,090,000 loss on disposal which represents the current estimated value of the building.

The Leighton Beach kiosk and toilets project has been deferred in the budget review; therefore the budgeted loss on disposal of \$351,978 of the existing facility is being removed as demolition will not occur prior to 30 June 2013.

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

The adjustments recommended within this budget review will ensure that the City maintains an operating budget that can be achieved. The estimated cash starting position has been adjusted by the finalisation of the audit and the closing position has changed as a result of this review and still remains as a surplus.

### **Legal**

Section 33A of the Local Government (Financial Management) Regulations 1996 require the following;

*“33A. Review of budget*

*(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*

*(2A) The review of an annual budget for a financial year must —*

*(a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*

*(b) consider the local government’s financial position as at the date of the review; and*

*(c) review the outcomes for the end of that financial year that are forecast in the budget.*

*(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*

*(3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*\*Absolute majority required.*

*(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.”*

### **Operational**

This review has been comprehensive as it was necessary to undertake the review to ensure that we have a realistic prospect to successfully complete the identified projects and works within the revised budgets. In addition attention has been given to try and improve the accuracy of monthly variance reporting by adjusting compensating items like agency labour (charged to materials and contracts) where the budget was in another nature and type.

The net position after this review provides a municipal cash deficit of \$14,430.

### **Organisational**

The review has been completed with recommendation to defer several main projects from the adopted budget to be progressed in the 2013/2014 financial year. In addition a

number of operational and capital projects are recommended to be adjusted to aid better financial management within this year.

## **CONCLUSION**

The budget review for 2012/13 has been a comprehensive review, as can be seen through the number of budget amendments being proposed. The net result of these amendments provide for a consolidated surplus of \$69,975. This takes into account the municipal deficit carry forward balance from 2011/12 audit of \$145,388.

The bottom line for this review has been that parking revenue is above budget estimates by \$930,000. The Visitor Centre budget is in deficit by approximately \$100,000, events will require an additional \$100,000, the Kings Square project will require an additional \$180,000 and capital works projects will require a further \$550,000. Several key projects are deferred until 2012/13 as they will not commence until late June or early July and therefore will not require significant financial support this year. The projects themselves are well advanced in planning so will need to be reconsidered in the next budget.

The key deferrals include;

- Leisure Centre works,
- Esplanade Park Skate Plaza,
- Leighton Beach Kiosk, and
- Ocean Parklands Gardens.

The projects listed above are funded through various reserve accounts or grant funds and will therefore not impact on municipal funding in next year's budget.

## **STRATEGIC AND POLICY IMPLICATIONS**

The budget supports the delivery of strategic outcomes for the City of Fremantle.

## **COMMUNITY ENGAGEMENT**

Nil

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

## **COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr J Strachan**

**The City of Fremantle budget review for 2012/13, for the period ending 31 January 2013, be received with the following changes being made to the adopted budget of 25 July, 2012;**

**Schedule of Variations for City Management Directorate**

| Account String (Budget amount refers to this account)            | Budget Category/Sub Category       | Existing Budget Expenditure /(Revenue) | Variation to Budget Expenditure /(Revenue) | Revised Budget Expenditure /(Revenue) |
|--|------------------------------------|--|--|---------------------------------------|
| <b>Revenue</b>   |                                    |  |  |                                       |
| 13.13120.4541.00.00.00000  | Fee Other                          | (126,400)                              | (13,600)                                   | (140,000)                             |
| 13.13120.4387.00.00.00000  | Contrib Oper Donations Sponsorship | (50,000)                               | 50,000                                     | -                                     |
| 13.13150.4521.00.00.00000  | Fee Merchandise Sold               | (60,000)                               | 20,000                                     | (40,000)                              |
| 13.13150.4431.00.00.00000  | Fee Commission Earned              | (270,000)                              | 70,000                                     | (200,000)                             |
| 13.13150.4411.00.00.00000  | Fee Admission or Membership        | (30,000)                               | 26,500                                     | (3,500)                               |
| 13.13100.4541.00.00.00000  | Fee Other                          | -                                      | (14,700)                                   | (14,700)                              |
| 13.23110.4461.01.30.11050  | Fee Hire Rent                      | (32,000)                               | (2,500)                                    | (34,500)                              |
| <b>Expenditure</b>   |                                    |  |  |                                       |
| 11.11100.6821.00.00.00000  | Advertising Promotions             | -                                      | 5,000                                      | 5,000                                 |
| 11.11100.6823.00.00.00000  | Contracted Services                | 12,000                                 | 60,000                                     | 72,000                                |
| 11.11100.6824.00.00.00000  | Consulting Services                | 132,000                                | 70,000                                     | 202,000                               |
| 11.11100.6866.00.00.00000  | Sundry Services Expenses           | 26,400                                 | (14,000)                                   | 12,400                                |
| 11.11800.6311.00.00.00000  | Printing External                  | 1,460                                  | 11,000                                     | 12,460                                |
| 11.11800.6846.00.00.00000  | Subscriptions                      | 960                                    | 26,335                                     | 27,295                                |
| 25.11800.6846.00.00.00000  | Subscriptions                      | 26,335                                 | (26,335)                                   | -                                     |
| 13.13100.6824.00.00.00000  | Consulting Services                | 430,235                                | 50,000                                     | 480,235                               |
| 13.13100.7812.00.00.00000  | Entertain Functions Non FBT        | 4,000                                  | (4,000)                                    | -                                     |
| 13.13100.6881.00.00.00000  | Catering Non Employee              | 16,000                                 | 4,000                                      | 20,000                                |
| 13.13120.6821.00.00.00000  | Advertising Promotions             | 407,900                                | (50,000)                                   | 357,900                               |
| 13.13150.6865.00.00.00000  | Sundry Material Expenses           | 30,000                                 | (30,000)                                   | -                                     |
| 13.13150.6856.00.00.00000  | Purchase of Trading Stock          | -                                      | 30,000                                     | 30,000                                |
| 13.13410.6823.00.00.00000  | Contracted Services                | 228,500                                | 100,000                                    | 328,500                               |
| 13.13410.5961.00.00.00000  | Donations and Subsidies            | 20,000                                 | 10,000                                     | 30,000                                |
| <b>Totals:</b>   |                                    |  |  |                                       |
|  |                                    | 767,390                                | 377,700                                    | 1,145,090                             |
| <b>Net Variation to Budget – Deficit/(Surplus)</b>               |                                    |  | 377,700                                    |                                       |
| <b>Schedule of Variations for Corporate Services Directorate</b> |                                    |  |  |                                       |
| Account String (Budget amount refers to this account)            | Budget Category/Sub Category       | Existing Budget Expenditure            | Variation to Budget Expenditure            | Revised Budget Expenditure            |

|                           |                                     | /(Revenue)  | /(Revenue) | /(Revenue)  |
|---------------------------|-------------------------------------|-------------|------------|-------------|
| <b>Revenue</b>            |                                     |             |            |             |
| 25.25110.4311.00.00.18034 | Grant Operating State               | (1,022,432) | 52,000     | (970,432)   |
| 25.25200.4161.00.00.00000 | Interest Earnings Rates Instalment  | (263,000)   | 85,000     | (178,000)   |
| 25.25200.4581.00.00.00000 | Fee Prop Rating                     | (245,000)   | (35,000)   | (280,000)   |
| 90.90000.2517.00.00.30510 | Loan Non Current Liability          | -           | (330,000)  | (330,000)   |
| 27.27210.4188.00.00.00000 | Revenue Sundry                      | (2,360)     | (32,640)   | (35,000)    |
| 27.27210.4441.00.00.00000 | Fee Fine Penalty                    | (2,250,000) | (500,000)  | (2,750,000) |
| 27.27210.4541.00.00.00000 | Fee Other                           | (3,000)     | (15,000)   | (18,000)    |
| 27.27200.4211.00.00.00000 | Grant Capital State                 | -           | (49,435)   | (49,435)    |
| 27.27100.4561.00.89.10006 | Fee Parking                         | (80,000)    | (12,000)   | (92,000)    |
| 27.27100.4561.00.89.10008 | Fee Parking                         | (160,000)   | 2,000      | (158,000)   |
| 27.27100.4561.00.89.10014 | Fee Parking                         | (185,000)   | (25,000)   | (210,000)   |
| 27.27100.4561.00.89.10021 | Fee Parking                         | (95,000)    | (27,000)   | (122,000)   |
| 27.27100.4561.00.89.10023 | Fee Parking                         | (986,000)   | (75,000)   | (1,061,000) |
| 27.27100.4561.00.89.10025 | Fee Parking                         | (972,000)   | (30,000)   | (1,002,000) |
| 27.27100.4561.00.89.10026 | Fee Parking                         | (39,000)    | (4,000)    | (43,000)    |
| 27.27100.4561.00.89.10027 | Fee Parking                         | (47,000)    | (17,000)   | (64,000)    |
| 27.27100.4561.01.10.10009 | Fee Parking                         | (367,000)   | (77,000)   | (444,000)   |
| 27.27100.4561.01.20.10005 | Fee Parking                         | (125,000)   | (15,000)   | (140,000)   |
| 27.27100.4561.01.20.10010 | Fee Parking                         | (71,000)    | (4,000)    | (75,000)    |
| 27.27100.4561.01.40.10030 | Fee Parking                         | (250,000)   | (114,000)  | (364,000)   |
| 27.27100.4561.01.40.10031 | Fee Parking                         | (1,720,000) | 48,000     | (1,672,000) |
| 27.27100.4561.01.91.10001 | Fee Parking                         | (368,000)   | 8,000      | (360,000)   |
| 27.27100.4561.01.91.10002 | Fee Parking                         | (175,000)   | (52,000)   | (227,000)   |
| 27.27100.4561.01.91.10003 | Fee Parking                         | (100,000)   | (24,000)   | (124,000)   |
| 27.27100.4561.01.91.10004 | Fee Parking                         | (70,000)    | (16,000)   | (86,000)    |
| 27.27100.4561.01.91.10007 | Fee Parking                         | (606,000)   | (69,000)   | (675,000)   |
| 27.27100.4561.01.91.10011 | Fee Parking                         | (33,000)    | 2,000      | (31,000)    |
| 27.27100.4561.01.91.10013 | Fee Parking                         | (33,000)    | (3,000)    | (36,000)    |
| 27.27100.4561.01.91.10015 | Fee Parking                         | (105,000)   | (12,000)   | (117,000)   |
| 27.27100.4561.01.91.10016 | Fee Parking                         | (142,000)   | (8,000)    | (150,000)   |
| 27.27100.4561.01.91.10017 | Fee Parking                         | (31,000)    | (6,000)    | (37,000)    |
| 27.27100.4561.01.91.10018 | Fee Parking                         | (60,000)    | (4,000)    | (64,000)    |
| 27.27100.4561.01.91.10019 | Fee Parking                         | (77,000)    | (5,000)    | (82,000)    |
| 27.27100.4561.01.91.10024 | Fee Parking                         | (80,000)    | (19,000)   | (99,000)    |
| 27.27100.4561.01.91.10029 | Fee Parking                         | (25,000)    | (5,000)    | (30,000)    |
| 27.27100.4561.01.93.00000 | Fee Parking                         | (3,127,000) | (367,000)  | (3,494,000) |
| 27.27200.4311.00.00.00000 | Grant Operating State               | -           | (3,335)    | (3,335)     |
| 27.27200.4214.00.00.00000 | Grant Capital Non Govt Organisation | -           | 9,030      | 9,030       |
| <b>Expenditure</b>        |                                     |             |            |             |
| 25.25200.6823.00.00.00000 | Contracted Services                 | 80,000      | 35,000     | 115,000     |
| 90.90000.1314.00.00.30510 | Loan Advance Non Current            | -           | 330,000    | 330,000     |

|   |  |  |  |                                       |
|---|--|--|--|---------------------------------------|
| 90.90000.3121.00.00.21402   | Transfer to Reserve - SAR Leighton Beach | 37,237                                 | 34,961                                     | 72,198                                |
| 22.22100.6825.00.00.00000   | Agency Labour Hire                       | -                                      | 37,000                                     | 37,000                                |
| 24.24100.6825.00.00.00000   | Agency Labour Hire                       | 30,000                                 | 37,000                                     | 67,000                                |
| 25.25100.6825.00.00.00000   | Agency Labour Hire                       | -                                      | 60,000                                     | 60,000                                |
| 25.25200.6825.00.00.00000   | Agency Labour Hire                       | -                                      | 18,000                                     | 18,000                                |
| 27.27100.6825.00.00.00000   | Agency Labour Hire                       | 30,000                                 | 39,000                                     | 69,000                                |
| 22.22100.7111.00.00.00000   | Labour Costs Ordinary                    | 639,382                                | (37,000)                                   | 602,382                               |
| 24.24100.7111.00.00.00000   | Labour Costs Ordinary                    | 819,506                                | (37,000)                                   | 782,506                               |
| 25.25100.7111.00.00.00000   | Labour Costs Ordinary                    | 769,044                                | (60,000)                                   | 709,044                               |
| 25.25200.7111.00.00.00000   | Labour Costs Ordinary                    | 216,502                                | (18,000)                                   | 198,502                               |
| 27.27100.7111.00.00.00000   | Labour Costs Ordinary                    | 1,025,616                              | (39,000)                                   | 986,616                               |
| 27.27210.6311.00.00.00000   | Printing External                        | 13,000                                 | 7,000                                      | 20,000                                |
| 27.27210.6816.00.00.00000   | Legal Expenses                           | 400,000                                | 200,000                                    | 600,000                               |
| 27.27210.6823.00.00.00000   | Contracted Services                      | 2,500                                  | 58,500                                     | 61,000                                |
| 27.27210.1566.03.62.00000   | FurnEquip Capital Expenditure            | -                                      | 29,000                                     | 29,000                                |
| 27.27100.6161.05.61.00000   | FurnEquip Maintenance                    | -                                      | 12,000                                     | 12,000                                |
| 27.27100.6311.00.00.00000   | Printing External                        | 50,500                                 | 40,000                                     | 90,500                                |
| 27.27100.6818.00.00.00000   | Bank Fees                                | 145,000                                | 88,000                                     | 233,000                               |
| 27.27100.6823.00.00.00000   | Contracted Services                      | 331,000                                | (50,000)                                   | 281,000                               |
| 27.27100.6823.00.00.10030   | Contracted Services                      | 15,000                                 | (15,000)                                   | -                                     |
| 62.27100.6871.00.89.10006   | Lease Rent Land or Building              | 60,000                                 | 9,000                                      | 69,000                                |
| 62.27100.6871.00.89.10021   | Lease Rent Land or Building              | 61,750                                 | 17,250                                     | 79,000                                |
| 62.27100.6871.00.89.10023   | Lease Rent Land or Building              | 444,000                                | 33,000                                     | 477,000                               |
| 62.27100.6871.00.89.10025   | Lease Rent Land or Building              | 545,000                                | 17,000                                     | 562,000                               |
| 62.27100.6871.00.89.10026   | Lease Rent Land or Building              | 15,500                                 | 1,500                                      | 17,000                                |
| 62.27100.6871.00.89.10027   | Lease Rent Land or Building              | 21,500                                 | 8,500                                      | 30,000                                |
| 27.27200.6865.00.00.00000   | Sundry Material Expenses                 | 3,500                                  | 6,835                                      | 10,335                                |
| Totals:   |  | (8,159,255)                            | (886,834)                                  | (9,046,0                              |
| Net Variation to Budget – Deficit/(Surplus)                         |  |  | (886,834)                                  |                                       |
| <b>Schedule of Variations for Community Development Directorate</b> |  |  |  |                                       |
| Account String (Budget amount refers to this account)               | Budget Category/Sub Category             | Existing Budget Expenditure /(Revenue) | Variation to Budget Expenditure /(Revenue) | Revised Budget Expenditure /(Revenue) |
| Revenue   |  |  |  |                                       |

|                           |                                    |           |           |           |
|---------------------------|------------------------------------|-----------|-----------|-----------|
| 31.33100.4313.00.00.18022 | Grant Operating Other Gov Agency   | (55,000)  | 46,000    | (9,000)   |
| 36.36100.4382.00.00.00000 | Contrib Oper Expense Reimburse     | (210,000) | (27,094)  | (237,094) |
| 32.32500.4311.00.00.18005 | Grant Operating State              | (62,400)  | 26,000    | (36,400)  |
| 34.34500.4387.00.00.18028 | Contrib Oper Donations Sponsorship | -         | (15,238)  | (15,238)  |
| 34.34600.4411.00.00.18054 | Fee Admission or Membership        | (97,800)  | (10,000)  | (107,800) |
| 34.34700.4431.00.00.18061 | Fee Commission Earned              | (75,000)  | (10,000)  | (85,000)  |
| 34.34700.4521.00.00.18081 | Fee Merchandise Sold               | (75,000)  | 15,000    | (60,000)  |
| 34.34700.4461.01.92.18080 | Fee Hire Rent                      | (99,360)  | (25,000)  | (124,360) |
| 34.34700.4387.00.00.18057 | Contrib Oper Donations Sponsorship | -         | (10,000)  | (10,000)  |
| 34.34300.4461.01.92.18028 | Fee Hire Rent                      | (99,360)  | 99,360    | -         |
| 34.34300.4521.00.00.18028 | Fee Merchandise Sold               | (350,000) | 350,000   | -         |
| 34.34300.4541.00.00.18028 | Fee Other                          | (5,000)   | 5,000     | -         |
| 34.34700.4461.01.92.18080 | Fee Hire Rent                      | -         | (99,360)  | (99,360)  |
| 34.34700.4521.00.00.18080 | Fee Merchandise Sold               | -         | (350,000) | (350,000) |
| 34.34700.4541.00.00.18080 | Fee Other                          | -         | (5,000)   | (5,000)   |
| 34.34700.4411.00.00.18028 | Fee Admission or Membership        | (5,000)   | 5,000     | -         |
| 34.34700.4461.01.92.11021 | Fee Hire Rent                      | (15,000)  | 15,000    | -         |
| 34.34700.4521.00.00.18028 | Fee Merchandise Sold               | (75,000)  | 75,000    | -         |
| 34.34700.4411.00.00.18081 | Fee Admission or Membership        | -         | (5,000)   | (5,000)   |
| 34.34700.4461.01.92.18081 | Fee Hire Rent                      | -         | (15,000)  | (15,000)  |
| 34.34700.4521.00.00.18081 | Fee Merchandise Sold               | -         | (75,000)  | (75,000)  |
| 35.35100.4521.00.00.00000 | Fee Merchandise Sold               | (258,000) | 10,000    | (248,000) |
| 35.35300.4411.00.00.11024 | Fee Admission or Membership        | (775,000) | 173,715   | (601,285) |
| 35.35500.4411.00.00.11024 | Fee Admission or Membership        | (725,000) | 25,000    | (700,000) |
| 31.33100.4387.00.00.18022 | Contrib Oper Donations Sponsorship | (25,000)  | (7,500)   | (32,500)  |
| 31.33100.4411.00.00.18047 | Fee Admission or Membership        | (1,000)   | (5,200)   | (6,200)   |
| 32.32400.4461.01.92.11030 | Fee Hire Rent                      | (8,000)   | (6,500)   | (14,500)  |
| 34.34100.4311.00.00.18028 | Grant Operating State              | (671,244) | (8,300)   | (679,544) |
| 34.34500.4521.00.00.18028 | Fee Merchandise Sold               | (7,000)   | (7,900)   | (14,900)  |
| 34.34600.4411.00.00.18051 | Fee Admission or Membership        | (115,700) | (9,400)   | (125,100) |
| 34.34700.4411.00.00.18061 | Fee Admission or Membership        | (22,000)  | (5,500)   | (27,500)  |
|                           |                                    |           |           |           |
| <b>Expenditure</b>        |                                    |           |           |           |



|                           |                                    |         |          |         |
|---------------------------|------------------------------------|---------|----------|---------|
| 31.31100.6823.00.00.00000 | Contracted Services                | 20,000  | 50,000   | 70,000  |
| 32.32100.1566.04.61.18039 | FurnEquip Capital Expenditure      | 25,000  | 35,000   | 60,000  |
| 32.32100.6823.00.00.18039 | Contracted Services                | 48,000  | (35,000) | 13,000  |
| 31.33100.6823.00.00.18022 | Contracted Services                | 198,000 | (30,572) | 167,386 |
| 31.33100.6821.00.00.18022 | Advertising Promotions             | 33,000  | (15,428) | 17,572  |
| 32.32500.@@@@.00.00.18005 | Labour costs and materials budgets | 48,048  | (26,000) | 22,048  |
| 22.32500.9121.00.00.00000 | Information Technolgy              | 10,678  | 10,408   | 21,086  |
| 22.32500.9121.00.00.18003 | Information Technolgy              | 10,678  | -        | 10,678  |
| 22.32500.9121.00.00.18005 | Information Technolgy              | 9,167   | (2,475)  | 6,692   |
| 22.32500.9121.00.00.18006 | Information Technolgy              | 10,678  | (581)    | 10,097  |
| 22.32500.9121.00.00.18007 | Information Technolgy              | 10,678  | (383)    | 10,295  |
| 22.32500.9121.00.00.18018 | Information Technolgy              | 11,446  | (1,403)  | 10,043  |
| 22.32500.9121.00.00.18048 | Information Technolgy              | 8,399   | (5,200)  | 3,199   |
| 22.32500.9121.00.00.18049 | Information Technolgy              | 10,678  | 1,204    | 11,882  |
| 22.32500.9121.00.00.18071 | Information Technolgy              | 3,222   | (1,570)  | 1,652   |
| 22.32500.9122.00.00.00000 | Corporate Information Serv         | 561     | 815      | 1,376   |
| 22.32500.9122.00.00.18005 | Corporate Information Serv         | 561     | (151)    | 410     |
| 22.32500.9122.00.00.18006 | Corporate Information Serv         | 561     | (31)     | 530     |
| 22.32500.9122.00.00.18007 | Corporate Information Serv         | 550     | (20)     | 530     |
| 22.32500.9122.00.00.18018 | Corporate Information Serv         | 550     | (67)     | 483     |
| 22.32500.9122.00.00.18048 | Corporate Information Serv         | 550     | (341)    | 209     |
| 22.32500.9122.00.00.18049 | Corporate Information Serv         | 561     | 63       | 624     |
| 22.32500.9122.00.00.18071 | Corporate Information Serv         | 550     | (268)    | 282     |
| 24.32500.9131.00.00.00000 | Human Resources                    | 6,343   | 5,263    | 11,606  |
| 24.32500.9131.00.00.18003 | Human Resources                    | 6,343   | (1)      | 6,342   |
| 24.32500.9131.00.00.18005 | Human Resources                    | 4,273   | (1,154)  | 3,119   |
| 24.32500.9131.00.00.18006 | Human Resources                    | 6,343   | (345)    | 5,998   |
| 24.32500.9131.00.00.18007 | Human Resources                    | 6,343   | (227)    | 6,116   |
| 24.32500.9131.00.00.18018 | Human Resources                    | 7,388   | (906)    | 6,482   |
| 24.32500.9131.00.00.18048 | Human Resources                    | 3,238   | (2,005)  | 1,233   |
| 24.32500.9131.00.00.18049 | Human Resources                    | 6,343   | 715      | 7,058   |
| 24.32500.9131.00.00.18071 | Human Resources                    | 2,750   | (1,340)  | 1,410   |
| 21.32500.9141.00.00.00000 | Service and Information            | 977     | 1,443    | 2,420   |
| 21.32500.9141.00.00.18005 | Service and Information            | 977     | (264)    | 713     |
| 21.32500.9141.00.00.18006 | Service and Information            | 977     | (53)     | 924     |

|                           |                              |         |          |         |
|---------------------------|------------------------------|---------|----------|---------|
| 21.32500.9141.00.00.18007 | Service and Information      | 977     | (35)     | 942     |
| 21.32500.9141.00.00.18018 | Service and Information      | 977     | (120)    | 857     |
| 21.32500.9141.00.00.18048 | Service and Information      | 977     | (605)    | 372     |
| 21.32500.9141.00.00.18049 | Service and Information      | 977     | 110      | 1,087   |
| 21.32500.9141.00.00.18071 | Service and Information      | 977     | (476)    | 501     |
| 25.32500.9151.00.00.00000 | Finance and Administration   | 2,512   | 2,116    | 4,628   |
| 25.32500.9151.00.00.18005 | Finance and Administration   | 1,622   | (438)    | 1,184   |
| 25.32500.9151.00.00.18006 | Finance and Administration   | 2,374   | (129)    | 2,245   |
| 25.32500.9151.00.00.18007 | Finance and Administration   | 3,277   | (117)    | 3,160   |
| 25.32500.9151.00.00.18018 | Finance and Administration   | 3,126   | (383)    | 2,743   |
| 25.32500.9151.00.00.18048 | Finance and Administration   | 1,216   | (753)    | 463     |
| 25.32500.9151.00.00.18049 | Finance and Administration   | 2,374   | 268      | 2,642   |
| 25.32500.9151.00.00.18071 | Finance and Administration   | 1,158   | (564)    | 594     |
| 34.34500.6311.00.00.18028 | Printing External            | 11,500  | (5,000)  | 6,500   |
| 34.34500.6877.00.00.18028 | Hire Rent Equip Veh Ext      | 20,000  | (5,000)  | 15,000  |
| 34.34500.6865.00.00.18028 | Sundry Material Expenses     | 23,000  | (4,000)  | 19,000  |
| 34.34500.6822.00.00.18028 | Contracted Services - Artist | 24,800  | 15,000   | 39,800  |
| 34.34500.6823.00.00.18028 | Contracted Services          | 20,000  | 14,238   | 34,238  |
| 34.34500.6821.00.00.18073 | Advertising Promotions       | 73,000  | (8,000)  | 65,000  |
| 34.34500.6865.00.00.18073 | Sundry Material Expenses     | 21,785  | (16,000) | 5,785   |
| 34.34500.6823.00.00.18073 | Contracted Services          | 122,000 | 16,000   | 138,000 |
| 34.34500.6881.00.00.18073 | Catering Non Employee        | 2,000   | 8,000    | 10,000  |
| 34.34600.6823.00.00.18028 | Contracted Services          | 23,000  | 5,000    | 28,000  |
| 34.34600.6865.00.00.18028 | Sundry Material Expenses     | 17,100  | 5,000    | 22,100  |
| 34.34700.6856.00.00.18028 | Purchase of Trading Stock    | 145,000 | 10,000   | 155,000 |
| 34.34700.6823.00.00.18057 | Contracted Services          | 1,500   | 5,000    | 6,500   |
| 34.34700.6865.00.00.18080 | Sundry Material Expenses     | 5,000   | 5,000    | 10,000  |
| 34.34700.6822.00.00.18057 | Contracted Services -        | 12,000  | 10,000   | 22,000  |

|                             |                              |         |           |         |
|-----------------------------|------------------------------|---------|-----------|---------|
|                             | <b>Artist</b>                |         |           |         |
| 34.34300.6823.00.00.18028   | Contracted Services          | 85,000  | (85,000)  | -       |
| 22.34300.6835.00.00.00000   | Internet Charged to BUs      | 200     | (200)     | -       |
| 34.34300.6865.00.00.18028   | Sundry Material Expenses     | 5,000   | (5,000)   | -       |
| 34.34300.6877.00.00.18028   | Hire Rent Equip Veh Ext      | 53,000  | (53,000)  | -       |
| 34.34300.6881.00.00.18028   | Catering Non Employee        | 5,000   | (5,000)   | -       |
| 34.34700.6823.00.00.18080   | Contracted Services          | -       | 85,000    | 85,000  |
| 22.34700.6835.00.00.00000   | Internet Charged to BUs      | -       | 200       | 200     |
| 34.34700.6865.00.00.18080   | Sundry Material Expenses     | -       | 5,000     | 5,000   |
| 34.34700.6877.00.00.18080   | Hire Rent Equip Veh Ext      | -       | 53,000    | 53,000  |
| 34.34700.6881.00.00.18080   | Catering Non Employee        | -       | 5,000     | 5,000   |
| 34.34300.6856.00.00.18028   | Purchase of Trading Stock    | 145,000 | (145,000) | -       |
| 34.34700.6856.00.00.18028   | Purchase of Trading Stock    | -       | 145,000   | 145,000 |
| 22.34300.9121.00.00.00000   | Information Technolgy        | 16,797  | (16,797)  | -       |
| 24.34300.9131.00.00.00000   | Human Resources              | 9,751   | (9,751)   | -       |
| 25.34300.9151.00.00.00000   | Finance and Administration   | 10,008  | (10,008)  | -       |
| 22.34700.9121.00.00.00000   | Information Technolgy        | -       | 16,797    | 16,797  |
| 24.34700.9131.00.00.00000   | Human Resources              | -       | 9,751     | 9,751   |
| 25.34700.9151.00.00.00000   | Finance and Administration   | 4,611   | 10,008    | 14,619  |
| 34.34700.6822.00.00.18028   | Contracted Services - Artist | 5,000   | (5,000)   | -       |
| 34.34700.6823.00.00.18028   | Contracted Services          | 7,500   | (7,500)   | -       |
| 34.34700.6865.00.00.18028   | Sundry Material Expenses     | 2,500   | (2,500)   | -       |
| 34.34700.6877.00.00.18028   | Hire Rent Equip Veh Ext      | 20,000  | (20,000)  | -       |
| 34.34700.6822.00.00.18081   | Contracted Services - Artist | -       | 5,000     | 5,000   |
| 34.34700.6823.00.00.18081   | Contracted Services          | -       | 7,500     | 7,500   |
| 34.34700.6865.00.00.18081   | Sundry Material Expenses     | -       | 2,500     | 2,500   |
| 34.34700.6877.00.00.18081   | Hire Rent Equip Veh Ext      | -       | 20,000    | 20,000  |
| 35.35200.6855.00.00.00000   | Minor Assets under \$1,000   | 7,500   | 2,500     | 10,000  |
| 35.35500.6161.02.61.00000   | FurnEquip Maintenance        | 80,000  | 10,000    | 90,000  |
| 35..35____.7111.00.00.00000 | Labour costs                 | -       | 6,105     | 6,105   |

|  |   |                  |               |                  |
|--|---|------------------|---------------|------------------|
| 35.35200.6823.03.62.00000                          | Contracted Services - Capital Works - New Computer Hardware | -                | 2,723         | 2,723            |
| 35.35200.1566.04.61.00000                          | FurnEquip Capital Expenditure - Re-New Re-Furbishment       | -                | 5,520         | 5,520            |
| 35.35100.7111.00.00.00000                          | Labour Costs Ordinary                                       | 447,031          | (32,000)      | 415,031          |
| 35.35300.7111.00.00.00000                          | Labour Costs Ordinary                                       | 427,029          | (35,000)      | 392,029          |
| 35.35500.7111.00.00.00000                          | Labour Costs Ordinary                                       | 558,037          | (35,000)      | 523,037          |
| 35.35200.6874.00.00.00000                          | Lease Operating   | 45,000           | (8,000)       | 37,000           |
| 62.35100.5821.01.92.11024                          | Electricity Consumption                                     | 118,349          | (18,349)      | 100,000          |
| 62.35100.5822.01.92.11024                          | Gas Consumption   | 170,000          | (20,000)      | 150,000          |
|  |   |                  |               |                  |
| <b>Totals:</b>                                     |   | <b>(550,911)</b> | <b>59,820</b> | <b>(491,133)</b> |
|  |   |                  |               |                  |
| <b>Net Variation to Budget – Deficit/(Surplus)</b> |   |                  | <b>59,820</b> |                  |

**Schedule of Variations for Planning Services Directorate**

| Account String (Budget amount refers to this account) | Budget Category/Sub Category     | Existing Budget Expenditure /(Revenue) | Variation to Budget Expenditure /(Revenue) | Revised Budget Expenditure /(Revenue) |
|---|----------------------------------|--|--|---------------------------------------|
| Revenue   |                                  |  |  |                                       |
| 54.52110.4441.00.00.00000                             | Fee Fine Penalty                 | (25,500)                               | (241,000)                                  | (265,500)                             |
| 54.52200.4481.00.00.00000                             | Fee License or Permit            | (270,000)                              | 60,000                                     | (210,000)                             |
| 54.52310.4481.00.00.00000                             | Fee License or Permit            | (290,000)                              | (20,000)                                   | (310,000)                             |
| 54.52310.4541.00.00.00000                             | Fee Other                        | (10,000)                               | (5,000)                                    | (15,000)                              |
| 54.52310.4581.00.00.00000                             | Fee Prop Rating                  | (65,000)                               | (10,000)                                   | (75,000)                              |
| 53.53130.4313.00.00.00000                             | Grant Operating Other Gov Agency | -                                      | (30,000)                                   | (30,000)                              |
| Expenditure   |                                  |  |  |                                       |
| 54.52110.6816.00.00.00000                             | Legal Expenses                   | 115,000                                | 25,000                                     | 140,000                               |
| 52.52100.7111.00.00.00000                             | Labour Costs Ordinary            | 914,040                                | (104,421)                                  | 809,619                               |
| 52.52100.7141.00.00.00000                             | Leave Accrual Annual Leave       | 90,010                                 | (11,042)                                   | 78,968                                |
| 52.52100.7143.00.00.00000                             | Superannuation COF               | 110,040                                | (9,992)                                    | 100,048                               |
| 52.52100.7144.00.00.00000                             | WorkersComp Prem Recovery        | 17,996                                 | (2,039)                                    | 15,957                                |
| 54.52200.7111.00.00.00000                             | Labour Costs Ordinary            | 229,046                                | 104,421                                    | 333,467                               |
| 54.52200.7141.00.00.00000                             | Leave Accrual Annual Leave       | 31,020                                 | 11,042                                     | 42,062                                |
| 54.52200.7143.00.00.00000                             | Superannuation COF               | 26,768                                 | 9,992                                      | 36,760                                |
| 54.52200.7144.00.00.00000                             | WorkersComp Prem Recovery        | 4,628                                  | 2,039                                      | 6,667                                 |
| 53.53110.6816.00.00.00000                             | Legal Expenses                   | 25,000                                 | 40,000                                     | 65,000                                |
| 53.53110.6823.00.00.00000                             | Contracted Services              | 267,960                                | (70,000)                                   | 197,960                               |
| 53.53130.4212.00.00.00000                             | Grant Capital Federal            | -                                      | 30,000                                     | 30,000                                |

|  |                            |                  |                  |                  |
|--|----------------------------|------------------|------------------|------------------|
| <b>53.53130.6824.00.00.00000</b>                   | <b>Consulting Services</b> | <b>40,000</b>    | <b>30,000</b>    | <b>70,000</b>    |
| <b>53.53100.6823.00.00.00000</b>                   | <b>Contracted Services</b> | <b>100,000</b>   | <b>20,000</b>    | <b>120,000</b>   |
| <b>51.51100.6823.00.00.00000</b>                   | <b>Contracted Services</b> | <b>-</b>         | <b>15,000</b>    | <b>15,000</b>    |
| <b>Totals:</b>                                     |                            | <b>1,311,008</b> | <b>(156,000)</b> | <b>1,156,000</b> |
| <b>Net Variation to Budget – Deficit/(Surplus)</b> |                            |                  | <b>(156,000)</b> |                  |

**Schedule of Variations for Technical Services Directorate**

| <b>Account String (Budget amount refers to this account)</b> | <b>Budget Category/Sub Category</b>              | <b>Existing Budget Expenditure /(Revenue)</b> | <b>Variation to Budget Expenditure /(Revenue)</b> | <b>Revised Budget Expenditure /(Revenue)</b> |
|--|--|---|---|--|
| <b>Revenue</b>   |  |   |   |  |
| <b>62.25410.2517.00.30.11008</b>                             | <b>Loans NC External Funded New Loans Raised</b> | <b>(150,000)</b>                              | <b>150,000</b>                                    | <b>-</b>                                     |
| <b>63.67120.4188.00.52.18031</b>                             | <b>Revenue Sundry</b>                            | <b>(5,000)</b>                                | <b>(5,700)</b>                                    | <b>(10,700)</b>                              |
| <b>Expenditure</b>   |  |   |   |  |
| <b>62.62100.6825.00.00.00000</b>                             | <b>Agency Labour Hire</b>                        | <b>-</b>                                      | <b>90,000</b>                                     | <b>90,000</b>                                |
| <b>63.66200.6825.00.00.00000</b>                             | <b>Agency Labour Hire</b>                        | <b>-</b>                                      | <b>70,000</b>                                     | <b>70,000</b>                                |
| <b>62.62100.7111.00.00.00000</b>                             | <b>Labour Costs Ordinary</b>                     | <b>1,301,362</b>                              | <b>(90,000)</b>                                   | <b>1,211,362</b>                             |
| <b>63.66200.7111.00.00.00000</b>                             | <b>Labour Costs Ordinary</b>                     | <b>403,350</b>                                | <b>(70,000)</b>                                   | <b>333,350</b>                               |
| <b>62.62100.7111.00.00.18082</b>                             | <b>Labour Costs Ordinary</b>                     | <b>-</b>                                      | <b>7,400</b>                                      | <b>7,400</b>                                 |
| <b>62.62100.7143.00.00.18082</b>                             | <b>Superannuation COF</b>                        | <b>-</b>                                      | <b>600</b>  | <b>600</b>                                   |
| <b>61.61100.6823.00.00.00000</b>                             | <b>Contracted Services</b>                       | <b>40,000</b>                                 | <b>10,500</b>                                     | <b>50,500</b>                                |
| <b>Totals:</b>   |  | <b>1,589,712</b>                              | <b>162,800</b>                                    | <b>1,752,512</b>                             |
| <b>Net Variation to Budget – Deficit/(Surplus)</b>           |  |   | <b>162,800</b>                                    |  |

**Schedule of Variations for Works and Assets Projects with related Funding Activities**

| <b>Account String (Budget amount refers to this account)</b> | <b>Budget Category/Sub Category</b>             | <b>Existing Budget Expenditure /(Revenue)</b> | <b>Variation to Budget Expenditure /(Revenue)</b> | <b>Revised Budget Expenditure /(Revenue)</b> |
|--|---|---|---|--|
| <b>Task Number</b>   | <b>Task Description</b>                         |   |   |  |
| <b>Roads</b>   |   |   |   |  |
| <b>RC0000275</b>   | <b>William Street contra flow</b>               | <b>73,000</b>                                 | <b>33,000</b>                                     | <b>106,000</b>                               |
| <b>RC0000273</b>   | <b>South Terrace bike lanes</b>                 | <b>90,200</b>                                 | <b>30,000</b>                                     | <b>120,200</b>                               |
| <b>RC0000287</b>   | <b>Phillimore St - Parking for bike lanes</b>   | <b>45,000</b>                                 | <b>25,000</b>                                     | <b>70,000</b>                                |
| <b>RC0000189</b>   | <b>Const Phillimore St - Market St to Cliff</b> | <b>109,943</b>                                | <b>55,000</b>                                     | <b>164,943</b>                               |
| <b>RC0000288</b>   | <b>Pensioner Guard car</b>                      | <b>62,000</b>                                 | <b>34,000</b>                                     | <b>96,000</b>                                |

|                           |   |             |           |          |
|---------------------------|---|-------------|-----------|----------|
|                           | <b>bays</b>                                     |             |           |          |
| RC0000203                 | Const Port Beach Rd-<br>Walter Pl to Tydema     | 32,600      | 110,000   | 142,600  |
| 62.62100.4211.00.93.00000 | Grant Capital State                             | (1,342,059) | (110,000) | (1,452,0 |
| RC0000204                 | Const SUP Train Line -<br>Pearse to Congd       | 33,633      | 44,367    | 78,000   |
| 62.62100.4211.00.93.00000 | Grant Capital State                             | (1,452,059) | (24,650)  | (1,476,7 |
| PC0000280                 | Stage 2 Phillimore St<br>Master Plan            | 100,000     | (77,127)  | 22,873   |
| PC0000281                 | Stage 2 Phillimore St<br>Master Plan            | 119,248     | (92,928)  | 26,320   |
| RC0000289                 | Carparking Guidance<br>system                   | 300,000     | 117,000   | 417,000  |
| 90.90000.2273.00.00.14002 | Restricted Cash                                 | -           | (287,695) | (287,695 |
| 62.62100.3111.00.93.00000 | Financial Reserve<br>Transfer from_Capital      | (538,841)   | 170,695   | (368,146 |
| RC0000284                 | Redevelopment of<br>carpark lighting            | 55,000      | 21,000    | 76,000   |
| 62.62100.3111.00.93.00000 | Financial Reserve<br>Transfer from_Capital      | (368,146)   | (21,000)  | (389,146 |
| RC0000294                 | South Tce - High St -<br>Norfolk St             | 322,146     | 142,854   | 465,000  |
| RC0000187                 | Const High St - Market<br>St to Cliff St        | 155,861     | 35,000    | 190,861  |
| RC0000191                 | Const Beach St - Parry<br>St -Peter Hughes      | 137,314     | 72,686    | 210,000  |
| RC0000265                 | Road resurfacing -<br>Queen St                  | 90,000      | (50,000)  | 40,000   |
| RC0000269                 | Carrington St East<br>(LeachHwy-<br>McGregorRd) | 17,775      | 29,225    | 47,000   |
| RC0000270                 | Carrington St (Watkins<br>St to Gallop St)      | 17,728      | 23,272    | 41,000   |
| RC0000271                 | Ord St (Finnerty St to<br>Ellen St)             | 48,632      | 7,368     | 56,000   |
| RC0000186                 | Const Parry St - Queen<br>Vic St to Beac        | 30,905      | 36,095    | 67,000   |
|                           | Extra works Market St                           | -           | 143,000   | 143,000  |
| 62.62100.4214.00.93.00000 | Grant Capital Non Govt<br>Organisation          | -           | (17,000)  | (17,000) |
| RC0000306                 | Street Vision: Market<br>St/South Tce           | 150,000     | 45,000    | 195,000  |
| RC0000300                 | Forrest Wilkinson<br>Roundabout SBS             | 179,700     | 36,300    | 216,000  |
| RC0000197                 | Const SBS - High St /<br>East St- Swanb         | 20,000      | (16,000)  | 4,000    |
| RC0000266                 | Letchford<br>St/Winterfold Rd -<br>Roundabout   | 52,000      | (40,000)  | 12,000   |

|                           |  |             |           |           |
|---------------------------|--|-------------|-----------|-----------|
| RC0000298                 | Letchford St/Winterfold Rd - Roundabout                    | 25,000      | (7,000)   | 18,000    |
| RC0000259                 | Letchford St/Winterfold Rd Roundabout                      | 40,000      | 155,000   | 195,000   |
| RC0000258                 | McCombe Ave/South St Signals                               | 95,000      | 295,000   | 390,000   |
| 62.62100.4211.00.93.00000 | Grant Capital State  | (1,476,709) | (291,966) | (1,768,6  |
| PC0000320                 | Stirling Highway/ Harvest Rd verge landscape upgrade works | -           | 20,000    | 20,000    |
| <b>Drains</b>             |  |             |           |           |
| DC0000108                 | 73 Hampton Rd (Renew)                                      | 40,000      | 38,500    | 78,500    |
| DC0000112                 | Phillimore St Main Drain and CBD Disc                      | 50,000      | (38,500)  | 11,500    |
| <b>Parks</b>              |  |             |           |           |
| PC0000301                 | EcoZone Projects Frem Stage 1 (Renew)                      | 175,000     | (174,100) | 900       |
| PC0000279                 | Stg 2 Mews Rd, Esp Pk & Marine Tce extn                    | 250,000     | (200,000) | 50,000    |
| PC0000292                 | South Beach Universal Access Ramp, progr                   | 120,000     | (100,000) | 20,000    |
| 63.66200.4211.00.97.12061 | Grant Capital State  | (120,000)   | 120,000   | -         |
| PC0000270                 | Harvey Beach river wall reconstruction                     | 175,000     | (155,000) | 20,000    |
| 63.66200.4211.00.97.12047 | Grant Capital State  | (175,000)   | 175,000   | -         |
| PC0000266                 | Cantonment Hill - Masterplan Stg 1                         | 50,000      | 200,000   | 250,000   |
| 63.66200.3111.00.97.12009 | Financial Reserve Transfer from_Capital                    | (50,000)    | (200,000) | (250,000) |
| PC0000321                 | South Beach basketball court works                         | -           | 55,000    | 55,000    |
| PC0000296                 | Playground Renewal - general                               | 75,000      | (20,000)  | 55,000    |
| <b>Buildings</b>          |  |             |           |           |
| BC0000595                 | Leisure Centre - lights replacement (New Project)          | -           | 50,000    | 50,000    |
| 62.35100.3111.00.92.11024 | Financial Reserve Transfer from_Capital                    | (1,271,000) | (50,000)  | (1,321,0  |
| BC0000442                 | Leisure Ctr-Replace 25m inflatable                         | 10,000      | 12,500    | 22,500    |
| BC0000591                 | Bruce Lee Clubrms Floor/toilet Replacemt                   | 10,000      | 8,000     | 18,000    |
| BC0000596                 | Fremantle Bowling Club ceiling/gutter replacement (NEW     | -           | 35,000    | 35,000    |

|                                 | PROJECT)  |             |           |           |
|---------------------------------|---|-------------|-----------|-----------|
| BC0000597                       | Cantonment Hill buildings assessments               | -           | 50,000    | 50,000    |
| 63.66200.3111.00.97.12009       | Financial Reserve Transfer from_Capital             | (250,000)   | (50,000)  | (300,000) |
| BC0000594                       | Civic Admin building - office fitout (NEW PROJECT)) | -           | 40,000    | 40,000    |
| BC0000594                       | Civic Admin building - office fitout (NEW PROJECT)) | -           | 20,000    | 20,000    |
| BC0000303                       | Civic Admin Roof Repair -                           | 40,000      | (20,000)  | 20,000    |
| BC0000116                       | Fremantle Markets - Drainage                        | 393,792     | (107,029) | 286,763   |
| BQO50003                        | QUARANTINE-Disability/Genrl Access Upgds            | 35,000      | (35,000)  | -         |
| BQO50005                        | QUARANTINE-RCD compliance & upgrades                | 10,000      | (10,000)  | -         |
| BQO50006                        | QUARANTINE-Fire detection & equipmt                 | 25,000      | (25,000)  | -         |
| BC-0000601                      | Arthur Head facility disability upgrade             | -           | 35,000    | 35,000    |
| BC-0000602                      | Hilton Upper clubroom RCD for power boar            | -           | 10,000    | 10,000    |
| BC-0000603                      | Warawee fire detection panel                        | -           | 25,000    | 25,000    |
| <b>Parks</b>                    |   |             |           |           |
| PC0000181                       | Esplanade Park Development                          | 600,000     | (526,300) | 73,700    |
| 63.66200.3111.00.97.12018       | Financial Reserve Transfer from_Capital             | (600,000)   | 526,300   | (73,700)  |
| PC0000276                       | Redevelop Bathers Bch & Arthur Head                 | 75,000      | (70,000)  | 5,000     |
| <b>Infrastructure Buildings</b> |   |             |           |           |
| BC0000467                       | Landscp Oceansd pklns UPGD                          | 350,000     | (328,122) | 21,878    |
| BC0000468                       | Landscp Oceansd pklns New                           | 270,000     | (248,123) | 21,877    |
| 90.90000.3121.00.00.219XX       | Financial Reserve Transfer To                       | -           | 576,245   | 576,245   |
| BC0000466                       | Leighton Kiosk Redevpmt RENEW                       | 950,000     | (937,716) | 12,284    |
| 62.26100.2517.00.92.11060       | Loans NC External Funded New Loans Raised           | (1,100,000) | 950,000   | (150,000) |



|                           |   |             |           |           |
|---------------------------|---|-------------|-----------|-----------|
| BC0000450                 | Arthur Head<br>Infrastructure works             | 150,000     | (50,000)  | 100,000   |
| BC0000465                 | Leighton Kiosk<br>Redevpmt UPGD                 | 150,000     | (150,000) | -         |
| 62.26100.2517.00.92.11060 | Loans NC External<br>Funded New Loans<br>Raised | (150,000)   | 150,000   | -         |
| BC0000511                 | Leisure Ctr-Pool Heat-<br>Detailed Design       | 24,000      | (4,520)   | 19,480    |
| BC0000512                 | Leisure Ctr-Pool Heat-<br>Main capital items    | 970,000     | (956,896) | 13,104    |
| BC0000518                 | Leisure Ctr-VSDs-<br>VSDs                       | 60,000      | (31,409)  | 28,591    |
| BC0000519                 | Leisure Ctr-VSDs-<br>Associated flow<br>meters  | 17,000      | (17,000)  | -         |
| BC0000520                 | Leisure Ctr-Monitor-<br>Full proj exc mtrs      | 52,000      | (52,000)  | -         |
| BC0000521                 | Leisure Ctr-Monitor-<br>Install meters          | 20,000      | (20,000)  | -         |
| BC0000513                 | Leisure Ctr-Pool Heat-<br>Control System        | 48,000      | (48,000)  | -         |
| 62.35100.3111.00.92.11024 | Financial Reserve<br>Transfer from_Capital      | (1,271,000) | 1,129,825 | (141,175) |
| <b>Freehold Buildings</b> |   |             |           |           |
| BC0000480                 | Victoria Hall-Air<br>handling                   | 150,000     | (150,000) | -         |
| 62.26100.2517.00.30.11052 | Loans NC External<br>Funded New Loans<br>Raised | (150,000)   | 150,000   | -         |
| <b>Recurrent costs</b>    |   |             |           |           |
| BXO20007                  | CoF Civic<br>Administration                     | 173,871     | 19,000    | 192,871   |
| BXO20085                  | City Works Whole<br>Building                    | 18,689      | 26,700    | 45,389    |
| BXO20091                  | Round House - Arthur<br>Head                    | 741         | 31,400    | 32,141    |
| BXO20242                  | PublicToilets&Chgrms-<br>LeightonBch            | 9,397       | 39,100    | 48,497    |
| 62.25410.4186.00.30.11008 | Rev Insurance<br>Settlement                     | -           | (19,000)  | (19,000)  |
| 62.63100.4186.00.97.11012 | Rev Insurance<br>Settlement                     | -           | (26,700)  | (26,700)  |
| 63.66200.4186.00.97.12003 | Rev Insurance<br>Settlement                     | -           | (31,400)  | (31,400)  |
| 62.26100.4186.00.00.12053 | Rev Insurance<br>Settlement                     | -           | (39,100)  | (39,100)  |
| <b>Private Works</b>      |   |             |           |           |
| IXG60004                  | NonCOF-64210IOPW                                | 269,040     | (230,000) | 39,040    |

|   |   |                    |                  |                 |
|---|---|--------------------|------------------|-----------------|
| <b>63.64210.4388.06.89.00000</b>                              | <b>Contrib Oper Reinststate<br/>Private Works</b> | <b>(50,000)</b>    | <b>230,000</b>   | <b>180,000</b>  |
| <b>Totals:</b>  |   | <b>(2,145,599)</b> | <b>227,151</b>   | <b>(1,918,4</b> |
| <b>Net Variation to Budget<br/>– Deficit/(Surplus)</b>        |   |                    | <b>227,151</b>   |                 |
| <b>Net Variation to Budget<br/>Review – Deficit/(Surplus)</b> |   |                    | <b>(215,363)</b> |                 |
| <b>Add Budget Deficit/(Surplus)<br/>after Audit</b>           |   |                    | <b>145,338</b>   |                 |
| <b>CURRENT BUDGET<br/>DEFICIT/(SURPLUS)</b>                   |   |                    | <b>(69,975)</b>  |                 |

**CARRIED: 5/0**

| <b>For</b>   | <b>Against</b> |
|--|----------------|
| Mayor, Brad Pettitt<br>Cr Jon Strachan<br>Cr Tim Grey-Smith<br>Cr David Hume<br>Cr Doug Thompson |                |

**SGS1303-6** Interim Change to Fees and Charges during Swimming Pool Construction Period - Leisure Centre

**DataWorks Reference:** 156/005; Fremantle Leisure Centre  
**Disclosure of Interest:** Nil  
**Meeting Date:** 13 March 2013  
**Previous Item:** Nil  
**Responsible Officer:** Marisa Spaziani, Director Community Development  
**Actioning Officer:** John East, Leisure Centre Manager  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**EXECUTIVE SUMMARY**

In January 2013 the City was successful in obtaining a grant from the Department of Sport and Recreation for one million dollars for an upgrade to the existing swimming pools and surrounds. The City's contribution to the project is two million dollars. The preparation of the swimming pools and construction period is estimated to take 6 months. During this period the gym and some group fitness classes will remain operating, while the rest of the services will not be available. The current membership fee entitles members to use the following services – gym/swimming pool /group fitness classes and crèche. It is recommended that a new fee be established during the construction period and an amendment to the current fees and charges offering a one month membership at the direct debit fee up to 31 May 2013.

**BACKGROUND**

The 2012/13 leisure centre health and fitness membership fees and charges as adopted by Council in July 2012:

Table 1

| Health and fitness memberships      |                        |            |          |                       |
|-------------------------------------|------------------------|------------|----------|-----------------------|
| Types of memberships                | Cost – Full membership | Concession | Off peak | Youth (14 – 17 years) |
| Establishment fee                   | \$39.00                | \$39.00    | \$39.00  | \$39.00               |
| Direct debit (minimum 3 month term) | \$60.00                | \$52.00    | \$45.00  | \$45.00               |
| 1 month (paid in full)              | \$119.00               | N/A        | N/A      | N/A                   |
| 6 month (paid in full)              | \$390.00               | \$338.00   | \$292.50 | \$292.50              |
| 12 month (paid in full)             | \$660.00               | \$572.00   | \$495.00 | \$495.00              |

**Full membership** – Full access to all facilities and programs (excluding swim school).

**Concession** – Full access to all facilities and programs (excluding swim school) must be eligible concession card holder

**Of peak** – Access restricted to 11am to 4pm Monday to Friday.

**COMMENT**

With the closure of the swimming pools and the gym remaining open, the current membership fees need to reflect the reduction in services that are offered. It is recommended that new fees be adopted to allow memberships to be renewed and purchased pre-construction and during construction.

Membership renewal for up front members that expire before 31 May 2013:

Table 2

| Health and fitness memberships |                        |            |          |                       |  |
|--------------------------------|------------------------|------------|----------|-----------------------|--|
| Types of memberships           | Cost – Full membership | Concession | Off peak | Youth (14 – 17 years) |  |
| Establishment fee              | N/A                    | N/A        | N/A      | N/A                   | Not applicable as there is no administrative task required |
| 1 month (paid in full)         | \$60.00                | \$52.00    | \$45.00  | \$45.00               | Same as current direct debit fee                           |

New membership fee during construction – Gym Only discounted by 50% from direct debit fee:

Table 3

| Health and fitness memberships                              |                        |            |          |                       |  |
|---|------------------------|------------|----------|-----------------------|--|
| Types of memberships  | Cost – Full membership | Concession | Off peak | Youth (14 – 17 years) |  |
| Establishment fee   | N/A                    | N/A        | N/A      | N/A                   | Not applicable as there is no administrative task required |
| Gym only (includes access to group fitness)<br>Term 1 month | \$30.00                | \$26.00    | N/A      | N/A                   |  |

Members on direct debit option that don't expiry before May 31, last payment will be set in April, therefore expiring in May then if they choose to continue their membership they would purchase a Gym only membership (term 1 month).

Memberships also to be calculated on pro-rata basis if a member is expiring less than 1 month before 31 May 2013.

**RISK AND OTHER IMPLICATIONS**

**Financial**

Reduction in revenue (estimate \$300,000).

**Legal**

Nil

**Operational**

Savings in operational budgets labour/utilities (estimate \$300,000).

**Organisational**

Nil

**CONCLUSION**

It is important that members feel that they are being fairly treated and getting value for money. Management believes that many members will go elsewhere during this period. Offering a fair competitive fee will help retain some of our members.

**STRATEGIC AND POLICY IMPLICATIONS**

Nil

**COMMUNITY ENGAGEMENT**

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required.

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr J Strachan**

**New fees for memberships that expire before 31 May 2013 as outlined in Table 2 and new gym only fee schedule as per Table 3 are adopted in accordance to the Local Government Act 1995:**

**Table 2**

| Health and fitness memberships |                        |            |          |                       |  |
|--------------------------------|------------------------|------------|----------|-----------------------|--|
| Types of memberships           | Cost – Full membership | Concession | Off peak | Youth (14 – 17 years) |  |
| Establishment fee              | N/A                    | N/A        | N/A      | N/A                   | Not applicable as there is no administrative task required |
| 1 month (paid in full)         | \$60.00                | \$52.00    | \$45.00  | \$45.00               | Same as current direct debit fee                           |

**Table 3**

| Health and fitness memberships |                        |            |          |                       |  |
|--------------------------------|------------------------|------------|----------|-----------------------|--|
| Types of memberships           | Cost – Full membership | Concession | Off peak | Youth (14 – 17 years) |  |
|                                |                        |            |          |                       |  |

City of Fremantle

|   |                |                |            |            |   |
|---|----------------|----------------|------------|------------|---|
| <b>Establishment fee</b>  | <b>N/A</b>     | <b>N/A</b>     | <b>N/A</b> | <b>N/A</b> | <b>Not applicable as there is no administrative task required</b> |
| <b>Gym only<br/>(includes access to group fitness)<br/>Term 1 month</b> | <b>\$30.00</b> | <b>\$26.00</b> | <b>N/A</b> | <b>N/A</b> |   |

**CARRIED: 5/0**

| <b>For</b>   | <b>Against</b> |
|--|----------------|
| Mayor, Brad Pettitt<br>Cr Jon Strachan<br>Cr Tim Grey-Smith<br>Cr David Hume<br>Cr Doug Thompson |                |

## **MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil.

## **REPORTS BY THE MAYOR OR OFFICERS OF COUNCIL**

### **STATUTORY COUNCIL ITEMS**

**C1303-01** Monthly Financial Report - February 2013

**DataWorks Reference:** 087/002  
**Disclosure of Interest:** Nil  
**Meeting Date:** Council 27 March 2013  
**Previous Item:** C1302-2 of 27 February 2013  
**Responsible Officer:** Glen Dougall, Director Corporate Services  
**Actioning Officer:** Alan Carmichael, Manager Finance and Administration  
**Decision Making Authority:** Council  
**Agenda Attachments:**  
1. Statement of Financial Activity by Nature to 28 February 2013  
2. Statement of Financial Position to 28 February 2013  
3. Determination of Closing Funds (Net Current Assets) to 28 February 2013  
4. Schedule of Accounts Paid February 2013  
5. Investment Report to 28 February 2013  
6. Debtors Outstanding as at 28 February 2013  
7. Payment Report for February 2013 (**under separate cover**)

### **EXECUTIVE SUMMARY**

**The City adopted its Annual Budget on 25 July 2012 with an estimated municipal surplus of \$80,000.**

**This report highlights any issues that may impact on the financial position to 30 June 2013 and the opening funds for the 2013/2014 Budget.**

### **BACKGROUND**

The 2012/13 Budget was adopted on 25 July 2012 with an estimated municipal cash surplus of \$80,000. Item SGS1212-10 on 19 December 2012 for the Local Government Reform Survey resulted in the surplus being reduced to \$65,000 and item PSC1302-27 on 27 February 2013 for the Kings Square project design competition then reduced the surplus to \$5,000.

The Council at its meeting on Wednesday 25 July 2012 (Item SGS1207-3) adopted nature and type as the preferred reporting format and 2.5% with a threshold of \$200,000 as the level for explanation of variances.

### **COMMENT**

As the mid-year budget review item is included with this agenda this monthly report is only provided to reference the monthly attachments.

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

This report is provided to enable council to keep track of how the allocation of costs is tracking against the budget. It is also provided to identify any issues against budget which council should be informed of.

### **Legal**

Regulation 13 (Financial Management) under section 6.10 of the Local Government Act 1995 (Listing of Accounts Paid).

Regulation 34 (Financial Management) under section 6.4 of the Local Government Act 1995 (Financial Report by Nature and Explanation of Variances).

### **Operational**

This report is provided to council to keep track of the operational issues affecting the implementation of projects and activities provided for under the 2012/13 adopted budget by reporting actual revenue and expenditure against budget.

### **Organisational**

No direct impact but results year to date may highlight matters that have arisen or may need to be addressed in the future.

## **CONCLUSION**

The financial statements as attached are received.

## **STRATEGIC AND POLICY IMPLICATIONS**

Nil

## **COMMUNITY ENGAGEMENT**

Nil

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

## **OFFICER'S RECOMMENDATION**

**The City of Fremantle Financial Report for the period ended 28 February, 2013 is received.**



## **C1303-02 ANNUAL COMPLIANCE AUDIT RETURN 2013**

|                                   |   |
|-----------------------------------|---|
| <b>DataWorks Reference:</b>       | 102/004   |
| <b>Disclosure of Interest:</b>    | Nil   |
| <b>Meeting Date:</b>              | 11 March, 2013  |
| <b>Previous Item:</b>             | AC1103-2-1 of 30 March 2011   |
| <b>Responsible Officer:</b>       | Glen Dougall, Director Corporate Services                                     |
| <b>Actioning Officer:</b>         | Melody Foster, Governance Officer   |
| <b>Decision Making Authority:</b> | Council   |
| <b>Attachments:</b>               | Compliance Audit Return for 2012<br>Notes to the Compliance Audit Review 2012 |

### **EXECUTIVE SUMMARY**

**Under section 14 (3A) of the *Local Government (Audit) Regulations 1996*, the audit committee is now required to "review the compliance audit return and is to report to the council the results of that review". Only after the audit committee has reported to council can the compliance audit return be adopted by council.**

### **BACKGROUND**

In accordance with the *Local Government Act 1995*, each local government authority is required to carry out a compliance audit for the period 1 January to 31 December in each year as instructed by the Department of Local Government. This year's review included 78 questions in relation to compliance of various parts of the Act.

This process was first introduced in the 1990's and was a voluntary process, since 2000 it has become mandatory. Questions are generally asked in a positive phrase where a 'yes' response indicates compliance and a 'no' response indicates non-compliance in the majority of cases.

### **COMMENT**

The City of Fremantle engaged the services of an external consultant to conduct an independent review of the Statutory Compliance Return (CAR) for 2012. Using an independent consultant ensures the process is transparent and that issues of non-compliance are identified for correction rather than leaving the organisation to always self assess, which may not be as rigorous.

The consultant found that the City's compliance was slightly higher than last year with an achievement of 97.4% with only 2 questions out of the 78 were marked for non-compliance. These are listed below along with notes of interest and notes of an advisory nature prepared by the independent consultant;

## **2012 Compliance Notes**

### **A) Delegation**

*The Delegation register and associated record keeping was of a high standard. The most recent review was conducted in May 2012.*

*It is noteworthy that the City has tightened up its management systems to match its delegations to employees with its control over the lodgement of primary and annual financial returns by the relevant employees. This requires on-going and consistent diligence due to the number of employees involved.*

*Q6. Delegation 3.38 relating to the Use of the Common Seal does not comply with the requirements of LGA s9.49A*

*This matter had been identified by the City and an amended delegation is being prepared.*

### **B) Disclosure of Interest**

*The management of the Primary and Annual returns and the disclosure of interests at meetings were of a high standard. No examples were noted of the CEO or other officer making a disclosure at a meeting.*

*No example was noted in the minutes of any decision under s5.68(1).*

*Q5. Three employees had not submitted a Primary Return within three months of their start date.*

*Q7. One employee on extended sick leave had not lodged an annual return. It is not considered that this represents non-compliance and is noted for information only.*

*The management system and increased awareness of the need for constant monitoring of this requirement is working well.*

### **C) Tenders**

*The tender process is thorough and supported by comprehensive documentation. The City is also using the WALGA Purchasing Service and its Tender bureau service.*

*The "Tender Register" is a public document that may be inspected during office hours, and therefore caution is required to ensure that only the necessary statutory information is recorded in the record available to the public and that any confidential or sensitive information is not included in the register.*

### **D) General**

*The City has well documented policies and procedures. It is to be expected that there will be some human error and inconsistency particularly due to the sheer volume of information and activity taking place. The standard of compliance has improved*

*consistently in recent years and indicates that the CEO has placed a greater emphasis on achieving a high level of compliance.*

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

Nil.

### **Legal**

In accordance with section 7.13 (i) of the Local Government Act 1995 and regulations 13, 14 and 15 of the Local Government (Audit) Regulations 1996, local governments are required to carry out an audit of compliance for the period 1 January to 31 December in each year. After carrying out the compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

After the audit committee has reported to council the compliance audit return is to be;

- (a) presented to the council at a meeting of the council;
- (b) adopted by the council; and
- (c) recorded in the minutes of the meeting of which it is adopted.

The return is to be signed by the Mayor and Chief Executive Officer and is to be submitted to the Executive Director of the Department of Local Government and Regional Development by 31 March following the period to which the return relates.

### **Operational**

Nil.

### **Organisational**

Nil.

## **CONCLUSION**

Of the 78 questions contained in the 2012 Compliance Audit Return, 2 questions have been answered in the negative. This represents 97.4% compliance. Of the 2 questions answered in the negative, they were generally answered with substantial compliance but with small components not completed strictly in accordance with the Act. Over the previous 5 year period, the City has achieved ratings of 96%, 99%, 97.5%, 96% and 96%.

## **STRATEGIC AND POLICY IMPLICATIONS**

Nil.

## **COMMUNITY ENGAGEMENT**

Nil.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION**

- 1. Council adopt the completed Compliance Audit Return of the City of Fremantle for the period 1 January 2012 to 31 December 2012 as attached to this Council agenda and accept the actions for correction as contained within this report, and**
- 2. Council approve the Mayor and Chief Executive Officer signing the joint certification of the City of Fremantle 2012 Compliance Audit Return and forward of the completed document to the Executive Director of the Department of Local Government and Regional Development.**

## **COUNCIL ITEMS**

### **C1303-03 Strategic Plan Progress Report - February 2013**

|                                   |   |
|-----------------------------------|---|
| <b>DataWorks Reference:</b>       | 030/017   |
| <b>Disclosure of Interest:</b>    | Nil   |
| <b>Meeting Date:</b>              | 27 March 2013   |
| <b>Previous Item:</b>             | C1302-4   |
| <b>Responsible Officer:</b>       | Graeme Mackenzie, Chief Executive Officer                             |
| <b>Actioning Officer:</b>         | Glen Dougall, Director Corporate Services                             |
| <b>Decision Making Authority:</b> | Council   |
| <b>Agenda Attachments:</b>        | Strategic Plan Progress Report - February 2013 (under separate cover) |

## **EXECUTIVE SUMMARY**

**Council adopted its current strategic plan in June 2010 and reviewed these priorities in February 2011. One of the key projects of the plan was to commence a reporting regime that informed the council and community of progress against the achievements of the plan.**

**The report format shows in graph form the target and actual completion of percentages cumulatively each month, the planned commencement and completion dates, and a comment from the responsible director for each project. The report also has easy to read indicators for each project and summary indicators showing overall progress against each of the strategic imperative areas from the plan.**

**The report ensures the City remains focused on its strategic imperatives. The report is provided for information and discussion as appropriate.**

## **BACKGROUND**

Council adopted its current strategic plan in June 2010, with a review in February 2011 as part of an annual process of review. The plan contains seven 'strategic imperative areas' within which there are a number of projects that the council determined were priority projects to achieve the outcomes it sought in each of these strategic areas.

One of the strategic areas is organisational capability. The focus of this area is to ensure the City is capable of delivering the outcomes identified in the plan within the expected timeframes. A key part of that is to ensure that progress on these projects within the strategies are regularly monitored and reported on by officers and overseen by council to ensure the focus is maintained.

## **COMMENT**

**2.1.3.32 - Conduct examination of scheme provisions to encourage redevelopment of North Fremantle Town Centre (Queen Victoria Street) and proceed with amendments if supported**

Priority has been given to other strategic planning projects.

### **2.1.3.37 - Prepare Streetscape Enhancement Plan for revitalisation of Hilton Village**

Not yet commenced.

### **7.3.1.30 - Performance review of council decision making processes and structures**

This process is still to be undertaken.

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

Nil.

### **Legal**

Local Governments are required to develop and maintain a strategic plan (for the moment known as a plan for the future).

### **Operational**

Further development of the internal systems is being undertaken to ensure proper alignment with the local government reform agenda and reporting of progress for strategic projects.

### **Organisational**

The whole organisation is involved in the delivery of the strategic plan. Organisational capacity and focus on achievement is recognised as a critical success factor in the plan. Reporting against progress on projects the council has identified as priorities is critical in sustaining the focus and reviewing capacity along the way.

## **CONCLUSION**

The City of Fremantle Strategic Plan progress report for February 2013 is noted.

## **STRATEGIC AND POLICY IMPLICATIONS**

As discussed within this report.

## **COMMUNITY ENGAGEMENT**

Nil.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**OFFICER'S RECOMMENDATION**

**That Council receives the Strategic Plan Progress Report for February 2013.**

**CONFIDENTIAL MATTERS**

Nil.



## SUMMARY GUIDE TO CITIZEN PARTICIPATION & CONSULTATION

The Council adopted a Community Engagement Policy in December 2010 to give effect to its commitment to involving citizens in its decision-making processes.

The City values community engagement and recognises the benefits that can flow to the quality of decision-making and the level of community satisfaction.

Effective community engagement requires total clarity so that Elected Members, Council officers and citizens fully understand their respective rights and responsibilities as well as the limits of their involvement in relation to any decision to be made by the City.

| <b>How consultative processes work at the City of Fremantle</b>          |   |
|--|---|
| <b>The City's decision makers</b>  | 1 The Council, comprised of Elected Members, makes policy, budgetary and key strategic decisions while the CEO, sometimes via on-delegation to other City officers, makes operational decisions.  |
| <b>Various participation opportunities</b>                               | 2 The City provides opportunities for participation in the decision-making process by citizens via its council appointed working groups, its community precinct system, and targeted community engagement processes in relation to specific issues or decisions.  |
| <b>Objective processes also used</b>                                     | 3 The City also seeks to understand the needs and views of the community via scientific and objective processes such as its bi-ennial community survey.   |
| <b>All decisions are made by Council or the CEO</b>                      | 4 These opportunities afforded to citizens to participate in the decision-making process do not include the capacity to make the decision. Decisions are ultimately always made by Council or the CEO (or his/her delegated nominee).   |
| <b>Precinct focus is primarily local, but also city-wide</b>             | 5 The community precinct system establishes units of geographic community of interest, but provides for input in relation to individual geographic areas as well as on city-wide issues.  |
| <b>All input is of equal value</b>                                       | 6 No source of advice or input is more valuable or given more weight by the decision-makers than any other. The relevance and rationality of the advice counts in influencing the views of decision-makers.   |
| <b>Decisions will not necessarily reflect the majority view received</b> | 7 Local Government in WA is a representative democracy. Elected Members and the CEO are charged under the Local Government Act with the responsibility to make decisions based on fact and the merits of the issue without fear or favour and are accountable for their actions and decisions under law. Elected Members are accountable to the people via periodic elections. As it is a representative democracy, decisions may not be made in favour of the majority view expressed via consultative processes. Decisions must also be made in accordance with any statute that applies or within the parameters |

| <b>How consultative processes work at the City of Fremantle</b> |  |
|---|--|
|   | of budgetary considerations. All consultations will clearly outline from the outset any constraints or limitations associated with the issue.  |
| <b>Decisions made for the overall good of Fremantle</b>         | 8 The Local Government Act requires decision-makers to make decisions in the interests of “the good government of the district”. This means that decision-makers must exercise their judgment about the best interests of Fremantle as a whole as well as about the interests of the immediately affected neighbourhood. This responsibility from time to time puts decision-makers at odds with the expressed views of citizens from the local neighbourhood who may understandably take a narrower view of considerations at hand. |
| <b>Diversity of view on most issues</b>                         | 9 The City is wary of claiming to speak for the ‘community’ and wary of those who claim to do so. The City recognises how difficult it is to understand what such a diverse community with such a variety of stakeholders thinks about an issue. The City recognises that, on most significant issues, diverse views exist that need to be respected and taken into account by the decision-makers.  |
| <b>City officers must be impartial</b>                          | 10 City officers are charged with the responsibility of being objective, non-political and unbiased. It is the responsibility of the management of the City to ensure that this is the case. It is also recognised that City officers can find themselves unfairly accused of bias or incompetence by protagonists on certain issues and in these cases it is the responsibility of the City’s management to defend those City officers.   |
| <b>City officers must follow policy and procedures</b>          | 11 The City’s community engagement policy identifies nine principles that apply to all community engagement processes, including a commitment to be clear, transparent, responsive, inclusive, accountable and timely. City officers are responsible for ensuring that the policy and any other relevant procedure is fully complied with so that citizens are not deprived of their rights to be heard.   |

**How consultative processes work at the City of Fremantle**

|   |   |
|---|---|
| <p><b>Community engagement processes have cut-off dates that will be adhered to.</b></p>  | <p>1 As City officers have the responsibility to provide<br/>2 objective, professional advice to decision-makers,<br/>3 they are entitled to an appropriate period of time<br/>4 and resource base to undertake the analysis<br/>5 required and to prepare reports. As a<br/>6 consequence, community engagement processes<br/>7 need to have defined and rigorously observed cut-<br/>8 off dates, after which date officers will not include<br/>9 'late' input in their analysis. In such<br/>10 circumstances, the existence of 'late' input will be<br/>11 made known to decision-makers. In most cases<br/>12 where community input is involved, the Council is<br/>13 the decision-maker and this affords community<br/>14 members the opportunity to make input after the<br/>15 cut-off date via personal representations to<br/>16 individual Elected Members and via presentations<br/>17 to Committee and Council Meetings.</p> |
| <p><b>Citizens need to check for any changes to decision making arrangements made</b></p> | <p>1 The City will take initial responsibility for making<br/>2 citizens aware of expected time-frames and<br/>3 decision making processes, including dates of<br/>4 Standing Committee and Council Meetings if<br/>5 relevant. However, as these details can change,<br/>6 it is the citizens responsibility to check for any<br/>7 changes by visiting the City's website, checking<br/>8 the Fremantle News in the Fremantle Gazette or<br/>9 inquiring at the Customer Service Centre by<br/>10 phone, email or in-person.</p>  |
| <p><b>Citizens are entitled to know how their input has been assessed</b></p>             | <p>1 In reporting to decision-makers, City officers will in<br/>2 all cases produce a community engagement<br/>3 outcomes report that summarises comment and<br/>4 recommends whether it should be taken on board,<br/>5 with reasons.</p>  |
| <p><b>Reasons for decisions must be transparent</b></p>                                   | <p>1 Decision-makers must provide the reasons for<br/>2 their decisions.<br/>3</p>  |
| <p><b>Decisions posted on the City's website</b></p>                                      | <p>1 Decisions of the City need to be transparent and<br/>2 easily accessed. For reasons of cost, citizens<br/>3 making input on an issue will not be individually<br/>4 notified of the outcome, but can access the<br/>5 decision at the City's website under 'community<br/>6 engagement' or at the City Library or Service and<br/>7 Information Centre.</p>  |

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### **Issues that Council May Treat as Confidential**

Section 5.23 of the new Local Government Act 1995, Meetings generally open to the public, states:

1. Subject to subsection (2), the following are to be open to members of the public -
  - a) all council meetings; and
  - b) all meetings of any committee to which a local government power or duty has been delegated.
2. If a meeting is being held by a council or by a committee referred to in subsection (1) (b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:
  - a) a matter affecting an employee or employees;
  - b) the personal affairs of any person;
  - c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - e) a matter that if disclosed, would reveal –
    - i) a trade secret;
    - ii) information that has a commercial value to a person; or
    - iii) information about the business, professional, commercial or financial affairs of a person.  
Where the trade secret or information is held by, or is about, a person other than the local government.
  - f) a matter that if disclosed, could be reasonably expected to -
    - i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
    - ii) endanger the security of the local government's property; or
    - iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety.
  - g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
  - h) such other matters as may be prescribed.
3. A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.





# AGENDA ATTACHMENTS

## Ordinary Meeting of Council

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Wednesday, 27 March 2013, 6.00 pm

**SGS1303-4 DELEGATED AUTHORITY REVIEW 2013  
ATTACHMENT 1**







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**SECTION 1 DELEGATIONS BY COUNCIL TO COMMITTEES IN  
ACCORDANCE WITH SECTION 5.16 OF THE LOCAL  
GOVERNMENT ACT 1995**

---

**1.1 DELEGATION OF POWERS AND DUTIES TO STRATEGIC AND  
GENERAL SERVICES COMMITTEE**

**Delegated Function:**

Council delegates its full powers and duties in accordance within section 5.16 of the Local Government Act 1995 for the following matters;

- i) Initiating advertising in relation to Council Policy, Strategies or Plans.
- ii) Initiating advertising in relation to amendments to or new Local Laws.
- iii) Determining appeals under Part 9 of the Local Government Act.
- iv) Approving interstate travel for staff or elected members where it is within budget.
- v) Approval of quarantined works to be commenced (removal of quarantine status) where within budget.
- vi) Acceptance of Tenders where within budget.
- vii) Approval of Road Closures.
- viii) Appointment of Authorised Officers.
- ix) Approving leases of council property where:
  - (a) The term is a maximum of ten (10) years.
  - (b) A Business Plan is NOT required under the Local Government Act 1995.
- x) Approval for immediate advertising, or storing for later advertising, of Draft Business Plans under section 3.59 of the Local Government Act 1995.
- xi) Authorisation of advertising of conservation and/or master plans.
- xii) Authority to approve closure of council carparks for up to ten (10) days.
- xiii) Approval of transport permits for operation of permit vehicles.
- xiv) Approval of applications for underground power.
- xv) Approval of Traffic Management Plans/items.
- xvi) Approval of new and/or reviewed Asset Management Plans.
- xvii) Approval of Blackspot road funding program.

**Conditions:**

- 1. All delegations to Strategic and General Services Committee are only on the provision that at least 5 members of the Committee vote in favour of the Committee Recommendation.
- 2. This delegation does not over ride any provision under the City of Fremantle Standing Orders Policy.



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**Delegated by the Council to:**  
Strategic and General Services Committee

**Reference:**  
Nil

Adopted: Council 26.04.07 SGS0704-4  
Reviewed: 24.06.09, SGS0906-6





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**SECTION 2 DELEGATIONS BY COUNCIL TO COMMITTEES IN  
ACCORDANCE WITH LEGISLATION OTHER THAN  
LOCAL GOVERNMENT ACT 1995**

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**2.1 DELEGATION OF POWERS AND DUTIES OF PLANNING  
SERVICES COMMITTEE**

**Applicable Legislation:**

Planning and Development Act, 2005  
State Administrative Tribunal Act, 2004  
Local Planning Scheme No. 4  
Metropolitan Region Scheme

**Function Delegated:**

Council delegate the following authority:

- i) Planning Applications including extensions of terms and variations to approvals.
- ii) Response to State Administrative Tribunal.
- iii) Response to WA Planning Commission on planning applications, subdivision applications and subdivision clearances.
- iv) Decisions relating to planning enforcement.

**Conditions:**

1. All delegations to Planning Services Committee are only on the provision that at least 5 members of the committee vote in favour of the committee recommendation.
2. This delegation does not over ride any provision under the City of Fremantle Standing Orders Policy.

**Delegated by the Council to:**

Planning Services Committee

**Reference:**

Nil

Adopted: Council 26.04.07 SGS0704-4, SGS0710-16.  
Reviewed: 24.06.09, SGS0906-5



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**SECTION 3 DELEGATIONS BY COUNCIL TO THE CEO IN ACCORDANCE WITH SECTION 5.42 OF THE LOCAL GOVERNMENT ACT 1995; AND DELEGATIONS BY THE CEO TO EMPLOYEES IN ACCORDANCE WITH SECTION 5.44 OF THE LOCAL GOVERNMENT ACT 1995**

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**3.1 INVESTMENT OF SURPLUS CASH FUNDS**

**Function Delegated:**

Investment of surplus funds in line with Council's current Investment Policy.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)

Manager Finance Services (51401)

**Reference:**

Policy Refers: SG14 – Investments - Property & Other Non-Current Assets.

Policy Refers: SG41 - Investments - Of Surplus & Long Term Cash, Reserves, Current Assets & Other.

Adopted: 19.02.90; Amended: 23.9.91/18.10.93/20.2.95/19.08.96; Reviewed: 18.07.94;  
Approved by CEO: 05.09.96; Replaced: 22.12.97; Replaced: 23.10.00; Repealed & Replaced 11.02.02;  
Reviewed 22.09.03 SDRCP0309-60.; 26.04.07, SGS0704-4, 24.06.09, SGS0906-6



### **3.2 ACCOUNTS FOR PAYMENT - AUTHORISATION OF**

**Function Delegated:**

- (1) Authority under section 6.10 of the Local Government Act 1995 and under Local Government (Financial Management) Regulations 12 and 13 to make payments from the Municipal Fund and Trust Fund.

**Conditions:**

- (1) Two officers are required to authorise any payments.  
(2) Authority to invest funds under Item 3.1 for Investment of Surplus Funds to require the Manager of Finance or Director Corporate Services to be one of the two authorising officers for such payments.

**Delegated by the Council to:**

Chief Executive Officer

**Delegated by the Chief Executive Officer to:**

- (a) Authority to authorise payments:  
Director Corporate Services (11601)  
Manager Finance Services (51401)  
Financial Accountant (51402)  
Management Accountant (51404)
- (b) Authority to authorise transactions in conjunction with payment authority delegate in (a) above:  
Senior Finance Officer (51412)  
Finance Officer (51410)  
Finance Officer (51408)  
Debtors Clerk (51405)

**Reference:**

None

Adopted: 18.04.8; Amended: 17.9.90/19.7.93/20.2.95/19.08.96; Reviewed: 18.07.94; Approved by CEO: 05.09.96;  
Amended & Approved by CEO: 26.04.2000; Reviewed 22.09.03 SDRCP0309-60; Amended by Council 07.02.05  
SDRCP0501-9, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.3 SPONSORSHIP FUND EXPENDITURE

**Function Delegated:**

Authority to approve expenditure for qualifying sponsorships in accordance with Council's policy on Sponsorship Fund Expenditure.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Community Development (11501)

**Reference:**

Policy SG22 – ~~Donations & Sponsorship~~Community Development Funding

Adopted: 23.09.91; Reviewed: 18.07.94; Amended: 19.08.96; Approved by CEO: 05.09.96;  
Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.4 CONFERENCES, SEMINARS & TRAINING COURSES- STAFF ATTENDANCE**

**Function Delegated:**

Authority to approve attendance by employees at training courses, conferences and seminars within Australia in accordance with Council Policy.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Function Delegated:**

Authority to approve attendance by employees at conferences and seminars held within Western Australia subject to evaluation against the above criteria in accordance with Council Policy.

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)  
Director Planning and Development Services (11401)  
Director Community Development Services (11501)  
Director Technical Services (69501)  
Manager Finance Services (51401)  
Manager City Works (62101)  
~~Manager Infrastructure Services (52600)~~  
Manager City Assets  
Manager Infrastructure Projects  
Manager Community Development (41601)  
Manager Information Technology (32101)  
Manager Statutory Planning (21101)  
Manager Human Resources (45301)  
Manager Planning Projects (24101)  
Manager Economic Development and Marketing (11108)  
Manager Health, Building & Compliance Services (23101)

**Reference:**

Policy OP1 - Conferences, Seminars & Training Courses – Staff Attendance

Adopted: 06.04.99; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.4.1 ELECTED MEMBER APPROVAL FOR CONFERENCES, TRAINING, TRAVEL AND OTHER EXPENSES

**Function Delegated:**

Authority to approve attendance by elected members at training courses, conferences and seminars within Australia in accordance with Council Policy.

Authority to approve and reimburse claims for travel and other expenses incurred by Elected Members in the performance of their duties in accordance with section 5.98 of the Local Government Act 1995 and the Local Government (Administration) Regulations 1996.

**Conditions:**

Nil

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Reference:**

~~Policy SG16 – Conferences, Seminars & Training Courses – Elected Member Attendance~~ PO-0002 Elected Member allowances and entitlements (current, retiring or defeated)

Adopted: 06.04.99; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.5 CREST & LOGO

**Function Delegated:**

Authority is granted to approve the use of the Crest and Logo in accordance with Council Policy.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Manager Economic Development & Marketing (11108)

Marketing Coordinator (11107)

Communication Officer (11106)

**Reference:**

Policy SG18 - Crest & Logo

Adopted: 18.09.95; Amended: 19.08.96; Approved by CEO: 05.09.96; Amended & Approved by CEO: 26.10.01; Amended & Approved by CEO: 17.02.03; 20.03.03; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.6 RATES & ESL- PAYMENT AND COLLECTION OF COUNCIL**

**Function Delegated:**

Authority under Section 6.49 of the Local Government Act 1995 to approve extended arrangements for payment of rates. Authority under Part 6, Division 6, of the Local Government Act 1995 to initiate appropriate action in accordance with Council Policy in cases where payment of rates has not been made as required.

**Conditions:**

Nil

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)

Manager Finance Services (51401)

Financial Accountant (51402)

Rates Coordinator (51502)

Senior Rates Officer (51504)

**Reference:**

Policy – OP21 Rates & ESL Payments & Collections Policy

Reviewed: 18.07.94/19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6





### 3.7 TENDERS - INVITATION AND ACCEPTANCE OF

**Function Delegated:**

1. Authority to invite tenders or expression of interest for the supply of goods or services in accordance with section 3.57 of the Local Government Act 1995 and any associated Regulations, Council Policies and the approved Statutory Budget of the current financial year.
2. Authority to specify selection criteria for all tenders called in accordance with 1) above.
3. Authority to accept tenders (under section 5.43(b) of the Local Government Act 1995) in accordance with 1) and 2) above, the Local Government Act 1995 and associated Regulations, Council Policies and the current financial year approved Statutory Budget to the value of \$500,000 exclusive of GST.

**Conditions:**

1. In accordance with Part 4 of the Local Government (Functions and General) Regulations, expenditure on which has been approved in the annual budget or otherwise approved in accordance with Section 6.8 of the Local Government Act 1995.
2. When exercising delegation 3 above, the Chief Executive Officer is to ensure that notification of awarded tenders/contracts are included in information reports to Strategic and General Services Committee.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Note: Only for Function Delegated 1) and 2).

Director Technical Services (69501)  
Director Corporate Services (11601)  
Director Community Development Services (11501)  
Director Planning and Development Services (11401)  
Manager City Works (62101)

**Reference:**

None

Adopted: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.8 EXPENDITURE - AUTHORISATION OF**

**Function Delegated:**

Authority under section 6.10 (d) of the Local Government Act 1995 and Local Government (Financial Management) Regulation 5(1)(e) to authorise expenditure for the supply of goods or services where expenditure has been approved in the annual budget or otherwise approved in accordance with Section 6.8 of the Local Government Act 1995.

**Conditions:**

Authority is limited by the guidelines contained in the schedule of delegation, both general and specific.

**Delegated by the Council to:**

Not required under section 6.10 (d) of the Local Government Act 1995.

**Delegated by the Chief Executive Officer to:**

Employees identified in the Schedule of Authorised Officers (Appendix 1).

**Reference:**

None

Adopted: 19.08.96; Approved by CEO: 10.09.96; Amended: 2.09.2002; Reviewed 22.09.03 SDRCP0309-60, , Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.8.1 DELEGATED AUTHORITY SCHEDULE OF AUTHORISED OFFICERS - APPENDIX 1

#### Guidelines to Be Followed When Incurring Expenses

1. Contracts or agreements cannot be entered into beyond 30 June of the financial year unless the goods or services are being acquired as a result of a public tender or with the express approval of the CEO or Director Corporate Services.
2. Payments or reimbursements to employees are generally covered by a Human Resources policy and delegated officers are required to ensure all payments are authorized in accordance with the relevant policy. Note: To maintain accurate records of employee reimbursements, all payments are to be made by cheque or direct deposit to the employee's bank account.
3. Expenditure can only be incurred where a budget has been approved.
4. The nature of the expense will determine the expense category to which an item is to be charged. If the correct account does not exist in a business unit's ledger, then a request for a new account needs to be forwarded to the Finance Section before the purchase is made.
5. Council's accounting policies are stated in the Annual Budget and detail the criteria for capital expenditure. NOTE: Utilisation of operating expenditure budgets to purchase capital assets that have not been specifically approved by Council is unauthorized expenditure.
6. Contracts to advance monies for the purchase of goods and services cannot be made without the approval of one of the following: Council, CEO, Director Corporate Services or Manger Finance Services.
7. Contractors engaged are required to have \$10 million public liability insurance cover and workers compensation insurance or personal accident insurance. Evidence is required of current insurance cover before work is commenced.
8. Refunds of revenue which cannot identify the original receipt of monies into Council's accounting system cannot be made without the approval of one of the following: Council, CEO, Director Corporate Services or Manger Finance Services.
9. The settlement of insurance claims is the responsibility of our nominated insurer(s) by reference to the Insurance Officer.
10. Ex-gratia payments can only be approved by the CEO.
11. Write off of debts can only be approved by Council.



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City of Fremantle  
Schedule of "Authorised Officers"

| <b>CITY MANAGEMENT</b>           |   |   |
|----------------------------------|---|---|
| <b>Position No.</b>              | <b>Position Description</b>                           | <b>Threshold Limit of Delegated Authority</b>                                     |
| 11101                            | Chief Executive Officer                               | All budgeted expenditure for the City of Fremantle                                |
| 11107                            | Marketing Coordinator                                 | Maximum of \$30,000 of funds available for within the business unit.              |
| 11108                            | Manager Economic Development and Marketing            | Maximum of \$110,000 of funds available within the city management business unit. |
| 11113                            | Economic Development Coordinator                      | Maximum of \$30,000 of funds available for within the business unit.              |
| <del>11114</del>                 | <del>Governance Project Manager</del>                 | <del>Maximum of \$30,000 of funds available for within the business unit.</del>   |
| 33501                            | Events Management Coordinator                         | Maximum of \$30,000 of funds available within the business unit.                  |
| 11115                            | Visitor Services Coordinator                          | Maximum of \$5,000 of funds available within the business unit.                   |
| <b>CORPORATE SERVICES</b>        |   |   |
| <b>Position No.</b>              | <b>Position Description</b>                           | <b>Threshold Limit of Delegated Authority</b>                                     |
| 11601                            | Director Corporate Services                           | Maximum of \$500,000 for all budgeted City of Fremantle expenditure.              |
| <b>Information Technology</b>    |   |   |
| 32101                            | Manager Information Technology                        | Maximum of \$110,000 of funds available for within the business unit.             |
| <del>33201</del>                 | <del>Coordinator Corporate Information Services</del> | <del>Maximum of \$5,000 of funds available within the business unit.</del>        |
| <b>Service &amp; Information</b> |   |   |
| 33102                            | Customer Relations Coordinator                        | Maximum of \$5,000 of funds available within the business unit.                   |
| <b>Finance Services</b>          |   |   |
| 51401                            | Manager Finance Services                              | Maximum of \$110,000 of funds available for within the business unit.             |
| 51402                            | Financial Accountant                                  | Maximum of \$30,000 of funds available for within the business unit.              |
| 51404                            | Management Account                                    | Maximum of \$30,000 of funds available for within                                 |



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|                                      |                                    |   |
|--------------------------------------|------------------------------------|---|
|                                      |                                    | the business unit.  |
| 51502                                | Rates Coordinator                  | Maximum of \$5,000 of funds available within the business unit.       |
| 51406                                | Purchasing Officer                 | Maximum of \$1,000 of funds available within the business unit.       |
| <b>Human Resources</b>               |                                    |   |
| 45301                                | Manager Human Resources            | Maximum of \$110,000 of funds available for within the business unit. |
| <b>Parking &amp; Ranger Services</b> |                                    |   |
| 22104                                | Manager Community Safety & Parking | Maximum of \$110,000 of funds available within the business unit.     |
| 23112                                | Coordinator Parking Services       | Maximum of \$30,000 of funds available within the business unit.      |
| 67103                                | Supervisor Parking                 | Maximum of \$30,000 of funds available within the business unit.      |
| <b>Commercial Properties</b>         |                                    |   |
| 64302                                | Coordinator Property Services      | Maximum of \$30,000 of funds available within the business unit.      |

| <b>COMMUNITY DEVELOPMENT</b>    |   |  |
|---------------------------------|---|--|
| <b>Position No.</b>             | <b>Position Description</b>             | <b>Threshold Limit of Delegated Authority</b>  |
| 11501                           | Director Community Development Services | Maximum of \$500,000 of the funds available in their own product budget and the business units or functions under their control. |
| <b>Library</b>                  |   |  |
| 31101                           | Manager Library Information Services    | Maximum of \$110,000 of funds available for within the business unit.  |
| 31102                           | Librarian Collections and Programs      | Maximum of \$5,000 of funds available within the business unit.  |
| 31103                           | Librarian: Young People Services        | Maximum of \$5,000 of funds available within the business unit.  |
| <b>Culture &amp; Recreation</b> |   |  |
| 46107                           | Director Fremantle Arts Centre          | Maximum of \$110,000 of funds available within the business unit.  |
| 66303                           | Manager Leisure Centre                  | Maximum of \$110,000 of funds available within the business unit.  |
| 41703                           | Cultural Development Coordinator        | Maximum of \$30,000 of funds available within the business unit.   |
| 66312                           | Aquatic Supervisor                      | Maximum of \$1,000 of funds available within the business unit.  |



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| <b>Community Services</b> |   |   |
|---------------------------|---|---|
| 41601                     | Manager Community Development                           | Maximum of \$110,000 of funds available for within the business unit. |
| 41701                     | Community Development Coordinator                       | Maximum of \$30,000 of funds available within the business unit.      |
| 46804                     | Fremantle Arts Centre General Manager                   | Maximum of \$30,000 of funds available within the business unit.      |
| 44104                     | Finance Officer (Arts Centre)                           | Maximum of \$5,000 of funds available within the business unit.       |
| 46602                     | Curator & Exhibitions Manager                           | Maximum of \$5,000 of funds available within the business unit.       |
| 43189                     | Coordinator Community Centres                           | Maximum of \$5,000 of funds available within the business unit.       |
| 38103                     | Coordinator Fremantle Community Legal Centre & Warrawee | Maximum of \$5,000 of funds available within the business unit.       |
| 46111                     | Event Coordinator                                       | Maximum of \$1,000 of funds available within the business unit.       |
| 46604                     | Exhibitions Coordinator                                 | Maximum of \$1,000 of funds available within the business unit.       |
| 46113                     | Facilities Assistant - Arts Centre                      | Maximum of \$1,000 of funds available within the business unit.       |

| <b>Planning &amp; Development</b> |  |  |
|-----------------------------------|--|--|
| <b>Position No.</b>               | <b>Position Description</b>              | <b>Threshold Limit of Delegated Authority</b>  |
| 11401                             | Director Planning & Development Services | Maximum of \$500,000 of the funds available in their own product budget and the business units or functions under their control. |
| <b>Planning Projects</b>          |  |  |
| 24101                             | Manager Planning Projects                | Maximum of \$110,000 of funds available for business unit.   |
| 24104                             | Strategic Urban Designer                 | Maximum of \$30,000 of funds available within the business unit.   |
| 24106                             | Heritage Coordinator                     | Maximum of \$30,000 of funds available within the business unit.   |
| 24108                             | Sustainability Officer                   | Maximum of \$5,000 of funds available within the business unit.  |
| <b>Development Services</b>       |  |  |
| 21101                             | Manager Statutory Planning               | Maximum of \$110,000 of funds available for business unit.   |
| 21204                             | Principal Building Surveyor              | Maximum of \$5,000 of funds available within the   |



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|       |  |   |
|-------|--|---|
|       |  | business unit.  |
| 23101 | Manager Health, Building & Compliance Services | Maximum of \$110,000 of funds available within the business unit. |
| 21201 | Coordinator Development Compliance             | Maximum of \$5,000 of funds available within the business unit.   |
| 21102 | Coordinator Statutory Planning                 | Maximum of \$5,000 of funds available within the business unit.   |
| 21112 | Coordinator Planning Mediation                 | Maximum of \$5,000 of funds available within the business unit.   |
| 11402 | Administration Officer Planning Services       | Maximum of \$1,000 of funds available within the business unit.   |
| 21111 | Administration Team Leader Planning Services   | Maximum of \$1,000 of funds available within the business unit.   |
| 21110 | Administration Officer Planning                | Maximum of \$1,000 of funds available within the business unit.   |

| TECHNICAL SERVICES |  |  |
|--------------------|--|--|
| Position No.       | Position Description                       | Threshold Limit of Delegated Authority   |
| 69501              | Director Technical Services                | Maximum of \$500,000 of the funds available in their own product budget and the business units or functions under their control. |
|                    | Manager City Assets                        | Maximum of \$110,000 of funds available within the business unit.  |
|                    | Manager Infrastructure Projects            | Maximum of \$110,000 of funds available within the business unit.  |
| <del>52600</del>   | <del>Manager Infrastructure Services</del> | <del>Maximum of \$110,000 of funds available for business unit.</del>  |
| 62101              | Manager City Works                         | Maximum of \$110,000 of funds available within the business unit.  |
| 52406              | Traffic and Civic Design Coordinator       | Maximum of \$30,000 of funds available within the business unit.   |
| 52601              | Parks & Gardens Coordinator                | Maximum of \$30,000 of funds available within the business unit.   |
| 53101              | Supervisor Parks, Reserves & Landscape     | Maximum of \$30,000 of funds available within the business unit.   |
| 62106              | Works & Stores Clerk                       | Maximum of \$5,000 of funds available within the business unit.  |
| 64305              | Building Maintenance Supervisor            | Maximum of \$5,000 of funds available within the business unit.  |
| 64306              | Facilities and Asset Coordinator           | Maximum of \$30,000 of funds available within the business unit.   |



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|       |  |  |
|-------|--|--|
| 55101 | Commercial Waste Coordinator                   | Maximum of \$30,000 of funds available within the business unit. |
| 54101 | Waste Management Supervisor                    | Maximum of \$30,000 of funds available within the business unit. |
| 59104 | Mechanical Workshop Coordinator                | Maximum of \$30,000 of funds available within the business unit. |
| 57104 | Supervisor City Works Construction             | Maximum of \$30,000 of funds available within the business unit. |
| 58102 | Supervisor City Works Maintenance              | Maximum of \$30,000 of funds available within the business unit. |
| 62121 | Senior Administration Officer                  | Maximum of \$30,000 of funds available within the business unit. |
| 42701 | Team Leader Facilities and Assets              | Maximum of \$5,000 of funds available within the business unit.  |
| 57713 | Administration Assistant Facilities and Assets | Maximum of \$1,000 of funds available within the business unit.  |
| 64304 | Carpenter                                      | Maximum of \$1,000 of funds available within the business unit.  |
| 61106 | Painter  | Maximum of \$1,000 of funds available within the business unit.  |





### 3.9 VEHICLE CROSSINGS

**Function Delegated:**

Authority to approve vehicle crossings from a public thoroughfare to the land owned by the applicant or a majority of the owners, or a private thoroughfare serving this land.

**Conditions:**

In accordance with Local Government (Uniform Local Provisions) Regulation 12

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Technical Services (69501)

Manager City Works (62101)

**Reference:**

Policy OP25 - Vehicle Footpath Crossing

Amended: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.10 PAINTING OF HOUSE NUMBERS ON ROADSIDE KERBING**

**Function Delegated:**

Painting of House Numbers on Roadside Kerbing

**Conditions:**

- (b) Kerb numbers shall be 80-100mm high Series E numerals in accordance with A.S. 1744-1975. Plate colours shall be retro-reflective in accordance with A.S. 1743-1975. The standard colour shall be reflective yellow letters on a matt olive green background. Numerals shall be located centrally within the green background.
- (c) House numbers to be located at the midpoint of the kerblines.
- (d) Only house numbers are to be displayed. Lot numbers are not acceptable.
- (e) Residents may paint their house number provided it conforms with the guidelines.
- (f) The delegated officer may give permission for contractors to undertake the work and set conditions to regulate the behaviour of the Contractor while operating within the municipality.
- (g) The Council accepts no responsibility for the maintenance of kerb numbers.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Manager City Works (62101)

**Reference:**

None

Amended: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.11 ADVERTISING SIGNS ON SPORTING RESERVES**

**Function Delegated:**

Authorised to approve the installation of advertising signs on reserves in accordance with Council Policy and require the removal of those not complying with the policy.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Manager Statutory Planning (21101)

**Reference:**

Policy DBH6 - Signs and Hoardings

Amended: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.12 BANNERS – CANTONMENT HILL CLIFF AND PRINCESS MAY PARK

**Function Delegated:**

Authority to approve placement of banners on Cantonment Hill Cliff and Princess May Park in accordance with Council Policy.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Manager Statutory Planning (21101)

**Reference:**

Policy DBH6 - Signs and Hoardings

Amended: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.13 STREET CLOSURES AS PART OF STREET EVENTS - TEMPORARY**

**Function Delegated:**

Temporary Street Closures as part of Street Events.

**Conditions:**

Authority under Section 3.50 of the Local Government Act 1995 to approve road closures as part of street community events where:

- (a) the closures are similar to others held previously; or
- (b) the closures only involve a single road closure within the CBD; or
- (c) the closures only involve one street to accommodate a local resident activity.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Technical Services (69501)

Manager Infrastructure Projects

~~Manager Infrastructure Services (52600)~~

Traffic & Civic Design coordinator (52406)

**Reference:**

None

Amended: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.14 PARKING BAYS & SIGNS - ALTERATIONS AND AMENDMENTS TO**

**Function Delegated:**

Power to make alterations and amendments to street parking bays and signs whilst ensuring that proposals that exceed budget are submitted to Council for approval.

**Conditions:**

In accordance with "Councils Local Laws relating to Parking"

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)

Parking Services Coordinator (23112)

Manager Community Safety & Parking (22104)

**Reference:**

Local Law – Councils Local Laws relating to Parking

Amended: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.15 PENALTIES - REMISSION OF

**Function Delegated:**

Discretion to remit penalties for offences under the Councils Local Law relating to Parking, Local Laws under the Local Government Act, Bush Fires Act, Caravan and Camping Grounds Act and the Environmental Protection Act.

**Conditions:**

In accordance with the general principals of the City of Fremantle Strategic Plan key result areas and taking into account a reasonable degree of compassion where necessary based on individual circumstances

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)

Parking Services Coordinator (23112)

Manager Community Safety & Parking (22104)

**Reference:**

City of Fremantle Strategic Plan

Local Laws relating to Parking

Local Laws under the Local Government Act

Bush Fires Act

Caravan and Camping Grounds Act

Environmental Protection Act

Amended: 19.08.96; Approved by CEO: 05.09.96; Amended: 05.04.02; Reviewed 22.09.03 SDRCP0309-60, ,  
Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.16 PARKING - TEMPORARY ARRANGEMENTS FOR**

**Function Delegated:**

Authority to make temporary provisions for special users subject to the requirements of Council's procedures and Parking Local Laws.

**Conditions:**

Taking into account the individual circumstances and any adverse impact on the community as a whole.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)

Parking Services Coordinator (23112)

Manager Community Safety & Parking (22104)

**Reference:**

Parking Local Laws

Amended: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6





### **3.17 LEGAL PROCEEDINGS – AUTHORITY TO INITIATE PROCEEDINGS AND/OR PROSECUTIONS**

**Function Delegated:**

Authorised under Section 9.24 of the Local Government Act to commence legal proceedings on Council's behalf for breaches of Council's Local Laws and Regulations made under the provisions of the Local Government Act. Authority to appoint to represent the Council in proceedings in a Local Court or Court of Petty Sessions under Section 9.29 of the Local Government Act 1995.

**Conditions:**

Nil

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Planning and Development Services (11401)  
Manager Statutory Planning (21101)  
Manager Health, Building & Compliance Services (23101)  
Manager Community Safety & Parking (22104)  
[Coordinator Planning Mediation \(21112\)](#)  
Coordinator Development Compliance (21201)

**Reference:**

None

Adopted: 23.11.92; Amended: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, ,  
Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.18 BUILDING LICENCES - EXTENSION OF

**NOTE:** *As adopted by council on the 28 March 2012 (PSC1203-45), the following delegation will remain in place until such time as the relevant provisions of the Building Act 2011 are proclaimed, therefore making this delegation redundant and it will be REVOKED.*

**Function Delegated:**

Extensions up to 6 months  
&  
Extensions between 6 months and 12 months

**Conditions:**

Where an extension of **up to six months** is requested to permit completion of a building, authority under Section 374 of the Local Government (Miscellaneous Provisions) Act 1960 -1986 to approve the application without the payment of further fees.

Where an extension is requested for **more than six months and up to twelve months**, authority under Section 374 of the Local Government (Miscellaneous Provisions) Act 1960 -1986 to approve the application, upon payment of the prescribed fees.

In any instance where the Chief Executive Officer is not prepared to approve the application, it shall be referred to Planning Services Committee, which is delegated the authority to extend the licence on the same terms.

**Delegated by the Council to:**

Chief Executive Officer (11106)

**Delegated by the Chief Executive Officer to:**

Principal Building Surveyor (21204)

**Reference:**

Nil

Adopted: 16.02.70, Amended: 13.04.81/15.08.83; Terminology updated: 18.01.88; Amended: 19.06.96  
Approved by CEO: 05.09.96; Amended: 15.06.98; Reviewed 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.19 DEVELOPMENT APPLICATIONS RELATING TO COUNCIL PROPERTY**

**Function Delegated:**

Authorised to sign, on behalf of the Council, Development Applications, Town Planning Scheme & City Planning Scheme Amendments, Metropolitan Region Scheme (MRS) Amendments for properties owned by, or vested to the City. Applications for Approval to Commence Development including those submitted by occupiers of Council property.

**Conditions:**

Nil

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Manager Statutory Planning (21101)

**Reference:**

Nil

Adopted: 15.11.82

Terminology updated: 21.12.87; Amended: 18.2.91/19.08.98; Approved by CEO: 05.09.96; Reviewed 22.09.03  
SDRCP0309-80; Amendment Approved by CEO 29.06.04; Amended by CEO 11.02.05, Amended: Council  
26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.20 STOP WORK ORDERS AND SEEK INJUNCTIONS - ISSUE OF

**NOTE: As adopted by council on the 28 March 2012 (PSC1203-45), the following delegation will remain in place until such time as the relevant provisions of the Building Act 2011 are proclaimed, therefore making this delegation redundant and it will be REVOKED.**

**Function Delegated:**

Authority to issue notices under Sections 401, 401A, and 403 of the Local Government (Miscellaneous Provisions) Act 1960 and to take proceedings in the name of the City of Fremantle under Section 9.28 of the Local Government Act 1995 to prevent a breach of the provisions of the Local Planning Scheme No.4.

**Conditions:**

The Chief Executive Officer, Director Planning and Development or employee appointed in writing by the Chief Executive Officer may take proceedings in regard to Local Planning Scheme No.4 if the action sufficiently represents the interests of the public.

Details of notices served under this policy shall be submitted to Council for information at the earliest available meeting.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Planning and Development Services (11401)  
Principal Building Surveyor (21204)  
Manager Statutory Planning (21101)  
Coordinator Development Compliance (21201)  
Manager Health, Building & Compliance Services (23101)  
[Coordinator Planning Mediation \(21112\)](#)

**Reference:**

LPP1.5 Planning, Building and Environmental Health Policy

Amended: 19.08.96, Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60, Amended: 14.07.04,  
Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.21 SWIMMING POOLS - PRIVATE

**NOTE:** *As adopted by council on the 28 March 2012 (PSC1203-45), the following delegation will remain in place until such time as the relevant provisions of the Building Act 2011 are proclaimed, therefore making this delegation redundant and it will be REVOKED.*

**Function Delegated:**

Where an authorised person under section 245A(4) of the Local Government (Miscellaneous Provisions) Act 1960 has issued an order under Section 245A(5)(b) requiring an owner or occupier to make a swimming pool safe and that order has not been fulfilled within the time specified, the Principal Building Surveyor is:

- appointed under Section 9.10 of the Local Government Act 1995 as an authorised person to issue an infringement notice in accordance with Section 9.16 and in due course report the matter to the Council.
- authorised under Section 9.24 of the Local Government Act 1995 to institute prosecution for breach of the Local Government (Miscellaneous Provisions) Act 1960 and the Building Regulations 1989 should, after such further time which may be granted to effect works required by an order, the works not be done.

**Conditions:**

Details of a notice of infringement being issued will be reported to Council at the earliest available meeting.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Principal Building Surveyor (21204)

**Reference:**

Nil

Adopted: 15.04.91; Amended: 19.08.96; Approved by CEO: 05.09.96; Reviewed 22.09.03 SDRCP0309-60  
Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.22 PERMITS - ANNUAL

**Function Delegated:**

Authority to renew annual permits where no objections have been made concerning the activity or concerning compliance with local laws and regulations.

**Conditions:**

Nil

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Manager Health, Building & Compliance Services (23101)

**Reference:**

Nil

Adopted: 16.02.70, Amended: 19.11.73/17.11.75/13.12.76/21.7.80/15.8.83/19.08.96, Approved by CEO: 05.09.96,  
Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.23 PROPERTY MANAGEMENT

**Function Delegated:**

Lease of Council Properties

**Conditions:**

- i) The Chief Executive Officer in exercising the Delegated Authority to approve potential Lessees for the lease of Council's properties, is to be guided by the following considerations, in addition to such other considerations as may be considered to be appropriate:
  1. The creditworthiness and business reputations of potential Lessees.
  2. Obtaining an appropriate market rental.
  3. Property market and economic conditions prevailing at the time.
  4. Council's best interests in the management of the property portfolio.
  5. In cases where a proposed use does not require a Development Application, the appropriateness of the proposed use of the premises.
  6. Where it is renewal of a lease with an existing lessee, the previous performance of that lessee
  
- ii) The Chief Executive Officer is to ensure that Councillors are informed of proposals for tenancies at least 48 hours before the delegated power is exercised.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Coordinator Property Services (64302)

**Reference:**

Nil

Adopted: 22.09.97; Approved by CEO: 30.04.98; Amended: 15.06.98; Reviewed: 22.09.03 SDRCP0309-60,  
Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### 3.24 HERITAGE ACT

**Function Delegated:**

Authorised under Section 23(4) of the Heritage of Western Australia Act 1990 to participate in meetings of the Heritage Council, where the Heritage Council is to consider giving advice to the Minister for Heritage with respect to "Interim" and "Permanent" entry of a place on the "Register of Heritage Places" (Section 47 and 49 of the Heritage of Western Australia Act 1990 respectively).

**Conditions:**

It is envisaged that the Heritage Architect Planner will be the person to ordinarily represent the City, subject to the CEO determining that the matter does not require representation by a councillor or the CEO.

In cases of proposed Permanent Registration the City shall seek to be informed of submissions from the relevant property owner, and others, to the Heritage Council, on matters other than Cultural Heritage significance, prior to formulation of the advice required.

The City Council shall be advised of interim Registrations through reporting of same to the Strategic & General Services Committee.

A register of the nominee's votes be maintained with respect to:

- nominee's name;
- meeting date;
- the place being considered; and
- the nominee's support or opposition to the motion

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Heritage Coordinator (24106)

**Reference:**

Nil

Adopted: 23.09.96; Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6





### **3.25 WORKERS COMPENSATION INSURANCE**

**Function Delegated:**

That delegated authority be given to the Chief Executive Officer to place appropriate workers insurance cover.

**Conditions:**

Nil

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Reference:**

Nil

Adopted: 21.04.97; Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6



### **3.26 NATIVE TITLE CLAIM - SWAN VALLEY**

**Function Delegated:**

The Chief Executive Officer be given delegated authority to act in line with Council's Policies and Environmental Practices.

**Conditions:**

Nil

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Reference:**

Nil

Adopted: 23.12.96; Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



### **3.27 ASSIGN CLASSIFICATIONS AND ISSUE A CERTIFICATE OF CLASSIFICATION**

**NOTE:** *As adopted by council on the 28 March 2012 (PSC1203-45), the following delegation will remain in place until such time as the relevant provisions of the Building Act 2011 are proclaimed, therefore making this delegation redundant and it will be REVOKED.*

**Function Delegated:**

Assign Classifications and Issue a Certificate of Classification on completion of a Building; or where consent in writing has been given to the building being occupied in stages before completion of the entire building.

Where there is an application for the change of classification to a building, authorisation is given to approve the change subject to the requirements of the Building Code of Australia applicable to the new class for the building being satisfied.

**Delegated by the Council to:**

Chief Executive Officer

**Delegated by the Chief Executive Officer to:**

Principal Building Surveyor (21204)

**Reference:**

Nil

Adopted: 15.06.98; Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



### **3.28 MATERIALS - NOT TO BE DEPOSITED ON STREETS WITHOUT LICENCE**

**NOTE:** *As adopted by council on the 28 March 2012 (PSC1203-45), the following delegation will remain in place until such time as the relevant provisions of the Building Act 2011 are proclaimed, therefore making this delegation redundant and it will be REVOKED.*

**Function Delegated:**

Authority is provided to grant a Licence to Deposit Materials where an application is made under Section 377 (1) of the Local Government (Miscellaneous Provisions) Act 1960 for a licence to deposit stones, bricks, lime, rubbish, timber, iron or other materials on a street way or other public place or make an excavation on an abutting or adjoining street way or other public place with or without conditions in the format set out in the Building Regulations 1989.

**Delegated by the Council to:**  
Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**  
Principal Building Surveyor (21204)

**Reference:**  
Nil

Adopted: 15.06.98; Reviewed: 22.09.03 SDRCP0309-80, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



### **3.29 CERTAIN PROVISIONS ABOUT LAND – PERSONS WITH EXPRESS AUTHORITY**

**Function Delegated:**

Authorisation is granted under Sections 3.24 and 3.25 of the Local Government Act 1995 to have express authority to exercise powers pertaining to certain provisions about land under Subdivision 2 of Division 3 of part 3 of the Local Government Act 1995.

**Delegated by the Council to:**  
Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**  
Director Technical Services (69501)  
~~Manager Infrastructure Services (52600)~~  
[Manager Infrastructure Projects](#)  
Manager Health, Building & Compliance Services (23101)  
Senior Environmental Health Officer (23105)  
Environmental Health Officer (23103, 23104, 23109)  
Principal Building Surveyor (21204)  
Senior Building Surveyor (21206)  
Building Surveyor (21202)  
Coordinator Development Compliance (21201)  
Parks & Landscapes Coordinator (52601)  
[Coordinator Planning Mediation \(21112\)](#)

**Reference:**  
Nil

Adopted: 29.04.99; Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.

**Note:**  
See Appendix 1 for full listing of items under Schedule 3.1 and 3.2 and which officers have express authority for each particular item.



### 3.29.1 APPENDIX 1 - CERTAIN PROVISIONS ABOUT LAND – PERSONS WITH EXPRESS AUTHORITY

#### Certain Provisions about Land – Persons with Express Authority

##### Delegated by Council to:

Director Technical Services (69501)  
~~Manager Infrastructure Services (52600)~~  
 Manager Infrastructure Projects  
 Manager Health, Building & Compliance Services (23101)  
 Senior Environmental Health Officer (23105)  
 Environmental Health Officer (23103, 23104, 23109)  
 Principal Building Surveyor (21204)  
 Senior Building Surveyor (21206)  
 Building Surveyor (21202)  
 Coordinator Development Compliance (21201)  
 Parks & Landscapes Coordinator (52601)  
 Coordinator Planning Mediation (21112)

##### Guidelines:

Authorised under Sections 3.24 and 3.25 of the Local Government Act 1995 to have express authority to exercise powers pertaining to certain provisions about land under Subdivision 2 of Division 3 of the Local Government Act 1995.

#### Schedule 3.1 Powers under notices to owners or occupiers of land

| OFFICER WITH EXPRESS AUTHORITY   | Division 1: Things a notice may require to be done  |
|--|---|
| Principal Building Surveyor<br>Senior Building Surveyor<br>Building Surveyor<br>Coordinator Development Compliance<br>Coordinator Planning Mediation | 1. Prevent water from dripping or running from a building on the land onto any other land.  |
| <del>Manager Infrastructure Projects</del><br><del>Manager Infrastructure Services</del>   | 2. Place in a prominent position on the land a number to indicate the address.  |
| Manager Infrastructure Projects Manager<br><del>Infrastructure Services /</del><br>Director Technical  | 3. Modify or repair, in the interests of the convenience or safety of the public, anything constructed as mentioned in Schedule 9.1, clause 8, or repair any damage caused to the public thoroughfare or other public place |



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|   |  |
|---|--|
| Services  | mentioned in that clause.  |
| Manager Infrastructure Projects Manager<br>Infrastructure Services /<br>Director Technical Services   | 4. (1) Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law -<br>(a) is suitably enclosed to separate it from the public place; and<br>(b) where applicable, is enclosed with a close fence, to the satisfaction of the local government, suitable to prevent sand or other matter coming from the land onto the public place.<br>(2) The notice cannot be given to an occupier who is not an owner.         |
| Manager Health, Building & Compliance Services,<br>Senior Environmental Health Officer,<br>Environmental Health Officer<br>Coordinator Development Compliance<br>Coordinator Planning Mediation | 5. (1) Ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly.<br>(2) In this item:<br>"unsightly", in relation to land, means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other land in the locality.<br>(3) The notice cannot be given to an occupier who is not an owner. |
| Manager Health, Building & Compliance Services,<br>Senior Environmental Health Officer,<br>Environmental Health Officer<br>Coordinator Development Compliance<br>Coordinator Planning Mediation | 5A. (1) Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy.<br>(2) In this item:<br>"disused material" includes disused motor vehicles, old motor vehicle bodies and old machinery.   |
| Manager Health, Building & Compliance Services,<br>Senior Environmental Health Officer,<br>Environmental Health Officer<br>Coordinator Development Compliance<br>Coordinator Planning Mediation | 6. Take specified measures for preventing or minimising sand drifts on the land that are likely to adversely affect other land.  |
| Parks & Landscapes  | 7. Ensure that land that adjoins a public thoroughfare   |



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|   |   |
|---|---|
| Coordinator   | or other public place that is specified for the purposes of this item by a local law is not overgrown.  |
| Parks & Landscapes Coordinator  | 8. Remove all or part of a tree that is obstructing or otherwise prejudicially affecting a thoroughfare that is under the local government's control or management and adjoins the land where the tree is situated.   |
| Parks & Landscapes Coordinator  | 9. Ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.  |
| Manager Infrastructure Projects Manager Infrastructure Services / Director Technical Services   | 10. Take specified measures for preventing or minimising -<br>(a) danger to the public; or<br>(b) damage to property, which might result from cyclonic activity.  |
| <b>Officer with Express Authority</b>   | <b>Division 2 Provisions contraventions of which may lead to a notice requiring things to be done</b>   |
| Manager Infrastructure Projects Manager Infrastructure Services / Director Technical Services   | 1. Regulations under Schedule 9.1, clause 3 (Obstructing or encroaching on public thoroughfare).  |
| Manager Infrastructure Projects Manager Infrastructure Services / Director Technical Services   | 1A. Regulations under Schedule 9.1, clause 5 (1) (Gates and other devices across public thoroughfares) requiring a person to remove a gate or other device from across a public thoroughfare when requested by a local government to do so.   |
| Manager Infrastructure Projects Manager Infrastructure Services / Director Technical Services / Coordinator Development Compliance Coordinator Planning Mediation | 2. Regulations under Schedule 9.1, clause 6 (Dangerous excavation in or near public thoroughfare).  |
| Manager Infrastructure Projects Manager Infrastructure Services / Director Technical Services   | 2A. Regulations under Schedule 9.1, clause 7 (2) (Crossings from public thoroughfares to private land or to private thoroughfares) that ?<br>(a) prohibit a person from constructing a crossing; or<br>(b) by means of a notice in writing given to a person by the Commissioner of Main Roads, require the person to bring a crossing into |





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|  |   |
|--|---|
|  | accordance with an approval by the Commissioner of Main Roads or to remove a crossing and restore the place where it was to its former condition.                                       |
| Manager Infrastructure Projects Manager<br>Infrastructure Services/<br>Director Technical Services   | 3. Regulations under Schedule 9.1, clause 8 (1) (Constructing private works on, over, or under public places).  |
| Manager Infrastructure Projects Manager<br>Infrastructure Services/<br>Director Technical Services   | 4. Regulations under Schedule 9.1, clause 9 (Protection of watercourses, drains, tunnels and bridges).  |
| Manager Infrastructure Projects Manager<br>Infrastructure Services/<br>Director Technical Services   | 5. Regulations under Schedule 9.1, clause 10 (Protection of thoroughfares from water damage).   |
| Manager Health, Building & Compliance Services/<br>Director Technical Services<br>Senior Environmental Health Officer,<br>Environmental Health Officer<br>Coordinator Development Compliance<br>Coordinator Planning Mediation | 6. Regulations under Schedule 9.1, clause 12 (Wind erosion and sand drifts).<br>[Schedule 3.1 amended in Gazette 24 June 1996 pp.2861-2; 25 October 1996 p.5647; 29 April 1997 p.2144.] |

**Schedule 3.2 Particular things local governments can do on land even though it is not local government property**

| Officer with Express Authority   | Section  |
|--|--|
| Manager Infrastructure Projects Manager<br>Infrastructure Services/<br>Director Technical Services | 1. Carry out works for the drainage of land.                                 |
| Manager Infrastructure Projects Manager  | 2. Do earthworks or other works on land for preventing or reducing flooding. |



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|  |  |
|--|--|
| <del>Infrastructure Services /</del><br>Director Technical Services  |  |
| Manager Infrastructure Projects Manager<br><del>Infrastructure Services /</del><br>Director Technical Services | 3. Take from land any native growing or dead timber, earth, stone, sand, or gravel that, in its opinion, the local government requires for making or repairing a thoroughfare, bridge, culvert, fence, or gate.<br>Section 3.36 applies.<br>Section 3.27 (3) applies.  |
| Manager Infrastructure Projects Manager<br><del>Infrastructure Services /</del><br>Director Technical Services | 4. Deposit and leave on land adjoining a thoroughfare any timber, earth, stone, sand, gravel, and other material that persons engaged in making or repairing a thoroughfare, bridge, culvert, fence, or gate do not, in the local government's opinion, require.<br>Section 3.36 applies.<br>Section 3.27 (3) applies. |
| Manager Infrastructure Projects Manager<br><del>Infrastructure Services /</del><br>Director Technical Services | 5. Make a temporary thoroughfare through land for use by the public as a detour while work is being done on a public thoroughfare.<br>Section 3.36 applies.<br>Section 3.27 (3) applies.   |
| Manager Infrastructure Projects Manager<br><del>Infrastructure Services /</del><br>Director Technical Services | 6. Place on land signs to indicate the names of public thoroughfares.  |
| Director Technical Services / Parks & Landscapes Coordinator   | 7. Make safe a tree that presents serious and immediate danger, without having given the owner the notice otherwise required by regulations. (The cost cannot then be recovered from the owner.)   |

Reference:  
Nil



### **3.30 WESTERN POWER – PRUNING AGREEMENTS**

**Function Delegated:**

Enter into Agreements for Negotiating Tree Pruning Agreements

**Conditions:**

New Western Power Vegetation Control legislation requires that a pruning agreement must be entered (for certain tree species only) to ensure that powerline pruning can be kept to a minimum.

Suitable trees are agreed upon by Western Power and the City of Fremantle. Arboricultural health reports for these trees may be a requirement. Each tree is allocated a numbered metal tag, pruning distances are negotiated and entered into the agreement and the contract is then signed by City of Fremantle and Western Power.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Technical Services (69501)

Parks & Landscapes Coordinator (52601)

**Reference:**

Nil

Adopted: 02.03.99, Approved by CEO: 09.06.99, Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



## TO BE DELETED

### 3.31 PLACEMENT OF PORT CITY COLUMN & ADVERTISING

**Function Delegated:**

Placement of Port City Newspaper Column & Advertising

**Conditions:**

Authority to decide on placement of the Port City regular Column to a maximum amount of \$50,000 in accordance with Sections 5.42 and 5.43(b) of the Local Government Act 1995 subject to:

- Substantiated readership figures for Fremantle, South Fremantle, North Fremantle, Hilton, Beaconsfield, White Gum Valley, Samson and O'Connor; Cost of Port City column and non-exclusive placements for full page, half page, quarter page and column centimetre rates for smaller advertisements;
- Additional services provided and costs;
- Advertising rates if the Port City regular Column is not awarded to the publication;
- Discounts on payments within seven days;
- Page on which column will appear weekly;
- Typesetting and artwork services for the column and cost;
- Financial stability of organisation;
- Email facilities;
- PDF process and acceptance of hard copies;
- Deadline for column copy;
- Proofing deadline;
- Year organisation established;
- Professional standard;
- Fremantle company;
- Adjustable column length, cost and deadline for notice of reduction; and
- Distribution day of the publication;

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Reference:**

Policy OP8 – Port City Column Placement of & Advertising

Reviewed: 22.09.03-SDRCP0309-50, Amended: Council 26.04.07-SGS0704-4, Reviewed: 24.06.09-SGS0806-5



### 3.32 TOWN HALL MANAGEMENT

**Function Delegated:**

Authority to review and make changes to the hire conditions and application form as required to ensure maintenance of the facility, to accept and reject bookings and approve subsidised use up to 50% of the hire fee, and under certain conditions free use of the Town Hall (or alternative halls) in accordance with the criteria specified in policy OP7, under Clause 4.

**Conditions:**

In accordance with "Town Hall Management" Policy OP7

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Manager Economic Development & Marketing (11108)  
Events Management Coordinator (33501)

**Reference:**

Policy OP7 – Town Hall Management

Adopted: 06.04.99, Approved by CEO: 26.10.01, Amended by Council: 10.02.03 (SDRCP359), Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6, Amended by CEO 17.11.09.



### 3.33 OWNERS AND OCCUPIERS ELECTORAL ROLL

**Function Delegated:**

- i) Within 14 days after receiving the claim the CEO is to decide whether or not the claimant is eligible under section 4.30(1)(a) and (b) and accept or reject the claim accordingly.
- ii) Authority for acceptance of Owners and Occupiers Enrolment under the Local Government Act 1995, Section 4.32(4) and authority under Section 4.32(5) to make any inquiries in order to make a decision.
- iii) Authority under the Local Government Act 1995, Section 4.35 to decide that eligibility to enrol under Section 4.30 has ended.

**Conditions:**

1. In accordance with Local Government Act 1995 Section 4.32(4) and Local Government (Elections) Regulations 1997.
2. Can make any inquiries needed in order to make a decision.
3. The decision is to be recorded in a register kept for that purpose in accordance with regulations and is to give written notice of the decision to the claimant without delay.
4. If the claim is rejected the notice has to set out the reasons for the decision.

**Delegated by Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)  
Rates Coordinator (51502)

**Reference:**

Local Government Act 1995 - Section 4.32(4)  
Local Government (Elections) Regulations 1997

Approved by CEO: 12.03.01, Amended by CEO: 08.10.02, Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6. Previous 3.39 – Adopted: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



### **3.34 PRESIDE AT A MEETING UNTIL THE PRESIDING MEMBER POSITION HAS BEEN FILLED**

**Function Delegated:**

Authority to Preside at meetings until the Presiding Member position is filled through Elections to be conducted in accordance with the requirements of Schedule 2.3 of the Local Government Act 1995.

**Conditions:**

NA

**Delegated by Council to:**

Chief Executive Officer (11101)

**Delegated by Chief Executive Officer to:**

Director Corporate Services (11601)

Director Planning and Development Services (11401)

Any Officer appointed as Executive Officer or Deputy Executive Officer to a Committee under an Instrument of Appointment and Delegation adopted by Council.

**Reference:**

Standing Orders are applicable.

Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



### 3.35 FILMING POLICY

**Function Delegated:**

Authority to approve requests for filming with the City of Fremantle in accordance with Council Policy.

**Conditions:**

The filming policy will be utilised as a tool to assist all relevant filming stakeholders to meet their needs whilst at the same time ensuring that minimum impact is made on the day to day activities of the City of Fremantle's residents, business operators and the general public.

**Delegated by Council to:**

Chief Executive Officer (11101)

**Delegated by Chief Executive Officer to:**

Media and PR Officer (11105)

**Reference:**

Policy OP20 - Filming

Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-8.





### **3.36 ELECTORAL PAPERS – DESTRUCTION OF**

**Function Delegated:**

Authority to carry out or supervise the destruction of electoral parcels in accordance with relevant sections of the Local Government Act 1995 and associated regulations.

**Conditions:**

Carry out or supervise the carrying out of the destruction of electoral parcels as prescribed in regulation 82(4) of the Local Government (Elections) Regulations 1997.

**Delegated by the Council to:**

Chief Executive Officer (11101)

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)

**Reference:**

None

Adopted: August 2002, Approved by CEO: 07.08.2002; Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



### **3.37 ANNUAL MEETING WITH THE AUDITOR**

**Function Delegated:**

Authority to meet with the auditor at least once in every year.

**Conditions:**

The meeting is to comply with the requirements of the Local Government Act 1995, Section 7.12A on duties of local government with respect to audits.

**Delegated by the Council to:**

Audit Committee

**Reference:**

Local Government Act 1995, Section 7.12A

Adopted: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



**3.38 ~~USE OF CITY OF FREMANTLE COMMON SEAL~~ EXECUTION  
DOCUMENTS ON BEHALF OF THE COUNCIL**

**Delegated Function:**

~~Authority to affix common seal documents requiring same-~~

1. To authorise the affixing of the Common Seal of the City to a document that needs the City's Common Seal to be legally effective and that is in one or more of the following categories -
  - a) documents required to satisfy conditions of subdivision and/or development approval;
  - b) documents required to effect the transfer of land as part of a settlement transaction (sale and purchase);
  - c) documents required to secure the repayment of a loan granted by the City, a loan granted to the City by a third party and/or to secure the pre-funding of infrastructure works by the City;
  - d) documents required to effect the grant of leasehold interests in the land either by the City to a third party, or by a third party to the City;
  - e) documents required to effect the grant of a licence either by the City to a third party, or by a third party to the City;
  - f) documents required to effect the subdivision of land, including the strata titling of land;
  - g) documents which are capable of registration and/or lodgement at Landgate (WA Land Titles office); and
  - a)h) documents that are necessary or appropriate to enable a CEO to carry out his functions under any written law.
2. In accordance with Section 9.49A(4) of the *Local Government Act 1995*, the Chief Executive Officer (CEO) or a senior employee authorised by the CEO, be authorised to sign, on behalf of the council, a document that is necessary or appropriate for the CEO to sign in carrying out his functions under any written law.

**Conditions:**

~~That a register be kept to record each time the common seal is affixed to a document and this information be provided to Council at the next opportunity-~~



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The document must not be inconsistent with a Council policy or resolution. While the CEO can authorise the affixing of the Common Seal to a document as classified, it is noted that it is also necessary for the document to be signed by both the Mayor and the CEO (or a senior employee authorised by the CEO).

**Delegated by the Council to:**

Chief Executive Officer (11101)

Or a senior employee authorised by the Chief Executive Officer.

**Reference:**

NA

Adopted: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



### **3.40 APPROVAL OF RATE EXEMPTION**

**Function Delegated:**

To approve the granting of rate exemption status in accordance with the Local Government Act when applied for by the owner of a property or a lessee who is responsible for the payment of rates.

**Conditions:**

1. Legal advice may be sought before determining an application.
2. Any appeal against an officer decision is to be determined by council.

**Delegated by the Chief Executive Officer to:**

Rates Coordinator (51502)

Adopted: Council 28.05.08, Reviewed: 24.06.08, SGS0906-6.



### **3.41 TRADING IN PUBLIC PLACES – AUTHORITY TO DETERMINE AND APPROVE APPLICATIONS**

**Function Delegated:**

Approve Trading in Public Places Licenses by determining applications under the City of Fremantle's Activities in Thoroughfares and Public Places and trading Local Law.

**Delegated by the Council to:**

Chief Executive Officer

**Delegated by the Chief Executive Officer to:**

Manager Health, Building & Compliance Services (23101)

**Reference:**

Activities in Thoroughfares and Public Places and Trading Local Law.  
Planning Policy D.B.U5

Adopted: 24.06.09, SG50906-6.



### **3.42 SHORT STAY ACCOMMODATION LOCAL LAW – ISSUING OF NOTICES AND REGISTRATION**

**Function Delegated:**

Delegated authority relating to Short Stay Accommodation Local Law to:

1. Issue Certificate of Registration
2. Issue Infringement Notice
3. Issue Withdrawal of Infringement Notice

**Delegated by the Council to:**

Chief Executive Officer

**Delegated by the Chief Executive Officer to:**

Manager Health, Building & Compliance Services (23101)  
~~Coordinator Environmental Health and Building Services (23101)~~

**Reference:**

Short Stay Accommodation Local Law

Adopted: 24.06.09, SGS0906-6.



### 3.43 STREET NUMBERING

**Function Delegated:**  
Street Numbering

**Conditions:**

1. Allocation of new numbers.
  - 1.1 DOLA procedures incorporate the allocation of numbers on all development plans submitted to them. Where practicable these numbers should be adopted.
  - 1.2 Where DOLA numbers are unavailable or it is felt that the DOLA numbers allocated are deficient (eg they may not adequately provide for future expansion), Council may adopt its own number sequence.
  - 1.3 DOLA policy and procedures should be taken into account when Council is allocating numbers.
  - 1.4 Where Council numbering of properties is required, allocations should be carried out in the best interest of all parties. Taking into account, but not limited to:
    - The clear, logical flow of street numbers;
    - Provision for future development;
    - Emergency services, visitors and other services frequenting the address.
  - 1.5 DOLA to be advised of any changes to their allocation in writing with a plan attachment. DOLA will advise all other relevant bodies.
2. Re-allocation of existing numbers
  - 2.1 Where re-numbering of properties is required, numbering should be carried out in the best interest of all parties. Taking into account, but not limited to:
    - The clear, logical flow of street numbers;
    - Provision for future development;
    - Emergency services, visitors and other services frequenting the address.
  - 2.2 DOLA policy and procedures should be taken into account when Council is re-allocating numbers.
  - 2.3 An inspection of the street, which is the subject of re-numbering, should be carried out.
  - 2.4 Preparation of a list, detailing all owners and occupiers who will be affected by the change in numbers.
  - 2.5 Cross matching of the list with the lots on a plan and the physical inspection in order to correctly identify each property involved.
  - 2.6 All property owners and occupiers affected to be notified in writing of the re-numbering of the street. Notification should include the current street number and the proposed re-allocation pertaining to that property.





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- 2.7 All objections and any suggestions to be considered in arriving at a final decision.
- 2.8 DOLA to be advised of the final allocation in writing with a plan attachment. DOLA will advise all other relevant bodies.
- 2.9 All owners and occupiers affected to be notified in writing of the final re-allocation.
- 2.10 Compensation may be paid to those affected by re-numbering by allowing reimbursement (upon application with relevant receipts) of the cost of replacing the existing street number to a maximum of \$50.00 per application.

**Delegated by the Council to:**  
Chief Executive Officer

**Delegated by the Chief Executive Officer to:**  
Principal Building Surveyor (21204)  
Senior Building Surveyor (21206)

**Reference:**  
Nil

Adopted: 24.06.09, SGS0906-6.



### **3.44 DESIGNATION OF COMPLAINTS OFFICER**

**Function Delegated:**

Authority under section 5.120 (1) of the *Local Government Act 1995* to delegate a senior employee, as defined under section 5.37 of the *Local Government Act 1995*, to be its complaints officer.

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)

**Reference:**

Nil

**Adopted:**



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**SECTION 4 DELEGATIONS BY COUNCIL TO EMPLOYEES IN  
ACCORDANCE WITH LEGISLATION OTHER THAN THE  
LOCAL GOVERNMENT ACT 1995**

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**4.1 HEALTH ACT - ORDERS, NOTICES, DIRECTIONS AND  
OFFENCES**

**Function Delegated:**

1. Authorised under Section 26 of the Health Act to take action for breaches of the Health Act 1911 and Regulations, Local laws and Orders, Notices and Directions made thereunder. Authorised to issue Orders, Notices and Directions under the Health Act and Regulations and Local Laws made thereunder.
2. Authorised to issue Orders, Notices and Directions under the Health Act and Regulations and Local Laws made thereunder

**Delegated by the Council to:**

1. Manager Health, Building & Compliance Services (23101)
2. Senior Environmental Health Officer (23105)  
Environmental Health Officer (23103, 23104, 23109)

**Reference:**

City of Fremantle Health Local Laws 1997

Adopted: 15.02.71, Amended: 21.10.91/19.08.96, Reviewed: 22.09.03 SDRCPO309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



## 4.2 LEGAL PROCEEDINGS - INITIATE

**Function Delegated:**

Environmental Protection Act

Authorised under Section 114 (i) b of the Environmental Protection Act to initiate legal action on Council's behalf for non-compliance with the terms of any Environmental Protection Notice that Council is empowered to issue under the Environmental Protection Act.

**Conditions:**

Nil

**Delegated by the Council to:**

Manager Health, Building & Compliance Services (23101)

**Reference:**

None

Adopted: 23.11.92, Amended: 19.08.96, Reviewed: 22.09.03 SDR:CP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### **4.3 ENVIRONMENTAL PROTECTION NOTICE (NOISE)**

**Function Delegated:**

Authorised under Section 65 of the Environmental Protection Act 1986 to issue Environmental Protection Notices (Noise).

**Conditions:**

Nil

**Delegated by the Council to:**

Manager Health, Building & Compliance Services (23101)

**Reference:**

None

Adopted: 19.08.96; Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### 4.4 LIQUOR ACT

**Function Delegated:**

- (1) Authorised to pursue legal action on Council's behalf for any breach of the Liquor Act and for the lodging of objections, appeals or notices as provided for under the Liquor Licensing Act where the objections or appeal are in the interest of Council or the wider community.
- (2) Authorised to lodge objections, appeals or notices as provided for under the Liquor Licensing Act where the objections or appeal are in the interest of Council or the wider community.

**Delegated by the Council to:**

- (1) Director Planning and Development Services (11401)  
Manager Statutory Planning (21101)  
Manager Health, Building & Compliance Services (23101)
- (2) Senior Environmental Health Officer (23105)  
Environmental Health Officers (23103, 23104, 23109)

**Reference:**

The key result areas of relevant sections of the City Plan 2000-2005.

Adopted: 18.07.94, Amended: 19.08.96, Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### 4.5 DOG ACT

**Function Delegated:**

Authorised, under Section 44 of the Dog Act, to take action for breaches of the Dog Act and any Regulations, Local laws or Orders made there under.

**Delegated by the Council to:**

Manager Community Safety & Parking (22104)

**Reference:**

Local Laws Relating to Dogs

Adopted: 11.12.78, Amended: 17.6.85/21.10.91/17.2.92/22.8.94/19.08.96, Reviewed: 22.09.03 SDRCP0309-60,  
Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### 4.6 DOG INFRINGEMENT NOTICES - WITHDRAWAL OF

**Function Delegated:**

Authority to withdraw Dog Act Infringement Notices.

**Conditions:**

In accordance with Council Local Laws relating to Dogs

**Delegated by the Council to:**

Manager Community Safety & Parking (22104)

**Reference:**

Local Laws Relating to Dogs

Adopted: 20.03.95, Amended: 19.08.96, Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6.





#### 4.7 FUNCTIONS DELEGATED UNDER LOCAL PLANNING SCHEME NO. 4

**Applicable Legislation:**

Planning and Development Act 2005  
Planning and Development Regulations 2009  
State Administrative Tribunal Act 2004  
Local Government Act 1995  
Local Government (Miscellaneous Provisions) Act 1960  
Liquor Licensing Act 1988  
Local Planning Scheme No. 4  
Metropolitan Region Scheme

**Functions Delegated:**

- 1) All powers and duties of the Council under Local Planning Scheme No. 4 with the exception of:
1. The adoption of a Local Planning Policy, Structure Plan or Detailed Area Plan.
  2. The establishment of a committee under Local Planning Scheme No. 4.
  3. Determining a planning application classified as a significant application.
  4. Determining a planning application, extension of time or variation to planning approval where:
    - i. Relevant objection/s have been received on planning grounds which cannot be addressed by conditions of approval and is not a minor variation as determined by the Chief Executive Officer and clearly does not meet the relevant performance criteria of the R Codes or intent of the relevant Planning Policy or scheme provision; or
    - ii The application involves a demolition to a building on the Municipal Heritage Inventory.

**Further Limits on sub delegation under part 4**

- May not determine applications for development exceeding \$1,000,000 in value and/or a net increase of dwellings (unless on a survey strata lot) and/or a net increase of over 5000m<sup>2</sup> of building floor area.
- may not refuse applications,
- may not approve existing development (i.e. retrospective applications),
- may not determine applications in a manner not generally consistent with relevant Planning Policies,
- may not determine an application for planning approval where any relevant submissions have been received, irrespective of issues raised,



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unless the only submissions received are in support of the development without condition,

- May not approve demolition of any dwelling or building that is the primary structure on a site unless supported by positive heritage advice
  - May not determine any change of use where the proposed use is classified as an "A" use under table 2 of the Planning Scheme
5. Determining ~~an~~ **planning** application, ~~for~~ variation of planning approval or extension of time where the original decision has been determined by the Council or PSC unless the CEO deems the variation to be minor and the requirements of part 5 above are met.

**Further Limits on sub delegation under part 5**

*Subject to the limits to sub delegation outlined in part 5, the following additional limits apply:*

- May not determine **planning** applications, ~~for variation~~ where an additional discretionary decision or performance based assessment is required.
6. Determining an application for planning approval in relation to a non-conforming use.
7. Revocation of a Local Planning Policy.

2) The following powers of the Council:

1. Make recommendations to the WAPC in regards to applications for survey strata and/or subdivision of land and clearance of conditions imposed on the survey strata and/or subdivision of land.

**Further Limits on sub delegation under part 1**

- May not make recommendations which might result in a net increase of more than 20 lots,
  - May only clear conditions that relate to applications for which they have sub-delegation under Part 1
2. Make recommendations to the WAPC with regard to applications for development of land located on an MRS reserve.

**Further Limits on sub delegation under part 2**

- May not make recommendations in a manner not generally consistent with relevant Planning Policies
3. Provide comment and advice to public agencies on issues requiring or inviting comment by the City.



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**Further Limits on sub delegation under part 3**

- Powers of part 3 not sub delegated.

4. Respond to the State Administrative Tribunal.

5. Take legal action in relation to breaches of the Local Planning Scheme No.4, *Local Government Act 1995* or the *Local Government (Miscellaneous Provisions) Act 1960* or subsidiary legislation thereof.

**Further Limits on sub delegation under part 5**

- Powers of part 5 not sub delegated.

6. Issue certificates under s40 of the Liquor Licensing Act 1988 as amended.

7. Issuing planning infringements pursuant to the Planning and Development Act 2005 and Planning and Development Regulations 2009.

**Delegated by the Council to:**

Chief Executive Officer  
Manager Statutory Planning (21101)

**Sub-delegation to:**

Coordinator Statutory Planning (21102)  
Manager Health, Building & Compliance Services (23101)  
~~Coordinator Planning Mediation (21112)~~



#### 4.8 METROPOLITAN REGION SCHEME APPROVAL TO COMMENCE DEVELOPMENT

**Function Delegated:**

Where a determination under the Metropolitan Region Scheme has been made and a Form 2 is to be issued, the Director Planning and Development is authorised to sign the form.

**Conditions:**

Nil

**Delegated by the Council to:**

Manager Statutory Planning (21101)

**Reference:**

Nil

Adopted: 18.04.83, Amended: 19.08.96, Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### 4.9 BUILDINGS AND LAND - AUTHORITY TO ENTER

**Function Delegated:**

Enter at all reasonable times any building or land for the purpose of ascertaining whether the provisions of the Local Planning Scheme No.4 are being observed.

**Delegated by the Council to:**

For the purpose of Local Planning Scheme No. 4, the following officers are authorised:

Director Planning and Development Services (11401)  
Manager Statutory Planning (21101)  
[Manager Planning Projects \(24101\)](#)  
Coordinator Statutory planning (21102)  
Senior Planning Officer (21114)  
Planning Officers (21104, 21103, 21107, 21105)  
Coordinator Development Compliance (21201)  
[Coordinator Planning Mediation \(21112\)](#)  
Compliance Technical Officer (21108)  
Senior Strategic Planning Officer (24103)  
Strategic Planning Officer (11403)  
Principal Building Surveyor (21204)  
Senior Building Surveyor (21206)  
Building Surveyor (21202)  
Heritage Coordinator (24106)  
Heritage Planner (24107)  
Strategic Planning Officer (24102)  
Manager Health, Building & Compliance Services (23101)  
Senior Environmental Health Officer (23105)  
Environmental Health Officer (23103, 23104, 23109)

**Reference:**

LPP1.5 – Planning, Building and Environmental Health Compliance Policy

Adopted: 21.12.87, Amended: 19.08.96, Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07  
SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### 4.10 STRATA TITLE CLEARANCE

**Function Delegated:**

Delegated authority under Section 23(5) of the Strata Title Act to sign Section 23 strata title certificates.

**Conditions:**

Nil

**Delegated by the Council to:**

Director Planning and Development (11401)  
Manager Statutory Planning (21101)  
Principal Building Surveyor (21204)

**Reference:**

None

Adopted: 18.11.96, Amended: 05.07.04 DAC0406-245, Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### **4.11 CARAVAN PARKS AND CAMPING GROUNDS - DELEGATED AUTHORITY UNDER THE PROVISIONS OF**

**Function Delegated:**

- i. In accordance with Part 1, Regulation 6 of the Caravan Parks and Camping Grounds Regulations 1997 Council's Principal Building Surveyor is authorised to issue approvals for Park Homes and associated structures and the removal of neglected and abandoned caravans of structures under Part 6 of the Caravan Parks and Camping Grounds Regulations 1997.
- ii. Council's Principal Building Surveyor and Building Surveyors are authorised to enforce the provisions of Part 4, Divisions 1, 2 and 3 of the Caravan Parks and Camping Grounds Regulations 1997.
- iii. Council's Principal Building Surveyor and Building Surveyors are authorised to enforce the provisions of Schedules 5, 6 and 7 of the Caravan Parks and Camping Grounds Regulations 1997.
- iv. Council's Environmental Health Officers are authorised to enforce the provisions of the Caravan Parks and Camping Grounds Regulations 1997 except for:- Part 1, Regulation 6 Part 4, Divisions 1, 2 and 3 Schedule 6.
- v. Council's Coordinator Development Compliance and Compliance Technical Officer is authorised to enforce the provisions of Schedules 5, 6 and 7 and Part 4, Divisions 1, 2 and 3 and Part 6 of the Caravan Parks and Camping Grounds Regulations 1997.
- vi. Council's Environmental Health Officers, Principal Building Surveyor and Building Surveyors and Planning Enforcement Officer be appointed as authorised persons with power of entry and inspection at Caravan Parks and Camping Ground in accordance with Part 3 of the Caravan Parks and Camping Grounds Act 1995.
- vii. Council's Environmental Health Officers, Principal Building Surveyor and Building Surveyors and Planning Enforcement Officer be appointed as authorised persons in order to issue infringement notices in accordance with Part 4 of the Caravan Parks and Camping Grounds Act 1995.
- viii. Council's Director Planning and Development and Manager Statutory Planning be appointed as authorised person to amend, modify, withdraw infringement notices in accordance with Part 4 of the Caravan Park and Camping Grounds Act 1995.

**Conditions:**

Nil



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**Delegated by the Council to:**

Coordinator Development Compliance (21201)  
Compliance Technical Officer (21108)  
Principal Building Surveyor (21204)  
Senior Building Surveyor (21206)  
Building Surveyor (21202)  
Manager Health, Building & Compliance Services (23101)  
Environmental Health Officer (23103, 23109, 23104, 23105)  
[Coordinator Planning Mediation \(21112\)](#)

**Reference:**

Nil

Adopted: 01.12.97; Reviewed: 22.09.03 SDRCP0309-80, Amended: Council 26.04.07 SGS0704-4, Reviewed:  
24.06.09, SGS0906-6.





#### 4.12 ROAD TRAFFIC CODE 1975 - ROADWORKS/TRAFFIC SIGNS

**Function Delegated:**

Authority for the erection of signs in accordance with documented delegation procedures.

**Conditions:**

Pursuant to regulation 301(2) of the Road Traffic Code 1975, the Commissioner of Main Roads WA authorises the Council of each municipality in Western Australia to erect, display, alter or take down any traffic sign or traffic control signal in respect of the construction or maintenance of a road or of any portion of a road within each such municipality.

**Delegated by the Council to:**

Director Technical Services (69501)

[Manager Infrastructure Projects](#) ~~[Manager Infrastructure Services \(52600\)](#)~~

**Reference:**

Nil

Adopted: 14.07.97; Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### **4.14 FIREWORKS - APPROVALS FOR DISPLAY OF**

**Function Delegated:**

Approval of Fireworks Display

**Conditions:**

Authorised Officers to approve applications for fireworks displays within the municipality. In some instances the applicant will be required to notify residents who live in close proximity to the address where the fireworks will be displayed. This notification should be in the form of an advertisement in the local print media and/or information pamphlet then delivered to each occupied property. All arrangements and costs associated with the application and the advertising is to be the responsibility of the applicant.

**Delegated by the Council to:**

Manager Community Safety & Parking (22104)  
Manager Health, Building & Compliance Services (23101)

**Reference:**

Nil

**Comment**

The Department of Minerals & Energy issue approvals for the display of fireworks. These approvals are issued in accordance with section 142 of the Explosives Regulations, 1963. As a procedure the Department of Minerals & Energy request the approval of the Local Authority. In some cases it is impractical for applications to be referred to Council for approval, in such cases a delegation for an Officer to approve specific applications would be beneficial to all concerned.

Adopted: 15.06.98; Reviewed: 22.09.03 SDRCP0309-50, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### **4.15 DOG NUMBERS AT PREMISES WITHIN CITY OF FREMANTLE**

**Function Delegated:**

Approve the keeping of three or more dogs (limit of six) within the City of Fremantle

**Conditions:**

If the application is for the keeping of more than six dogs then it would be regarded as an application for approval of a kennel.

There is a risk that dogs will create a nuisance, however, the degree of nuisance, and any background of complaints, would be taken into account at the time the application is received. In the event that noise is a significant factor the application would be declined or the applicant asked to address the problem prior to formal approval.

**Delegated by the Council to:**

Manager Community Safety & Parking (22104)

**Reference:**

Local Government Act, Clause 5.44

Adopted: 09.06.03 SDRCP0305-11, Reviewed: 22.09.03 SDRCP0309-60, Amended: Council 26.04.07 SGS0704-4, Reviewed: 24.06.09, SGS0906-6.



#### **4.16 BUILDING LICENCES - ISSUING OF**

**Function Delegated:**

Authority to determine the issuing of a building licence and a building approval certificate in accordance with the requirements of section 374 of the Local Government (Miscellaneous Provisions) Act 1960, the Building Regulations 1989, other relevant legislation and Council Policy.

**Delegated by the Council to:**

Principal Building Surveyor (21204)

**Reference:**

Nil

Adopted: 17.11.75; Amended: 13.04.81; Replaced: 20.6.83; Terminology Updated: 21.12.87;  
Amended: 18.2.91/19.8.96/15.06.98; Amended: 22.09.03 SDRCP0309-80, Amended: Council 26.04.07 SGS0704-4,  
Amended: Council 27.06.07 SGS0706-12, Reviewed: 24.06.09, SGS0906-6.



#### 4.17 ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING LOCAL LAW

**Function Delegated:**

The following persons are authorised by the City of Fremantle, pursuant to section 3.39 and section 9.10 of the Local Government Act 1995 to perform the functions of an authorised person under the City of Fremantle Activities in Thoroughfares and Public Places and Trading Local Law.

**Delegated by the Council to:**

Director Technical Services (69501)  
Manager Infrastructure Projects ~~Manager Infrastructure Services (52600)~~  
Manager City Works (62101)  
Compliance Officer (52107)  
Traffic and Civic Design Coordinator (52406)  
Parks and Landscapes Coordinator (52601)  
City Works Coordinator (57103)

**Reference:**

City of Fremantle Activities in Thoroughfares and Public Places and Trading Local Law

Adopted: Council 26 August 2009  
Amended: 22 September 2010 (SGS1009-10)



#### **4.18 FOOD ACT ENFORCEMENT AGENCY**

**Function Delegated:**

Authorised under Section 118(2) of the Food Act 2008 to perform functions conferred on the City of Fremantle as an enforcement agency.

**Delegated by the Council to:**

Chief Executive Officer (11101)  
Manager Health, Building & Compliance Services (23101)

**Reference:**

Food Act 2008

Adopted: Council 24 March 2010 (SGS1003-10)

Amended:



#### **4.19 FUNCTIONS DELEGATED UNDER THE *BUILDING ACT 2011***

##### **Applicable Legislation**

Building Act 2011  
Building Regulations 2012

##### **Functions Delegated**

1. To approve or refuse to approve plans and specifications submitted under section 20 of the Building Act 2011.
2. To approve or refuse to approve plans and specifications submitted under section 21 of the Building Act 2011.
3. To approve, modify or refuse to approve applications submitted under section 58 of the Building Act 2011.
4. To approve or refuse to approve applications to extend an occupancy permit or building approval certificate submitted under section 65 of the Building Act 2011.
5. To make building orders pursuant to section 110 of the Building Act 2011 in relation to
  - building work
  - demolition work
  - an existing building or incidental structure

##### **Delegated by Council to:**

Principal Building Surveyor (21204)  
Senior Building Surveyor (21206)

##### **Delegated by Council (for part 5 only) to:**

Manager Health, Building & Compliance Services (23101)  
Coordinator Development Compliance (21201)  
Coordinator Planning Mediation (21112)



#### **4.20 FUNCTIONS DELEGATED UNDER THE *BUILDING ACT 2011* (*AUTHORISATIONS*)**

##### **Applicable Legislation**

Building Act 2011  
Building Regulations 2012

##### **Functions Delegated**

1. To revoke building orders pursuant to section 117 of the Building Act 2011
2. Authority to enter property under section 100
3. Powers after entry for compliance purposes under section 101
4. Obtaining information and documents under section 102
5. Use of force and assistance under section 103
6. Application for warrant to enter a place under section 106

##### **Delegated by Council to:**

Chief Executive Officer (11101)





#### 4.21 DESIGNATION OF PUBLIC INTEREST DISCLOSURE OFFICER

**Applicable Legislation**

Public Interest Disclosure Act 2003

**Functions Delegated**

Under section 23 (1)(a) of the *Public Interest Disclosure Act 2003*, a senior officer be designated as the Public Interest Disclosure (PID) Officer, responsible for receiving disclosures of public interest information.

**Delegated by the Chief Executive Officer to:**

Director Corporate Services (11601)

**Reference:**

Nil

Adopted:



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## CONTACT INFORMATION

### Location

City of Fremantle  
Town Hall Centre, 8 William Street  
Fremantle WA 6160

### Postal Address

City of Fremantle  
PO Box 807  
FREMANTLE WA 6959

### Telephone and Facsimile

T 08 9432 9999  
F 08 9430 4634  
TTY 08 9732 9777 (text telephone)

### Email Address

info@fremantle.wa.gov.au

### Website Address

[www.fremantle.wa.gov.au](http://www.fremantle.wa.gov.au)  
[www.visitfremantle.com.au](http://www.visitfremantle.com.au)  
[www.fremantlefestivals.com](http://www.fremantlefestivals.com)  
[www.fremantletrails.com.au](http://www.fremantletrails.com.au)  
[www.fac.org.au](http://www.fac.org.au)

**C1303-02 ANNUAL COMPLIANCE AUDIT RETURN 2013  
ATTACHMENT 1**

Department of Local Government - Compliance Audit Return



Government of Western Australia  
Department of Local Government

**Fremantle - Compliance Audit Return 2012**

| <b>Commercial Enterprises by Local Governments</b> |                                   |   |                 |                 |                   |
|--|-----------------------------------|---|-----------------|-----------------|-------------------|
| <b>No</b>  | <b>Reference</b>                  | <b>Question</b>   | <b>Response</b> | <b>Comments</b> | <b>Respondent</b> |
| 1  | §3.59(2)(a)(b)(c)<br>F&G Reg 7,9  | Has the local government prepared a business plan for each major trading undertaking in 2012.   | N/A             |                 | Gary Martin       |
| 2  | §3.59(2)(a)(b)(c)<br>F&G Reg 7,10 | Has the local government prepared a business plan for each major land transaction that was not exempt in 2012.  | Yes             |                 | Gary Martin       |
| 3  | §3.59(2)(a)(b)(c)<br>F&G Reg 7,10 | Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2012. | N/A             |                 | Gary Martin       |
| 4  | §3.59(4)                          | Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2012.  | N/A             |                 | Gary Martin       |
| 5  | §3.59(5)                          | Did the Council, during 2012, resolve to proceed with each major land transaction or trading undertaking by absolute majority.                                    | N/A             |                 | Gary Martin       |

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Department of Local Government - Compliance Audit Return



Government of Western Australia  
Department of Local Government

| Delegation of Power / Duty |                             |  |          |   |             |
|----------------------------|-----------------------------|--|----------|---|-------------|
| No                         | Reference                   | Question   | Response | Comments  | Respondent  |
| 1                          | s5.16, 5.17, 5.18           | Were all delegations to committees resolved by absolute majority.  | Yes      |   | Gary Martin |
| 2                          | s5.16, 5.17, 5.18           | Were all delegations to committees in writing.   | Yes      |   | Gary Martin |
| 3                          | s5.16, 5.17, 5.18           | Were all delegations to committees within the limits specified in section 5.17.  | Yes      |   | Gary Martin |
| 4                          | s5.16, 5.17, 5.18           | Were all delegations to committees recorded in a register of delegations.  | Yes      |   | Gary Martin |
| 5                          | s5.18                       | Has Council reviewed delegations to its committees in the 2011/2012 financial year.  | Yes      |   | Gary Martin |
| 6                          | s5.42(1),5.43 Admin Reg 18G | Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.                            | No       | Delegation 3.38 Use of Common Seal does not comply with LGA s9.49A. | Gary Martin |
| 7                          | s5.42(1)(2) Admin Reg 18G   | Were all delegations to the CEO resolved by an absolute majority.  | Yes      |   | Gary Martin |
| 8                          | s5.42(1)(2) Admin Reg 18G   | Were all delegations to the CEO in writing.  | Yes      |   | Gary Martin |
| 9                          | s5.44(2)                    | Were all delegations by the CEO to any employee in writing.  | Yes      |   | Gary Martin |
| 10                         | s5.45(1)(b)                 | Were all decisions by the Council to amend or revoke a delegation made by absolute majority.   | N/A      | No example sighted  | Gary Martin |
| 11                         | s5.46(1)                    | Has the CEO kept a register of all delegations made under the Act to him and to other employees.   | Yes      |   | Gary Martin |
| 12                         | s5.46(2)                    | Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2011/2012 financial year. | Yes      |   | Gary Martin |
| 13                         | s5.46(3) Admin Reg 19       | Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.                     | Yes      |   | Gary Martin |

| Disclosure of Interest |           |   |          |          |             |
|------------------------|-----------|---|----------|----------|-------------|
| No                     | Reference | Question  | Response | Comments | Respondent  |
| 1                      | s5.67     | If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68). | Yes      |          | Gary Martin |
| 2                      | s5.68(2)  | Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.  | N/A      |          | Gary Martin |

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Department of Local Government - Compliance Audit Return



Government of Western Australia  
Department of Local Government

| No | Reference                                      | Question  | Response | Comments   | Respondent  |
|----|--|---|----------|--|-------------|
| 3  | s5.73  | Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.  | Yes      |  | Gary Martin |
| 4  | s5.75(1) Admin Reg 22 Form 2                   | Was a primary return lodged by all newly elected members within three months of their start day.  | N/A      |  | Gary Martin |
| 5  | s5.75(1) Admin Reg 22 Form 2                   | Was a primary return lodged by all newly designated employees within three months of their start day.   | No       | Three employees with limited delegation did not lodge a return within the 3 month statutory period | Gary Martin |
| 6  | s5.76(1) Admin Reg 23 Form 3                   | Was an annual return lodged by all continuing elected members by 31 August 2012.  | Yes      |  | Gary Martin |
| 7  | s5.76(1) Admin Reg 23 Form 3                   | Was an annual return lodged by all designated employees by 31 August 2012.  | Yes      | One employee is on extended sick leave and has not been able to lodge a return.                    | Gary Martin |
| 8  | s5.77  | On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.   | Yes      |  | Gary Martin |
| 9  | s5.88(1)(2) Admin Reg 28                       | Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76   | Yes      |  | Gary Martin |
| 10 | s5.88(1)(2) Admin Reg 28                       | Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.   | Yes      |  | Gary Martin |
| 11 | s5.88 (3)                                      | Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.  | Yes      |  | Gary Martin |
| 12 | s5.88(4)                                       | Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.   | Yes      |  | Gary Martin |
| 13 | s5.103 Admin Reg 34C & Rules of Conduct Reg 11 | Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes. | Yes      |  | Gary Martin |
| 14 | s5.70(2)                                       | Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.                                   | N/A      | No example sighted   | Gary Martin |

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Department of Local Government - Compliance Audit Return



Government of **Western Australia**  
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| No | Reference               | Question  | Response | Comments           | Respondent  |
|----|-------------------------|---|----------|--------------------|-------------|
| 15 | s5.70(3)                | Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee. | N/A      | No example sighted | Gary Martin |
| 16 | s5.103(3) Admin Reg 34B | Has the CEO kept a register of all notifiable gifts received by Council members and employees.  | Yes      |                    | Gary Martin |

#### Disposal of Property

| No | Reference | Question  | Response | Comments | Respondent   |
|----|-----------|---|----------|----------|--------------|
| 1  | s3.58(3)  | Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).  | Yes      |          | Glen Dougall |
| 2  | s3.58(4)  | Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property. | Yes      |          | Glen Dougall |

#### Elections

| No | Reference         | Question   | Response | Comments      | Respondent  |
|----|-------------------|--|----------|---------------|-------------|
| 1  | Elect Reg 30G (1) | Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates. | Yes      | 2011 Election | Gary Martin |

#### Finance

| No | Reference    | Question  | Response | Comments                 | Respondent  |
|----|--------------|---|----------|--------------------------|-------------|
| 1  | s7.1A        | Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.          | Yes      |                          | Gary Martin |
| 2  | s7.1B        | Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority. | N/A      |                          | Gary Martin |
| 3  | s7.3         | Was the person(s) appointed by the local government to be its auditor, a registered company auditor.  | Yes      | Appointed prior to 2012. | Gary Martin |
| 4  | s7.3         | Was the person(s) appointed by the local government to be its auditor, an approved auditor.   | N/A      |                          | Gary Martin |
| 5  | s7.3, 7.6(3) | Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.                   | N/A      |                          | Gary Martin |

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Department of Local Government - Compliance Audit Return



Government of Western Australia  
Department of Local Government

| No | Reference      | Question   | Response | Comments | Respondent  |
|----|----------------|--|----------|----------|-------------|
| 6  | Audit Reg 10   | Was the Auditor's report for the financial year ended 30 June 2012 received by the local government within 30 days of completion of the audit.   | Yes      |          | Gary Martin |
| 7  | s7.9(1)        | Was the Auditor's report for 2011/2012 received by the local government by 31 December 2012.   | Yes      |          | Gary Martin |
| 8  | S7.12A(3), (4) | Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.  | N/A      |          | Gary Martin |
| 9  | S7.12A(3), (4) | Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.   | N/A      |          | Gary Martin |
| 10 | S7.12A(3), (4) | Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time. | N/A      |          | Gary Martin |
| 11 | Audit Reg 7    | Did the agreement between the local government and its auditor include the objectives of the audit.  | N/A      | Pre 2012 | Gary Martin |
| 12 | Audit Reg 7    | Did the agreement between the local government and its auditor include the scope of the audit.   | N/A      |          | Gary Martin |
| 13 | Audit Reg 7    | Did the agreement between the local government and its auditor include a plan for the audit.   | N/A      |          | Gary Martin |
| 14 | Audit Reg 7    | Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.   | N/A      |          | Gary Martin |
| 15 | Audit Reg 7    | Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.  | N/A      |          | Gary Martin |

Department of Local Government - Compliance Audit Return



Government of Western Australia  
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| Local Government Employees |                                     |   |          |                                  |             |  |
|----------------------------|-------------------------------------|---|----------|----------------------------------|-------------|--|
| No                         | Reference                           | Question  | Response | Comments                         | Respondent  |  |
| 1                          | Admin Reg 18C                       | Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.                       | N/A      |                                  | Gary Martin |  |
| 2                          | s5.36(4) s5.37(3),<br>Admin Reg 18A | Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A. | N/A      | No Senior Employee movement 2012 | Gary Martin |  |
| 3                          | s5.37(2)                            | Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.  | N/A      |                                  | Gary Martin |  |
| 4                          | Admin Reg 18F                       | Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).     | N/A      |                                  | Gary Martin |  |
| 5                          | Admin Regs 18E                      | Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).           | N/A      |                                  | Gary Martin |  |

| Official Conduct |              |  |          |          |             |  |
|------------------|--------------|--|----------|----------|-------------|--|
| No               | Reference    | Question   | Response | Comments | Respondent  |  |
| 1                | s5.120       | Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.                        | Yes      |          | Gary Martin |  |
| 2                | s5.121(1)    | Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).            | Yes      |          | Gary Martin |  |
| 3                | s5.121(2)(a) | Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.            | Yes      |          | Gary Martin |  |
| 4                | s5.121(2)(b) | Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.                                | Yes      |          | Gary Martin |  |
| 5                | s5.121(2)(c) | Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred. | Yes      |          | Gary Martin |  |
| 6                | s5.121(2)(d) | Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).                            | Yes      |          | Gary Martin |  |

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Department of Local Government - Compliance Audit Return



Government of Western Australia  
Department of Local Government

| Tenders for Providing Goods and Services |                     |  |          |          |             |
|--|---------------------|--|----------|----------|-------------|
| No                                       | Reference           | Question   | Response | Comments | Respondent  |
| 1  | s3.57 F&G Reg 11    | Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)). | Yes      |          | Gary Martin |
| 2  | F&G Reg 12          | Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.   | N/A      |          | Gary Martin |
| 3  | F&G Reg 14(1)       | Did the local government invite tenders via Statewide public notice.   | Yes      |          | Gary Martin |
| 4  | F&G Reg 14, 15 & 16 | Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.  | Yes      |          | Gary Martin |
| 5  | F&G Reg 14(5)       | If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.  | N/A      |          | Gary Martin |
| 6  | F&G Reg 18(1)       | Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.   | N/A      |          | Gary Martin |
| 7  | F&G Reg 18 (4)      | In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.   | Yes      |          | Gary Martin |
| 8  | F&G Reg 17          | Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.   | Yes      |          | Gary Martin |
| 9  | F&G Reg 19          | Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.   | Yes      |          | Gary Martin |
| 10                                       | F&G Reg 21 & 22     | Did the local governments' advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.  | N/A      |          | Gary Martin |
| 11                                       | F&G Reg 23(1)       | Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.  | N/A      |          | Gary Martin |

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Department of Local Government - Compliance Audit Return



Government of Western Australia  
Department of Local Government

| No | Reference     | Question  | Response | Comments | Respondent  |
|----|---------------|---|----------|----------|-------------|
| 12 | F&G Reg 23(4) | After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.   | N/A      |          | Gary Martin |
| 13 | F&G Reg 24    | Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.  | N/A      |          | Gary Martin |
| 14 | F&G Reg 24E   | Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council). | N/A      |          | Gary Martin |
| 15 | F&G Reg 11A   | Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less.   | Yes      |          | Gary Martin |

## ATTACHMENT 2

### Notes to the Compliance Audit Review 2012

Tuesday, 19 February 2013  
10:58 AM

**These notes are relevant to the Local Government Compliance Audit Return for the period 1 January 2012 to 31 December 2012. The notes include reference to specific items of non-compliance and matters of an advisory nature for the CEO's consideration.**

#### 1. DISCLOSURE.

*For the purposes of s5.70 I disclose that I am a Local Government Consultant involved with a wide range of local governments in the State and with associated industry issues. I am not aware of any specific matter that may create an interest that would require a financial or impartiality interest disclosure to the Council.*

*The Compliance Audit review was conducted independent of the City's management.*

#### 2. STATUTORY COMPLIANCE AUDIT 2012 REVIEW PROCESS

The CEO engaged me to conduct an independent review of the Statutory Compliance Return (CAR) for 2012. The review took place on-site on 18 and 19 February 2013.

An important objective of the Compliance Return process is to assist local governments to enhance or develop their internal control processes to ensure compliance with statutory requirements and improve operational management control by using "best practice" procedures. Importantly, the compliance review provides the CEO with an independent overview of the status of his internal management processes, and the Council with an overview of the state of the City's administration.

The review involved the CAR, records of the City and information and advice from relevant City employees and consisted of an examination, on a test basis, of evidence supporting the status of compliance. The process included a comprehensive audit test check of significant items such as the primary and annual return registers, financial interest disclosures, and other registers. Other items in the Return were the subject of examination based upon a sample check of relevant records and/or discussion with relevant officers to ascertain compliance.

The CAR is an electronic document on the Department of Local Government (DLG) website. The extent of the CAR has been reduced considerably from 283 items in 2010 to just 78 for 2011 and 2012. The City is responsible for the completion and submission of the final statutory Compliance Return for 2012 to the Council and the DLG.

The review procedures undertaken enabled the determination of a reasonable opinion, whether in all material respects, compliance, or partial compliance was achieved and consistent based upon the records and information presented.

It is also relevant that the CEO is responsible for the final preparation and submission of the CAR, and the Council itself is required to provide additional scrutiny, including the essential element of local first hand knowledge of some matters, prior to its adoption as the accepted Return.

The compliance review process provides both the CEO and the Council with an additional element of accountability through an independent check on internal management systems, procedures and record keeping and this demonstrates the City's emphasis on improving its good governance, compliance, and best practice through voluntary exposure to external scrutiny.

The CEO and City staff provided all necessary assistance and explanations required during the review.

#### 3. REVIEW OUTCOME

The standard of compliance remains consistently high.

It is apparent that the City has a strong culture of awareness of compliance requirements. For context purposes, non-compliance or partial non-compliance related to only 2 of the total 78 items included in the Compliance Return, or an achievement of 97.4%, slightly higher than last year.

The City has sound management systems and procedures. The two examples of non-compliance noted reflected inconsistent or incomplete compliance and human error, and not any systemic failure.

It is important to note that the actual compliance audit process is a detached, retrospective examination of minute, multifaceted, and ambiguous statutory detail specified by the *Local Government Act 1995* and associated regulations. Significantly, the CAR excludes the actual working environment and pressures of the day-by-day operational circumstances, and other community priorities that exist in the pragmatic management of the wide range of functions and issues experienced in a vibrant and growing local government such as the City. The overall compliance requirement to observe "all written law" places an onerous responsibility on the CEO of a growing local government.

The level of compliance achieved is a significant indicator in respect of the high standard of management of the City.

The notes and advisory recommendations in the attachment are for the CEO's management consideration, and provided with the objective of further improving compliance and best practice.

Gary Martin  
Local Government Consultant  
19 February 2013

**2012 COMPLIANCE NOTES**

**A) DELEGATION**

The Delegation register and associated record keeping was of a high standard. The most recent review was conducted in May 2012.

It is noteworthy that the City has tightened up its management systems to match its delegations to employees with its control over the lodgment of primary and annual financial returns by the relevant employees. This requires on-going and consistent diligence due to the number of employees involved.

Q6. Delegation 3.38 relating to the Use of the Common Seal does not comply with the requirements of LGA s9.49A

This matter had been identified by the City and an amended delegation is being prepared.

**B) DISCLOSURE OF INTEREST**

The management of the Primary and Annual returns and the disclosure of interests at meetings were of a high standard.

No examples were noted of the CEO or other officer making a disclosure at a meeting.

No example was noted in the minutes of any decision under s5.68(1).

Q5. Three employees had not submitted a Primary Return within three months of their start date.

Q7. One employee on extended sick leave had not lodged an annual return. It is not considered that this represents non-compliance and is noted for information only.

The management system and increased awareness of the need for constant monitoring of this requirement is working well.

**C) TENDERS**

The tender process is thorough and supported by comprehensive documentation. The City is also using the WALGA Purchasing Service and its Tender bureau service.

The 'Tender Register' is a public document that may be inspected during office hours, and therefore caution is required to ensure that only the necessary statutory information is recorded in the record available to the public and that any confidential or sensitive information is not included in the register.

**D) General.**

The City has well documented policies and procedures. It is to be expected that there will be some human error and inconsistency particularly due to the sheer volume of information and activity taking place. The standard of compliance has improved consistently in recent years and indicates that the CEO has placed a greater emphasis on achieving a high level of compliance.

**C1303-01 - MONTHLY FINANCIAL REPORT FEBRUARY 2013**

**ATTACHMENT 1 - Statement of Financial Activity by Nature to 28 February 2013**



**Statement of Financial Activity**  
by Nature & Type  
for the period ended 28th February 2013

| Description  | 2012/2013<br>YTD<br>Actual<br>\$ | 2012/2013<br>YTD<br>Budget<br>\$ | 2012/2013<br>Revised<br>Budget<br>\$ | 2012/2013<br>Adopted<br>Budget<br>\$ | Variance<br>Budget to<br>Actual YTD |
|--|----------------------------------|----------------------------------|--------------------------------------|--------------------------------------|-------------------------------------|
| <b>REVENUE</b>   |                                  |                                  |                                      |                                      |                                     |
| Rates (excluding Annual Levy)  | -                                | -                                | -                                    | -                                    |                                     |
| Service Charges (Underground Power)                                      | -                                | -                                | -                                    | -                                    |                                     |
| Operating Grants, Subsidies and Contributions                            | (3,094,118)                      | (3,356,839)                      | (4,812,974)                          | (4,682,289)                          | (7.83%)                             |
| Capital Grants and Subsidies/Contributions for the development of Assets | (1,498,527)                      | (985,819)                        | (2,165,122)                          | (2,141,351)                          | 51.81%                              |
| Fees and Charges   | (18,089,500)                     | (17,083,726)                     | (24,563,187)                         | (24,563,187)                         | 5.89%                               |
| Interest Earnings  | (1,296,379)                      | (1,470,868)                      | (2,140,134)                          | (2,140,134)                          | (11.86%)                            |
| Profit on Sale of Assets   | -                                | -                                | (100,000)                            | (100,000)                            |                                     |
| Other Revenue  | (230,145)                        | (93,062)                         | (183,182)                            | (183,182)                            | 147.30%                             |
|  | <u>(24,206,730)</u>              | <u>(22,990,314)</u>              | <u>(33,964,599)</u>                  | <u>(33,810,143)</u>                  | 5.29%                               |
| <b>EXPENSES</b>  |                                  |                                  |                                      |                                      |                                     |
| Employee Costs   | 20,044,468                       | 21,161,692                       | 31,690,561                           | 31,690,561                           | (5.28%)                             |
| Materials and Contracts  | 14,399,172                       | 14,982,195                       | 21,232,469                           | 21,051,784                           | (3.89%)                             |
| Depreciation on Non Current Assets                                       | 6,101,125                        | 5,987,816                        | 8,978,014                            | 8,978,014                            | 1.89%                               |
| Interest Expenses  | 275,631                          | 275,969                          | 528,113                              | 528,113                              | (0.12%)                             |
| Utility Charges (gas, electricity, water)                                | 1,041,018                        | 1,291,777                        | 2,110,975                            | 2,110,975                            | (19.41%)                            |
| Loss on Sale of Assets   | 5,098                            | 39,764                           | 471,952                              | 471,952                              | (87.18%)                            |
| Insurance Expenses   | 761,027                          | 495,816                          | 716,554                              | 716,554                              | 53.40%                              |
| Other Expenditure  | 1,067,314                        | 1,146,332                        | 1,531,803                            | 1,506,803                            | (8.89%)                             |
|  | <u>43,694,852</u>                | <u>45,381,361</u>                | <u>67,260,441</u>                    | <u>67,054,756</u>                    | (3.72%)                             |
| <b>Adjustments for Cash Budget Requirements:</b>                         |                                  |                                  |                                      |                                      |                                     |
| <b>Non-Cash Expenditure and Revenue</b>                                  |                                  |                                  |                                      |                                      |                                     |
| Profit/(Loss) on Asset Disposals   | (5,098)                          | (39,764)                         | (371,952)                            | (371,952)                            | (87.18%)                            |
| Depreciation on Assets   | (6,101,125)                      | (5,987,816)                      | (8,978,014)                          | (8,978,014)                          | 1.89%                               |
| Acquisition of Assets  | -                                | -                                | -                                    | -                                    |                                     |
| Impairment of Assets   | -                                | -                                | -                                    | -                                    |                                     |
| <b>Capital Expenditure and Revenue</b>                                   |                                  |                                  |                                      |                                      |                                     |
| Purchase Land and Buildings - Freehold                                   | 419,228                          | 867,048                          | 1,072,790                            | 1,072,790                            | (51.65%)                            |
| Purchase Land and Buildings - Investment                                 | 19,748                           | 87,300                           | 123,300                              | 123,300                              | (77.38%)                            |
| Purchase Infrastructure Assets - Roads                                   | 2,903,715                        | 2,486,500                        | 3,471,581                            | 3,471,581                            | 16.78%                              |
| Purchase Infrastructure Assets - Footpaths                               | 178,282                          | 206,439                          | 298,322                              | 298,322                              | (13.65%)                            |
| Purchase Infrastructure Assets - Parks                                   | 474,322                          | 1,911,982                        | 2,853,771                            | 2,840,000                            | (75.19%)                            |
| Purchase Infrastructure Assets - Drains                                  | 171,727                          | 280,000                          | 409,980                              | 409,980                              | (38.67%)                            |
| Purchase Infrastructure Assets - Land & Buildings                        | 829,025                          | 3,641,809                        | 5,386,022                            | 5,386,022                            | (77.24%)                            |
| Purchase Vehicles & Heavy Plant  | 59,964                           | 639,680                          | 1,059,680                            | 1,059,680                            | (90.63%)                            |
| Purchase Furniture and Plant & Equipment                                 | 204,743                          | 165,032                          | 175,032                              | 165,032                              | 24.06%                              |
| Purchase Art Collection  | 9,455                            | 9,500                            | 18,000                               | 18,000                               | (0.48%)                             |
| Purchase Intangible Assets   | 24,919                           | 15,087                           | 15,087                               | 15,087                               | 85.17%                              |
| Proceeds from Disposal of Assets   | (25,453)                         | (112,450)                        | (4,697,450)                          | (4,697,450)                          | (77.36%)                            |
| Repayment of Debentures  | 1,214,421                        | 1,214,421                        | 1,596,419                            | 1,596,419                            | 0.00%                               |
| Investment in Managed Funds  | 170,541                          | 210,000                          | (7,100,000)                          | (7,100,000)                          | (18.79%)                            |
| Proceeds from New Debentures   | (330,000)                        | -                                | (2,050,000)                          | (2,050,000)                          |                                     |
| Self-Supporting Loan Principal Income                                    | (164,227)                        | (166,031)                        | (179,447)                            | (179,447)                            | (1.09%)                             |
| New Loan Advances  | 330,000                          | -                                | -                                    | -                                    |                                     |
| Transfers to Reserves (Restricted Assets)                                | 2,132,142                        | 8,204,207                        | 27,704,207                           | 27,704,207                           | (74.01%)                            |
| Transfers from Reserves (Restricted Assets)                              | (55,622)                         | (55,622)                         | (15,664,991)                         | (15,664,991)                         | 0.00%                               |
|  | <u>8,566,909</u>                 | <u>19,604,902</u>                | <u>14,492,303</u>                    | <u>14,488,532</u>                    | (56.30%)                            |
| ADD Estimated (Surplus)/Deficit July 1 B/Fwd                             | (4,063,973)                      | (4,352,375)                      | (4,352,375)                          | (4,352,375)                          | (6.63%)                             |
| LESS Estimated (Surplus)/Deficit June 30 C/Fwd                           | (16,078,380)                     | (2,363,438)                      | (5,000)                              | (80,000)                             | 580.30%                             |
| <b>Amount Raised from Rates</b>  | <u>33,963,216</u>                | <u>33,979,432</u>                | <u>34,090,804</u>                    | <u>34,090,804</u>                    | (0.05%)                             |
| System Rates   | (33,963,216)                     | (33,979,432)                     | (34,090,804)                         | (34,090,804)                         |                                     |

**ATTACHMENT 2 - Statement of Financial Position to 28 February 2013**



City of Fremantle  
Statement of Financial Position - Consolidated

as at 28th February 2013

| Description                          | Note | Current Month      | Actual YTD           | Audited 2011/2012    |
|--------------------------------------|------|--------------------|----------------------|----------------------|
| <b>CURRENT ASSETS</b>                |      |                    |                      |                      |
| Cash and Cash Equivalents            |      | 305,017            | 31,505,623           | 18,691,792           |
| Investments                          |      | 4,513              | 1,089,678            | 3,487,881            |
| Trade and Other Receivables          |      | (2,394,662)        | 6,428,849            | 2,527,933            |
| Inventories                          |      | 2,582              | 193,030              | 185,961              |
| <b>TOTAL CURRENT ASSETS</b>          |      | <b>(2,082,550)</b> | <b>39,217,180</b>    | <b>24,893,567</b>    |
| <b>NON-CURRENT ASSETS</b>            |      |                    |                      |                      |
| Other Receivables                    |      | (14,224)           | 1,275,728            | 1,003,700            |
| Investments                          |      | -                  | 9,543,978            | 9,373,437            |
| Property, Plant and Equipment        |      | (39,966)           | 134,850,615          | 135,158,869          |
| Investment Property                  |      | (2,782)            | 56,036,535           | 56,125,000           |
| Intangibles                          |      | (8,629)            | 521,367              | 734,842              |
| Infrastructure                       |      | 209,160            | 198,538,710          | 198,765,083          |
| <b>TOTAL NON-CURRENT ASSETS</b>      |      | <b>143,560</b>     | <b>400,766,933</b>   | <b>401,160,931</b>   |
| <b>TOTAL ASSETS</b>                  |      | <b>(1,938,990)</b> | <b>439,984,112</b>   | <b>426,054,498</b>   |
| <b>CURRENT LIABILITIES</b>           |      |                    |                      |                      |
| Trade and Other Payables             |      | (735,317)          | (7,700,260)          | (7,211,003)          |
| Long Term Borrowings                 |      | -                  | (381,998)            | (1,596,419)          |
| Provisions                           |      | (10,608)           | (5,035,706)          | (5,174,232)          |
| <b>TOTAL CURRENT LIABILITIES</b>     |      | <b>(745,924)</b>   | <b>(13,117,964)</b>  | <b>(13,981,653)</b>  |
| <b>NON-CURRENT LIABILITIES</b>       |      |                    |                      |                      |
| Long Term Borrowings                 |      | -                  | (8,650,744)          | (8,320,744)          |
| Provisions                           |      | -                  | (757,338)            | (757,338)            |
| <b>TOTAL NON-CURRENT LIABILITIES</b> |      | <b>-</b>           | <b>(9,408,082)</b>   | <b>(9,078,082)</b>   |
| <b>TOTAL LIABILITIES</b>             |      | <b>(745,924)</b>   | <b>(22,526,046)</b>  | <b>(23,059,735)</b>  |
| <b>NET ASSETS</b>                    |      | <b>(2,684,914)</b> | <b>417,458,067</b>   | <b>402,994,763</b>   |
| <b>EQUITY</b>                        |      |                    |                      |                      |
| Retained Surplus                     |      | -                  | (150,039,326)        | (150,382,847)        |
| Reserves - Cash/Investment Backed    |      | -                  | (10,102,727)         | (8,026,208)          |
| Reserves - Asset Revaluation         |      | -                  | (242,840,920)        | (242,840,920)        |
| Net Result (YTD Current Year)        |      | 2,684,914          | (14,475,094)         | (1,744,789)          |
| <b>TOTAL EQUITY</b>                  |      | <b>2,684,914</b>   | <b>(417,458,067)</b> | <b>(402,994,763)</b> |

This statement is to be read in conjunction with the accompanying notes

**ATTACHMENT 3 - Determination of Closing Funds Net Current Assets as at 28<sup>th</sup> February 2013**



**City of Fremantle**  
Determination of Closing Funds  
Net Current Assets  
as at 28th February 2013

| <i>Description</i>                | <i>Current Month</i> | <i>Actual YTD</i>   |
|-----------------------------------|----------------------|---------------------|
| <b>CURRENT ASSETS</b>             |                      |                     |
| Cash - Unrestricted               | 288,831              | 20,578,864          |
| Cash - Restricted                 | 20,699               | 12,016,437          |
| Trade and Other Receivables       | (2,394,662)          | 6,428,849           |
| Inventories                       | 2,582                | 193,030             |
| <b>TOTAL CURRENT ASSETS</b>       | <b>(2,082,550)</b>   | <b>39,217,180</b>   |
| <b>CURRENT LIABILITIES</b>        |                      |                     |
| Trade and Other Payables          | (735,317)            | (7,700,260)         |
| Long Term Borrowings              | -                    | (381,998)           |
| Provisions                        | (10,608)             | (5,035,706)         |
| <b>TOTAL CURRENT LIABILITIES</b>  | <b>(745,924)</b>     | <b>(13,117,964)</b> |
| <b>NET CURRENT ASSETS</b>         | <b>(2,828,474)</b>   | <b>26,099,216</b>   |
| <b>ADD</b>                        |                      |                     |
| Loan Repayments (Current)         | -                    | 381,998             |
| Non Current Rates Debtors         | (14,224)             | 290,582             |
| Lease Amortisation - Freo Markets | -                    | 12,964              |
| <b>LESS</b>                       |                      |                     |
| Cash - Reserves - Restricted      | -                    | (10,102,727)        |
| Non Current Leave Provisions      | -                    | (585,238)           |
| Loan Advances                     | -                    | (18,415)            |
| <b>CLOSING FUNDS POSITION</b>     | <b>(2,842,698)</b>   | <b>16,078,380</b>   |

**ATTACHMENT 4 - Schedule of Accounts Submitted to Ordinary Council Meeting  
February 2013 Payments**

| SCHEDULE OF ACCOUNTS SUBMITTED TO ORDINARY COUNCIL MEETING |                     |                      |                        |
|--|---------------------|----------------------|------------------------|
| FEBRUARY 2013 PAYMENTS                                     |                     |                      |                        |
| MUNICIPAL FUND   |                     |                      |                        |
| Identifier   | In Favour of        | Comments-Details     | Amount                 |
| EF036287-EF037137  | Various Creditors   | As Per Attached List | \$ 3,934,849.21        |
| DD000274-DD000279  |                     |                      | \$ 5,181.86            |
| DD000710-DD000723  |                     |                      | \$ 23,167.41           |
| Chq 026891-207060  |                     |                      | \$ 238,552.98          |
| 34188164   | Wages 07/02/2013    | Employee Payroll     | \$ 144,096.07          |
| 3433692  | Salaries 13/02/2013 | Employee Payroll     | \$ 617,880.77          |
| 34569010   | Wages 21/02/2013    | Employee Payroll     | \$ 125,358.66          |
| 34730967   | Salaries 27/02/2013 | Employee Payroll     | \$ 613,046.05          |
|  |                     |                      | \$ 5,702,133.01        |
| TRUST FUND   |                     |                      |                        |
| Identifier   | In Favour Of        | Comments             | Amount                 |
| Nil  | N/A                 | N/A                  | \$ -                   |
|  |                     |                      | \$ -                   |
| RESERVE FUND   |                     |                      |                        |
| Identifier   | In Favour Of        | Comments             | Amount                 |
| Nil  | N/A                 | N/A                  | \$ -                   |
|  |                     |                      | \$ -                   |
| INVESTMENT TRUST   |                     |                      |                        |
| Identifier   | In Favour Of        | Comments             | Amount                 |
| Nil  | N/A                 | N/A                  | \$ -                   |
|  |                     |                      | \$ -                   |
| PROFESSIONAL FUNDS ACCOUNT                                 |                     |                      |                        |
| Identifier   | In Favour Of        | Comments             | Amount                 |
|  |                     |                      | \$ -                   |
|  |                     |                      | \$ -                   |
| <b>GRAND TOTAL</b>   |                     |                      | <b>\$ 5,702,133.01</b> |



ATTACHMENT 5 - Cash & Investments Summary February 2013

| ATTACHMENT 6 CASH & INVESTMENTS SUMMARY FOR THE MONTH TO 28 FEBRUARY 2013 |                              |                                  |                             |                                    |                               |                               |                         |                         |                   |
|---|------------------------------|----------------------------------|-----------------------------|------------------------------------|-------------------------------|-------------------------------|-------------------------|-------------------------|-------------------|
| <b>CASH &amp; SHORT TO MEDIUM TERM INVESTMENTS</b>                        |                              |                                  |                             |                                    |                               |                               |                         |                         |                   |
| <b>CASH AT BANK</b>   |                              |                                  |                             |                                    |                               |                               |                         |                         |                   |
|   | Opening Balance 01 July 2012 | Closing Balance 28 February 2013 | Cash Investment Portfolio   | Interest Received for Month        | Actual Return YTD             |                               |                         |                         |                   |
|   | \$                           | \$                               | %                           | \$                                 | \$                            |                               |                         |                         |                   |
| Municipal Bank Account  | 741,618.53                   | 0.00                             | 0.00%                       | 0.04                               | 6,306.01                      |                               |                         |                         |                   |
| Investment Trust Account  | 302,212.84                   | 285,200.57                       | 0.88%                       | 600.38                             | 6,502.73                      |                               |                         |                         |                   |
| Reserve Fund  | 0.00                         | 0.00                             | 0.00%                       | 0.00                               | N/A                           |                               |                         |                         |                   |
| Maintenance Purchasing Card   | (22,617.23)                  | (209.92)                         | 0.00%                       | 0.00                               | N/A                           |                               |                         |                         |                   |
| <b>Total Short Term Cash Deposits</b>                                     | <b>1,311,214.14</b>          | <b>284,990.65</b>                | <b>0.88%</b>                | <b>600.42</b>                      | <b>13,049.34</b>              |                               |                         |                         |                   |
| <b>TERM DEPOSITS</b>  |                              |                                  |                             |                                    |                               |                               |                         |                         |                   |
|   | Opening Balance              | Market Value at Reporting Date   | Cash Investment Portfolio   | Interest Accrued for the Month     | Actual Return YTD             | Term Deposit Interest Rate    |                         |                         |                   |
|   | \$                           | \$                               | %                           | \$                                 | \$                            | %                             |                         |                         |                   |
| Municipal Term Deposits   | 8,234,897.81                 |                                  |                             | (1,388.99)                         | 256,536.12                    |                               |                         |                         |                   |
| WBC Term Deposit 33-3662 - South 30/3/2013 - 30/04/2013                   | 2,573,952.05                 | 2,651,411.64                     | 8.18%                       | 8,827.38                           | 65,459.87                     | 4.34%                         |                         |                         |                   |
| WBC Term Deposit 36-1752 - South 26/10/2012 - 26/03/2013                  |                              | 3,200,888.84                     | 16.32%                      | 18,344.92                          | 81,806.98                     | 4.52%                         |                         |                         |                   |
| WBC Term Deposit 41-7006 - South 19/10/2012 - 19/03/2013                  |                              | 3,000,000.00                     | 9.20%                       | 10,832.33                          | 50,123.84                     | 4.62%                         |                         |                         |                   |
| WBC Term Deposit 43-4935-South 03/12/2012-04/03/2013                      |                              | 3,000,000.00                     | 9.20%                       | 11,023.56                          | 34,251.78                     | 4.79%                         |                         |                         |                   |
| NAB Term Deposit 12-232-3031 - 12th 29/10/2012 - 29/10/2013               |                              | 3,172,687.46                     | 9.79%                       | 11,000.97                          | 47,932.78                     | 4.52%                         |                         |                         |                   |
| NAB Term Deposit 14-618-5511 - South 22/10/2012 - 22/04/2013              |                              | 3,000,000.00                     | 9.20%                       | 10,287.12                          | 47,304.26                     | 4.47%                         |                         |                         |                   |
| NAB Term Deposit 14-884-3415 - South 03/12/2012 - 03/06/2013              |                              | 2,000,000.00                     | 6.17%                       | 7,042.19                           | 21,881.09                     | 4.59%                         |                         |                         |                   |
| Bendigo Term Deposit 818802-South 03/12/2012-04/06/2013                   |                              | 2,000,000.00                     | 6.17%                       | 7,057.53                           | 21,928.76                     | 4.60%                         |                         |                         |                   |
| <b>Total Term Deposits</b>  | <b>16,808,849.86</b>         | <b>24,314,788.91</b>             | <b>74%</b>                  | <b>83,029.87</b>                   | <b>687,485.48</b>             |                               |                         |                         |                   |
| <b>CASH INVESTMENTS</b>   |                              |                                  |                             |                                    |                               |                               |                         |                         |                   |
|   | Opening Balance 01 July 2012 | Closing Balance 28 February 2013 | Cash Investment Portfolio   | Interest Received for Month        | Actual Return YTD             | Interest Rate                 |                         |                         |                   |
|   | \$                           | \$                               | %                           | \$                                 | \$                            |                               |                         |                         |                   |
| Municipal Account   | 2,445,895.16                 | 0.00                             | 0.00%                       | 0.00                               | 60,633.78                     |                               |                         |                         |                   |
| Professional Funds Account  |                              | 1,850,895.71                     | 5.71%                       | 5,932.56                           | 26,147.10                     | 3.05%                         |                         |                         |                   |
| ANZ Negotiable Interest Account   |                              | 5,042,822.49                     | 15.50%                      | 14,579.33                          | 79,565.77                     | 4.00%                         |                         |                         |                   |
| <b>Total Cash Investments</b>   | <b>2,445,895.16</b>          | <b>6,893,718.20</b>              | <b>21%</b>                  | <b>20,511.89</b>                   | <b>175,346.65</b>             |                               |                         |                         |                   |
| <b>CASH MANAGED INVESTMENTS</b>   |                              |                                  |                             |                                    |                               |                               |                         |                         |                   |
|   | Opening Balance 01 July 2012 | Market Value at Reporting Date   | Cash Investment Portfolio   | Interest/Rebate Received for Month | Interest/Rebate Received YTD  | Market Value Change for Month | Market Value Change YTD | Actual Return for Month | Actual Return YTD |
|   | \$                           | \$                               | %                           | \$                                 | \$                            | \$                            | \$                      | \$                      | \$                |
| <b>Working Capital</b>  |                              |                                  |                             |                                    |                               |                               |                         |                         |                   |
| 093 CM7 - 332862  | 66,750.36                    | 27,163.01                        | 0.08%                       | 0.00                               | 751.63                        | 0.00                          | 0.00                    | 0.00                    | 751.63            |
| <b>Short Term</b>   |                              |                                  |                             |                                    |                               |                               |                         |                         |                   |
| 427 Fremantle Cash Enhanced Fund  | 3,223,730.21                 | 1,085,586.97                     | 3.35%                       | 155.75                             | 72,738.46                     | (4,344.81)                    | (11,281.70)             | 4,500.56                | 61,456.78         |
| 431 QIC Cash Enhanced Fund  | 264,150.82                   | 4,490.84                         | 0.01%                       | 0.00                               | (202.10)                      | 12.78                         | (3,468.73)              | 12.78                   | (823.37)          |
| <b>Total Managed Cash Investments</b>                                     | <b>3,554,631.99</b>          | <b>1,116,840.82</b>              | <b>3.45%</b>                | <b>155.75</b>                      | <b>77,782.19</b>              | <b>(4,367.87)</b>             | <b>(14,758.43)</b>      | <b>4,513.32</b>         | <b>60,633.78</b>  |
| <b>CASH &amp; SHORT TO MEDIUM TERM INVESTMENTS SUMMARY</b>                |                              |                                  |                             |                                    |                               |                               |                         |                         |                   |
|   | Opening Balance 01 July 2012 | Market Value at Reporting Date   | Interest Received for Month | Interest Received YTD              | Market Value Change for Month | Market Value Change YTD       | Actual Return YTD       |                         |                   |
|   | \$                           | \$                               | \$                          | \$                                 | \$                            | \$                            | \$                      |                         |                   |
| <b>TOTAL CASH INVESTMENTS</b>   | <b>17,919,791.15</b>         | <b>32,489,452.58</b>             | <b>194,297.13</b>           | <b>873,583.46</b>                  | <b>4,387.87</b>               | <b>(14,758.43)</b>            | <b>808,833.23</b>       |                         |                   |

| ATTACHMENT 6   |                                 | CASH & INVESTMENTS SUMMARY FOR THE MONTH TO 28 FEBRUARY 2013 CONT. |                                       |                                    |                                   |                            |                        |                       |   |
|--|---------------------------------|--|---------------------------------------|------------------------------------|-----------------------------------|----------------------------|------------------------|-----------------------|---|
| RETURN ON INVESTMENTS SUMMARY BUDGET VS. ACTUAL AS AT 28 FEBRUARY 2013 |                                 |  |                                       |                                    |                                   |                            |                        |                       |   |
|  | 2012-2013<br>Budget<br>\$       | YTD<br>Budget<br>\$  | YTD<br>Actual<br>\$                   | YTD<br>Variance<br>\$              |                                   |                            |                        |                       |   |
| Investment Interest  | (1,300,804.00)                  | (885,868.00)   | (873,593.66)                          | 20,284.34                          |                                   |                            |                        |                       |   |
| Cash Management Investment (Increase / Decrease on Valuation)          | 0.00                            | 0.00   | 14,750.45                             | 14,750.45                          |                                   |                            |                        |                       |   |
| <b>Sub Total of Short Term Cash Investment Interest</b>                |                                 |  | <b>(858,843.21)</b>                   |                                    |                                   |                            |                        |                       |   |
| Long Term Investment Interest  | (881,000.00)                    | (210,000.00)   | (170,541.32)                          | 20,458.68                          |                                   |                            |                        |                       |   |
| <b>Total Investment Interest</b>                                       | <b>(1,740,804.00)</b>           | <b>(1,203,868.00)</b>  | <b>(1,029,574.58)</b>                 | <b>74,493.48</b>                   |                                   |                            |                        |                       |   |
| <b>TRUST FUND</b>  |                                 |  |                                       |                                    |                                   |                            |                        |                       |   |
| <b>CASH AT BANK</b>  | Opening Balance 01 July 2012 \$ | Closing Balance 28 February 2013 \$                                | Interest Received for Month \$        | Actual Return YTD \$               |                                   |                            |                        |                       |   |
| Trust Fund   | 4,450.46                        | 1.61   | 0.00                                  | 20.85                              |                                   |                            |                        |                       |   |
| <b>Total Trust Fund</b>  | <b>4,450.46</b>                 | <b>1.61</b>  | <b>0.00</b>                           | <b>20.85</b>                       |                                   |                            |                        |                       |   |
| <b>TERM DEPOSITS</b>   | Opening Balance \$              | Market Value at Reporting Date \$                                  | Cash Investment Portfolio \$          | Interest Accrued for the Month \$  | Actual Return YTD \$              | Term Deposit Interest Rate |                        |                       |   |
| Managed Term Deposits  | 539,000.00                      | 550,933.77   | 100.00%                               | 0.00                               | 11,409.82                         | 4.61%                      |                        |                       |   |
| NAB Term Deposit 14-893-4282 - 32 mth 20/11/12 -20/09/13               |                                 |  |                                       |                                    | 0.00                              |                            |                        |                       |   |
| <b>Total Term Deposits</b>   | <b>539,000.00</b>               | <b>550,933.77</b>  | <b>100%</b>                           | <b>0.00</b>                        | <b>11,409.82</b>                  |                            |                        |                       |   |
| <b>LONG TERM INVESTMENTS</b>   |                                 |  |                                       |                                    |                                   |                            |                        |                       |   |
|  | Opening Balance 01 July 12 \$   | New Investment \$  | YTD Dividend Received & Reinvested \$ | Market Value at 31 January 2012 \$ | Market Value at Reporting Date \$ | Investment Portfolio %     | Market Value Change \$ | Variance for Month \$ | Variance YTD Excluding New Investment & Reinvestment \$ |
| BlackRock Scientific Wholesale Diversified Growth Fund                 | 2,106,431.67                    | 0.00   | 65,328.33                             | 2,417,350.00                       | 2,487,852.99                      | 30.47%                     | 4,974.06               | 70,502.39             | 315,892.99  |
| BlackRock Scientific Wholesale Diversified Income Fund                 | 2,890,875.94                    | 0.00   | 81,282.99                             | 3,119,210.59                       | 3,171,867.02                      | 38.84%                     | (28,655.56)            | 52,627.43             | 199,708.09  |
| Schroder Balanced Fund   | 2,164,623.32                    | 0.00   | 23,730.06                             | 2,450,916.80                       | 2,505,828.05                      | 30.69%                     | 54,911.25              | 54,911.25             | 341,204.73  |
| <b>Total Long Term Investments</b>                                     | <b>7,161,930.93</b>             | <b>0.00</b>  | <b>170,341.38</b>                     | <b>7,987,466.99</b>                | <b>8,165,548.06</b>               | <b>100.00%</b>             | <b>81,229.75</b>       | <b>178,041.07</b>     | <b>856,805.81</b>                                       |

**ATTACHMENT 6 - Debtors Outstanding as at 28 February 2013**

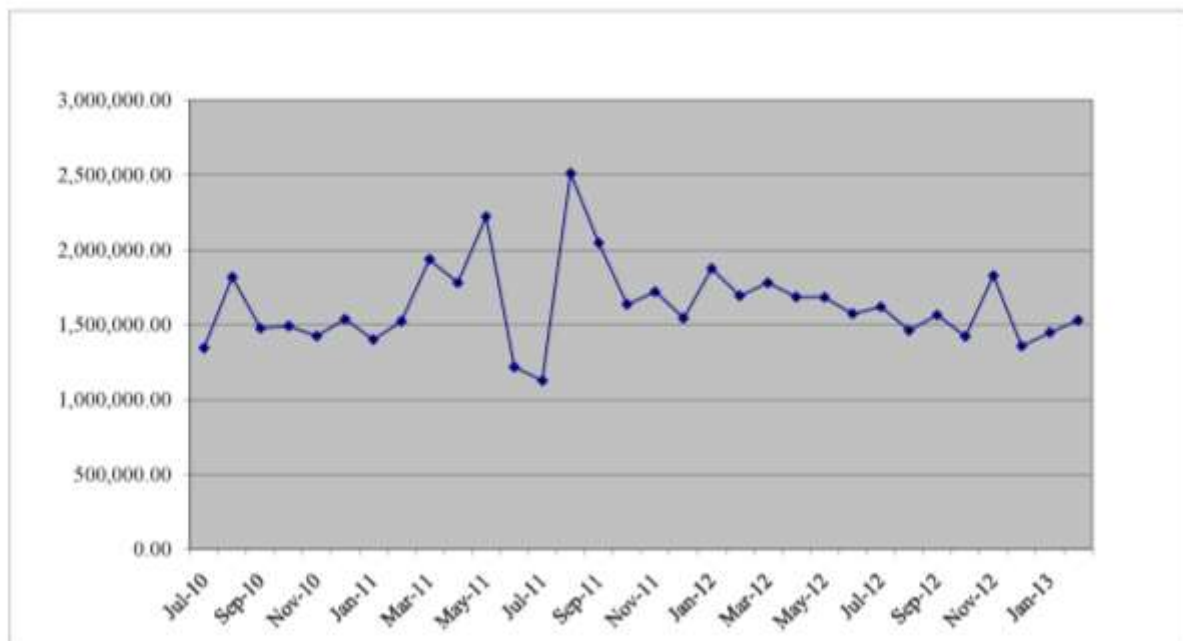
**DEBTOR'S OUTSTANDING AS AT 28TH FEBRUARY 2013**

**SUMMARY OF SUNDRY DEBTORS  
AS AT 28th FEBRUARY 2013**

| DESCRIPTION                          | CURRENT           | 30 DAYS OVERDUE   | 60 DAYS OVERDUE  | 90 DAYS OVERDUE   | TOTAL OUTSTANDING   |
|--------------------------------------|-------------------|-------------------|------------------|-------------------|---------------------|
| CEO Marketing & Economic Development | 502,212.64        | 129,236.58        | 46,294.89        | 408,962.25        | 1,086,706.36        |
| City Management                      | 38,218.11         | 8,607.87          | 391.10           | 3,916.88          | 51,133.76           |
| City Management                      | 1,735.44          | -                 | -                | -                 | 1,735.44            |
| Community Development                | 48,030.64         | 351.00            | 11,000.00        | 552.50            | 59,934.14           |
| Commercial Properties                | -                 | -                 | -                | 72,790.06         | 72,790.06           |
| Commercial Waste                     | 90,615.09         | 29,592.59         | 15,350.20        | 33,675.83         | 169,233.71          |
| Corporate Services                   | 41,268.00         | 297.00            | -                | 443.85            | 42,008.85           |
| Fredrick Wright MU                   | 4,246.50          | -                 | -                | 466.53            | 4,713.03            |
| Fremantle Arts Centre                | 13,750.00         | 2,275.00          | -                | 8,800.00          | 24,825.00           |
| Fremantle Leisure Centre             | 18,035.18         | 33.88             | 240.00           | 295.00            | 18,604.06           |
| Hall/Reserve Hire                    | 3,672.80          | 3,543.00          | -                | 1,866.40          | 9,102.20            |
| Insurance Workers Compensation       | 2,097.03          | -                 | -                | 1,846.00          | 3,945.03            |
| Miscellaneous Debtor                 | - 10,334.50 -     | 8,430.11 -        | 11,755.82 -      | 40,737.45 -       | 71,257.88           |
| Mores Building Gallery               | -                 | -                 | -                | 3,864.00          | 3,864.00            |
| Parking                              | 20,546.35         | 1,457.78          | 466.98           | 4,359.50          | 26,830.61           |
| Samson Recreation Centre             | 2,364.60          | 6,735.35          | 94.50            | 196.00            | 9,392.45            |
| Sporting Clubs                       | 2,987.50          | 1,319.00          | 294.00           | 9,328.23          | 13,928.73           |
| Tapper Street                        | 2,379.50          | -                 | -                | -                 | 2,379.50            |
| <b>Total</b>                         | <b>781,824.88</b> | <b>175,018.94</b> | <b>62,375.85</b> | <b>510,649.38</b> | <b>1,529,869.05</b> |

**SUNDRY DEBTORS**

JULY 10 TO FEBRUARY 2013



# : From July 2009 Invoicing for Commercial Properties and Infrastructure Private Works/Reinstatements is now carried out from the Works & Assets Module

**RATES OUTSTANDING  
AS AT 28TH FEBRUARY 2013**

|                |                        |
|----------------|------------------------|
| RATES          | \$ 5,001,657.05        |
| DEFERRED RATES | \$ 290,582.17          |
| TOTAL          | <u>\$ 5,292,239.22</u> |

